



*Ventnor City Board of Commissioners*

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

*~ 2016 ~*

*Commission Meetings  
Minutes*

**Explanation of Contents:**

This volume of the Official Minutes of the Ventnor City Board of Commissioners begins on January 21<sup>st</sup>, 2016. 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:

**2016 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@ventnorcite.org

**Business Hours:**

Monday – Friday  
8:30am-4:00pm

The meeting of the Ventnor City Board of Commissioners was called to order by ACTING MAYOR SARNO in Commission Chambers, City Hall, on January 21, 2016 at 6:05 PM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly  
Absent: Mayor Bagnell

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

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

CMR SARNO read the Hazard Mitigation Statement.

CMR SARNO introduced Fred Scerni, Esq. who would be acting as Solicitor this evening in the absence of Amy Weintrob, Esq.

**PUBLIC PORTION: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW**  
CMR SARNO asked if anyone had questions on Items to be voted on tonight.

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

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

**MOTION TO APPROVE MINUTES**

Cmr Sarno moved, seconded by Cmr Kelly the Minutes of the 12.17.15 Regular Meeting be approved as written (oral reading waived).

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

**INTRODUCTION OF ORDINANCE 2016-01**

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

Cmr Sarno moved, seconded by Cmr Kelly that Ordinance 2016-01 be introduced.

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

**INTRODUCTION OF ORDINANCE 2016-02**

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

Cmr Sarno moved, seconded by Cmr Kelly that Ordinance 2016-02 be introduced.

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

**NEW BUSINESS**

**CONSENT AGENDA**

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 1 thru 15 of 2016 by consent agenda.

Cmr Sarno moved, seconded by Cmr Kelly Resolutions No. 1 thru 15 of 2016 be adopted by consent.

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

**RESOLUTION NO. 1 OF 2016 – ADOPT 2016 TEMPORARY BUDGET**  
**2016 TEMPORARY BUDGET**

**CURRENT FUND**

**GENERAL GOVERNMENT FUNCTIONS**

**FCOA**

City Administrator

Salaries and Wages

20-100-010 19,975.00

Mayor's Office		
Salaries and Wages	20-110-010	17,666.50
Other Expenses	20-110-020	3,923.00
Finance Commissioner		
Salaries and Wages	20-112-010	2,500.00
Public Works Commissioner		
Salaries and Wages	20-114-010	2,500.00
City Clerk		
Salaries and Wages	20-120-010	24,045.00
Other Expenses	20-120-020	10,050.00
Revision/Codification of Ordinances	20-120-300	2,300.00
Election Expenses	20-120-400	2,400.00
Financial Management		
Salaries and Wages	20-130-010	59,254.75
Other Expenses	20-130-020	12,920.00
Auditing Fees	20-131-020	13,900.00
Information Technology		
Salaries and Wages	20-140-010	18,240.25
Other Expenses	20-140-020	9,700.00
Collection of Taxes		
Salaries and Wages	20-145-010	22,011.00
Other Expenses	20-145-020	3,675.00
Assessment of Taxes		
Salaries and Wages	20-150-010	24,047.50
Other Expenses	20-150-020	2,480.00
Legal Services Costs		
Other Expenses	20-155-020	75,000.00
City Engineer		
Salaries and Wages	20-165-010	26,375.00
Other Expenses	20-165-020	20,750.00
Planning Board		
Salaries and Wages	20-180-010	800.00
Other Expenses	21-180-020	6,750.00
Construction Code		
Salaries and Wages	22-195-010	77,274.00
Other Expenses	22-195-020	1,650.00
Housing Code		
Salaries and Wages	22-196-010	18,837.00
Other Expenses	22-196-020	1,225.00
Electrical & Plumbing Inspections		
Salaries and Wages	22-197-010	2,265.00
Other Expenses	22-197-020	0.00
Interlocal Municipal Service Agreements		
Borough of Longport-UCC		
Salaries & Wages	22-198-010	8,500.00
INSURANCE		
Other Insurance Premiums	23-211-000	30,591.00
Worker Compensation Insurance	23-215-000	229,656.00
Health Insurance	23-220-000	618,842.00
Health Insurance Waiver	23-221-000	22,396.00
Police		
Salaries and Wages	25-240-010	1,059,521.00
Other Expenses	25-240-020	20,850.00
Radio & Communication		
Salaries and Wages	25-250-010	123,195.00
Other Expenses	25-250-020	30,600.00
Office of Emergency Management		
Salaries and Wages	25-252-010	13,875.00
Other Expenses	25-252-020	9,200.00
Fire Department		
Salaries and Wages	25-255-010	1,083,752.00
Other Expenses	25-255-020	8,060.00
Uniform Fire Safety		
Other Expenses	25-265-020	1,050.00

Streets & Roads		
Salaries and Wages	26-290-010	122,306.00
Other Expenses	26-290-020	9,600.00
Traffic & Electrical Division		
Salaries and Wages	26-300-010	15,067.00
Other Expenses	26-300-020	3,750.00
Solid Waste/Recycling		
Salaries and Wages	26-305-010	14,916.00
Other Expenses	26-305-020	276,274.00
Building & Grounds		
Salaries and Wages	26-310-010	50,399.00
Other Expenses	26-310-020	15,350.00
Motor Vehicle Maintenance		
Salaries and Wages	26-315-010	68,641.00
Other Expenses	26-315-020	4,750.00
Dog Control	27-340-020	2,100.00
Recreation		
Salaries and Wages	28-370-010	65,000.00
Other Expenses	28-370-020	13,030.00
Beach Patrol		
Salaries and Wages	28-380-010	10,000.00
Other Expenses	28-380-020	4,500.00
Beach Control		
Salaries and Wages	28-381-010	4,000.00
Other Expenses	28-381-020	5,600.00
Celebration of Public Events	30-420-299	2,500.00
Utility Expenses		
Gasoline	31-460-000	23,700.00
Electricity	31-430-000	147,000.00
Telephone	31-440-000	15,000.00
Natural Gas	31-446-000	30,000.00
Terminal Leave	32-400-011	
<b>STATUTORY EXPENDITURES</b>		
Contribution to:		
Unemployment	36-473-000	31,500.00
Social Security System (O.A.S.I.)	36-472-000	60,375.00
Consolidated P&FRS	36-474-000	2,000.00
Medicare Insurance	36-476-000	36,750.00
Lifeguard Pension Fund	36-477-000	
Police & Firemens Retirement System NJ	36-475-000	400,000.00
Public Employees Retirement System of NJ	36-471-000	85,000.00
Defined Contribution Retirement Plan	36-480-000	2,100.00
Municipal Court		
Salaries and Wages	43-490-010	55,770.50
Other Expenses	43-490-020	2,100.00
Prosecutor		
Salaries and Wages	43-492-010	7,750.00
Public Defender		
Salaries and Wages	43-495-010	2,250.00
<b>MUNICIPAL DEBT SERVICE</b>		
Bonds Interest - General	45-930-000	18,000.00
Bond Principal - School	48-920-000	375,000.00
Bond Interest - School	48-930-000	47,930.00
		<u>\$5,772,610.50</u>
<b>WATER/SEWER UTILITY FUND</b>		
<b>WATER/SEWER UTILITY FUND</b>	<b>FCOA</b>	
Operating		
Salaries and Wages	55-501-010	\$251,955.00
Other Expenses	55-502-020	\$176,287.50
ACUA Sewer Shared Costs	55-502-300	\$345,211.75
<b>STATUTORY EXPENDITURES</b>		
Contribution to:		
Unemployment	55-542-000	265.00

Social Security System (O.A.S.I.)

55-541-000 21,250.00

\$794,969.25

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 1 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 2 OF 2016 – DESIGNATE BANK DEPOSITORIES**

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

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

Ocean City Home Bank

Fidelity Investment

NJ Asset & Rebate Management Program

TD Bank

Fidelity Investment Account

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

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 2 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 3 OF 2016 – EMPLOYEE BONDS**

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

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

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

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

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

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

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

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 3 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 4 OF 2016 – ADOPT 2016 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 2016 fiscal year.

Cash Management Plan of Ventnor City in the County of Atlantic

**I STATEMENT OF PURPOSE**

This Cash Management Plan (CMP) is prepared pursuant to provisions of N.J.S.A 40A:5-14 in order to set for the basis for the deposits and investments of public funds of the City of Ventnor. The CMP is intended to

assure that public funds identified herein are deposited in interest bearing accounts or otherwise safeguarded, in permitted investments to insure safety, liquidity and a maximum investment rate of return. The CMP is intended to insure that any deposits and permitted investments mature within the time period that approximates the prospective need for the funds, deposited or invested so that there is not a risk to the market value of Ventnor cash resources.

## II CASH MANAGEMENT POLICY

A. Objectives: The priority of investing policies shall be, in order of descending importance, security, liquidity and yield.

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

B. Standard of Care

- (1) Prudence
 

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

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

- (2) Ethics and Conflicts of Interest
 

The designated officials in the investment process shall not have personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Actions of the

individuals involved in administering the AMP shall be governed by the Local Government Ethics Law. They shall disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. The actin with the same individual with whom business is conducted on behalf of the City.

(3) Delegation of Authority

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

III IDENTIFIED FUNDS AND ACCOUNTS TO BE COVERED BY THIS PLAN

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

Current Fund

Ambulance Fee Account

Bail Account

Clerk of the Municipal Court Account

Dog Dedicated Trust Account

Evidence Trust Account

Water/Sewer Utility Operating Fund

Water/Sewer Utility Capital Fund

Developer's Escrow Account

Lifeguard Pension

Other Trust Fund

General Capital Fund

Unemployment Trust Fund

Fidelity Investment Account

Green Acres Account

Law Enforcement Trust Account

Merchant Court Fees Account

Payroll Account

Petty Cash Account

Premium Account

Small Cities Account

Tax Lien Redemption Account

Federal Forfeiture Account

Payroll Agency Account

Penalties Collected Under Uniform Fire Code Account

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

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

V DESIGNATION OF DEPOSITORIES.

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

Ocean City Home Bank Fidelity Investment

NJ Asset & Rebate Management Program

TD Bank

Fidelity Investment Account

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

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

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

VII AUTHORIZED INVESTMENT

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

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

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

Government Money Market Mutual Fund, An investment company or investment trust: (a) which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940" 15 U.S.C. sec 80a-1 et seq, and operated in accordance with 17 C.F.R. sec 270.2a-7

(b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec 270. 2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and

(c) which has:
 

- (1) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
- (2) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the "Investment Advisors Act of 1940" 15 S.S.C. sec 80B-1 et seq., with experience investing in US Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

- (a) Which is managed in accordance with 17 C.F.R. sec 270.2a7
- (b) Which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) Which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. Sec 270k.2a-7 and repurchase agreements that are collateralized by such U.S Government securities;
- (d) Which is in compliance with rules adopted pursuant to the "Administrative Procedure Act: P.L. 1968, c.41 0(c.52:14B-1 et seq) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investment;
- (e) Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a

market value that approximates their par value; or utilize and index that does not support a stable net asset value; and

(f) Which purchases and redeems investments directly from the issuer, government money market mutual fund or the State of New Jersey Management Fund, or through the use of a national or State bank located within this State or through a grocer-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to Section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in Capital stock (or equivalent capitalization if not a corporation) surplus reserves for contingencies and undivided profits, or through a securities and reports daily to the Federal Reserve Bank of New York its position in the borrowing on such U.S. Government securities.

## VII SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGEMENT OF RECEIPT OF PLAN

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

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

## IX REPORTING REQUIREMENTS:

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

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

## X TERM OF PLAN

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

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 4 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

## RESOLUTION NO. 5 OF 2016 – AUTHORIZE TAX EXEMPT AGREEMENT

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

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

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

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

Name Of Applicant	Block/Lot	Address
Peggy Cavanaugh	117/8	25 N Cornwall
James R Bonanno		

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 5 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 6 OF 2016 – REMOVE DISABLED VET EXEMPTION & COLLECTION OF BACK TAXES**

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

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

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

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

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

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

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

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

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 6 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 7 OF 2016 – AUTHORIZE CO #2, CALVERT AVE DRAINAGE IMPROVEMENTS**

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

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

WHEREAS, additional adjustments in quantity amount

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

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 7 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 8 OF 2016 – LIQUOR LICENSE PERSON TO PERSON TRANSFER**

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Plenary Retail Distribution License #0122-44-013-005 is hereby transferred to Ventnor Spirits, LLC whose sole

stockholders are Ketul B. Patel, 38 Johanna Ct., Piscataway, NJ 08854 and Alpesh T. Patel, 408 Fir Ave., Galloway, NJ 08205.

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

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 8 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

RESOLUTION NO. 9 OF 2016 – TRANSFER OF FUNDS

BE IT RESOLVED that the following appropriation transfers are hereby authorized

	ACCT #	FROM	TO
ADMINISTRATOR			
SALARIES & WAGES	20-100-011		\$1.00
BUILDINGS & GROUNDS			
SALARIES & WAGES	26-310-011	\$1.13	
INTEREST ON NOTES LOCAL SCHOOL	48-930-000		\$0.13
		<u>\$1.13</u>	<u>\$1.13</u>
WATER/SEWER UTILITY			
SALARIES & WAGES	55-501-011	\$206.26	
INTEREST ON BONDS	55-523-000		\$206.26
		<u>\$206.26</u>	<u>\$206.26</u>

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 9 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

RESOLUTION NO. 10 OF 2016 – GRANT EASEMENT 5105 WINCHESTER

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

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

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

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

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

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

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

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

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

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

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the City to enter into the aforementioned agreement with 5105 Winchester Bayfront, LLC to acquire an easement and allow the

installation of check valves for the benefit of all citizens to reduce the flooding in the city pursuant to the terms set forth herein.

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

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

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 10 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

RESOLUTION NO. 11 OF 2016 – 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.

Name	Property Address	Remaining Balance
Daniel Cahill	210 N Cambridge Ave	\$551.00

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 11 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

RESOLUTION NO. 12 OF 2016 – AUTHORIZE 2016 DRUG 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 2016 in the amount of:

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

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

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 12 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

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**RESOLUTION NO. 13 OF 2016 – AUTHORIZE CONCESSION CONTRACT FOR ELECTRONIC SALE OF BEACH BADGES**

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

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

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

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

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

Whereas, the City of Ventnor through its Chief Financial Officer has estimated the total value of the concession, as defined by the regulations of New Jersey of Department of Community Affairs to be \$14,000;

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Ventnor as follows:  
The Governing Board hereby authorizes the Chief Financial Officer to seek quotations for a concession agreement with an electronic seller and distributor of beach badges.

A copy of this Resolution shall be available for public inspection at the offices of the City Clerk.

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 13 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

**RESOLUTION NO. 14 OF 2016 – 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.

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 14 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

RESOLUTION NO. 15 OF 2016 – OPPOSE COUNTY WIDE DISPATCH

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

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

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

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

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

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

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

Cmr Sarno moved, seconded by Cmr Kelly Resolution No 15 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

CONFIRMATION OF PLANNING BD APPOINTMENTS

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

Cmr Kelly moved, seconded by Cmr Sarno, the appointments to the Planning Bd be confirmed.

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

APPROVAL OF BILLS & PAYROLLS

The City Clerk read bills in the amount of \$4,735,227.54 and payrolls from 12.12.15 to 12.25.15 in the amount of \$499,996.53, from 12.26.15 to 1.8.16 in the amount of \$537,092.79 and from 1.9.16 to 1.22.16 in the amount of \$506,927.61 for approval.

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

Roll Call Vote: Yeas: Commissioners Sarno and Kelly

Absent: Mayor Bagnell

ANNOUNCEMENTS:

CMR SARNO read the following JIF Safety Committee Report: The Safety Committee met on January 13th. The accident review portion dealt with all auto incidents – no injuries and only minor property damage. The open claims yearend report included 3 December worker comp claims, one of which resulting in two months lost time. Overall, 2015 ended favorably. Multiple safety bulletins were discussed. 2016 will focus on training issues and documentation of topics and attendees in areas of need. The monetary reward for the 2016 safety incentive program has increased from \$1500 to \$2400. Our goal is to perform all requirements to gain this reimbursement. We got a jump-start on the safety contract portion of the safety incentive program and should be finalized and forwarded shortly. Safety committee meetings are the second Wednesday of each month at 9:00 am at the public works conference room if anyone is interested in attending. Lastly, included in the agenda is move it Monday from the ACMJIF wellness director, Valerie smith and features exercises for office employees.

PUBLIC PORTION

TIM KRIEBEL, 1 S Harvard from the non- profit group "Downtown Ventnor" reported his group has raised enough funds to replace 5 to 7 trees along Ventnor Ave (Portland to Newark) and asked to whom he should speak to coordinate these efforts. Discussions ensued with the determination that Administrator Russo would contact Atlantic County since Ventnor Ave is a County road to receive any necessary approvals.

LINDA KAPLAN, 12 N Wissahickon asked Emergency Management Coordinator Donna Peterson for an update on the pending storm. Ms Peterson reported the information available and indicated residents would be informed via "Robo call" as more information becomes available. Ms Kaplan then asked the Commission to

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consider a Resolution eliminating the title of Management Specialist.

MARC SILVER, 112 S Surrey again asked the Commission to consider blinking the first 3 lights on Atlantic Av (Fredericksburg, Melbourne & Newark). Stating there are no State laws prohibiting doing such, it would be a Commission decision whether to do so or not. Mr Silver reported he spoke with Police Chief Miller and Mayor Bagnell who have no objections if the remaining 2 Commissioners support it as well. Cmr Kelly responded she spoke with the Police Department who told her the Solicitor is looking into the matter and the Police Chief is waiting to make his decision based on her recommendation. Mr Silver asked the Commissioners for their support if the Solicitor, Police Chief and Mayor have no objections.

Regarding the issue of property revaluation or reassessment, Mr Silver suggested the Tax Assessor include in any RFP's that the vendor bring the software for tax records up to date.

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

6:26PM MEETING ADJOURNED

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

Mayor John Michael Bagnell (Absent)  
Commissioner Frank Sarno  
Commissioner Theresa D. Kelly

Janice K. Callaghan, RMC, City Clerk

The meeting of the Ventnor City Board of Commissioners was called to order by Mayor Bagnell in Commission Chambers, City Hall, on February 18, 2016 at 6:05 PM followed by the Pledge of Allegiance.

Present: Commissioners Sarno, Kelly and Mayor Bagnell

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

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

Mayor Bagnell 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.

LINDA KAPLAN, 12 N Wissahickon asked if the Resolution appointing the Health Benefits Consultant was taken off the agenda. MAYOR BAGNELL responded negatively and the City Clerk explained the Resolution would not be part of the Consent Agenda but rather would be voted on separately.

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 1.21.16 Regular Meeting be approved as written (oral reading waived).

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

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2016-01**

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

Mayor Bagnell announced the public hearing was open and anyone could be heard speaking for or against the Ordinance.

RICHARD GOBER, 26 N Hillside, stated although he had not read the Ordinance he has some concerns with the terminology based on what he read in the paper and asked the Commission to explain the intent of the Ordinance. Solicitor Weintrob explained there are several properties in foreclosure or abandoned and left in disrepair. It is difficult to identify the parties responsible for up keeping these "zombie" properties in order to send notice regarding property maintenance/code violations, hazard notices, demolition orders, etc. Atlantic County has contracted with a company who will identify, monitor and keep track of parties responsible for these properties. The responsible party will pay a fee of \$500 (\$100 to company, \$100 to County, \$300 to City) In response to Mr Gober's question "why aren't we doing this now" the solicitor responded we have already passed a zombie ordinance, this is second layer - joining county and get funds for it. Mr Gober suggested hiring in house personnel instead of joining the county. The Solicitor concluded by assuring Mr Gober that if the City does not benefit from this arrangement the Ordinance can be repealed.

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

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

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2016-02**

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

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 - CITY HALL TERRAZZO FLOOR REPAIR**

Date of Bid Opening: February 17, 2016 @ 11:00 AM

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

1. Rockland Stone Restoration, Inc	Base Bid: \$36,000.00
New City, NY	Alt 1 Bid: \$43,375.00
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 2016-03**

ESTABLISHING 2016 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 2016-03 be introduced.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2016-04**

CALENDAR YEAR 2016  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2016-04 be introduced.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**INTRODUCTION OF ORDINANCE 2016-05**

AN ORDINANCE AMENDING CHAPTER 102-118.7 OF THE DEVELOPMENTAL REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2016-05 be introduced.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING & ADOPTION OF ORDINANCE 2016-01**

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

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2016-01 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING & ADOPTION OF ORDINANCE 2016-02**

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

Mayor Bagnell moved, seconded by Cmr Kelly that Ordinance 2016-02 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**NEW BUSINESS**

**INTRODUCTION OF 2016 MUNICIPAL BUDGET**

The City Clerk read the Introduction of Ventnor City's 2016 Municipal Budget with Total General Appropriations in the amount of \$29,136,620.00. The 2016 Municipal Budget Revenues and Appropriations Summaries will be advertised pursuant to law in the March 4, 2016 issue of the Press of Atlantic City. The Public Hearing of the Ventnor City 2016 Municipal Budget will be held on March 17, 2016 at 6:00pm at the Regular Commission Meeting.

The 2016 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.

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Mayor Bagnell moved, seconded by Cmr Sarno the 2016 Municipal Budget be introduced.

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

**RESOLUTION NO. 16 OF 2016 – REAPPOINT HEALTH BENEFITS CONSULTANT**

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 Sarno Resolution No 16 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioner Sarno and Mayor Bagnell

No: Commissioner Kelly

**CONSENT AGENDA**

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 17 thru 31 of 2016 by consent agenda.

Mayor Bagnell moved, seconded by Cmr Kelly Resolutions No. 17 thru 31 of 2016 be adopted by consent.

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

**RESOLUTION NO. 17 OF 2016 – AUTHORIZE PARTICIPATION IN COUNTY FORECLOSED HOME REGISTRY**

WHEREAS, the City of Ventnor City in cooperation with the Atlantic County Improvement Authority desires to enter into a Shared Services Agreement which will allow the City of Ventnor to participate in the County-wide registration program for abandoned, foreclosed or distressed real property; and

WHEREAS, pursuant to *N.J.S.A. 40A:65-1 et seq.* commonly known as “Shared Services and Consolidation Act”, legislation has been provided so as to enable municipalities and other governmental entities to enter into contracts with each other for the sharing of services; and

WHEREAS, a Shared Services Agreement has been prepared on behalf of the City of Ventnor City and the Atlantic County Improvement Authority which Agreement provides that the City of Ventnor shall participate in the County-wide registration program which shall be administered by Community Champions Corporation which will identify a contact person to address safety and aesthetic concerns to minimize the negative impacts and blighted conditions that occur as a result of foreclosures; and

WHEREAS, the Ventnor City Commissioners has adopted Ordinance 2016-01 at Commission Meeting on February 18, 2016;

WHEREAS, the City of Ventnor, the Atlantic County Improvement Authority and Community Champions Corporation shall share in the registration fees collected by Community Champions Corporation pursuant to the Shared Services Agreement;

WHEREAS, a copy of this Resolution and the Agreement between the City of Ventnor City and the Atlantic County Improvement Authority shall be available in the Ventnor City Clerk’s Office for review by the public; and

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

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 17 of 2016 be adopted.

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

**RESOLUTION NO. 18 OF 2016 – AUTHORIZE CO#2, FULTON AV DRAINAGE IMPROVEMENTS**

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 and by Change Order #1 the contract price was adjusted to \$2,419,554.78; and

WHEREAS, additional adjustments in quantity amount

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the "Fulton Ave Drainage Improvements" be amended to \$2,453,511.30 for a net adjustment of \$33,956.52

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 18 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 19 OF 2016 – AUTHORIZE CO#1, 2015 ROAD PROGRAM**

WHEREAS, the City of Ventnor City did award a contract for the "2015 Road Program" and did enter into a contract with L. Feriozzi Concrete Co. in the amount of \$1,189,353.50; 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 "2015 Road Program" be amended to \$1,197,653.50 for a net adjustment of \$8,300.00

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 19 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 20 OF 2016 – 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>
Larissa Bioanelli	311 N Burghley	\$187.25

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 20 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 21 OF 2016 – AUTHORIZE APPLICATION FOR SUBGRANT AWARD OF FEDERAL FISCAL YEAR 2015, 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 #FY15-EMPG-EMAA-0122 from the New Jersey State Police Office of Emergency Management. The Sub-grant, consisting of a total amount of \$14,000.00, including \$7,000.00 Federal Award and up to \$7,000.00 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

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 \$7,000.00 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 FFY15 Homeland Security Emergency Management Performance Grant Program Sub-grant in the amount of \$7,000.00 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 2016 in the sum of \$7,000.00, which is now available from the New Jersey State Police, Office of Emergency Management in the like amount of \$7,000.00 from the aforementioned grant; and

BE IT FURTHER RESOLVED that the like sum of \$7,000.00 is hereby appropriated under the caption FFY15 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

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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 Kelly Resolution No 21 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 22 OF 2016 – AUTHORIZE RFQ’S FOR PART-TIME CONSTRUCTION INSPECTOR**

WHEREAS, the City of Ventnor is seeking proposals for a part-time Construction Inspector; and

WHEREAS, the City of Ventnor wishes to obtain requests for qualifications for said part-time Construction Inspector.

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

The City Engineer is hereby authorized to prepare RFQ’s and seek proposals pursuant to the Fair and Open Process for a Licensed Site Remediation Professional.

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 Kelly Resolution No 22 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 23 OF 2016 – AMEND R42-15, INTERLOCAL AGREEMENT WITH ACIA CDGB GRANT APPLICATION, FOR STREET & DRAINAGE IMPROVEMENTS ON WINCHESTER AV (WASHINGTON TO LAFAYETTE)**

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 expected 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 entered into an interlocal service agreement with the Atlantic County Improvement Authority (ACIA), the administrator of the Atlantic County CDGB Entitlement Program; and

WHEREAS, the City has been notified by the ACIA that the total allocation will be \$49,883.00; and

WHEREAS, the City desires to amend its agreement with the ACIA to reflect this reduction in allocation.

NOW, THEREFORE, BE IT RESOLVED that the Agreement by and between the Atlantic County Improvement Authority and the City of Ventnor is hereby amended to \$49,883.00.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 23 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 24 OF 2016 – AUTHORIZE SUSTAINABLE JERSEY GRANT APPLICATION**

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, the City of Ventnor is participating in the Sustainable Jersey Program, has an active Green Team and is Bronze Certified; 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 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 24 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 25 OF 2016 – AUTHORIZE CONTRACT, EMERGENCY TRAFFIC SIGNAL REPAIR**

WHEREAS, on January 26, 2016 as a result of Super Storm Jonas the traffic signal at Atlantic and Oakland Avenue was damaged; and

WHEREAS, said traffic signal required immediate repair.

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NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Delta Line Construction is herein and hereby authorized to perform such emergency demolition.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$6,923.00

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 25 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 26 OF 2016 – AUTHORIZE CONTRACT, EMERGENCY WATER MAIN REPAIR (SUFFOLK & WELLINGTON)**

WHEREAS, on December 9, 2015 a water main break occurred at the intersection of Suffolk & Wellington Avenues; and

WHEREAS, said water main was below a second roadway and somewhat deep requiring the activation of the emergency repair contract for immediate repair.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Arthur Henry, Inc. is herein and hereby authorized to perform such emergency repair.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$24,368.55.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 26 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 27 OF 2016 – AUTHORIZE CONTRACT, EMERGENCY WATER MAIN REPAIR (FULTON & WISSAHICKON)**

WHEREAS, on January 22, 2016 a water main break occurred at the intersection of Fulton & Wissahickon Avenues; and

WHEREAS, taking into consideration the six foot depth of the main the activation of the emergency repair contract was necessary for immediate repair.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Arthur Henry, Inc. is herein and hereby authorized to perform such emergency repair.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$6,379.07.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 27 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 28 OF 2016 – AWARD CONTRACT, CITY HALL TERRAZZO FLOOR REPAIR**

WHEREAS, the Municipal Clerk of the City of Ventnor City received and opened on Wednesday, February 17, 2016 at 11:00 AM in her Office one (1) Bid Proposal for City Hall Terrazzo Floor Repair; 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 City Hall Terrazzo Floor Repair to Rockland Stone Restoration, Inc of New City, NY for the Base Bid Amount of \$36,000.00.

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 Kelly Resolution No 28 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 29 OF 2016 – ADOPT ATLANTIC CO MULTI-JURISDICTIONAL NATURAL HAZARD MITIGATION PLAN**

WHEREAS, the City of Ventnor City in the County of Atlantic, New Jersey, has experienced natural hazards that result in public safety hazards and damage to private and public property and;

WHEREAS, the hazard mitigation planning process set forth the by State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk and;

WHEREAS, the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the Atlantic County Multi-Jurisdictional Natural Hazard Mitigation Plan and;

WHEREAS, a Hazard Mitigation Plan has been developed by the Mitigation Planning Committee and;

WHEREAS the Hazard Mitigation Plan includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and;

WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Preparedness website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law, and

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

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1. The Atlantic County Multi-Jurisdictional Natural Hazard Mitigation Plan update, as approved by the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on February 5, 2016, is hereby adopted as an official plan of the City of Ventnor City in the County of Atlantic.
2. The Municipal departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Board of Commissioners and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Atlantic County Office of Emergency Preparedness according to the predetermined timeline and procedures outlined in the Plan's Section 7: Plan Maintenance and Integration.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 29 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 30 OF 2016 – APPROVE TAX EXEMPTION**

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 Linda Bronson & Michael Csuy for the newly constructed residential dwelling known as Block 43, Lot 12; 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>
Lina Bronson & Michael Csuy	43/12	110 S Washington

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 30 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 31 OF 2016 – AUTHORIZE CONCESSION WITH VIPLY FOR ELECTRONIC SALE OF BEACH BADGES**

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

WHEREAS, on January 21, 2016 The Commissioners of the City of Ventnor passed Resolution No 13 of 2016 which authorized the Chief Financial Officer to seek quotations for a concession agreement with an electronic seller and distributor of beach badges;

WHEREAS, The City of Ventnor has received two quotations in response to the request for proposals;

WHEREAS, the Chief Financial Officer has reviewed the quotations and has opined that based on the evaluation of the criteria presented in the proposals the City of Ventnor should award a contract to VIPLY LLC for a term of one year; and

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

1. The Governing Board hereby authorizes the Mayor to enter into an agreement with VIPLY LLC for a period of one year.
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 31 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**CONFIRM PLANNING BD APPOINTMENT: JAMES CULBERTSON (CLASS II, 2-18-16 TO 2-18-17)**

Mayor Bagnell moved, seconded by Cmr Sarno, the appointment of James Culbertson to the Planning Bd 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 \$5,799,496.32 and payrolls from 1.23.16 to 2.5.16 in the amount of \$516,492.39 and from 2.6.16 to 2.19.16 in the amount of \$523,089.20 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: JIF safety committee report for February 2016: the safety committee met on February 10<sup>th</sup>. Incidents reviewed were: 3 auto liability incidents with only minor property damage and no injuries; 1 general liability incident on city property (admittedly walking her dog which was determined to be trespassing by definition); 1 property claim and 1 workers comp claim. On line,

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videos, classes and in house training issues were discussed. Safety bulletins were included, reflecting annual reminders and seasonal issues such as toolbox topics for snow plowing and snow shoveling practices promoting “safe” environments. Having completed the safety contract for the 2016 safety incentive program, the first regional training session for safety and claims coordinators was to be held on the 11th. The annual ACMJIF safety and recognition breakfast is scheduled April 14<sup>th</sup>. The next safety committee meeting will be Monday March 7<sup>th</sup> at 9:00 am in the public works conference room.

#### **PUBLIC PORTION**

RICHARD GOBER, 26 N Hillside suggested repainting the crosswalks on Ventnor Av as they presently are on Atlantic Av

JOHN SEWELL, 22 West Dr, Margate reiterated topics he brought up at previous meetings: 1) correcting the deplorable condition of the City Hall doors, 2) blinking lights on Atlantic Av during off season and better synchronization of lights during the summer, 3) unleashed dogs and canine census, 4) unwillingness to freeze hiring and wages as this is responsible in part for the large number of vacant store fronts along Ventnor Av since property rents are driven by property taxes.

LINDA KAPLAN, 12 N Wissahickon echoed Mr. Sewell’s remarks concerning blinking lights on Atlantic Av and better dog law enforcement then asked the Mayor to acknowledge speakers when they address the Commission.

KENNETH ESADA, 111 S Cambridge also agreed with the comments made by Mr. Sewell, in particular the need for better dog control.

MICHAEL ADVENA, 6410 Monmouth asked what the outcome was relating to the contract for the Health Insurance Consultant. The Solicitor stated it is a 1-year contract that can terminate with 30-day notice. Payment will be monthly so if contract is terminated prior to year’s end, he will not be entitled to the balance. Regarding the budget, Mr Advena asked the following: what is the budget total for 2016. CFO Aboderin responded \$29,136,619.78. What was 2015 total? Ans. \$30,831,020.00. Mr Advena asked if there was increase from 2012 to 2013 of approximately \$3M. The CFO explained in 2012 and 2013 we received CDBG money from the State in amount of \$5M. \$2.5M was used in 2013 and the remainder in 2014. Mr Advena asked for confirmation that even with this year’s reduction, there is still an increase of approximately \$2M since 2012. The CFO could not verify that figure but offered to get the information for him.

RICHARD GOBER asked if there are signs stating the permitted evening hours for dogs on the beach and emphasized the need for strict enforcement to prevent lawsuits. On an unrelated matter, Mr Gober asked if beach badge revenues increased since badges were checked at beach entrances this past season. The CFO reported an increase of approximately \$30,000 over 2014 collection. Mr Gober further suggested offering commissions to the checkers based on number of beach badge they sell. Ms Aboderin informed him the City did give small incentives (no more than \$50) to the checkers.

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

#### **6:48PM 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: Potential Litigation. The Solicitor added the possible litigation is related to 6509 Winchester Ave and it is anticipated that action will be taken when the Commission returns to open session.*

The Solicitor reported the property at 6509 Winchester Av received a Small Cities loan administered thru the ACIA in 1994 in amount of \$11,335 which lien is recorded in County Clerk’s office. A provision of the loan is if you make repairs to the property and stay in the house for 5 years the loan will be written off. The property owner is now selling the home (settlement is scheduled for 2.25.16) and has contacted the CFO. The City has no records of this loan. Since there is a lien, the Title Company will cut a check to the City in the amount of \$11,335 and the property owner will most likely file suit against the City. The City records show consistent ownership since 1994 so the recommendation is to pass a resolution to release the lien.

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

#### **6:53PM EXECUTIVE SESSION CONCLUDED**

SOLICITOR WEINTROB reported during executive session discussed was the property at 6509 Winchester Av and the issue of a lien on the property that should have been forgiven by the City about 2 decades ago but wasn’t done. The landowner is selling the property and the City must release the lien. The Solicitor asked the Commissioners to pass a Resolution allowing them to release the lien.

Mayor Bagnell moved seconded by Cmr Kelly the Resolution releasing said lien be adopted.

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

#### **6:58PM 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.

The meeting of the Ventnor City Board of Commissioners was called to order by Mayor Bagnell in Commission Chambers, City Hall, on March 17, 2016 at 6:07 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.

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 2.18.16 Regular Meeting be approved as written (oral reading waived).

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

**PUBLIC HEARING ON 2016 MUNICIPAL BUDGET**

The City Clerk announced the Public Hearing of the 2016 Municipal Budget after which Mayor Bagnell asked if anyone from the public wished to speak.

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

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

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2016-03**

ESTABLISHING 2016 SALARIES, COMPENSATION AND SALARY RANGES OF OFFICERS AND EMPLOYEES OF THE CITY OF VENTNOR CITY AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH

Mayor Bagnell announced the public hearing was open and anyone could be heard speaking for or against the Ordinance.

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

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

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2016-04**

CALENDAR YEAR 2016  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND  
TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Mayor Bagnell announced the public hearing was open and anyone could be heard speaking for or against the Ordinance.

There being no one to be heard, Mayor Bagnell moved, seconded by Cmr Sarno the Public Hearing be closed.

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

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2016-05**

AN ORDINANCE AMENDING CHAPTER 102-118.7 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.

MICHAEL ADVENA, 6410 Monmouth questioned provisions in the new ordinance allowing political signs to be 4'x4' with no time limit for removal of signs from private property. Discussions among the Solicitor, Mr Advena and others in the audience continued after which Mr. Advena asked the Commission to hold off adoption until a more workable ordinance can be drafted.

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

**INTRODUCTION OF ORDINANCE 2016-06**

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 2016-06 be introduced.

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

**FINAL READING & ADOPTION OF ORDINANCE 2016-03**

ESTABLISHING 2016 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 2016-03 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING & ADOPTION OF ORDINANCE 2016-04**

CALENDAR YEAR 2016  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Mayor Bagnell moved, seconded by Cmr Sarno that Ordinance 2016-04 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**FINAL READING & ADOPTION OF ORDINANCE 2016-05**

AN ORDINANCE AMENDING CHAPTER 102-118.7 OF THE DEVELOPMENTAL REGULATIONS OF THE CODE OF THE CITY OF VENTNOR

Mayor Bagnell made a motion for the adoption of Ordinance 2016-05. There was no second. Motion died. No other motions on this Ordinance were made with Cmr Kelly reiterating her concerns voiced at the workshop that a time limit for removing signs is needed.

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

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 32 thru 46 of 2016 by consent agenda.

CMR KELLY questioned Res. 46 (RFP's for Labor Attorney) stating it was her belief hiring for this position would be left to the new Commissioners elected in May. The Mayor and Solicitor assured her that although the Resolution authorizes RFP's, no action will be taken by this Commission.

Mayor Bagnell moved, seconded by Cmr Sarno Resolutions No. 32 thru 46 of 2016 be adopted by consent.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 32 OF 2016 – 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 32 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 33 OF 2016 – AUTHORIZE SALE OF SURPLUS TECH EQUIPMENT**

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 Clerk's Office.

(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 attached hereto and made a part hereof.

(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 33 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 34 OF 2016 – NAMING OFFICIAL TOW COMPANIES**

WHEREAS, Chapter 208, Towing, of the Ventnor City Code outlines the procedures for appointing official tow companies for the City of Ventnor City; and

WHEREAS, three (3) tow companies have filed applications with the Ventnor City Police Department within the time prescribed by Chapter 208; and

WHEREAS, upon their completion of the required investigation, the Ventnor City Police Department has determined that the following tow companies are eligible to conduct the official business of towing within the City of Ventnor City.

NOW, THEREFORE, BE IT RESOLVED by the Ventnor City Board of Commissioners that pursuant to Chapter 208 of the Code of the City of Ventnor City the below named tow companies are herein and hereby approved as the official tow companies for the City of Ventnor City.

BE IT FURTHER RESOLVED that this resolution is effective immediately and shall remain in effect until December 31, 2017.

- |  |   |   |
|--|---|---|
| 1. Providence Tow and Recovery<br>Anthony R. Miranda, owner<br>3301 Arctic Avenue<br>Atlantic City, NJ 08401<br>345-0098 | 2. Tri-State Towing Company<br>Jeffrey Guenther, Owner<br>407 S New Road<br>Pleasantville, NJ 08232<br>804-1501 | 3. Guenther’s Mobil Service<br>Frank Guenther, Owner<br>407 S New Road<br>Pleasantville, NJ 08232<br>641-1377 |
|--|---|---|

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 34 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 35 OF 2016 – AUTHORIZING CITY TO SEEK QUOTATIONS FOR A CONCESSION AGREEMENT FOR COMMUNITY VIDEO PROGRAM**

WHEREAS, The City of Ventnor at the December 10, 2015 Workshop Session in the presence of the public discussed entering into a concession agreement, as defined by the Local Public Contracts Law; and

WHEREAS, The City of Ventnor recognizes the need to award a concession contract to allow for the production of a community video program; and

WHEREAS, The City of Ventnor believes that such a concession will benefit the public; and

WHEREAS, The City of Ventnor wishes to allow a company, with the requisite capabilities, to produce such a community video; and

WHEREAS, The City of Ventnor wishes to enter into an agreement with such a company for the production of a community video; and

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

WHEREAS, based on the discussions at the December 10, 2015 Workshop Session of the Ventnor City Commission in the presence of the public, the City Commission discussed the possible benefits and detriments of entering into such a concession agreement; and

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

1. The Governing Board hereby authorizes the City Administrator to seek quotations for a concession agreement for the production of a Community Video Program.
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 35 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 36 OF 2016 – 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 2016, 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 Sarno Resolution No 36 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

March 17, 2016

**RESOLUTION NO. 37 OF 2016 – AUTHORIZE CO FOR LIBRARY HVAC EQUIPMENT UPGRADES**

WHEREAS, the City of Ventnor City did award a contract for the “HVAC Equipment Upgrades at Library” and did enter into a contract with Tozour-Trane in the amount of \$29,875.00; 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 “HVAC Equipment Upgrades at Library” be amended to \$19,875.00 for a net reduction of \$10,000.00

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 37 of 2016 be adopted.

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

**RESOLUTION NO. 38 OF 2016 – AUTHORIZE CO FOR REMEDIATION OF 3 VACANT PROPERTIES**

WHEREAS, the City of Ventnor City did award a contract for the “Environmental Remediation of 3 City Properties” and did enter into a contract with Earth Engineering Inc in the amount of \$19,210.00; 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 “Environmental Remediation of 3 City Properties” be amended to \$17,010.00 for a net reduction of \$2,200.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 38 of 2016 be adopted.

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

**RESOLUTION NO. 39 OF 2016 – AUTHORIZE ISSUANCE & SALE OF \$5,637,000 GENERAL OBLIGATION BONDS FOR NJEIT PROJECTS**

WHEREAS, the City of Ventnor City, County of Atlantic, New Jersey ("City") has determined there exists a need for repairs and improvements to the City's stormwater management system ("2016 Project") as described in that certain Loan Agreement ("Trust Loan Agreement") to be entered into between the City and the New Jersey Environmental Infrastructure Trust ("Trust") and that certain Loan Agreement ("Fund Loan Agreement"; together with the Trust Loan Agreement, the "Loan Agreements") to be entered into between the City and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection ("State"), all pursuant to the 2016 New Jersey Environmental Infrastructure Trust Financing Program ("Program"); and

WHEREAS, the City has determined to use the proceeds of a loan to be made by each of the Trust ("Trust Loan") and the State ("Fund Loan"; together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively, to permanently finance the 2016 Project; and

WHEREAS, to evidence the Loans, each of the Trust and the State require the City to authorize, execute and deliver its General Obligation Bonds, Series 2016A ("2016A Bonds") to the Trust, and its General Obligation Bonds, Series 2016B ("2016B Bonds", and together with the 2016A Bonds, the "2016 Bonds"), to the State, pursuant to the terms of applicable law and pursuant to the terms of the Loan Agreements; and

WHEREAS, pursuant to the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), the Board of Commissioners of the City has, pursuant to Bond Ordinances 2014-26 and 2015-23, duly and finally adopted and published in accordance with the requirements of the Local Bond Law ("Bond Ordinances"), authorized the issuance of general obligation bonds or bond anticipation notes of the City to finance the costs of the 2016 Project; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the 2016 Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement ("Escrow Agreement") to be entered into between the Trust, the State, the escrow agent and the City; and

WHEREAS, to effectuate the financing plan described in the above mentioned paragraphs, it is necessary for the City to adopt this resolution and to authorize and approve the issuance and sale of the 2016 Bonds in a principal amount up to \$5,637,000; and

WHEREAS, *N.J.S.A. 40A:2-27(a)(2)* allows for the sale of the 2016A Bonds and the 2016B Bonds, to the Trust and the State, respectively, without any public offering, and *N.J.S.A. 58:11B-9(a)* allows for the sale of the 2016 Bonds to the Trust, without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, PURSUANT TO THE LOCAL BOND LAW (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

Section 1. The City authorizes and approves the issuance of the 2016 Bonds in two (2) or more series in a total principal amount of up to \$5,637,000 to be designated, "City of Ventnor City, County of Atlantic, New Jersey, General Obligation Bonds, Series 2016A" and "City of Ventnor City, County of Atlantic, New Jersey, General Obligation Bonds, Series 2016B", respectively. The 2016 Bonds will be used to pay the costs of the 2016 Project. In accordance with *N.J.S.A. 40A:2-27(a)(2)* and *N.J.S.A. 58:11B-9(a)*, the City hereby sells and awards the 2016A Bonds and the 2016B Bonds to the Trust and to the State in accordance with the provisions hereof.

Section 2. The Chief Financial Officer is hereby authorized to determine in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the 2016A Bonds and the 2016B Bonds:

- (a) The aggregate principal amount of the 2016A Bonds and the 2016B Bonds to be issued;
- (b) The maturity and annual principal installments of the 2016A Bonds and the 2016B Bonds, which maturity shall not exceed thirty (30) years;

- (c) The dated date of the 2016 Bonds;
- (d) The interest rates of the 2016 Bonds;
- (e) The purchase price for the 2016 Bonds; and
- (f) The terms and conditions under which the 2016 Bonds shall be subject to redemption prior to their stated maturities.

Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the 2016 Bonds by the parties authorized under Section 3 hereof.

Section 3. The 2016 Bonds shall be in the form prescribed and permitted by the Local Bond Law, as Parker McCay P.A., as bond counsel to the City, may advise, and as the City, the Trust and the State shall approve. The 2016 Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to principal and interest in lawful money of the United States of America. The 2016 Bonds will be executed on behalf of the City by the manual signatures or facsimile signatures of the Mayor and Chief Financial Officer, attested by the City Clerk (such execution shall constitute conclusive approval by the City of the form of the 2016 Bonds), and shall bear the affixed, imprinted or reproduced seal of the City thereon. The 2016A Bonds and the 2016B Bonds shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 4. The terms of the 2016 Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full members of the Board of Commissioners of the City.

Section 5. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the 2016 Bonds and, to the extent payment is not otherwise provided, the City shall be obligated to levy *ad valorem* taxes upon all taxable real property within the City without limitation as to rate or amount for the payment thereof.

Section 6. Each of the Trust Loan Agreement, Fund Loan Agreement and the Escrow Agreement are hereby authorized to be executed and delivered on behalf of the City by the Mayor or Chief Financial Officer in substantially the forms on file in the offices of the City, with such changes as the Mayor or Chief Financial Officer in their respective sole discretion, after consultation with counsel and any advisors to the City and after further consultation with the Trust and the State and their representatives, agents, counsel and advisors, shall determine, such determination to be conclusively evidenced by the execution of each of such Trust Loan Agreement, Fund Loan Agreement and Escrow Agreement by an authorized officer as determined hereunder. The City Clerk and Deputy City Clerk are each hereby severally authorized to attest to the execution of the Trust Loan Agreement, Fund Loan Agreement and Escrow Agreement by an authorized officer of the City as determined hereunder and to affix the corporate seal of the City to such documents.

Section 7. 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 2016 Bonds or the 2016 Project are hereby ratified, confirmed, approved and adopted.

Section 8. The Mayor, Chief Financial Officer and City Clerk are each hereby authorized to determine all matters and execute all documents and instruments in connection with the 2016 Bonds or the 2016 Project not determined or otherwise directed to be executed by the Local Bond Law, the Bond Ordinances, or by this or any subsequent resolution, and the signature of the Mayor, Chief Financial Officer or City Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 9. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 10. This resolution shall take effect immediately upon adoption this 17th day of March, 2016.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 39 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 40 OF 2016 – 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>
Peter Hoi-Fung Wan	6525 Ventnor Ave	\$61.25

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 40 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 41 OF 2016 – AMEND 2016 MUNICIPAL BUDGET**

WHEREAS, the local municipal budget for the year 2016 was approved on the 18th day of February, 2016 and  
 WHEREAS, the public hearing on said budget has been held as advertised, and  
 WHEREAS, it is desired to amend said approved budget, now  
 THEREFORE BE IT RESOLVED, by the City Commission of the City of Ventnor, County of Atlantic  
 that the following amendments to the approved budget of 2016 be made:

	From	To
<b>GENERAL REVENUES</b>		
Surplus Anticipated	2,000,000	3,000,000
Special Items of General Revenue Anticipated with Prior Written Consent of Director - Public and Private Revenues Offset with Appropriations		
Atlantic County DWI	0	220
State Housing Cooperative	0	521
Drunk Driving Enforcement Fund	0	440
Recycling Tonnage Grant	0	15,745
State Housing Inspection	0	3,403
Total Special Items of General Revenue Anticipated with Prior Written Consent of Director - Public and Private Revenues Offset with Appropriations	0	20,329
6. Amount to be Raised by Taxes for Support of Municipal Budget		
Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	21,450,688	20,521,928
Total Amount to be Raised by Taxes for Support of Municipal Budget	22,861,758	21,932,998
7. Total General Revenues	29,136,620	29,228,189
<b>8. GENERAL APPROPRIATIONS</b>		
(A) Operations - Excluded from "CAPS"		
Public and Private Programs Offset by Revenues		
Atlantic County DWI	0	220
State Housing Cooperative	0	521
Drunk Driving Enforcement Fund	0	440
Recycling Tonnage Grant	0	15,745
State Housing Inspection	0	3,403
Total Public and Private Programs Offset by Revenues	12,000	32,329
Total Operations - Excluded from "CAPS"	55,750	76,079
Deferred Charges		
Special Emergency Authorizations 5 Years (N.J.S.A. 40A:4-55)	80,000	200,000
Total Deferred Charges - Municipal - Excluded from "CAPS"	80,000	200,000
(M) Reserve for Uncollected Taxes	2,766,055	2,717,295
9. Total General Appropriations	29,136,620	29,228,189

BE IT FURTHER RESOLVED, that this resolution be advertised in THE PRESS in the issue of April 11, 2016 and that said advertising include notice of a public hearing on the budget amendment to be held in City Hall on April 21, 2016 at 6:00pm.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 41 of 2016 be adopted.  
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 42 OF 2016 – AUTHORIZE LICENSE AGREEMENT, 19 N FREDERICKSBURG**

WHEREAS, Eleanor & Daniel Schocchini (hereinafter collectively the “Homeowners”) are the owners of 19 North Frederickburg Avenue at Lot 6, Block 136 (hereinafter the “Property”), in the City of Ventnor, New Jersey; and

WHEREAS, the Homeowners appeared before the Ventnor City Zoning Board of Adjustment and were granted bulk variances to renovate their existing family residence; and

WHEREAS, as a result of said renovations, the landscaping and fencing will encroach upon the City of Ventnor’s Property as designated in the attached metes and bounds description; and

WHEREAS, based on the opinion of the City’s engineer and building official, the landscaping and fencing must encroach to be in conformity with City of Ventnor’s developmental regulations; and

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; and

WHEREAS, the terms and conditions are set forth more fully in the Revocable License Agreement; and

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 Sarno Resolution No 42 of 2016 be adopted.  
 Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

March 17, 2016

**RESOLUTION NO. 43 OF 2016 – AUTHORIZE LICENSE AGREEMENT, 316 N SOMERSET**

WHEREAS, Alan & Janine Peck (hereinafter collectively the “Homeowners”) are the owners of 316 N Somerset Avenue at Lots 14 &15, Block 213 (hereinafter the “Property”), in the City of Ventnor, New Jersey; and

WHEREAS, the Homeowners appeared before the Ventnor City Zoning Board of Adjustment and were granted bulk variances to renovate and raise their existing single family residence; and

WHEREAS, as a result of the construction, the property is constructed with an outside stairway and landing which encroaches upon the City of Ventnor’s Property as designated in the attached metes and bounds description; and

WHEREAS, as a result of said renovations, the landscaping and fencing will encroach upon the City of

WHEREAS, based on the opinion of the City’s engineer and building official, the steps must encroach to be in conformity with City of Ventnor’s developmental regulations; and

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; and

WHEREAS, the terms and conditions are set forth more fully in the Revocable License Agreement; and

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 Sarno Resolution No 43 of 2016 be adopted.

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

**RESOLUTION NO. 44 OF 2016 – TAX OVERPAYMENT REFUND**

WHEREAS, the 2016 tax on Block 154, Lot 14 known as 132 N Oxford Ave, Ventnor, NJ assessed to Alan & Janis Goldberg was overpaid in the amount of \$355.34 due to a tax appeal; and

WHEREAS, Alan & Janis Goldberg, 713 N Derby Ave, Ventnor, NJ 08406 have since sold the house and have requested the money be refunded to them.

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

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 44 of 2016 be adopted.

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

**RESOLUTION NO. 45 OF 2016 – RENEW INTERLOCAL AGREEMENT WITH LONGPORT, SHARED SERVICES OF CONSTRUCTION CODE OFFICIAL AND SUB-CODE OFFICIALS**

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

WHEREAS, an Interlocal Services Agreement has been prepared on behalf of the City of Ventnor City and the Borough of Longport which Agreement provides that the City of Ventnor will furnish to the Borough of Longport with the services of a properly licensed construction code official, electrical sub-code official, building code sub-code official, building inspector, fire protection sub-code official, electrical sub-code official and plumbing sub-code official as required by law, including but not limited to the State Uniform Construction Code Act, *N.J.S.A. 52:27D-119, et seq.* (Uniform Construction Code); and

WHEREAS, the Borough of Longport agrees to pay the City of Ventnor the sum of \$43,750.00 per year effective January 1, 2015 for a period of four (4) years terminating on December 31, 2018.

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 45 of 2016 be adopted.

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

**RESOLUTION NO. 46 OF 2016 – AUTHORIZE RFP’S FOR LABOR ATTORNEY**

WHEREAS, pursuant to the provisions of *N.J.S.A. 19:44A-20.5 et seq.* the City of Ventnor is hereby requesting proposals through the fair and open process for the award of a contract for Labor Counsel for a one year term;

WHEREAS, the Board of Commissioners of the City of Ventnor has determined that it would be in the best interest of the City to prepare and advertise same as a Request for Proposals;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, does hereby direct the preparation and advertisement of a Request for Proposal for the purpose of retaining labor counsel.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 46 of 2016 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 \$3,208,644.81 and payrolls from 2.20.16 to 3.04.16 in the amount of \$520,097.13 and from 3.5.16 to 3.18.16 in the amount of \$509,816.94 for approval.

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

#### **ANNOUNCEMENTS:**

Mayor Bagnell referred to the following JIF Safety Committee Report: THE SAFETY COMMITTEE MET ON MARCH 7TH. THERE WAS A FLURRY OF ACTIVITY ON THE OPEN CLAIMS REPORT FROM JANUARY AND FEBRUARY. MOST WERE MINOR VEHICLE DAMAGES; ONE STORM RELATED DAMAGE TO A TRAFFIC CONTROL AND ONE WORKERS COMP CLAIM (A DOG BITE DURING TRAINING EXERCISES). IN HOUSE AND MEL OPTIONS TRAINING ISSUES WERE DISCUSSED AND REVIEWED. ONE FINAL OPPORTUNITY FOR REQUIRED MANAGERIAL AND SUPERVISORS TRAINING WILL BE AVAILABLE IN MARGATE ON 4/19. DEPARTMENTS THAT MISSED PRIOR OPPORTUNITIES NEED TO ATTEND. THE 2017 EPL REQUIRES THIS TRAINING. THE RENEWAL VISITATION/INSPECTION IS SCHEDULED FOR MARCH 10TH. THE ANNUAL JIF SAFETY BREAKFAST AND KICK OFF WILL BE HELD APRIL 14TH AT MERIGHI'S IN EAST VINELAND. NOTIFY DONNA PETERSON IF INTERESTED IN ATTENDING.

#### **PUBLIC PORTION**

CASSANDRA SHOBER, 210 N Newark asked for an explanation of the budget amendments. CFO Aboderin reported the amendment included the use of \$3M from surplus instead of \$2M which is 76% of Surplus balance reducing tax rate 2.3 cents and the inclusion of Atlantic Co DWI, State Housing Cooperative, Drunk Driving Enforcement and Recycling Tonnage Grants. Cmr Kelly and the CFO told the audience copies of the amendment are available. In response to Ms Shober's question for clarification of the tax rate decrease, the CFO reiterated this would be a decrease of the Municipal Purpose tax rate.

MARC SILVER, 112 S. Surrey asked what was the \$\$ reduction of the budget. The CFO responded the budget amount after the amendment is \$29,228,189.00. Discussions ensued relating to the decision made at the workshop (use an additional \$378,000 of surplus to have \$0 tax increase) and now that amount is increased by \$672,000 to create a tax decrease. Mr Silver cautioned that doing this might have a significant effect on the new administration – "one they will never be able to recover from". He suggested using a surplus amount to produce a \$0 tax increase (CFO said that amount would be \$500,000) but not using any more since it will take time to build it back up and cause a CAP problem in the 2017 budget. The CFO advised the Commission that the amendment has already passed and to make any changes now would require another amendment and public hearing. Cmr Kelly agreed the budget amendment should be reexamined.

MIKE ADVENA, 6410 Monmouth joined the discussion and also spoke of the negative affect on next year's budget. He recapped how \$5M was used to fill 2 previous shortfalls and \$3M being used this year, leaving very little monies to fill holes in 2017. He continued by stating the new administration will inherit a \$10.3M debt if the State does not forgive the \$5M grant/loan (meeting with State on 4/14/16 will give more information on whether \$\$\$ will be grant or loan) and the City begins paying down the \$5.6M NJEIT bond (CFO confirmed loan is 19% principal forgiveness, 25% at market rate & 56% at 0 interest). Mr Advena suggested the City should have been using bond money to pay NJEIT projects, not borrowing from the W/S Utility and cautioned that considerable infrastructure work is still needed in the City. As discussions continued, the CFO clarified payment of the \$1.6M portion of the NJEIT grant/loan for the VGP Pump Station project will be divided equally among Atlantic County, Margate and Ventnor and money from the NJEIT grants will not be available until May.

MR. SILVER asked if the City has contracted with a company to do the reval? The Solicitor reported that tax maps were just approved by State and the next step will be the approval of RFP's. Administrator Russo added the State must also approve the contract before award but the hope is to have the reval underway by summer so residents will be here to open their homes for inspection. In conclusion, Mr Silver suggested the Commission contact the League of Municipalities for guidance and sample ordinances dealing with political signs.

CAROL SHAW, 6904 Atlantic and ROBIN MITCHELL, 5000 Boardwalk voiced their concerns over the proposed Jitney route on Atlantic Av and comments by the Mayor in the Downbeach Current indicating it would be in place by Memorial Day. The Mayor responded there has only been one short meeting with the Jitney Assoc. The Association is proposing a route on Atlantic Av during limited night time hours throughout the summer months only for the purpose of reducing traffic and decreasing DUI's. Discussions among the residents, Mayor, Solicitor, and Police Capt Biagi concluded with the assurance that nothing has been decided and there would be ample time for public participation. Cmr Kelly further suggested Ms Shaw attend the Ventnor-Margate Bicycle Pedestrian Community presentation at the VECC on Wednesday, March 30<sup>th</sup> where further information may be available.

MIKE ADVENA asked the following 2 questions: 1) Have you heard any more on a Countywide Revaluation? Ans: No 2) Any truth to information given to North Beach Residents by representative of Mayor's office that Army Corp is coming in to put bulkheads in front of their houses? Ans: Mayor reported Army Corp wanted to do a feasibility study about redoing bulkheads from Jackson to Victoria. Mayor informed them NJEIT grants already received to replace City bulkheads from Jackson to Austin. They will not be coming in to replace any residential bulkheads and City will not be bonding \$300,000 needed to do study.

March 17, 2016

CASSANDRA SHOBER wished to recognize the City of Ventnor's 113<sup>th</sup> Birthday.

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

**6:24PM 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 Special Meeting of the Ventnor City Board of Commissioners was called to order by Mayor Bagnell in Commission Chambers, City Hall, on March 30, 2016 at 1:00 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 notice of this Special Meeting was sent to the AC Press, Downbeach Current and posted on the Bulletin Board and Website as required by law".

**RESOLUTION NO. 47 OF 2016 – AUTHORIZE SUBMISSION OF APPLICATIONS FOR POST SANDY PLANNING ASSISTANCE GRANTS**

WHEREAS, the New Jersey Department of Community Affairs (NJCA) is allocating \$5 million in Community Development Block Grant – Disaster Recovery (CDBG-DR) to support long range planning for municipalities that sustained damage from Superstorm Sandy; and

WHEREAS, applications for these grants are being accepted on a first come, first serve basis; and

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

WHEREAS, City of Ventnor intends to apply for Post Sandy Planning Assistance grant money for the following planning activities and in the following amounts:

1. Stormwater Management Plan - \$50,000
2. Community Rating System Efforts to Increase Flood Insurance Discounts - \$50,000
3. Recreation and Open Space Element/Public Access Plan - \$50,000man

NOW THEREFORE BE IT RESOLVED,

- 1) That the Governing Body does hereby authorize the application for such grants; and,
- 2) Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the and the New Jersey Department of Community Affairs; and
- 3) The City of Ventnor has sustained a ratable loss attributed to Superstorm Sandy of at least 1% or \$1M as indicated by the attached documentation from the tax assessor; and
- 4) That the City of Ventnor agrees to comply with all CDBG-DR regulations, Post Sandy Planning Assistance Guidelines and also accepts that the proposed uses of CDBG-DR funds are not reimbursable by FEMA, SBA or other federal agencies.

BE IT FURTHER RESOLVED, that the Governing Body authorizes the Administration to submit an Application to NJCA for Posts Sandy Planning Assistance and to sign the Grant Agreement.

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 47 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell

Absent: Commissioner Sarno

**RESOLUTION NO. 48 OF 2016 – AUTHORIZE SUBMISSION OF GRANT APPLICATION & EXECUTION OF AGREEMENT WITH U. S. DEPARTMENT OF HOMELAND SECURITY FOR FY 2016 PRE-DISASTER MITIGATION PROGRAM**

WHEREAS, the U. S. Department of Homeland Security for the FY 2016 Pre-Disaster Mitigation Program; and

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

WHEREAS, this grant program requires a 25 percent local match from the municipality; and

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

WHEREAS, the Flood Mitigation Assistance Program may stormwater management and flood control measures among other priorities; and

WHEREAS, actions taken through the Pre-Disaster Mitigation Program may result in lower flood insurance premiums through the Community Rating System.

NOW, THEREFORE, BE IT RESOLVED that City Council of the City of Ventnor formally approves that grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a grant application to the U. S. Department of Homeland Security.

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.

March 30, 2016

Mayor Bagnell moved, seconded by Cmr Kelly Resolution No 48 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell  
Absent: Commissioner Sarno

**RESOLUTION NO. 49 OF 2016 – AUTHORIZE SUBMISSION OF GRANT APPLICATION & EXECUTION OF AGREEMENT WITH U. S. DEPARTMENT OF HOMELAND SECURITY FOR FY 2016 FLOOD MITIGATION ASSISTANCE PROGRAM**

WHEREAS, the U. S. Department of Homeland Security for the FY 2016 Flood Mitigation Assistance Program; and

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

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

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

WHEREAS, the Flood Mitigation Assistance Program may fund property acquisition and structure demolition or relocation, structure elevation, mitigation reconstruction, dry-flood proofing and other mitigation measures; and

WHEREAS, actions taken through the Flood Mitigation Assistance Program may result in lower flood insurance premiums through the Community Rating System, increase ratables and improved resiliency.

NOW, THEREFORE, BE IT RESOLVED that City Council of the City of Ventnor formally approves that grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a grant application to the U. S. Department of Homeland Security.

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 Kelly Resolution No 49 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioner Kelly and Mayor Bagnell  
Absent: Commissioner Sarno

**1:06 PM MEETING ADJOURNED**

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

The meeting of the Ventnor City Board of Commissioners was called to order by Mayor Bagnell in Commission Chambers, City Hall, on April 21, 2016 at 6:06 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.

**RECOGNITION OF RETIREES**

With friends, family and fellow employees looking on, Mayor Bagnell read proclamations for retiring employees, TOM KLEIN (41 yrs) and JOSEPH QUIRK (30 yrs) recognizing them for their years of dedicated service to the City of Ventnor. Following the presentations, CMR KELLY introduced ERNIE GRATZ who will replace Tom Klein as Water/Sewer Superintendent. The Commissioner read his impressive resume, which includes graduating from Rutgers University, possessing all required licenses as well as teaching classes at ACCC for licensed water operator certification.

**ANNOUNCEMENT REGARDING JITNEY SERVICE IN VENTNOR**

Prior to continuing with the agenda items, Mayor Bagnell announced to all in attendance to hear about Jitneys, "there are no plans for jitneys to come through Ventnor". He had a 15-minute conversation about 6 weeks/2 months ago about the possibility but nothing further has been discussed. He assured everyone that no action has taken place and no action will be taken on this subject.

**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 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 3.17.16 Regular Meeting and the 3.30.16 Special Meeting be approved as written (oral reading waived).

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

**PUBLIC HEARING ON 2016 MUNICIPAL BUDGET AMENDMENT**

The City Clerk announced the Public Hearing of the 2016 Municipal Budget Amendment. CMR KELLY asked if Amendment #2 eradicates Amendment #1. The auditor responded "no", the only change is in the amount of Fund Balance used. The first amendment budgeted \$3M (fund balance) used plus other changes that required tonight's public hearing. The amendment being adopted tonight only lowers the fund balance used to \$2.5M.

MICHAEL ADVENA, 6410 Monmouth asked how much remains in reserve. The auditor responded \$1.4M.

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

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

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2016-06**

**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

**REPORT OF BID OPENING – VENTNOR GARDENS PLAZA BULKHEAD**

Date of Bid Opening: April 19, 2016 @11AM

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

	Base Bid	Alternate Bid
1. Walters Marine Construction, Inc. Ocean View, NJ 08230 Bid Bond Attached	\$277,890.00	\$401,725.00
2. R.A. Walters & Son, Inc Cape May Court House, NJ 08210 Bid Bond Attached	\$327,203.00	\$438,055.00

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

Mayor Bagnell moved, seconded by Cmr Kelly the report be received and filed according to law

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

**FINAL READING & ADOPTION OF ORDINANCE 2016-06**

**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 2016-06 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**NEW BUSINESS**

**RESOLUTION NO. 50 OF 2016 – 2016 BUDGET AMENDMENT #2**

WHEREAS, the local municipal budget for the year 2016 was approved on the 18th day of February, 2016 and  
WHEREAS, the public hearing on said budget has been held as advertised, and  
WHEREAS, it is desired to amend said approved budget, now  
THEREFORE BE IT RESOLVED, by the City Commission of the City of Ventnor, County of Atlantic  
that the following amendments to the approved budget of 2016 be made:

	From	TO
<b>GENERAL REVENUES</b>		
Surplus Anticipated	3,000,000	2,500,000
6. Amount to be Raised by Taxes for Support of Municipal Budget		
Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	20,521,928	21,049,632
Total Amount to be Raised by Taxes for Support of Municipal Budget	<u>21,932,998</u>	<u>22,460,702</u>
7. Total General Revenues	<u>29,228,189</u>	<u>29,255,893</u>
<b>8. GENERAL APPROPRIATIONS</b>		
(A) Operations - Excluded from "CAPS"		
(M) Reserve for Uncollected Taxes	2,717,295	2,744,999
9. Total General Appropriations	<u>29,228,189</u>	<u>29,255,893</u>

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 50 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**ADOPTION OF 2016 MUNICIPAL BUDGET**

The 2016 Municipal Budget as introduced on February 18, 2015 and amended on March 17, 2016 and April 21, 2016 appears on the following pages.

Mayor Bagnell moved, seconded by Cmr Sarno the 2016 Budget be adopted.  
Roll Call Vote: Yeas: Commissioner Sarno and Mayor Bagnell  
No: Commissioner Kelly

**CONSENT AGENDA**

The City Clerk asked the Commission if they wished to adopted Resolutions Nos 51 thru 64 of 2016 by consent..

Mayor Bagnell moved, seconded by Cmr Sarno Resolutions No. 51 thru 64 of 2016 be adopted by consent.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 51 OF 2016 – AUTHORIZE RECYCLING TONNAGE GRANT APPLICATION**

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

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

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

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

WHEREAS, a resolution authorizing the City of Ventnor City to apply for such tonnage grants will memorialize the commitment of the City of Ventnor City to recycling and indicate the assent of the Board of Commissioners of the City of 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 2016 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 Sarno Resolution No 51 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 52 OF 2016 – AUTHORIZE EMERGENCY PUMP REPLACEMENT FOR WELL #10**

WHEREAS, on March 4, 2016 water was shooting up from the pump shaft at the base of the wellhead at Well #10; and

WHEREAS, the pump was pulled and inspected and found to be in need of replacement; and

WHEREAS, the emergency repair of the pump is necessary to have it operational before the summer season begins.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Layne Christensen is herein and hereby authorized to perform such emergency replacement.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$47,487.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 52 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 53 OF 2016 – AUTHORIZE CHANGE ORDER #3, 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 and by Change Order #1 & #2 the contract price was adjusted to \$1,570,533.58; 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 “Calvert Ave Drainage Improvements” be amended to \$1,671,801.58 for a net adjustment of \$101,268.00.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 53 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 54 OF 2016 – AUTHORIZE CHANGE ORDER #3, 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 and by Change Order #1 & #2 the contract price was adjusted to \$2,453,511.30; 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 \$2,506,033.31 for an additional adjustment of \$52,522.01

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 54 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 55 OF 2016 – AUTHORIZE CHANGE ORDER #4, 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 and by Change Order #1, #2 & #3 the contract price was adjusted to \$2,506,033.31 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 \$2,635,200.01 for an additional adjustment of \$129,166.70.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 55 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 56 OF 2016 – AWARD CONTRACT P/T CONSTRUCTION INSPECTOR**

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

WHEREAS, the City of Ventnor approved Resolution No. 22 of 2016 which allowed for City to publish and advertisement for Qualifications for the part time construction inspector and;

WHEREAS, the City of Ventnor did publish said advertisement the official paper, the Atlantic City Press on February 18, 2016 and;

WHEREAS, the Municipal Clerk of the City of Ventnor received in her office on April 20, 2016 at 11:00 AM did receive three (3) responses to the Request for Proposal and;

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

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor that it hereinafter award the Contract for a part-time construction inspector to Doran Engineering, 840 N. Main Street, Pleasantville, New Jersey, 08232 for a two (2) year contract at an hourly rate of \$63.00 per hour, not to exceed \$20,000 per year.

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

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 56 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 57 OF 2016 – AWARD CONTRACT, VGP BULKHEAD**

April 21, 2016

WHEREAS, the Municipal Clerk of the City of Ventnor City received and opened on Tuesday, April 19, 2016 at 11:00 AM in her Office two (2) Bid Proposals for Ventnor Gardens Plaza Bulkhead; 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 Ventnor Gardens Plaza Bulkhead to Walters Marine Construction, Inc. for the Base Bid of \$277,890.00.

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 57 of 2016 be adopted.

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

**RESOLUTION NO. 58 OF 2016 – AUTHORIZE RFP'S, SITE INVESTIGATION - GREEN ACRES PROGRAM**

WHEREAS, the City of Ventnor is seeking proposals for Site Investigation of the approximate 13 acre portion of Block 366, Lot 2 for the Green Acres Program ; and

WHEREAS, the City of Ventnor wishes to obtain requests for qualifications for said Site Investigation.

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

The City Engineer is hereby authorized to prepare RFQ's and seek proposals pursuant to the Fair and Open Process for a Professional to perform the Site Investigation of the approximate 13 acres portion of Block 366, Lot 2 for the Green Acres Program.

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 58 of 2016 be adopted.

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

**RESOLUTION NO. 59 OF 2016 - AUTHORIZE RFP'S, PROFESSIONAL SERVICES FOR REVALUATION FIRM**

WHEREAS, the City of Ventnor is seeking proposals for a Firm to perform a Citywide Revaluation of properties; and

WHEREAS, the City of Ventnor wishes to obtain requests for qualifications for said Revaluation Firm.

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

The City Tax Assessors is hereby authorized to prepare RFQ's and seek proposals pursuant to the Fair and Open Process for a Professional to perform the Citywide Revaluation of properties.

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 59 of 2016 be adopted.

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

**RESOLUTION NO. 60 OF 2016 – AUTHORIZE TEMPORARY NO PARKING DURING STREET CONSTRUCTION**

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	Weymouth	Princeton
Atlantic	New Haven	Martindale
Monmouth	Dorset	Derby
Monmouth	Cornwall	Sacramento
Ocean	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
Derby	Ventnor	Boardwalk
Dorset	Ventnor	Boardwalk
Frankfort	Ventnor	Atlantic
Fulton	East Canal	West Canal
Harvard	Ventnor	Boardwalk
Hillside	Ventnor	Atlantic
Jackson	Ventnor	Boardwalk
Lafayette	Atlantic	Boardwalk
Little Rock	Atlantic	Boardwalk
Marion	Atlantic	Boardwalk
Melbourne	Atlantic	Boardwalk
Nashville	Atlantic	Boardwalk
New Haven	Ventnor	Boardwalk
Newark	Ventnor	Boardwalk
Newport	Atlantic	Boardwalk
Oakland	Atlantic	Boardwalk
Philadelphia	Atlantic	Boardwalk
Pittsburgh	Atlantic	Boardwalk
Portland	Ventnor	Boardwalk
Princeton	Atlantic	Boardwalk
Richards	Ventnor	Boardwalk
Rosborough	Ventnor	Boardwalk
Sacramento	Ventnor	Boardwalk
Somerset	Atlantic	Boardwalk
Somerset	Balfour	Calvert
Suffolk	Atlantic	Boardwalk
Surrey	Ventnor	Boardwalk
Swarthmore	Ventnor	Boardwalk
Troy	Atlantic	Boardwalk
Washington	Ventnor	Boardwalk
Weymouth	Winchester	Boardwalk
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 60 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 61 OF 2016 – AUTHORIZE CLOSING PLANNING/ZONING ESCROW ACCOUNT**

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

WHEREAS, the following developers have paid said fees, and

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

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

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

<u>Name</u>	<u>Property Address</u>	<u>Remaining Balance</u>
Allen Supowitz	19 S Wyoming	\$40.00

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 61 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 62 OF 2016 – AUTHORIZE APPLICATION FOR NJ OEM HAZARD MITIGATION GRANT PROGRAM**

WHEREAS, the New Jersey Office of Emergency Management has been designated by the Federal Emergency Management Administration to receive, administer and distribute hazard mitigation funds from mitigation projects in New Jersey; and

WHEREAS, The City of Ventnor desires to apply for funding from the New Jersey Office of Emergency Management for a Hazard Mitigation grant for a \$100,000 generator project; and

WHEREAS, the New Jersey Office of Emergency Management requires the City to make an in-kind match of \$25,000; and

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

1. The Mayor is hereby authorized to apply for funding from the New Jersey Office of Emergency Management through the Hazard Mitigation Grant Program in an amount not to exceed \$100,000, subject to the City in-kind match of \$25,000.

2. There is no certification of funds from the Chief Financial Officer annexed hereto because this resolution does not call for or authorized the expenditure of any City funds.

3. The Mayor is further authored to execute nay necessary documents to accept the grant awarded to the City of Ventnor.

4. A copy of the executed grant agreement shall be filed with the Ventnor City Clerk.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 62 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 63 OF 2016 – AUTHORIZE CHANGE ORDER #3, VGP PUMP STATION**

WHEREAS, the City of Ventnor City did award a contract for the “Ventnor Gardens Plaza Pump Station” and did enter into a contract with Mathis Construction in the amount of \$1,47,15.00; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts and by Change Order #1 & #2 the contract price was adjusted to \$1,526,94.13 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 \$1,525,422.59 for an additional adjustment of \$-1,561.54.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 63 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Sarno, Kelly and Mayor Bagnell

**RESOLUTION NO. 64 OF 2016 – AUTHORIZE GRANT APPLICATION, NJDOT SAFE ROUTES TO SCHOOL**

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

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

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

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

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

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

WHEREAS, the City of Ventnor is committed to promote activities that encourage walking and biking to school including:

- Public awareness campaigns and outreach to media and community leaders;
- Traffic education and enforcement in the vicinity of schools;
- Student sessions on bicycle and pedestrian safety, health and the environment; and

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

NOW, THEREFORE, BE IT RESOLVED that the City of Ventnor formally supports a grant application SRS-I-2016-Ventnor City-00012 for the Safe Routes to School Program.

Mayor Bagnell moved, seconded by Cmr Sarno Resolution No 64 of 2016 be adopted.

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

#### **CONFIRM BOARD OF EDUCATION REAPPOINTMENTS**

Mayor Bagnell moved, seconded by Cmr Sarno the reappointments of JAMES PACANOWSKI and BETH HOLTZMAN to the Board of Education 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 \$5,509,611.58 and payrolls from 3.19.16 to 4.1.16 in the amount of \$537,722.81 and from 4.2.16 to 4.15.16 in the amount of \$519,100.59 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: The Safety Committee met on April 11<sup>th</sup> with attendance the largest in quite some time. Incidents in March were minor with no reported workers comp claims. Tom Klein, who was wished well in his retirement and thanked for his years of safety coordinator, introduced his replacement. Training issues were reviewed in particular upcoming playground safety scheduled later this month. Valerie Smith, ACMJIF wellness director distributed information and announced that Atlanticare is offering a free health analysis for first responders fire/EMS/police. The annual safety recognition breakfast is 4/14. The last managerial/supervisory training for POL/EPL program compliance is April 19<sup>th</sup> in Margate. Ventnor is up another 3-year renewal in the ACMJIF/MEL.

#### **PUBLIC PORTION**

MICHAEL ADVENA, 6410 Monmouth asked the following questions regarding bonds. 1) Has the City begun drawing down on the \$5.6M Bond to pay back the water/sewer utility? The CFO answered no, escrow closing was on Monday, documents have not yet been submitted for reimbursement, closing on loan is next month. About \$1M was used from water/sewer and remaining was used from Capital. Mr Advena asked if these bond payments are included in the 2016 budget. CFO answered no, payments begin the year after we started drawing down on the bond. Terms of the \$5.637M loan are: 25% at market rate when money is borrowed, 56% at 0 interest and 19% principal forgiveness. 2) What is present status of \$5M grant/loan used to offset property taxes after Sandy. CFO still does not have definitive answer. Paperwork for cancellation of loan must be filed with State by May 13<sup>th</sup>. Process to request cancellation was presented at a seminar she attended last week. After submission of paperwork State will determine if we qualify for complete cancellation, partial cancellation or if we must pay back the loan. In July State will send a timeline informing Ventnor what path we are on (complete, partial or no cancellation) then schedule interviews in September. We will have no answers until next year. If State does not cancel loan Ventnor will have 5 yrs from date promissory note was signed (2013) and can asked for 5 year extension therefore 7 yrs to complete payments. Loan is interest bearing making payments approximately \$750,000 per yr.

MARC SILVER, 112 S Surrey again asked Commission to significantly lower water and sewer rates citing \$\$ amounts to support his argument. He spoke of a history of low collection rates which deficits have now been eliminated. Mr Silver offered to sit down with Commission and go over figures but the Mayor and CFO indicated rates for 2016 will remain the same as 2015. Mr Silver then questioned the wording of Res 59-16 authorizing RFP's for a reval firm and offered real estate value figures as compared to Margate and tax appeal numbers as proof a reval was needed 4 yrs ago. A discussion ensued concerning the need for updating of tax maps, the need for state approval of the maps, reassessment v revaluation, etc. with Mr Silver asking the residents be given back money by lowering the water/sewer rates.

PAULA DELUCA, 110 N Derby presented Commissioner Kelly with flowers as a thank you for her 8 years of service and Commissioner Sarno and Mayor Bagnell with candy for their 4 years of service. Ms DeLuca then asked if the Reval RFP's will go to all 9 qualified firms. She was told the RFP packet would be sent to any of the 9 firms who request it. On the subject of the proposed dog park, Ms DeLuca asked about meeting she was told took place with City Officials and the DEP and NPS regarding the Lafayette Ave park and potential issues with cloud on title and illegal conversion to use not approved or authorized by the NPS. The Solicitor told Ms DeLuca no meetings were held and none have been scheduled. She has been in contact with Jessica Patterson of the DEP who is looking into the title issue and the question of private funds being used on City owned land.

LINDA KAPLAN, 12 N Wissahickon thanked Commissioner Kelly for her years of service, complementing her on the "Herculean job". She voiced her disappointment in 2/3 of the administration noting patronage, nepotism, arbitrary raises and not instituting a wage and hiring freeze. She asked Commissioner Sarno if he has applied for or will be applying for a job with the City. Cmr Sarno stated he will not apply for a City job.

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

#### **7:09 PM 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*

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*public interest will no longer be served by keeping such matters confidential. The matter to be discussed is: Litigation.*

The Solicitor reported on the meeting held 4.19.16 attended by Cmr Kelly, Adm Russo, Solicitor Weintrob, CFO Aboderin and representatives from Margate and ACUA (proxy for Atlantic Co) regarding the Ventnor Gardens Plaza Pump Station. The shared services agreement relating to the operation of the pump station, payment of electric, etc. was discussed. The Solicitor will review agreement prepared by the ACUA and advise the Commission. The \$1.5M NJEIT grant/loan and means of sharing the grant portion and expenses equally was also discussed. Reduction of the amount due from Margate and the County because of the grant portion (19%) of the \$1.5M but also taking into consideration interest Ventnor paid on monies borrowed from Utility Capital to pay invoices was calculated by the CFO at \$5,000. Solicitor asked Commission for permission to negotiate terms just discussed.

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

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

**7:31 PM EXECUTIVE SESSION CONCLUDED**

SOLICITOR WEINTROB reported during executive session discussed was potential litigation regarding the pump station and she asked Commission to pass a Resolution authorizing her to negotiate settlement.

Mayor Bagnell moved seconded by Cmr Kelly a Resolution be passed authorizing Solicitor to negotiate settlement of the Ventnor Gardens Pump Station matter.

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

**7:32PM 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 Special Meeting of the Ventnor City Board of Commissioners was called to order by Commissioner Elect Beth Holtzman at 12:00 noon on May 17, 2016 in Commission Chambers, City Hall followed by the Pledge of Allegiance.

Present: Commissioners Elect: Beth Holtzman, Tim Kriebel and Lance Landgraf

The City Clerk announced "This meeting of the Ventnor City Board of Commissioners has been advertised in accordance with the Open Public Meetings Act for the Swearing In of three (3) Commissioners elected at the May 10, 2016 Municipal Election and to adopt Designation Resolutions distributing the powers and responsibilities of the Commissioners".

**SWEARING IN OF COMMISSIONERS – HOLTZMAN, KRIEBEL & LANDGRAF (4 YEAR TERM)**

In the Commission Chambers filled with family, supporters, employees and well-wishers, the Oath of Office was administered individually as follows:

COMMISSIONER BETH HOLTZMAN was sworn in by the Honorable Michael J Blee with her family by her side as her children held the Bible.

COMMISSIONER TIM KRIEBEL was sworn in by the Honorable Michael S Becker with daughter by his side as his wife held the Bible.

COMMISSIONER LANCE LANDGRAF was sworn in by the Honorable John F Amodeo with his family by his side as his daughter held the Bible.

Family, friends & supporters applauded the newly sworn in Commissioners.

**APPOINTMENT OF COMMISSIONER BETH HOLTZMAN AS MAYOR (4 YEAR TERM)**

Commissioner Kriebel moved, seconded by Commissioner Landgraf that Commissioner Holtzman be appointed as the Mayor.

Roll Call Vote:

Yeas: Commissioners Kriebel, Landgraf and Holtzman

**RESOLUTION NO. 65A OF 2016 - DESIGNATION OF DEPARTMENTS/BOARDS PUBLIC AFFAIRS & PUBLIC SAFETY (COMMISSIONER KRIEBEL)**

WHEREAS, on May 10, 2016, HENRY TIMOTHY KRIEBEL was elected by the voters of the City of Ventnor City to serve as a Commissioner of the City of Ventnor City, New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, New Jersey that HENRY TIMOTHY KRIEBEL be and he is hereby designated and confirmed as the Commissioner to be Director of the Department of Public Affairs and Public Safety, and that all executive, administrative, judicial and legislative powers, authority and duties pertaining to said Departments be and the same are hereby vested in him, and he shall perform all duties and sign all documents necessary to the proper administration of the Department of Public Affairs and Public Safety in particular but not limited to:

DIRECTOR'S OFFICE	SAFETY INSPECTIONS
POLICE DEPARTMENT	EMERGENCY MANAGEMENT/DISASTER CONTROL
FIRE DEPARTMENT	DOG CONTROL
PUBLIC SAFETY RADIO & COMMUNICATIONS	TRAFFIC LIGHTS
BOARD OF HEALTH	BEACH CONTROL
BEACH PATROL	COMMUNITY BUILDING/LIBRARY SERVICES
PUBLIC DEFENDER	TENNIS COURTS
PARKS & PLAYGROUNDS	FISHING PIER
	CELEBRATION OF PUBLIC EVENTS

BE IT FURTHER RESOLVED that all Resolutions inconsistent herewith are hereby rescinded.

Comr Landgraf moved, seconded by Mayor Holtzman that Resolution No.65A of 2016 be adopted.

Roll Call Vote:

Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 65B OF 2016 – DESIGNATION OF DEPARTMENTS/BOARDS REVENUE & FINANCE (COMMISSIONER HOLTZMAN)**

WHEREAS, on May 10, 2016, BETH HOLTZMAN was elected by the voters of the City of Ventnor City to serve as a Commissioner of the City of Ventnor City, New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, New Jersey that BETH HOLTZMAN be and she is hereby designated and confirmed as the Commissioner to be Director of the Department of Revenue and Finance, and that all executive, administrative, judicial and legislative powers,

authority and duties pertaining to said Departments be and the same are hereby vested in her, and she shall perform all duties and sign all documents necessary to the proper administration of the Department of Revenue & Finance in particular but not limited to:

- |                                 |                                     |
|---------------------------------|-------------------------------------|
| DIRECTOR'S OFFICE               | CAPITAL IMPROVEMENT FUND            |
| MUNICIPAL COURT SUPPORT STAFF   | PUBLIC EMPLOYEES RETIREMENT SYSTEM  |
| FINANCE ADMINISTRATION          | SOCIAL SECURITY SYSTEM              |
| COLLECTION OF TAXES             | CONSOLIDATED P & E PENSION FUND     |
| ASSESSMENT OF TAXES             | POLICE & FIRE RETIREMENT FUND       |
| PAYMENT OF BOND PRINCIPAL       | UNEMPLOYMENT COMPENSATION INSURANCE |
| CITY INSURANCE/EMPLOYEE BONDS   | ATLANTIC CO.SEWERAGE AUTHORITY      |
| WORKMAN'S COMPENSATION          | INTEREST ON BONDS & NOTES           |
| ADVERTISING & PUBLICITY         | SCHOOL PAYMENT OF BOND PRINCIPAL    |
| LIQUIDATION OF TAX LIENS        | SCHOOL INTEREST ON BONDS            |
| ELECTIONS                       | PUBLIC UTILITIES                    |
| MUNICIPAL CLERK                 | RECREATION                          |
| GROUP INSURANCE/HOSPITALIZATION |                                     |

BE IT FURTHER RESOLVED that all Resolutions inconsistent herewith are hereby rescinded.

Cmr Landgraf moved, seconded by Cmr Kriebel that Resolution No. 65B of 2016 be adopted.

Roll Call Vote:

Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO.65C OF 2016 – DESIGNATION OF DEPARTMENTS/BOARDS PUBLIC WORKS, PARKS & PUBLIC PROPERTY (COMMISSIONER LANDGRAF)**

WHEREAS, on May 10, 2016, LANCE B. LANDGRAF, JR was elected by the voters of the City of Ventnor City to serve as a Commissioner of the City of Ventnor City, New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, New Jersey that LANCE B. LANDGRAF, JR be and he is hereby designated and confirmed as the Commissioner to be Director of the Department of Public Works, Parks and Public Property, and that all executive, administrative, judicial and legislative powers, authority and duties pertaining to said Departments be and the same are hereby vested in him, and he shall perform all duties and sign all documents necessary to the proper administration of the Department of Public Works, Parks and Public Property in particular but not limited to:

- |                           |                                 |
|---------------------------|---------------------------------|
| DIRECTOR'S OFFICE         | BEACHFRONT MAINTENANCE          |
| WATER & SEWER             |                                 |
| WATER METER DEPARTMENT    | MAINTENANCE OF PUBLIC BUILDINGS |
| STREET REPAIR/MAINTENANCE | SANITATION DEPARTMENT           |
| STREET CLEANING           | LOT CLEARANCE                   |
| VEHICLE REPAIR            | CITY OWNED PROPERTY             |
| MOSQUITO CONTROL          | BUILDING, ELECTRICAL & PLUMBING |
| CITY CARPENTER            | INSPECTIONS                     |
| BOARDWALK MAINTENANCE     | ZONING COMMISSION               |
| MUNICIPAL ATTORNEY        | PLANNING BOARD                  |

BE IT FURTHER RESOLVED that LANCE B. LANDGRAF, JR shall act as the vice president of the board and in case of vacancy in the office of the mayor, shall perform all duties of that office.

BE IT FURTHER RESOLVED that all Resolutions inconsistent herewith are hereby rescinded.

Cmr Kriebel moved, seconded by Mayor Holtzman that Resolution No. 65C of 2016 be adopted.

Roll Call Vote:

Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**CLOSING STATEMENTS BY MAYOR AND COMMISSIONERS**

MAYOR HOLTZMAN first acknowledged the outgoing Administration for their years of dedication and service to the City. She thanked her family for their support and encouragement, noting her father's past service as a City Commissioner. She thanked the residents for their faith in the "Imagine Ventnor" team stating their focus will be on providing quality service and a better experience for the people of Ventnor. She referred to their "100 Day Plan" as only an outline of their plans for the next 4 years. She, Lance and Tim are result driven and will succeed with the support of the employees, citizens and business owners of the City. The Mayor thanked the "passionate" volunteers who worked on their campaign then spoke of her sense of honor, respect and loyalty for Ventnor City promising to govern with such honor, respect and loyalty. In closing, the Mayor stated she is truly honored and blessed to have been elected with her running mates Tim and Lance.

COMMISSIONER LANDGRAF recognized the many dignitaries in the audience, including Freeholder Alex Marino, Margate's Mayor Becker and Cmr Amodeo, former Mayor Bagnell and Atlantic City Mayor Guardian,

noting their desire to work closely with our island neighbors Atlantic City and Margate. He acknowledged former Margate Commissioner and fellow classmate, Brenda Taube as well as phone messages from Congressman LoBiondo and Freeholder President Frank Formica. He stated they will be reaching out for help and support from neighboring towns and State Representatives. Additionally he recognized former Commissioner Joe Schafer and his CRDA boss, John Palmieri. The Cmr thanked the residents of Ventnor, voiced how honored they are to be Commissioners for the next 4 years, a responsibility they will not take lightly and will give every ounce of energy, knowledge and skill. He thanked his running mates and campaign team and also wished to reach out to the opponents, Cassandra (Shober) and Mike (Advena) imploring them to stay active, identifying Mike as one of the best volunteers in the community. Finally he thanked his family for their never ending support. Cmr Landgraf also mentioned their "100 Day Plan" stating some plans have already been enacted (phone courtesy & logs) to change the culture and how we treat our "clients". "Imagine Ventnor" didn't stop with the election; they want your ideas and how to improve things and will reach out to the community and set up committees to move the City forward.

COMMISSIONER KRIEBEL began by thanking his wife and daughter for their support. He mirrored the names mentioned by Beth and Lance and offered his sincere thanks for their efforts and time. The Cmr gave special recognition to James Colaianni, who came up with the "Image Ventnor" slogan and Lori Colaianni who put the graphics into print. He explained how their door to door campaign showed the many challenges facing Ventnor and hopes the dialogue started during the campaign continues as we move forward. He encouraged everyone to follow the Commissioners on the website and Facebook. Cmr Kriebel concluded by voicing his excitement to be working with the other 2 commissioners and all the residents over the next 4 years.

Prior to adjourning the meeting, MAYOR HOLTZMAN invited everyone to a luncheon at Vagabonds.

**ADJOURNMENT: 12:27 P.M.**

There being no further business to conduct, it was moved by Mayor Holtzman, seconded by Cmr Landgraf, the meeting be adjourned.

The meeting of the Ventnor City Board of Commissioners was called to order by Mayor Holtzman in Commission Chambers, City Hall, on May 19, 2016 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Kriebel, Landgraf and Mayor Holtzman

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

COMMISSIONER LANDGRAF read the Hazard Mitigation Statement.

**MOTION TO APPROVE MINUTES**

Cmr Landgraf moved, seconded by Mayor Holtzman the Minutes of the 4.21.16 Regular Meeting and the 5.17.16 Special Meeting (Swearing In) be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**MOTION TO RECEIVE AND FILE CERTIFICATION OF 5.10.16 MUNICIPAL ELECTION RESULTS**

May 16, 2016

RE: Certification of Results

Ventnor City Commission Election

**TO ALL PARTIES CONCERNED:**

This is to certify that pursuant to N.J.S.A. 40:45-16, I have canvassed all votes cast by Machine & Mail In Ballot in the Ventnor City Municipal Election held on May 10, 2016 for the election of three (3) City Commissioners and hereby declare the following:

- A. There were 6566 **Registered Voters** who were eligible to Vote on Election Day.
- B. A total of 1677 persons voted (**Machine = 1600 Mail In = 62 Provisional = 15**)
- C. The candidates who filed petitions to run in this election, whose names were printed on the face of the ballot and received the three (3) highest number of votes were:
  - 1) Beth Holtzman = 1319 Votes
  - 2) Tim Kriebel = 1252 Votes
  - 3) Lance Landgraf = 1191 Votes

I hereby declare that the above named have been duly elected to service as Commissioners of the City of Ventnor City for a four (4) year term commencing on Tuesday, May 17, 2016 at 12:00 Noon, immediately following their recitation of the Oath of Office.

Attached is the official tabulation of the Ventnor City Municipal Election of May 10, 2016, the document of support.  
CERTIFIED BY: Janice K. Callaghan, RMC, City Clerk

Mayor Holtzman moved, seconded by Cmr Landgraf the Certification be received and filed.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**PUBLIC COMMENT: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW**

Mayor Holtzman asked if anyone had questions on Items to be voted on tonight.

LINDA KAPLAN, 12 N Wissahickon asked the Commission to explain Ord 2016-07. Cmr Landgraf explained, confirmed by Solicitor Weintrob, the way the Ordinance presently read, it expired at the end of 2015. This Ordinance only removes the expiration clause. There is no change in rates.

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

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**INTRODUCTION OF ORDINANCE 2016-07**

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

Cmr Landgraf moved, seconded by Mayor Holtzman that Ordinance 2016-07 be introduced.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**NEW BUSINESS**

**CONSENT AGENDA**

Cmr Landgraf moved, seconded Mayor Holtzman by Resolutions No. 66 thru 85 of 2016 be adopted by consent.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 66 OF 2016 – CONFIRMING TERMS & CONDITIONS OF NJEIT BOND SALE**

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY CONFIRMING THE DETAILS OF THE SALE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2016A, AND GENERAL OBLIGATION BONDS, SERIES 2016B, TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION PURSUANT TO THE 2016 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM  
BACKGROUND

WHEREAS, the City of Ventnor City, County of Atlantic, New Jersey ("City") has determined there exists a need for various improvements to the City's existing stormwater management system ("2016 Project") as described in that certain Loan Agreement ("Trust Loan Agreement") to be entered into between the City and the New Jersey

May 19, 2016

Environmental Infrastructure Trust ("Trust") and that certain Loan Agreement ("Fund Loan Agreement"; together with the Trust Loan Agreement, the "Loan Agreements") to be entered into between the City and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection ("State"), all pursuant to the 2016 New Jersey Environmental Infrastructure Trust Financing Program; and

WHEREAS, the City has determined to finance the acquisition, construction, renovation and installation of the 2016 Project with the proceeds of a loan to be made by each of the Trust ("Trust Loan") and the State ("Fund Loan"; together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively; and

WHEREAS, to evidence the Loans, each of the Trust and the State require the City to authorize, execute and deliver its General Obligation Bonds, Series 2016A, to the Trust ("2016A Bonds"), and its General Obligation Bonds, Series 2016B, to the State ("2016B Bonds"; together with the 2016A Bonds, the "2016 Bonds"), pursuant to the terms of applicable law and pursuant to the terms of the Loan Agreements; and

WHEREAS, pursuant to the Local Bond Law, constituting Chapter 169 of the Laws of the State of New Jersey the Board of Commissioners of the City has, pursuant to Bond Ordinance Nos. 2014-26 and 2015-23, each duly and finally adopted and published in accordance with the requirements of the Local Bond Law (collectively, the "Bond Ordinances"), authorized the issuance of general obligation bonds or bond anticipation notes of the City to finance the costs of the 2016 Project; and

WHEREAS, pursuant to a resolution adopted by the Board of Commissioners on March 17, 2016 ("Authorizing Resolution"), the City authorized and approved the issuance and sale of up to \$5,637,000 of the 2016 Bonds of the City, consisting of the City's 2016A Bonds, and the City's 2016B Bonds, to finance the costs of the 2016 Project; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2), allows for the sale of the 2016A Bonds and the 2016B Bonds to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the 2016B Bonds to the Trust, without any public offering, all under the terms and conditions set forth herein; and

WHEREAS, the Trust has sold its bonds to fund the Trust Loan, thereby enabling the City to confirm the exact aggregate principal amount of and debt service schedule for the 2016A Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY, PURSUANT TO THE LOCAL BOND LAW (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

Section 1. The sale of the 2016B Bonds to the State is hereby approved, ratified and confirmed in accordance with the principal amount and maturity schedule set forth on Schedule "B" attached hereto and made a part hereof. The sale of the 2016A Bonds to the Trust is hereby authorized, approved, ratified and confirmed. The 2016A Bonds shall be released from escrow in accordance with the terms of the escrow agreement between the Trust, the escrow agent and the City ("Escrow Agreement") and thereby issued in accordance with the principal amount, interest rates and maturity schedule set forth on Schedule "A" attached hereto and made a part hereof.

Section 2. 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 2016 Bonds or the 2016 Project are hereby ratified, confirmed, approved and adopted.

Section 3. The Mayor, Chief Financial Officer or City Clerk are each hereby authorized to determine all matters and execute all documents and instruments in connection with the 2016 Bonds or the 2016 Project not determined or otherwise directed to be executed by the Local Bond Law, the Bond Ordinance, or by this or any subsequent resolution, and the signature of the Mayor, Chief Financial Officer or City Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 4. All resolutions, or parts thereof, inconsistent herewith or with the Authorizing Resolution, are hereby rescinded and repealed to the extent of any such inconsistency.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 66 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 67 OF 2016 – AWARD CONTRACT, LICENSED SITE REMEDIATION PROFESSIONAL, EVALUATION OF POTENTIAL ENVIRONMENTAL AREAS OF CONCERN TO NJDEP GREEN ACRES SITE**

WHEREAS, the NJDEP has notified Ventnor City that additional Site Investigation is needed for the Green Acres Major Diversion of Local Parkland; and

WHEREAS, the City of Ventnor approved Resolution No. 58 of 2016 which allowed for City to publish and advertisement for Qualifications for such site remediation; and

WHEREAS, the City of Ventnor did publish said advertisement the official paper, the Atlantic City Press on April 26, 2016 and;

WHEREAS, the Municipal Clerk of the City of Ventnor received in her office on May 18, 2016 at 11:00 AM did receive two (2) responses to the Request for Proposal and;

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

May 19, 2016

WHEREAS, the City of Ventnor having carefully considered that matter and relying substantially on the recommendations of Charles Sabatini, City Engineer, finds that Earth Engineering, Inc has the necessary expertise, training and proven reputation to perform this Site Investigation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor that it hereinafter award the Contract for the NJDEP Site Investigation of the Green Acres Major Diversion of Local Parkland to Earth Engineering, Inc, 403 Commerce La., West Berlin, NJ 08091 in the amount not to exceed \$13,651.00.

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

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 67 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 68 OF 2016 – CHANGE ORDER, PART-TIME CONSTRUCTION CONTRACTOR**

WHEREAS, the City of Ventnor City did award a contract for the “2014 Part-time Construction Inspector” and did enter into a contract with Doran Engineering in the amount of \$20,000; 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 “2014 Part-time Construction Inspector” be amended to \$6,962.00 for a net adjustment of \$13,038.00.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 68 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 69 OF 2016 – AUTHORIZE RELEASE OF LETTER OF CREDIT 201 N NEW HAVEN**

WHEREAS, the Estate of Herman Sandler posted a Letter of Credit in the amount of \$25,000.00 for demolition of the property known as 201 N New Haven Avenue within the City of Ventnor City; and

WHEREAS, an inspection of the site by the City Engineer has found demolition has been completed and the Certificate of Approval has been issued by the Code Enforcement Office as required by the Ventnor City Planning Board; and

WHEREAS, the applicant has requested release of said Letter of Credit.

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 \$25,000.00 Letter of Credit for the demolition of 201 N New Haven Avenue.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 69 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 70 OF 2016 – 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.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 70 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 71 OF 2016 – AUTHORIZE GRANT APPLICATION TO CONGESTION MITIGATION & AIR QUALITY IMPROVEMENT PROGRAM FOR PURCHASE OF BIKE RACKS (JOINT APPLICATION WITH AC & MARGATE)**

Whereas, the Congestion Mitigation and Air Quality Improvement Program (CMAQ) is a federal program which funds projects and programs that improve air quality and reduces traffic congestion; and

Whereas, the Congestion Mitigation and Air Quality Improvement Program (CMAQ) is jointly administered by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) in consultation with the Environmental Protection Agency (EPA); and

Whereas, the South Jersey Transportation Planning Organization expected to allocate \$1.9 million in CMAQ funds in FY2017; and

Whereas, the CMAQ Program does not require a local match; and

Whereas, the the City is completing a State funded Bicycle and Pedestrian Safety Plan which will guide future bicycle infrastructure improvements; and

May 19, 2016

Whereas, the City wishes to obtain funding to install bicycle racks in key locations throughout the City in order to reduce fueling costs and improve air quality; and

Whereas, said grant will help to fund an priority project in the City of Ventnor;

Now Therefore, Be It Resolves that the City Commission of the City of Ventnor authorizes the Administration to submit an Application to the Congestion Mitigation and Air Quality Improvement Program (CMAQ).

Be It Further Resolved that the City Commission of the City of Ventnor authorizes the Administration to sign the Federal Aid Agreement and other documents for this Congestion Mitigation and Air Quality Improvement Program (CMAQ) grant.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 71 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 72 OF 2016 – AUTHORIZE PARTICIPATION IN MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION TO MEET GOALS OF NATIONAL FLOOD INSURANCE PROGRAM'S COMMUNITY RATING SYSTEM**

WHEREAS, the National Flood Insurance Program's (NFIP) Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements; and

WHEREAS, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community actions meeting the three goals of the CRS:

1. Reduce flood damage to insurable property.
2. Strengthen and support the insurance aspects of the NFIP.
3. Encourage a comprehensive approach to floodplain management.

WHEREAS, the Community Rating System credits local initiatives to advise people about flood hazards, flood insurance, the natural functions of floodplains and flood loss reduction measures;

WHEREAS, in order to implement a Program for Public Information (PPI) for the municipalities in our region a Multi-Jurisdictional Program for Public Information is being formed; and

WHEREAS, the PPI will coordinate all of the flood-related public information in the community, both public and private; and

WHEREAS, the City of Ventnor floodplain managers will be actively involved in the PPI planning and implementation process and attend required meetings;

WHEREAS, this actions will result in CRS credits that will result in lower flood insurance premiums for the residents and business of the City of Ventnor.

NOW, THEREFORE, BE IT RESOLVED that City Council of the City of Ventnor formally supports Participation in the Multi-Jurisdictional Program for Public Information to Meet the Goals of the National Flood Insurance Program's Community Rating System.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 72 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 73 OF 2016 – CHANGE ORDER #4, CALVERT AV DRAINAGE IMPROVEMENTS**

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

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts and by Change Order #1, #2 & #3 the contract price was adjusted to \$1,671,801.58; 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 "Calvert Ave Drainage Improvements" be amended to \$1,596,367.58 for a net adjustment of \$75,434.00.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 73 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 74 OF 2016 - CHANGE ORDER #2, SOMERSET AV EMERGENCY SEWER REPAIR**

WHEREAS, the City of Ventnor City did award a contract for the "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 in quantity amounts and by Change Order #1 the contract price was adjusted to \$180,488.50 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 \$165,099.98 for a decreased adjustment of \$15,388.52.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 74 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

May 19, 2016

**RESOLUTION NO. 75 OF 2016 – 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>
James Pacanowski, II	112 N Cornwall	\$560.00

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 75 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 76 OF 2016 – CHANGE ORDER #1, NJDOT YR2014 MUNICIPAL AID PROGRAM**

WHEREAS, the City of Ventnor City did award a contract for the “2014 Road Program” and did enter into a contract with Perna Finnigan, Inc in the amount of \$377,795.40; 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 “2014 Road Program” be amended to \$408,474.15 for a net adjustment of \$30,678.75

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 76 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO.77 OF 2016 – CHANGE ORDER #5 & 6, FULTON AV DRAINAGE IMPROVEMENTS**

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 and by Change Order #1, #2, #3 & #4 the contract price was adjusted to \$2,635,200.01; and

WHEREAS, during performance of the project, the contract required additional adjustments in quantity amounts and by Change Order #5, the contract price is adjusted to \$2,873,187.93; and

WHEREAS, the contract was again amended thus requiring Change Order #6 reducing the contract price to \$2,626,487.93.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the “Fulton Ave Drainage Improvements” be amended to \$2,626,487.93.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 77 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 78 OF 2016 – CHANGE ORDER #2, 2015 ROAD PROGRAM**

WHEREAS, the City of Ventnor City did award a contract for the “2015 Road Program” and did enter into a contract with L. Feriozzi Concrete Co. in the amount of \$1,189,353.50; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts and by Change Order #1 the contract price was adjusted to \$1,197,653.50 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 “2015 Road Program” be amended to \$1,218,653.50 for a net adjustment of \$21,000.00.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 78 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 79 OF 2016 – AUTHORIZE EMERGENCY WATER SYSTEM ELECTRICAL REPAIR**

WHEREAS, on December 7, 2015 power was loss at Well #5 located at the City Yard due to work on the new contact water lines; and

WHEREAS, it was necessary to install a new electric service to insure the proper operation of the well.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Calvi Electric Co. is herein and hereby authorized to perform such emergency repair.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$11,991.07.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 79 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

May 19, 2016

**RESOLUTION NO. 80 OF 2016 – AUTHORIZE CONTRACT, ADDITIONAL ENVIRONMENTAL INVESTIGATION AT 4803 VENTNOR AV**

WHEREAS, by Resolution No. 85 of 2015 the City awarded a contract for the Remediation of certain City owned lots, in particular 4803 Ventnor Ave to Earth Engineering, Inc; and

WHEREAS, in order for the NJDEP to close this site out additional test borings and potentially sampling is needed; and

WHEREAS, the Board of Commissioners wishes to award the contract to Earth Engineering for perform this additional environmental investigation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for additional environmental investigation at 4803 Ventnor Ave to Earth Engineering Inc in the amount of \$4,295.00.

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

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 80 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 81 OF 2016 – CHANGE ORDER, CHLORINE CONTACT TIME AT PW**

WHEREAS, the City of Ventnor City did award a contract for the “Chlorine Contact Time at the Public Works Complex” and did enter into a contract with South State, Inc. in the amount of \$427,300.00; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts and the contract price was adjusted to \$452,688.49 and

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the “Chlorine Contact Time at Pubic Works Complex” be amended to \$452,688.49 for a net adjustment of \$25,388.49.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 81 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 82 OF 2016 – AUTHORIZE EMERGENCY WATER VALVE REPLACEMENT, WEYMOUTH & ATLANTIC**

WHEREAS, on April 20, 2016 the Water/Sewer Department attempted to replace a broken and leaking water main valve at Weymouth and Atlantic Aves but were unable to stop the leak and gain control of this site; and

WHEREAS, it was necessary to contract and outside company who performs such work to complete this emergency repair..

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Pioneer Pipe Contractors is herein and hereby authorized to perform such emergency repair.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$13,377.50.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 82 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 83 OF 2016 – AMEND RES 181-15, CHANGE WORKSHOP TIMES FROM 6PM**

WHEREAS, by Resolution No. 181 of 2015 the Schedule of 2016 Workshop Sessions and Public Meetings was set; and

WHEREAS, the Board of Commissioners of the City of Ventnor City wishes to amend such schedule to change the Workshop Sessions to 6:00 PM; and

WHEREAS, the Public Meeting will remain at 6:00 PM.

NOW, THEREFORE, BE IT RESOLVED that pursuant to the Open Public Meetings Act, the following is the amended Schedule of 2016 Workshop Sessions and Public Meetings of the Ventnor City Board of Commissioners, which schedule shall be posted and distributed according to law:

						<u>2016</u>
Thursday	June	09	6:00 PM	Workshop Session	Commission Chambers	
Thursday	June	16	6:00 PM	Public Meeting	Commission Chambers	
Thursday	July	14	6:00 PM	Workshop Session	Commission Chambers	
Thursday	July	21	6:00 PM	Public Meeting	Commission Chambers	
Thursday	Aug	11	6:00 PM	Workshop Session	Commission Chambers	
Thursday	Aug	18	6:00 PM	Public Meeting	Commission Chambers	
Thursday	Sept	08	6:00 PM	Workshop Session	Commission Chambers	
Thursday	Sept	15	6:00 PM	Public Meeting	Commission Chambers	
Thursday	Oct	13	6:00 PM	Workshop Session	Commission Chambers	
Thursday	Oct	20	6:00 PM	Public Meeting	Commission Chambers	
Thursday	Nov	10	6:00 PM	Workshop Session	Commission Chambers	
Thursday	Nov	17	6:00 PM	Public Meeting	Commission Chambers	
Thursday	Dec	08	6:00 PM	Workshop Session	Commission Chambers	
Thursday	Dec	15	6:00 PM	Public Meeting	Commission Chambers	

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 83 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 84 OF 2016 – ALLOW WIFI AT COMMUNITY BUILDING PARK DURING SUMMER CONCERT SERIES**

WHEREAS, The Ventnor Tourism Association, a non-profit, 501(C)(3) has applied for and been granted a special events permit on March 8, 2016 from the Board of Recreation for their Free Community Concert Series;

WHEREAS, pursuant to the special events permit, the Free Community Concert Series shall be held at the Newport Avenue Beach Pavilion beginning on May 25, 2016 through September 7, 2016 every Wednesday evening from 5:00 p.m. to 10:00 p.m.;

WHEREAS, Hammer Fiber Optics Investments Ltd. has offered to provide free WIFI for all concert goers to allow attendees to live stream the event and for access to social media in an effort to fulfill the mission of Ventnor Tourism Association to promote the City of Ventnor;

WHEREAS, the City of Ventnor has reviewed the site plan provided by Hammer Fiber Optics Investment Ltd. which sets forth the proposed placement of the cables and antennas necessary for the temporary connection, namely the Ventnor City Boardwalk between Newport and New Haven Avenue and the abandoned life guard stand and has found these plans to be acceptable,

WHEREAS, the City of Ventnor acknowledges that this service is being provided at no cost to the City of Ventnor;

WHEREAS, the City of Ventnor has received and the solicitor has reviewed and found acceptable the Certificate of Insurance and Indemnification and Hold Harmless Agreement provided by Hammer Fiber Optics Investment Ltd.;

WHEREAS, the City of Ventnor encourages and supports the mission of the Ventnor Tourism Association in the promotion and marketing of the City of Ventnor and finds that allowing the temporary connection of WIFI for the Free Community Concert Series to be in the best interest of the citizens to enhance their experience at the concerts.

1. The Governing Board hereby authorizes Hammer Fiber Optics Investment Ltd. to establish a temporary WIFI connection on City owned property pursuant to their site plan.
2. Hammer Fiber Optics Investment Ltd. shall remove all of their property including but not limited to temporary cables, antennas, etc. no later than September 9, 2016.
3. Hammer Fiber Optics Investment Ltd. shall return the City owned property utilized to its original condition.
4. A copy of this Resolution along with the site plan from Hammer Fiber Optics Investment Ltd. shall be available for public inspection at the offices of the City Clerk.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 84 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 85 OF 2016 – AUTHORIZE PROFESSIONAL SERVICES AGREEMENT WITH DAN MASON FOR MANAGEMENT CONSULTING SERVICES**

WHEREAS, the City of Ventnor City desires to obtain Management Consulting Services to assist with the administration and operations of the City, including but not limited to, the City's transition to a new administration;

WHEREAS, such services are specialized and qualitative in nature in that they cannot reasonably be captured by the language of a specification and the provider of such services must have substantial training, experience, knowledge of, and a proven reputation in, the day-to-day administration of municipal government and the rules and regulations related thereto;

WHEREAS, it was impracticable to obtain quotations from more than one vendor where the services are highly specialized and a proven reputation is a critical consideration in obtaining a vendor;

WHEREAS, the City Solicitor has reviewed the nature of the services in question and confirmed that this award meets the statutory and regulatory criteria regarding "Extraordinary Unspecifiable Services" under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and the regulations related thereto, N.J.A.C. 5:34-2.1 et seq.;

WHEREAS, a proposal was received from Jersey Professional Management Corporation ("JPMC") dated May 18, 2016, and the maximum amount of the contract in question is not to exceed Three Thousand Dollars (\$3,000.00);

WHEREAS, the City finds it to be in its best interest to accept the terms of the JPMC proposal;

WHEREAS, the Chief Financial Officer of the City, has certified that there are sufficient funds available for the purpose of entering into a contract with JPMC based upon the financial terms of said proposal, said certification being attached hereto and made a part hereof; and

WHEREAS, the Local Public Contracts Law requires that the resolution authorizing the award of a contract for "Extraordinary Unspecifiable Services" made without competitive bids, and the contract itself, must be available for public inspection;

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

1. The Mayor and City Clerk are hereby authorized and directed to execute an agreement with JPMC, in the form attached hereto and made part hereof, in an amount not to exceed Three Thousand Dollars (\$3,000.00);
2. Notification of contract award shall be printed once in the official newspapers for the City of Ventnor City as soon as practicable. A copy of this resolution and the contract with JPMC shall be held and made available for public inspection in the office of the City Clerk.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 85 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**CONFIRM BOARD OF EDUCATION APPOINTMENT**

Cmr Landgraf moved, seconded by Cmr Kriebel the appointment Spiro P Sallata to the Board of Education to fill unexpired term of Beth Holtzman be confirmed.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$3,885,076.06 and payrolls from 4.16.16 to 4.29.16 in the amount of \$518,773.52 and from 4.30.16 to 5.13.16 in the amount of \$549,300.03 for approval.

Cmr Landgraf moved, seconded by Mayor Holtzman the bills and payrolls be approved.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**ANNOUNCEMENTS:**

MAYOR HOLTZMAN announced that TAYLOR HAZLETT was named a State Finalist in the Annual Louis Bay, 2nd Future Municipal Leaders Scholarship Competition and congratulated her on this achievement. Due to other school commitments, Taylor was unable to attend.

CMR LANDGRAF referred to the following JIF Safety Committee Report: The Safety Committee met on Wednesday, May 11th. 2 auto related incidents were reviewed (a hit & run damaged a stop sign & knocked down a tree & a vehicle driven onto the boardwalk damaging railings). There were 2 minor workers comp claims (a twisted knee & a crushed pinky finger). The mel safety institute sign in was demonstrated since it will be made available to all employees via paycheck notification. This is a compliance component of the 2017 EPL/POL program. Special thanks to Dave Smith for completing the fire hydrant replacement marked urgent on the recent safety director's report. The monthly wellness newsletter was distributed. A discussion of the RSW (roadway, sign, and walkway) program was explained & how it is used as a defensive tool in court. All were reminded that when completing in house training, a copy of the sign in sheet, topic, and date must be provided to Safety Coordinator Donna Peterson.

**PUBLIC COMMENT**

LINDA KAPLAN, 12 N Wissahickon asked the status of Mr Quirk's employment. Mayor Holtzman, stating personnel matters are not discussed, reported he is no longer working for the City. On another subject, Ms Kaplan asked if the Commission is considering selling the water works, noting that water rates tend to increase under private ownership, something Ventnor residents cannot afford. Mayor Holtzman assured Ms Kaplan the Commission could not make that decision alone. A referendum vote of the people would be required. Cmr. Landgraf also assured her it is not something they are considering right now. They are focusing on "getting their feet wet" with other issues needing to be addressed first, for example water/sewer rates.

DARYL SHALL, 10 S Newark thanked the Commissioners for taking on the challenge of making Ventnor a better place and asked how residents can follow the progress of their "100 day plan" and provide input. Cmr Landgraf described an excel spreadsheet created with the "Top 10" items needing attention which will be updated and published on the webpage and Facebook page. He told Mr Shall if he has a specific question moving forward to "reach out" and he will respond. Mayor Holtzman added this Commission will be accessible and the residents will be treated with respect as evidenced by the new procedure when employees answer the phone and by the keeping of phone logs. Cmr Kriebel also indicated the Facebook page will be implemented more and the webpage will be improved when funds become available.

CMR LANDGRAF thanked department heads for their attendance indicating they will be attending future meetings to answer any Commission questions that may arise.

**6:20PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Cmr Landgraf moved, seconded by Cmr Kriebel the meeting be adjourned.

The special meeting of the Ventnor City Board of Commissioners was called to order by Mayor Holtzman in Commission Chambers, City Hall, on June 9, 2016 at 7:30 PM followed by the Pledge of Allegiance.

Present: Commissioners Kriebel, Landgraf and Mayor Holtzman

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

**RESOLUTION NO. 86 OF 2016 – AUTHORIZE TEMPORARY JITNEY SERVICE**

WHEREAS, the Commissioners of the City of Ventnor City, County of Atlantic, desire to allow jitney service on a trial basis along a designated route as shown on the plan attached hereto and made a part hereof; and

WHEREAS, The Atlantic City Jitney Association, which has been in operation for one hundred years, has demonstrated an ability to safely and efficiently operate transportation routes in the City of Atlantic City and elsewhere in New Jersey; 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;

1. The Atlantic City Jitney Association is permitted to operate a jitney service on a temporary trial basis beginning June 10, 2016 through July 13, 2016, for the days of Thursday through Sunday of each week with hours of operation being 10:00 A.M. to 1:00 A.M.

2. In addition to the dates above, the jitney service shall be permitted to operate on Monday, July 4, 2016, with hours of operation being 10:00 A.M. to 1:00 A.M.

3. The Ventnor City Chief of Police has approved an official list of jitney stops (which may be amended from time to time by the Chief of Police in consultation with the Jitney Association and other appropriate municipal officials) and every jitney shall prominently display said jitney stop list inside the vehicle for the information of the riding public, a copy of which shall be kept on file in the City Clerk's office; and

4. Jitneys shall have a sign posted setting forth the route to be traversed, the official jitney stops, the terminus of said route, the times the route will operate, the price of the fare charged and the number of the jitney, which number shall be conspicuously displayed on the inside and outside of said vehicle. Each jitney shall further affix a sticker to the outside of the vehicle designating its use has been approved by the Atlantic City Jitney Association along with the Downbeach Route; and

5. The fees to be charged on all authorized jitney routes shall be a sach fare of \$3.00 from 10:00 A.M. to 10:00 P.M. and \$4.00 from 10:00 P.M. to 1:00 A.M.; and

6. The Association intends to provide a Downbeach Express route from Atlantic City, through Ventnor, with each municipality's consent as required by N.J.S.A. 48:16-3.

7. The authorized routes for Ventnor City are shown on the attached document entitled "Ventnor City Jitney Route - June 10, 2016".

BE IT FURTHER RESOLVED that this Resolution constitutes the City of Ventnor's municipal consent pursuant to the provisions of N.J.S.A. 48:16-23 to operate the Downbeach Express route described herein; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the following:

1. Manny Mathioudakis, Jitney Association President
2. Adetoro Aboderin, CFO
3. Atlantic City Administrator
4. Margate City Administrator

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 86 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 87 OF 2016 – GRANT STREET OPENING MORATORIUM WIAVER (1-3-5 S DUDLEY)**

WHEREAS, On July 8, 2015 the Ventnor City Planning Board granted to George Johnson subdivision approval for the owner of 1, 3 and 5 South Dudley Avenue in Ventnor to construct three (3) single family homes; and

WHEREAS, there are no existing laterals for water/sewer or existing utilities to any of these properties; and

WHEREAS, Dudley Avenue from Ventnor Avenue to Atlantic Avenue was reconstructed on June 30, 2014 and therefore is under a 5 year street opening moratorium pursuant to §197-1B; and

WHEREAS, Section 197-1B of the Ventnor City Code allows the Board of Commissioners to grant a waiver of the moratorium upon the declaration of an emergency situation which warrants a waiver; and

WHEREAS, the Ventnor City Board of Commissioners have reviewed the Decision and Resolution of the Ventnor City Planning Board decision of July 8, 2015 and have deemed that an emergency exists to grant said waiver to allow for construction of three new single family dwellings at 1, 3 and 5 South Dudley Avenue.

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 George Johnson and/or his contractor for the purpose of installing new lateral for water/sewer and other utilities necessary for the construction of the properties at

June 9, 2016

1, 3 & 5 South Dudley Avenue upon approval by the City of Ventnor engineer which shall specifically include a 25' wide full road width restoration and proof that all other provisions of §197-1 et seq. are complied with therein.

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

Cmr Landgraf moved, seconded by Cmr Kriebel Resolution No 87 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION NO. 88 OF 2016 – APPOINT TEMPORARY ACTING DEPUTY CITY ADMINISTRATOR, DEPUTY CITY CLERK & MANAGEMENT CONSULTING SERVICES (JOSEPH VERRUND)**

WHEREAS, the City of Ventnor City desires to appoint a Temporary Acting Deputy City Administrator/Deputy Clerk and Management Consulting Services to assist with the administration and operations of the City, including but not limited to, the City's transition to a new administration; and

WHEREAS, such services are specialized and qualitative in nature in that they cannot reasonably be captured by the language of a specification and the provider of such services must have substantial training, experience, knowledge of, and a proven reputation in, the day-to-day administration of municipal government and the rules and regulations related thereto; and

WHEREAS, it was impracticable to obtain quotations from more than one vendor where the services are highly specialized and a proven reputation is a critical consideration in obtaining a vendor; and

WHEREAS, the City Solicitor has reviewed the nature of the services in question and confirmed that this award meets the statutory and regulatory criteria regarding "Extraordinary Unspecifiable Services" under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and the regulations related thereto, N.J.A.C. 5:34-2.1 et seq.; and

WHEREAS, a proposal was received from Jersey Professional Management Corporation ("JPMC") dated May 24, 2016; and

WHEREAS, the City finds it to be in its best interest to accept the terms of the JPMC proposal; and

WHEREAS, the Chief Financial Officer of the City, has certified that there are sufficient funds available for the purpose of entering into a contract with JPMC based upon the financial terms of said proposal, said certification being attached hereto and made a part hereof; and

WHEREAS, the Local Public Contracts Law requires that the resolution authorizing the award of a contract for "Extraordinary Unspecifiable Services" made without competitive bids, and the contract itself, must be available for public inspection;

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

1. The Mayor and City Clerk are hereby authorized and directed to execute an agreement with JPMC, in the form attached hereto and made part hereof;
2. Notification of contract award shall be printed once in the official newspapers for the City of Ventnor City as soon as practicable. A copy of this resolution and the contract with JPMC shall be held and made available for public inspection in the office of the City Clerk.

Mayor Holtzman moved, seconded by Cmr Kriebel Resolution No 88 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**7:33 PM MEETING ADJOURNED**

There being no further business to conduct Mayor Holtzman moved, seconded by Cmr Landgraf the meeting be adjourned.

The meeting of the Ventnor City Board of Commissioners was called to order by Mayor Holtzman in Commission Chambers, City Hall, on June 16, 2016 at 6:00 PM followed by the Pledge of Allegiance.

A Moment of Silence was observed in memory of the victims and families of the tragedy in Orlando.

Present: Commissioners Kriebel, Landgraf and Mayor Holtzman

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

COMMISSIONER LANDGRAF read the Hazard Mitigation Statement.

**MOTION TO APPROVE MINUTES**

Cmr Landgraf moved, seconded by Mayor Holtzman the Minutes of the 5.19.16 Regular Meeting and the 6.9.16 Special Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**2ND READING (PUBLIC HEARING) OF ORDINANCE 2016-07, AMEND CHP 220-14A, WATER USAGE FEES TO ELIMINATE "2015 CALENDAR YEAR"**

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

Mayor Holtzman 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, Cmr Landgraf moved, seconded by Mayor Holtzman, the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**FINAL READING & ADOPTION OF ORDINANCE 2016-07**

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

Cmr Landgraf moved, seconded by Cmr Kriebel Ordinance 2016-07 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**PUBLIC COMMENT: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW**

MARC SILVER, 112 S Surrey asked the status of the tax maps. Cmr Landgraf reported the maps are on their second revision with the only change needed involves the Sands Condominium. The Tax Assessor added the final tax maps will be submitted to the State tomorrow (6-17-16). Cmr Landgraf and Mayor Holtzman further responded the Commission is not satisfied with how the bid process went, having only received 1 bid, and plan to table the Resolution authorizing the contract award until further information can be garnished.

Citing health concerns and the need to protect the health, safety and well-being of the public, the following individuals spoke against adding additional hours for allowing dogs on the beach, also suggesting eliminating all hours during the summer:

JOHN SEWELL, 12 West Dr, Margate; LINDA KAPLAN, 12 N Wissahickon; LEE SIROTA, 14 N Wyoming  
KEN ESADA, 111S Cambridge; MARK SILVER, 112 S Surrey

ANGELO TABASCO, 9 N Nashville wished to discuss the water/sewer rates. Cmr Landgraf informed Mr Tabasco the Ordinance just passed did not affect the rate and suggested calling his office to set an appointment if he wished to discuss the rates with him.

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

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**MOTION TO RECEIVE AND FILE 2015 AUDIT REPORT**

Mayor Holtzman moved, seconded by Cmr Landgraf the 2015 Audit Report be received and filed according to law.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**INTRODUCTION OF ORDINANCE 2016-08 - AMEND CHP 217-19.1 TO MOVE HANDICAPPED PARKING SPACES AT CITY HALL FROM CAMBRIDGE AV TO ATLANTIC AV**

AN ORDINANCE AMENDING ARTICLE V OF CHAPTER §217  
ON-STREET HANDICAPPED PARKING AREAS

Cmr Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-08 be introduced.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**INTRODUCTION OF ORDINANCE 2016-09 – AMEND CHP 214-32. TIME LIMIT PARKING TO ADD 15 MIN PARKING ON CAMBRIDGE AV (AT CITY HALL)**

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

Cmr Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-09 be introduced.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**INTRODUCTION OF ORDINANCE 2016-10 – AUTHORIZE SALE OF 113 N NEWPORT TO CONTIGUOUS OWNER**

AN ORDINANCE TO ADVERTISE FOR SALE THE LAND AND PREMISES,  
BLOCK 169, LOT 15 AKA 113 N. NEWPORT AVE

Cmr Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-10 be introduced.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**INTRODUCTION OF ORDINANCE 2016-11 – AMEND CHP 72-60. TO ALLOW DOGS ON THE BEACH FROM 5AM TO 6AM (TABLED)**

Cmr Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-11 be tabled for further study.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**INTRODUCTION OF ORDINANCE 2016-12 – AMEND CHP 105-12 D.(3) TO ALLOW DOGS ON THE BEACH DURING CERTAIN HOURS (TABLED)**

Cmr Landgraf moved, seconded by Mayor Holtzman that Ordinance 2016-12 be tabled for further study.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**NEW BUSINESS**

**RESOLUTION 2016-89 - AWARD CONTRACT, PERFORM CITYWIDE REVALUATION TO PROFESSIONAL PROPERTY APPRAISERS (TABLED)**

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution 2016-89 be tabled for further study.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-104 - APPOINT SPECIAL LABOR ATTORNEY**

WHEREAS, the Board of Commissioners has determined that it is necessary for the City of Ventnor to employ Labor Relations Counsel on behalf of the City of Ventnor to assist the City with issues related to the field of personnel matters, representing the City of Ventnor during mediation, fact-finding and/or arbitration and all other matters pertaining to labor and labor relations as the Board of Commissioners shall so require.

WHEREAS, the Board of Commissioners has agreed to the appointment of Lawrence A. Pepper, Jr. of the law firm of Gruccio, Pepper, De Santo & Ruth, PA to serve as Labor Relations Counsel.

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, as follows, that Lawrence A. Pepper, Jr. of the law firm of Gruccio, Pepper, De Santo & Ruth, PA is herein and hereby appointed as Labor Relations Counsel through December 31, 2016 in an amount not to exceed \$5,000.

BE IT FURTHER RESOLVED that the Contract is awarded without competitive bidding as a “Professional Services” contract under the provisions of the Local Public Contracts Law, N.J.S.A. 40A-11-5, which permits waiving of competitive bids.

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.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution 2016-104 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**CONSENT AGENDA**

Cmr Landgraf moved, seconded Mayor Holtzman by Resolutions 2016-90 thru 2016-103, with the exception of 2016-100 be adopted by consent.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-90 - AUTHORIZE TAX EXEMPTION**

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 Stephen and Helene Leitzell for the newly constructed residential dwelling known as Block 10, Lot 1.16; and

WHEREAS, application for such tax exemption has been filed by Anthony and Julie Miranda for the newly constructed residential dwelling known as Block 211, Lot 14; and

WHEREAS, the Ventnor City Tax Assessor has reviewed such applications and has deemed the applications complete and in compliance with the provision of NJSA 40A:21-1et. 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>
Stephen & Helene Leitzell	10/1.16	110 S Weymouth
Anthony & Julie Miranda	211/14	310 N Surrey

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-91 - RENEW 2016-2017 LIQUOR LICENSES**

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS of the City of Ventnor City, New Jersey, that Plenary Retail Distribution Licenses as set forth below heretofore issued by the City of Ventnor City shall be and hereby are renewed from the period of July 1, 2016 to June 30, 2017 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	In Pocket as of 9.20.15	0122-44-009-005
Ventnor City Liquor & Wines Inc T/A Plaza Liquors or Plaza Discount Liquors	5215 Wellington Ave	0122-44-012-004
Ventnor Spirits LLC T/A Roger Wilco	5026 Wellington Ave	0122-44-013-007

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-92 - RELEASE MAINTENANCE GUARANTEE (5215 WELLINGTON)**

WHEREAS, as per Planning Board Resolution P4-2012 certain site improvements were to be made at the premises known as Wellington Plaza, 5215 Wellington Ave; and

WHEREAS, to insure that such site improvements were performed a two (2) year maintenance guarantee in the amount of \$6,628.12 (15% of the cost of the improvements) was posted by Wellington Plaza LLC; and

WHEREAS, the City Engineer has conducted a site inspection and has found all improvements have been completed; and

WHEREAS, Wellington Plaza LLC has requested a release of the maintenance guarantee.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it herein and hereby authorizes the release of the \$6,628.12 maintenance guarantee.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-93 - 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 in satisfactory condition; and

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

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

NAME & ADDRESS	DEPOSIT DATE	DATE USED	REFUND AMOUNT
Alysia Forman 6101 Monmouth Ave Ventnor, NJ 08406 Mail Check to: 13 Seaside Ct, Margate, NJ 08402	4.25.16	6.4.16	\$100.00
Breakers Condo Assoc. 5400 Boardwalk Ventnor, NJ 08406	5.20.16	6.12.16	\$100.00

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-94 LISTING STATE CONTRACT VENDOR**

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

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

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

Now, Therefore, Be It Resolved, that the City of Ventnor City authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

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

Be It Further Resolved, that the duration of the contracts between the City of Ventnor City and the Referenced State Contract Vendors shall be from January 1, 2016 to December 31, 2016.

<u>Vendor</u>	<u>Referenced State Contract Vendors</u> <u>State Contract #</u>	<u>Expiration Date</u>
A.E. Stone	82251 Asphalt Concrete – Std. HP Cold Patch	08/31/2016
Eastern Concrete Materials, Inc.	87732 Road & Highway Building Materials: Crushed Stone Sand & Gravel	10/31/2017
South State, Inc.	86423 Hot Mix Asphalt <sup>9</sup> (HMA) Pick-Up, DOT	04/30/2017
Battery Zone Inc.	83910 Radio Communication Equipment & Accessories	04/30/2018
Chapman	79166/T-2760 OEM Auto Parts & Accessories -Light Duty Vehicles	06/25/2016
	86006/T2761 Non-OEM Automotive Parts & Accessories –Light Duty Vehicles	02/25/2017
Central Jersey Equipment Inc.	76914/T-2187 Parts & Repair of lawn & ground equip	06/28/2016
Comtec Systems, Inc Comtec Cloud Services, LLC	80801/T1316 Telecommunication Equipment & Services	01/31/2017
CDW-G, Inc	89849 Software License & Related Services	06/30/2020
Core Mechanical, Inc.	88697/T1372 HVAC, Refrigeration & Boiler Services	02/28/2018
Dell Marketing LP	89967 NASPO Valuepoint Computer	03/31/2017
EB Fence LLC	88679 Fence: Chain Link, Rock Fall, Wooded, Vinyl and Ornamental Install & Replace	04/30/2018
Fastenal Company	79873/M-0002 Industrial/MRO Supplies & Equipment	02/28/2017
Frank Mazza & Son	81751 Carpet/Flooring Supply & Install	06/30/2017
Garden Highway Products	87100 Breakaway U-Post Sign Support	06/30/2017
	86462 Sign Blanks-Aluminum	04/30/2017
	81444 Sheeting-Reflective	07/29/2016

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	79782/T1473	07/31/2016
	Traffic Signal Controllers & Camera Imaging Detection System	
Giles and Ransome	85847	01/29/2017
	Parts & Repairs: Road Maintenance Equipment	
Goodyear	82527 / M-8000 (Tires & Tubes)	03/31/2017
Grainger	79875/M-0002	02/28/2017
	Industrial/MRO Supplies & Equipment	
Gold Type Business Machines	83904 / T-0109	04/30/2018
	Radio Communication Equipment and Accessories	
Genserve, Inc	81867/T1299	07/31/2017
	Emergency Generator Maintenance & Testing SSCF *SWSP	
George S. Hall, Inc.	88696/T1372	02/28/2018
	HVAC, Refrigeration & Boiler Services	
Granturk, Inc	85858/T2188	01/29/2017
	Parts & Repair for Road Maintenance Equipment	
Groupe Lacasse, LLC	81714	07/31/2017
	Furniture – Office & Lounge	
	81722	07/31/2017
	Furniture – Office & Lounge	
Groff Tractor NJ, LLC	76917/T2187	06/28/2016
	Parts & Repairs for Lawn & Grounds Equipment	
H A DeHart & Sons	89272	07/20/2018
	Maintenance & Repair for Heavy Duty Vehicles	
Jasper Engines & Transmissions	73735	03/17/2017
	Auto Parts & Accessories -Heavy Duty Vehicles	
JC Miller AKA:NAPA	73739	03/17/2017
	Auto Parts & Accessories - Heavy Duty Vehicles	
Kovatch Mobile Equipment	83151/G-8035	05/14/2019
	Firefighting Vehicles	
Kyocera Mita	64048/T-437A (Copiers – Cost/Copy)	08/31/2016
Lawman Supply	82100	10/31/2016
	Police & Homeland Security Equipment & Supplies	
	81295	04/30/2016
	Police & Homeland Security Equipment & Supplies (Statewide)	
Liberty Parks & Playgrounds	81432/T-0103	08/14/2016
	Park & Playground Equipment, Parts & Install	
Lowes Home Centers, LLC	82951/M8001 (WSCA #W32-2011)	07/31/2016
	Walk-In Building Supplies	
Nat Alexander & Co, Inc.	80946	03/31/2017
	Firefighter Protective Clothing & Equipment	
Newark Brush Company, LLC	85860	01/29/2017
	Parts & Repairs for Road Maintenance Equipment	
Marlee Contractors	88692/T1372	02/28/2018
	HVAC, Refrigeration & Boiler Services	
Municipal Equipment & Enterprises	81332/T-0106	04/30/2016
	Police & Homeland Security Equipment & Supplies	
Mid-Atlantic Fire & Air Corp	80961	03/31/2017
	Firefighter Protective Clothing & Equipment (Scott Health & Safety)	
Mid-Atlantic Fire & Air Corp	80946	03/31/2017
	Firefighter Protective Clothing & Equipment (Fire Dex, LLC)	
Marturano Recreation Co., Inc	81411/T0103	08/14/2016
	Park & Playground Equipment, Parts & Installation	
Madison Plumbing, Heating & Industrial Supply Inc.	89797/T0327	10/30/2018
	Plumbing & Heating Supplies/Equipment	

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Multi Temp Mechanical Inc.	88695/T1372 HVAC, Refrigeration & Boiler Services	02/28/2018
MPH Industries, Inc,	82101/T0106 Police & Homeland Security Equipment & Supplies	10/31/2016
Orchards	85851 Parts & Repairs: Road Maintenance Equipment	01/29/2017
Pedroni Fuel	80910/T-0083 (Gasoline, Automotive)	02/28/2017
Quality Communications	83904 Radio Communication Equipment & Accessories	04/30/2018
One Call Concepts, Inc	40171 New Jersey One Call Damage Prevention System	02/28/2021
Ricoh USA, Inc.	82709 New Jersey Cost Per Copy	12/31/2016
Sprint	88812 Telecommunications Relay Service	03/31/2018
Schindler Elevator Corporation	85649 Elevator Maintenance, Repair testing & Inspection Svcs.	12/31/2016
Soltz Paints, Inc	82238 Paint & Related Supplies	07/31/2016
SHI International Corp	89851 Software License & Related Services	06/30/2020
Tactical Public Safety	T-0109 / 83932 Emergency Radio/Telephone Systems	04/30/2018
This & That Uniforms, LLC	81360/81316 Police & Homeland Security Equipment & Supplies - Statewide	10/31/2016
Tri-County Termite & Pest	81119/T0295 Pest Control Services – Non Residential Facilities	04/30/2017
Trico	76917 / T-2187 Repair & Parts for Lawn & Ground Equipment	06/28/2016
Vineland Auto Electric	86001/T2761 Non-OEM Auto Parts & Accessories -Light Duty Vehicles	02/25/2017
	81339 Police & Homeland Security Equipment & Supplies – Statewide	10/31/2016
W. B. Mason	81613/G2004 Furniture: Office, Lounge	07/31/2017
	88839/T0052 Office Supplies & Recycled Copy Paper – Statewide	05/06/2018
	80975/T0114 Library Supplies, School Supplies & Teaching Aids	02/28/2017
Winner Ford	83012/T-2007 (Vehicles SUVs)	10/29/2016
Work Area Protection Corp	82543 / M0004 (Traffic Safety Products)	02/28/2017

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-95 - 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.

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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>
SLS	308 N Oxford Ave	\$205.50

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-96 - SAFE AND SECURE COMMUNITIES GRANT**

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 Number: P-6763-16

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-97 - RENEW JIF MEMBERSHIP**

WHEREAS, the City of Ventnor City (hereinafter the "MUNICIPALITY") is a member of the Atlantic County Municipal Joint Insurance Fund (hereinafter the "FUND"); and

WHEREAS, the MUNICIPALITY'S membership terminates as of January 1, 2017 unless earlier renewed by a Contract between the MUNICIPALITY and the FUND; and

WHEREAS, N.J.S.A. 40A:11-5 (1) (m) provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the subject matter is for the purchase of insurance coverage and consultant services, provided that the award is in accordance with the requirements for extraordinary unspecifiable services; and

WHEREAS, N.J.S.A. 40A:11-6.1(b) provides that the MUNICIPALITY shall make a documented effort to secure competitive quotations; however, a Contract may be awarded upon a determination, in writing, that the solicitation of competitive quotations is impracticable; and

WHEREAS, in accordance with N.J.A.C. 5:34-2.3, a designated official of the MUNICIPALITY, has filed a certificate with the governing body describing in detail, as set forth below in this Resolution, why this Contract meets the provisions of the statutes and the regulations and why the solicitation of competitive quotations is impracticable; and

WHEREAS, it has been determined that the purchase of insurance coverage and insurance consultant services by the MUNICIPALITY requires a unique knowledge and understanding of the municipal exposures and risks associated with the operation of a municipal entity, and many insurance professionals are not qualified to assess these risks and exposures based upon their inherent complexity; and

WHEREAS, insurance coverage for municipal entities can vary greatly in the type, limits, and exceptions to coverage, and therefore particularized expertise in determining and obtaining the appropriate coverage is required to protect the MUNICIPALITY; and

WHEREAS, it is the goal of the MUNICIPALITY to obtain a single integrated program to provide all types of insurance coverage with a plan to limit the MUNICIPALITIES exposure; and

WHEREAS, the FUND has provided comprehensive insurance coverage to member municipalities since 1987; and

WHEREAS, since 1987, the Fund has continually refined all of the types of coverage that it provides to its members so that it offers comprehensive insurance coverage and limits to all members that is unique and cannot be purchased from a single entity in the commercial insurance market; and

WHEREAS, the FUND has also developed and made available to its members Safety, Risk Management and Litigation Management programs that address the specific exposures and risks associated with municipal entities; and

WHEREAS, the FUND provides the MUNICIPALITY with Fund Administration, Claims Review, Claims Processing, Claims Administration, Actuarial and Legal services; and

WHEREAS, the FUND is one of the most financially sound Municipal Joint Insurance Funds in New Jersey, and the FUND operates with strong fiscal controls, member oversight, and meets all of the requirements promulgated by the New Jersey Department of Community Affairs and the Department of Banking and Insurance; and

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WHEREAS, as an existing member of the FUND, the MUNICIPALITY would be renewing its membership in an organization with experienced and dedicated FUND Professionals who provide specialized services to the members; and

WHEREAS, the membership of the FUND includes many neighboring municipalities that uniquely have similar exposures to the MUNICIPALITY, and with whom the MUNICIPALITY has existing inter-local arrangements; and

WHEREAS, all of the aforementioned factors categorize the award of this Contract as an "extraordinary, unspecifiable service" that cannot be duplicated, accounted for, accurately detailed, or described in a manner that truly depicts the value of the MUNICIPALITY'S membership in the FUND; and

WHEREAS, for all of the aforementioned reasons, it is impracticable for the MUNICIPALITY to seek competitive quotations for a Contract to provide the procurement of insurance coverage and consultant services; and

WHEREAS, the FUND has been organized pursuant to N.J.S.A. 40A:10-36 et seq., and as such is an agency of the municipalities that created it; and

WHEREAS, N.J.S.A. 40A:11-5(2) also provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the Contract is entered into with a municipality or any board, body, officer, agency or authority thereof; and

WHEREAS, the FUND meets the definition of an agency as set forth in N.J.S.A. 40A:11-5(2); and

WHEREAS, for all of the aforementioned reasons, the MUNICIPALITY desires to enter into a Contract to renew its membership with the FUND for a period of three (3) years, for insurance coverage and consultant services, as an exception to the public bidding requirements of the Local Public Contracts Law.

NOW THEREFORE, be it resolved by the governing body of the MUNICIPALITY as follows:

1. The MUNICIPALITY agrees to renew its membership in the FUND and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the FUND.
2. The Mayor and Clerk of the MUNICIPALITY shall be and hereby are authorized to execute the "Contract to Renew Membership" annexed hereto and made a part hereof and to deliver same to the FUND evidencing the MUNICIPALITY'S renewal of its membership.
3. In accordance with N.J.A.C. 5:34-2.3, the certificate of a designated official of the MUNICIPALITY, which details why the solicitation of competitive quotations is impracticable, is attached hereto and made a part of this Resolution.
4. The Clerk of the MUNICIPALITY is authorized and directed to place a notice of the adoption of this Resolution and the award of this Contract in the official newspaper of the MUNICIPALITY.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-98 - CHP 159, INSERT SPECIAL ITEM OF REVENUE IN BUDGET (\$60,000 - SAFE & SECURE COMMUNITIES GRANT)**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum \$60,000, which item is now available from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
with Prior Written Consent of the Director of the  
Division of Local Government Services – Public and  
Private Revenues Offset with Appropriations:  
Safe & Secure Communities

BE IT FURTHER RESOLVED that a like sum of \$60,000 be and the same is hereby appropriated under the caption of:

- (a) Operations – Excluded from CAPS  
Public and Private Programs Offset by  
Revenues:  
Safe & Secure 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.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-99 - CHP 159, INSERT SPECIAL ITEM OF REVENUE IN BUDGET (\$513.67 – ALCOHOL EDUCATION & REHABILITATION 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;

June 16, 2016

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 2016 in the sum \$513.67, 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 \$513.67 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.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 75 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-100 REVOCABLE AGREEMENT, PLACEMENT OF FENCE AT 105 N SURREY AVE  
TABLED**

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution 2016-100 be tabled until receipt of metes & bounds description.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-101 - AWARD CONTRACT, EMERGENCY REPLACEMENT OF LIBRARY  
CHILLER**

WHEREAS, the chiller on the air conditioning system at the Ventnor City Library has cease to operate and is beyond repair; and

WHEREAS, with the summer months quickly approaching it is necessary to contract for the immediate replacement of the chiller; and

WHEREAS, the City Engineer solicited quotes from State Contract vendors for the replacement of said chiller; and

WHEREAS, the price quoted by Core Mechanical Inc is the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Core Mechanical, Inc is herein and hereby authorized to perform such emergency replacement of the library chiller.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$113,628.00.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-102 - REFUND POLICE DETAIL OVERPAYMENT**

WHEREAS, from time to time private construction projects require Police details for traffic control; and

WHEREAS, said traffic details are paid for by the private contractors requiring same at a rate set by current Police contract; and

WHEREAS, Gres Paving Company, Inc. required a traffic detail; and

WHEREAS, Gres Paving Company, Inc overpaid for said services in an amount of \$972.50.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the Comptroller is herein and hereby authorized to issue a refund check in the amount of \$972.50 to Gres Paving Company, Inc, 2475 East State Street Ext., Trenton, NJ 08619.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-103 - EMERGENCY TRAFFIC SIGNAL REPAIR**

WHEREAS, on May 26, 2016 the traffic signal at Melbourne and Atlantic Avenues was knocked down by AE Stone during the paving of the roadway; and

WHEREAS, with the start of the holiday weekend the immediate repair of the traffic signal was necessary.

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 such emergency repair.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$6,500.00.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**CONFIRM PLANNING BOARD APPOINTMENT**

Cmr Landgraf moved, seconded by Cmr Kriebel the appointment Mike Weissen as Mayor's designee to the Planning Board be confirmed.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$3,438,645.66 and payrolls from 5.14.16 to 5.27.16 in the amount of \$526,781.58 and from 5.28.16 to 6.10.16 in the amount of \$560,739.12 for approval.

Mayor Holtzman moved, seconded by Cmr Kriebel the bills and payrolls be approved.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**ANNOUNCEMENTS:**

CMR LANDGRAF referred to the following JIF Safety Committee Report: The Safety Committee met on June 8th. The claims review portion consisted of: 1) fire truck striking mirror of parked vehicle causing minor damage. 2) dump truck dislodged Traffic Control device during paving project (This will be subrogated). 3) trip and fall by elderly person. Bruises were treated at the scene and hospital transport was refused. Claimant stated Parkinson's disease was factor in his fall. 4) letter received from PA attorney alleging pollution and violation of Clean Water Act at Ventnor Gardens Plaza Pump Station. Claim was denied by JIF - ACMJIF does not provide pollution coverage. Noted: Dave Smith met with NJDEP who stated there was no issue with Clean Water Act. It was suggested a written response be requested from NJDEP and provided to all parties of interest. In compliance with the EPL/POL bi annual components, the anti-harassment, zero tolerance training for all employees is being supplemented by on line DVD's. Summer and seasonal employee safety training bulletin was distributed. Information on Life Guard Symposium for command staff, scheduled for June 28th in Ocean City was forwarded to Beach Patrol. Finally, monthly wellness newsletter featuring sample office stretching exercises was included.

**PUBLIC COMMENT**

DEBBIE CONRAD, 217 N Wissahickon commented on the discrepancy in \$ amount being paid the new Deputy Administrator vs what was quoted during the campaign (\$99 v \$120). Mayor Holtzman responded.

ROSE MANNEL, 326 N Oxford asked the purpose of appointing a labor attorney. The Mayor responded "to handle personnel issues".

**6:45PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Cmr Landgraf moved, seconded by Mayor Holtzman the meeting be adjourned.

The special meeting of the Ventnor City Board of Commissioners was called to order by Mayor Holtzman in Commission Chambers, City Hall, on June 23, 2016 at 6:30 PM followed by the Pledge of Allegiance.

Present: Commissioners Kriebel, Landgraf and Mayor Holtzman

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

**DISCUSSION: REVIEW OF PROPOSAL RECEIVED TO CONDUCT CITYWIDE TAX REVALUATION**

MAYOR HOLTZMAN introduced Deputy Administrator JOE VERRUNI who reported on the research supporting their recommendation to award the reval contract to Professional Property Appraisers. Mr Verruni recounted 1) County ordered reval to be on books by 2017; 2) bidder's experience and reputation; 3) fairness of bid price; 4) bidder's commitment letter offering \$20,000 payment if reval not completed timely 5) need to access properties while summer residents are available. Prior to taking action on the Resolution awarding the contract, the Mayor and Cmrs voiced the necessity of revaluation in order to get property records up to date and assure property owners are taxed fairly.

**RESOLUTION 89 OF 2016 - AWARD CONTRACT, PERFORM CITYWIDE REVALUATION**

WHEREAS, the Municipal Clerk of the City of Ventnor City received and opened on Wednesday, June 1, 2016 at 11:00 AM in her Office one (1) Proposal for the Citywide Revaluation of Properties; and

WHEREAS, the proposal 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 Citywide Revaluation of Properties to Professional Property Appraisers of Delran, NJ in the Amount of \$484,397.00.

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

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**PUBLIC COMMENT**

Believing dogs on the beach was a topic on tonight's meeting agenda, STEPHANIE BAKER, 217 N Oxford; SUSAN VANDUYNE-HUNTER, 113 N Dudley and SHERRY MCCRACKEN, 5613 Winchester spoke in favor of allowing it or finding compromise such as dog park or allowance on certain sections of the beach. The subject of dog licensing and rabies control was also discussed. Mayor Holtzman responded health concerns must be considered and more research needed before any decisions are made. She also expressed the need for a dog census.

**RESOLUTION NO. 105 OF 2016 --AUHORIZE EXECUTIVE SESSION**

WHEREAS, the Open Pubic Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Board of Commissioners of the City of Ventnor is of the opinion that such circumstances presently exist; and

WHEREAS, the Board of Commissioners wishes to discuss contract negotiations and Attorney Client privilege.

Minutes will be kept and once these matters involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

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 public be excluded from this meeting.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

CMR LANDGRAF read the statement required before Executive Session: "The New Jersey Open Public Meetings Act permits 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. This Special Executive Session of the Board of Commissioners is being held for the express purpose of discussing contract negotiations and Attorney Client privilege. If action is taken during this executive session, a formal vote of the Board of Commissioners will be made in public session immediately following this closed session. The public is invited to return to Commission Chambers when the public session resumes".

**7:04PM EXECUTIVE SESSION**

Solicitor Weintrob gave Cmrs background of the appointment of Conflict Attorney. Contract signed by Counsel set \$135/hr fee. Counsel is presently handling certain construction litigation and has requested \$180/hr. Suggestion was made to have Mr Mason contact the attorney about reconsideration or approach present Labor counsel to handle this litigation.

Cmr Landgraf moved, seconded by Mayor Holtzman the Board return to Regular Session.  
Roll Call: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

June 23, 2016

**7:19PM EXECUTIVE SESSION CONCLUDED**

Solicitor Weintrob reported discussed in executive session was pending litigation heading to mediation in August and contract negotiations with conflict counsel. No decisions were made at this time. A couple phone calls will be made by Deputy Business Administrator. We will have to reconvene this matter since it cannot be resolved tonight.

**7:20PM MEETING ADJOURNED**

There being no further business to conduct Cmr Landgraf moved, seconded by Mayor Holtzman the meeting be adjourned.

The meeting of the Ventnor City Board of Commissioners was called to order by Mayor Holtzman in Commission Chambers, City Hall, on July 21, 2016 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

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

COMMISSIONER LANDGRAF read the Hazard Mitigation Plan Update.

**MOTION TO APPROVE MINUTES**

Cmr Landgraf moved, seconded by Mayor Holtzman the Minutes of the 6.16.16 Regular Meeting and the 6.23.16 Special Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2016-08**

AN ORDINANCE AMENDING ARTICLE V OF CHAPTER §217  
ON-STREET HANDICAPPED PARKING AREAS

Mayor Holtzman 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 Holtzman moved, seconded by Cmr Landgraf, the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2016-09**

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

Mayor Holtzman 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 Holtzman moved, seconded by Cmr Landgraf, the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2016-10**

AN ORDINANCE TO ADVERTISE FOR SALE THE LAND AND PREMISES,  
BLOCK 169, LOT 15 AKA 113 N. NEWPORT AVE

Mayor Holtzman 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 Holtzman moved, seconded by Cmr Landgraf, the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

**FINAL READING & ADOPTION OF ORDINANCE 2016-08**

AN ORDINANCE AMENDING ARTICLE V OF CHAPTER §217  
ON-STREET HANDICAPPED PARKING AREAS

Cmr Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-08 be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

**FINAL READING & ADOPTION OF ORDINANCE 2016-09**

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

Cmr Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-09 be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

**FINAL READING & ADOPTION OF ORDINANCE 2016-10**

AN ORDINANCE TO ADVERTISE FOR SALE THE LAND AND PREMISES,  
BLOCK 169, LOT 15 AKA 113 N. NEWPORT AVE

Cmr Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-10 be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

July 21, 2016

**PUBLIC COMMENT: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW**

Mayor Holtzman asked if anyone had any questions on any items to be voted on tonight. PRISCILLA BEURET, 15 S Richards asked what a Management Specialist was. Cmr Landgraf responded it was the title vacated by Mr. Quirk.

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

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

**MOTION TO RECEIVE AND FILE REPORT OF BID OPENING – CH WATER PROOFING REPAIRS**

Date of Bid Opening: July 19, 2016 @11:00 AM  
Bid Opened By: Janice K. Callaghan, RMC, City Clerk

1. Peter V. Pirozzi General Contracting, LLC \$751,652.00  
Pittsgrove, NJ 08318  
Bid Bond Attached

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

Cmr Landgraf moved, seconded by Mayor Holtzman the Report be received and filed.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

**INTRODUCTION OF ORDINANCE 2016-11**

AMENDING ORDINANCE 2016-03 ESTABLISHING 2016 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 Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-11 be introduced.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

**INTRODUCTION OF ORDINANCE 2016-12**

AN ORDINANCE CREATING CHAPTER 107 OF THE VENTNOR CITY CODE DRONES AND UNMANNED AIRCRAFT

Mayor Holtzman moved, seconded by Cmr Landgraf Ordinance 2016-12 be introduced.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

**NEW BUSINESS  
CONSENT AGENDA**

Cmr Landgraf moved, seconded Mayor Holtzman by Resolution 2016-100 and Resolutions 2016-106 thru 2016-123 be adopted by consent.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

**RESOLUTION 2016-100 REVOCABLE AGREEMENT, PLACEMENT OF FENCE AT 105 N SURREY AVE**

WHEREAS, Lawrence and Theresa Fuchs (hereinafter collectively the "Homeowners") are the owners of 105 North Surrey Avenue, Lot 2, Block 149 (hereinafter the "Property"), in the City of Ventnor, New Jersey;

WHEREAS, in April, 2010, the Homeowners received a "C" Variance for various relief for the renovations to their home, one request was permission to place a fence within the City's right of way. The Zoning Board on April 1, 2010 granted the relief requested and required the Homeowners to request a License Agreement to construct the proposed fence in the public right of way which property is owned by the City of Ventnor City;

WHEREAS, the Homeowners have requested permission to install a fence within the City of Ventnor's right of way;

WHEREAS, based on the opinion of the City's engineer and building official, the fence must be installed to be in conformity with the 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, as well as for the safety of citizens near the open waterway;

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 the Atlantic County Clerk's Office;

WHEREAS, a copy of the Revocable License Agreement between the Homeowners 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.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

July 21, 2016

**RESOLUTION 2016-106 CHP 159, INSERT SPECIAL ITEM OF REVENUE IN BUDGET - SAFE AND SECURE COMMUNITIES GRANT**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the Adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Ventnor, in the County of Atlantic, New Jersey hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum \$38,415.13, 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:  
Safe & Secure Communities

BE IT FURTHER RESOLVED that a like sum of \$38,415.13 be and the same is hereby appropriated under the caption of:

(a) Operations – Excluded from CAPS  
Public and Private Programs Offset by  
Revenues:  
Safe & Secure 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.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

**RESOLUTION 2016-107 CHP 159, INSERT SPECIAL ITEM OF REVENUE IN BUDGET – 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 2016 in the sum \$220.00, 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:  
County DWI

BE IT FURTHER RESOLVED that a like sum of \$220.00 be and the same is hereby appropriated under the caption of:

(a) Operations – Excluded from CAPS  
Public and Private Programs Offset by  
Revenues:  
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.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

**RESOLUTION 2016-108 REFUND POLICE DETAIL OVERPAYMENT**

WHEREAS, from time to time private construction projects require Police details for traffic control; and

WHEREAS, said traffic details are paid for by the private contractors requiring same at a rate set by current Police contract; and

WHEREAS, The Busler Group, LLC required a traffic detail; and

WHEREAS, The Busler Group overpaid for said services in an amount of \$170.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the Comptroller is herein and hereby authorized to issue a refund check in the amount of \$170.00 to The Busler Group, LLC, 107 N 36<sup>th</sup> Ave, Longport, NJ 08403.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

July 21, 2016

**RESOLUTION 2016-109 GOVERNING BODY CERTIFICATION OF ANNUAL 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 2015 has been filed by a Registered Municipal Accountant with the Ventnor City Municipal Clerk as per the requirements of NJSA40A:5-6, and a copy has been received by each member of the governing body; and

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

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

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

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

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

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

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

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

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

**RESOLUTION 2016-110 RENEW INTERLOCAL AGREEMENT WITH ACIA, INCOME-HOUSING REHABILITATION PROGRAM**

WHEREAS, the City of Ventnor City entered into an interlocal service agreement with Atlantic County Improvement Authority (ACIA) in 2001 for the administration of the program income from small cities grants for housing rehabilitation; and

WHEREAS, said agreement was renewed for additional three year terms in 2004, 2007, 2010 and 2013; and

WHEREAS, said agreement renewal expired June 29, 2016 and the City of Ventnor is desirous of renewing said agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it herein and hereby renews its agreement with the ACIA for the administration of the program income from small cities grants for housing rehabilitation.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to sign said agreement on behalf of the City of Ventnor City.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

**RESOLUTION 2016-111 AUTHORIZE CHANGE FUND FOR CODE ENFORCEMENT OFFICE**

WHEREAS from time to time the Construction Office is required to make change for cash payments received; and

WHEREAS there exists a need to maintain such a fund for use of operation of the City of Ventnor City Construction Office; and

WHEREAS, New Jersey State regulations allow change funds to be established by an initial resolution and to continue from year to year without additional governing body action until such time as they take action to have funds returned.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City in the County of Atlantic and State of New Jersey that the Construction Office establishes a change funds in the amount of one hundred dollars (\$100.00) for the purpose of making change to insure the proper exact payment due is paid.

BE IT FURTHER RESOLVED that said change fund be safely secured in keeping with established prudent business practices.

BE IT FURTHER RESOLVED that said change fund be used to make change only and shall not be used to purchase goods and/or services of any kind.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

**RESOLUTION 2016-112 CHP 159, INSERT SPECIAL ITEM OF REVENUE IN BUDGET – ATLANTICARE'S GROWING GREEN INCENTIVE**

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 2016 in the sum \$500.00, 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:  
AtlantliCare's Growing Green Incentive

BE IT FURTHER RESOLVED that a like sum of \$500.00 be and the same is hereby appropriated under the caption of:

(a) Operations – Excluded from CAPS  
Public and Private Programs Offset by  
Revenues:  
AtlantliCare's Growing Green Incentive

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

**RESOLUTION 2016-113 AMEND JPM MANAGEMENT CONSULTING SERVICES CONTRACT**

WHEREAS, by Resolution 2016-85 the City of Ventnor City entered into a contract with Jersey Professional Management Corp (JPM) for Management Consulting Services to assist with the administration and operations of the City, including but not limited to, the City's transition to a new administration; and

WHEREAS, the contract with JPM was for a one month period in an amount not to exceed Three Thousand Dollars (\$3,000.00); and

WHEREAS, it became necessary to extend the contract for an additional one month period.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioner of the City of Ventnor City that the contract with Jersey Professional Management Corp for Management Consulting Services is herein and hereby amended to extend said contract for one additional month in an amount not to exceed \$10,800.00.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

**RESOLUTION 2016-114 AMEND JPM ACTING DEP ADMINISTRATOR CONTRACT**

WHEREAS, by Resolution 2016-88 the City of Ventnor City entered into a contract with Jersey Professional Management Corp (JPM) for Management Consulting Services and Joseph Verruni for Temporary Acting Deputy City Administrator/Deputy Clerk & Management Consulting Services; and

WHEREAS, the contract with JPM and Joseph Verruni incorrectly stated an hourly fee of \$120 when in fact the amount is \$110 per hour; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioner of the City of Ventnor City that the contract with Jersey Professional Management Corp and Joseph Verruni for Temporary Acting Deputy City Administrator/Deputy Clerk & Management Consulting Service is herein and hereby amended to read \$110 per hour (\$10 per on payroll and \$100 per hour on voucher).

BE IT FURTHER RESOLVED the Chief Financial Officer will certify funds as to the Professional Services portion of the Contract.

BE IT FURTHER RESOLVED the Chief Financial Officer is not required to certify funds for the \$10 per hour employee rate.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

July 21, 2016

**RESOLUTION 2016-115 CHANGE ORDER #2, NJDOT 2014 MUNICIPAL AID PROGRAM**

WHEREAS, the City of Ventnor City did award a contract for the "2014 Road Program" and did enter into a contract with Perna Finnigan, Inc in the amount of \$377,795.40; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts and Change Order #1 was approved in the amount of \$30,678.75, increasing the contract amount to \$408,474.15; and

WHEREAS, quantity adjustments were again necessary and the contract amount was decreased by \$8,886.76 for a new contract amount of \$399,587.40.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the "2014 Road Program" be amended to \$399,587.40.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 75 of 2016 be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

**RESOLUTION 2016-116 AUTHORIZE EMERGENCY CONTRACT, DM MEDICAL BILLING**

WHEREAS, by Resolution 2015-134 the City of Ventnor City awarded a contract to Universal Medical Billing, LLC for Medical Billing Services; and

WHEREAS, Universal Medical Billing informed the City they are unable to complete said contract; and

WHEREAS, it is necessary for the City to contract with a company that specializes in Medical Billing; and

WHEREAS, the City desires to award a contract on an emergency basis to DM Medical Billings, LLC to fulfill the contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioner of the City of Ventnor City that the contract for Medical Billing Services is herein and hereby approved on an emergency basis to DM Medical Billings, LLC, 88 S Lakeview Dr., Gibbsboro, NJ 08026.

BE IT FURTHER RESOLVED that said payment to contractor shall be in the amount of 8% on all amounts received.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

**RESOLUTION 2016-117 AUTHORIZE EMERGENCY CONTRACT, LIBRARY CHILLER RENTAL**

WHEREAS, the chiller on the air conditioning system at the Ventnor City Library has cease to operate and is beyond repair; and

WHEREAS, by Resolution 2016-101, the City of Ventnor awarded a contract to Core Mechanical, Inc for the replacement of said chiller; and

WHEREAS, said replacement chiller will not be delivered and installed for approximately 3 to 4 months; and

WHEREAS, it is necessary to rent a chiller unit for use during the summer months; and

WHEREAS, the City Engineer solicited price quotes from various mechanical companies and found Carrier Rental Systems to have the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it herein and hereby authorizes the rental of a chiller unit for the Library from Carrier Rental Systems, 500 Carson Dr., Bear, DE 19701.

BE IT FURTHER RESOLVED the cost of said rental shall not exceed \$7,585 non-recurring fee and \$5,205.88 monthly rental.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

**RESOLUTION 2016-118 AUTHORIZE 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 Steven and Lisa Eizen for the newly constructed residential dwelling known as Block 36, Lot 4; and

WHEREAS, application for such tax exemption has been filed by John Gres for the newly constructed residential dwelling known as Block 10, Lot 1.12; 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:

July 21, 2016

<u>Name Of Applicant</u>	<u>Block/Lot</u>	<u>Address</u>
Steven and Lisa Eizen	36/4	103 S Philadelphia
John Gres	10/1.12	111 S Little Rock

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

**RESOLUTION 2016-119 AUTHORIZE CONTRACT WITH ALFRED R SCERNI, JR., ESQ. FOR SPECIAL LITIGATION**

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. 194 of 2015, the City of Ventnor City (“City”) engaged the services of Alfred R. Scerni, Esquire, to act as conflict attorney for the City when such conflicts arise; and

WHEREAS, on February 18, 2016, the City of Ventnor was served with a Delay Claim on behalf of Falasca Mechanical, Inc. (“Falasca Litigation”), which was transferred to conflict counsel; and

WHEREAS, the City has determined that Mr. Scerni’s firm has the knowledge and expertise needed to handle this matter and that the conflict attorney’s hourly rate has been deemed insufficient to deal with the complexity of this litigation. Therefore, for purposes of handling the Falasca Litigation, the City has approved an hourly rate of \$180.00 for this litigation only; and

WHEREAS, this Contract shall be separate and apart of the Professional Services Contract between the City of Ventnor and Alfred R. Scerni, Esquire and the law firm of Parker McCay, P.A. Attorneys-At-Law entered into on January 8, 2016 by Resolution 194 of 2015, said contract shall remain in full force and effect.

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

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

1. The preamble hereof is incorporated herein as though fully set forth at length
2. 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., Esquire, and the firm of Parker McCay, P.A., to engage in the services as special counsel in the Falasca litigation.
3. 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.
4. All resolutions, or parts thereof, inconsistent herewith are hereby repealed and rescinded to the extent of any such inconsistency.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

**RESOLUTION 2016-120 SUSPEND ENFORCEMENT OF BEACH BADGES DURING AIR SHOW**

WHEREAS, the Atlantic City Air Show will take place on Wednesday, August 17, 2016; and

WHEREAS, the Ventnor City Board of Commissioners wishes to suspend the enforcement of beach badges during the air show.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the enforcement of beach badges is hereby suspended on Wednesday, August 17, 2016.

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 75 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

**RESOLUTION 2016-121 AMEND RES 2016-52, EMERGENCY WELL #10 PUMP REPLACEMENT**

WHEREAS, by Resolution No. 52 of 2016 the City of Ventnor authorized a contract with Layne Christensen for the emergency replacement of the pump at Well #10; and

WHEREAS, such contract was authorized in an amount not to exceed \$47,487.00; and

WHEREAS, during the replacement of the pump it was necessary to install a M-Scope Tube which installation increased the project cost by \$2,200.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City the emergency contract with Layne Christensen for the emergency pump replacement at Well #10 is herein and hereby increased to an amount no to exceed \$49,687.00.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution adopted.  
Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman  
Absent: Commissioner Kriebel

July 21, 2016

**RESOLUTION 2016-122 REJECT BID & AUTHORIZE REBID, CH WATER PROOFING REPAIRS**

WHEREAS, the Municipal Clerk of the City of Ventnor City received in her office on July 19, 2016, at 11:00 AM, did receive one (1) bid for "WATER PROOFING REPAIRS AT CITY HALL"; and

WHEREAS, the bid was reviewed and found that it exceeded the available funds for said project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter rejects the bid for the WATER PROOFING REPAIRS AT CITY HALL.

BE IT FURTHER RESOLVED the Engineer is authorized to rebid this project.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

**RESOLUTION 2016-123 CHANGE ORDER, ADDITIONAL ENVIRONMENTAL SITE INVESTIGATION**

WHEREAS, the City of Ventnor City did award a contract for "Environmental Site Investigation" and did enter into a contract with Earth Engineering, Inc. in the amount of \$4,295.00; and

WHEREAS, during performance of the contract additional Environmental Site Investigation was required.

NOW, THEREFORE, BE IT RESOLVED that the Contract known as the "Environmental Site Investigation" be amended to \$6,260.00.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

**CONFIRM APPOINTMENT OF MARIE MCQUEEN TO PLANNING BD**

Cmr Landgraf moved, seconded by Mayor Holtzman the Planning Board appointment of Marie McQueen to fill unexpired term of David Holtzman be confirmed.

Roll Call Vote: Yeas: Commissioner Landgraf and Mayor Holtzman

Absent: Commissioner Kriebel

**APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$3,501,908.52 and payrolls from 6.11.16 to 6.24.16 in the amount of \$562,694.49, from 6.25.16 to 7.8.16 in the amount of \$650,143.29 and from 7.9.16 to 7.22.16 in the amount of \$ for approval.

Cmr Landgraf moved, seconded by Mayor Holtzman the bills and payrolls be approved.

**ANNOUNCEMENTS:**

Mayor Holtzman acknowledged the passing of retired Fire Chief, WILLIAM SCULL.

CMR LANDGRAF referred to the following JIF Safety Committee Report: The safety committee met on July 13th. Robert Garish from JA Montgomery attended. His report was followed up and reflected these activities. We reviewed 2 auto incidents, no injuries, minor in nature. There were also two Workers comp claims, both in the Police Department. One involved the use of light duty and any slight accommodations to return to work. The second occurred at the Police Academy. Unfortunately safety controls are beyond the City's control at this location and historically injuries have occurred, some severe in nature, this one involved contusion to right shoulder, hopefully not serious. In addition to training resources, recent Safety Bulletins were included; Ladder Safety and High Visibility Apparel issues were reviewed. General discussions included traffic issues, ongoing pedestrian crossing issues and apparent lack of the public to adhere to crossing, primarily Ventnor and Atlantic Aves on the way to the beach. The recent report of the Ventnor Fishing Pier inspection, usage being changed to the Pier for increased non-fishing activities and safety suggestions relevant. Lastly, the Fire Chief was contacted by an individual interested in having a birthday party on beach with a pyrotechnic demonstration. Information was sketchy, but as described, committee recommended not allow it without further clarification and proof of insurance, if at all. Wellness Coordinator discussed grant she obtained to start a Garden area.

**PUBLIC COMMENT**

MIMI SANDBERG, 219 N Wissahickon, BARBARA MARIO, 218 N Wissahickon and LORRAINE DONATELLI, 220 N Wissahickon addressed the Commission on the difficulties their street is experiencing with traffic during school drop off and pick up times. They spoke of problems of steady streams of cars, speeding, accidents, etc over the past 2 years. Discussions with the Police Department have been unproductive. After much dialogue, Cmr Landgraf, speaking as a professional Planner, assured them he would explore possible solutions and communicate with the Police Department in an attempt to solve their dilemma.

NANETTE GALLOWAY, a reporter for the Downbeach Current informed the Commission she wrote an article about certain changes that will be taking place at the school this coming year. The article should be posted on line Friday.

**6:30PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Cmr Landgraf moved, seconded by Mayor Holtzman the meeting be adjourned.

The meeting of the Ventnor City Board of Commissioners was called to order by Mayor Holtzman in Commission Chambers, City Hall, on August 18, 2016 at 6:04 PM followed by the Pledge of Allegiance.

Present: Commissioners Kriebel, Landgraf and Mayor Holtzman

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

**MOMENT OF SILENCE FOR WILLIAM HOWARTH**

Mayor Holtzman asked everyone to take a moment of silence to honor Bill Howarth a 48-year member of the Beach Patrol, a 25-year member of the Fire Department, a swim coach, champion swimmer, role model, family man and wonderful person. His death is a major loss to the City and its residents.

Following the moment of silence, the Mayor announced the City is beginning the process of naming a street (possibly beach block near beach headquarters) in honor of Bill and his service to the City. Cmr Landgraf interjected, at Bill's funeral services earlier this evening the Beach Patrol already had a lifeguard boat with Bill's name on it. He further voiced the City's gratitude to the Beach Patrols of Margate and Longport who staffed Ventnor's beaches today so members of Ventnor's Beach Patrol could attend Bill's services.

**HAZARD MITIGATION PLAN UPDATE**

Cm Landgraf read the Hazard Mitigation Plan update.

**MOTION TO APPROVE MINUTES**

Cmr Landgraf moved, seconded by Mayor Holtzman the Minutes of the 7.21.16 Regular Meeting be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2016-11**

AMENDING ORDINANCE 2016-03 ESTABLISHING 2016 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 Holtzman 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 Holtzman moved, seconded by Cmr Landgraf, the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2016-12**

AN ORDINANCE CREATING CHAPTER 107 OF THE VENTNOR CITY CODE DRONES AND UNMANNED AIRCRAFT

Mayor Holtzman announced the Public Hearing was open and anyone could be heard speaking for or against the Ordinance.

Cmr Landgraf reported correspondence was received from one or two "drone organizations" requesting their letters be read into the record. Since no representatives were present to answer questions, he would not be reading the letter(s). The City Clerk interjected a letter was received from a "commercial" drone organization but this Ordinance does not relate to commercial drones. Solicitor Weintrob reported her office looked into it and the Ordinance is fine. Drone operators can do whatever they want just not on public property without proper approval. She also suggested after the FAA rules and regulations are published, the City may consider defining "recreational".

There being no one further wishing to be heard, Mayor Holtzman moved, seconded by Cmr Kriebel, the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**FINAL READING & ADOPTION OF ORDINANCE 2016-11**

AMENDING ORDINANCE 2016-03 ESTABLISHING 2016 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 Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-11 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**FINAL READING & ADOPTION OF ORDINANCE 2016-12**

AN ORDINANCE CREATING CHAPTER 107 OF THE VENTNOR CITY CODE DRONES AND UNMANNED AIRCRAFT

Cmr Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-12 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**PUBLIC COMMENT: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW**

Mayor Holtzman asked if anyone had any questions on any items to be voted on tonight.

There being no one wishing to be heard, Cmr Landgraf moved, seconded by Mayor Holtzman the Public Comment Portion be closed.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**INTRODUCTION OF ORDINANCE 2016-14**

**AN ORDINANCE AMENDING CHAPTER 197, STREETS AND SIDEWALKS OF THE VENTNOR CITY CODE – REVOCABLE LICENSES FOR RESIDENTIAL ENCROACHMENTS**

Cmr Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-14 be introduced.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**INTRODUCTION OF ORDINANCE 2016-15**

**AN ORDINANCE AMENDING CHAPTER 171-7, HOURS OF CONSTRUCTION OF THE CODE OF THE CITY OF VENTNOR**

Cmr Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-15 be introduced.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

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

Cmr Landgraf moved, seconded Mayor Holtzman by Resolution 2016-124 thru 2016-138 with the exception of Resolutions 2016-133 and 2016-137 be adopted by consent.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-124 - CLARIFY CONTRACT WITH JERSEY PROFESSIONAL MANAGEMENT & JOSEPH VERRUNI**

WHEREAS, by Resolution 2016-114 the City of Ventnor City amended the contract with Jersey Professional Management Corp (JPM) for Management Consulting Services and Joseph Verruni for Temporary Acting Deputy City Administrator/Deputy Clerk & Management Consulting Services; and

WHEREAS, such amendment incorrectly changed the hourly fee of \$120 to \$110 per hour; and

WHEREAS, the Board of Commissioners wish to clarify and reaffirm the hourly rate as set by said contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioner of the City of Ventnor City that the contract with Jersey Professional Management Corp and Joseph Verruni for Temporary Acting Deputy City Administrator/Deputy Clerk & Management Consulting Service shall be clarified to read \$120 per hour (\$10 per hour on payroll and \$110 per hour on voucher).

BE IT FURTHER RESOLVED the Chief Financial Officer will certify funds as to the Professional Services portion of the Contract.

BE IT FURTHER RESOLVED the Chief Financial Officer is not required to certify funds for the \$10 per hour employee rate.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-125 - GRANT STREET OPENING MORATORIUM RELIEF**

WHEREAS, applications have been made to open certain streets for the purpose of installing gas service and other utilities; and

WHEREAS, said streets were recently reconstructed and therefore are 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 sites and recommends a waiver be granted with the following special conditions.

1. Infrared restoration must be used for all restorations on streets under moratorium.
2. For openings larger than 6' x 6': Repairs shall require 6" thick Dense Graded Aggregate (DGA) under 4" thick Superpave Hot Mix Asphalt (HMA) 19M64 Base Course under 2" thick Superpave HMA 12.5M64 Surface Course than the infrared method can be applied.
3. The City Engineer must be notified when the street opening is to be back filled with the required materials and also when the infrared method will be applied.
4. If the street repair is not acceptable to the City a full width curb-to-curb milling of two inches in depth to extend 20 feet on either side of the opening and replacement of 2" thick Superpave HMA 12.5M64 Surface Course hot rolled will be required.

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 the following locations:

1. 407 N Derby Ave
2. 209 N Harvard Ave
3. 5105 Winchester Ave

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

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-126 - AUTHORIZE EMERGENCY REPAIR OF PUMP #2**

WHEREAS, on June 3, 2016 Water & Sewer staff observed Pump #2 not working properly; and

WHEREAS, the pump was removed and inspected and found to be in need of overhaul including new bearings, grease seals, mechanical seal, shaft sleeve, new O-rings and gaskets; and

WHEREAS, the emergency repair of the pump is necessary to have it operational before the summer season begins.

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 such emergency replacement.

BE IT FURTHER RESOLVED that said emergency shall not exceed \$5,698.00.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-127 - COMMUNITY BUILDING DEPOSIT REFUNDS**

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
Kathy Pignatore 7003 Ventnor Ave Ventnor, NJ 08406	6.1.16	8.6.16	\$100.00
Butnan Doctor's College Alumni Check payable to: Jaime Cosme 1191 Echo Place Toms River, NJ 08755	10.9.15	8.7.16	\$100.00

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-128 - GRANT APPLICATION, NJDOT TRANSPORTATION ALTERNATIVES PROGRAM**

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

WHEREAS, special consideration is given to communities that are Transit Villages, Urban Aid communities and municipalities that have adopted Complete Streets policies;

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Ventnor formally supports this Transportation Alternatives Program application TA-2016-Ventnor - 00001.

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

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

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-129 - CONTRACT WITH EARTH ENGINEERING, INC FOR ADDITIONAL ENVIRONMENTAL REMEDIATION, 4803 VENTNOR AV**

WHEREAS, by Resolution No. 80 of 2016 the City awarded a contract for the additional Environmental Investigation of the City owned lot known as 4803 Ventnor Ave to Earth Engineering, Inc; and

WHEREAS, such investigation revealed the need for additional remediation; and

August 18, 2016

WHEREAS, the Board of Commissioners wishes to award the contract to Earth Engineering to perform this additional environmental remediation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter award the Contract for additional environmental remediation at 4803 Ventnor Ave to Earth Engineering Inc in the amount of \$11,970.00.

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

Comr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-130 - AUTHORIZE 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 George and Cathy Sweeney for the newly constructed residential dwelling known as Block 77, Lot 3; 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>
George & Cathy Sweeney	77/3	21 S Newark Ave

Comr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-131 - SET DATE OF ABANDONED VEHICLE AUCTION**

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

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

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

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

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

BE IT FURTHER RESOLVED that said public auction shall be held on Tuesday, September 27, 2016 at 10AM, prevailing time, at the Ventnor City Hall, 6201 Atlantic Ave., Ventnor City, NJ.

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

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

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

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

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

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

SCHEDULE "A"

<u>#</u>	<u>Control #</u>	<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Vehicle Identification #</u>	<u>Mileage</u>	<u>Towing</u>
1	15-01	2002	Hyundai	Sonata	KMHWF65H32A508321	DIGITAL	Providence Towing
2	15-02	2006	Toyota	Ava	4T1BK36B76U158099	DIGITAL	Providence Towing

Comr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

August 18, 2016

**RESOLUTION 2016-132 - SUPPORTING S-2369, LIMITS APPLICATION OF DEP SHELLFISH HABITAT RULES FOR CERTAIN DREDGING ACTIVITIES**

WHEREAS, on June 16, 2016 S-369 which would limit the application of New Jersey Department of Environmental Protection (NJDEP) shellfish habitat rules for certain specific dredging activities was introduced and referred to the Senate Environmental and Energy Committee; and

WHEREAS, without an efficient and cost effective dredging and material disposal program marinas, restaurants, bait and tackle shops and other entertainment and recreational facilities will continue to be adversely impacted; and

WHEREAS, boaters will bypass New Jersey and find other areas with access in which to spend their tourist dollars and

WHEREAS, an effective and efficient dredging program would enhance property values to bolster a declining tax base, particularly in Atlantic County, enhance the quality of life for our residents and visitors, provide additional revenue from water related activities and promote another economic engine to fill the gap created by the loss of a robust casino gaming industry; and

WHEREAS, S2369, if enacted, would be limited to applications made to the NJDEP for any permit or other approval to dredge:

- (1) the established footprint of a functioning marina in operation on the date of enactment of this bill into law;
- (2) along a 75-foot wide direct channel between the existing, functioning marina and its docks and the closest State or federal navigation channel serving the locality for the marina; or
- (3) within 250 feet of a vertical timber or other material bulkhead supporting an upland development with a water dependent use, as authorized by a riparian grant or lease in effect on the date of enactment of this bill into law; and

WHEREAS, with those limitations, there will be no adverse impact upon the shellfish population and it provides a balance between the habitat and the economic viability of shore dependent business and revenue.

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

- 1) We encourage the Senate Environmental and Energy Committee to quickly vote upon S-2369,
- 2) We call upon the Chambers of Commerce in the four shore counties to work together and with their constituents to encourage enactment of this legislation.
- 3) We call upon all marinas, bait and tackle shops, restaurants and other providers of goods and services which have been adversely impacted by the inability to dredge for the preservation or expansion of their businesses to support this legislation and to inform the Legislature, the Regulators and other elected officials of their concerns and needs.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to: Senators Jim Whelan, Jeff VanDrew, Bob Smith, Linda R. Greenstein, Stephen M. Sweeney, The Cape May Atlantic County and Greater Atlantic City Chambers of Commerce; Assemblymen Chris Brown, Vince Mazzeo, Bob Andrzejczak, R. Bruce Land, NJDEP Commissioner Bob Martin, Lt Governor Kim Guadagno and Governor Chris Christie.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-134 - POLICE DETAIL OVERPAYMENT REFUND**

WHEREAS, from time to time private construction projects require Police details for traffic control; and

WHEREAS, said traffic details are paid for by the private contractors requiring same at a rate set by current Police contract; and

WHEREAS, Communications Construction Group, LLC required a traffic detail; and

WHEREAS, Communications Construction Group, LLC overpaid for said services in an amount of \$127.50.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the Comptroller is herein and hereby authorized to issue a refund check in the amount of \$127.50 to Communications Construction Group, LLC, 1060 Andrew Dr., Suite 130, West Chester, PA 19380.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-135 - WATER/SEWER REFUND**

WHEREAS, Oxford Ave LLC is the owner of Block 59, Lot 7.01 known as 5 S Oxford Ave, Ventnor, NJ; and

WHEREAS, Oxford Ave, LLC was incorrectly billed for Water/Sewer in the amount of \$972.10; and

WHEREAS, the property owner paid the \$972.10 and the City wishes to refund this amount.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Ventnor authorize the Chief Financial Officer of the City of Ventnor to issue a refund check in the amount of \$972.10 to Oxford Ave., LLC whose mailing address is 122 N Leipzig Ave, Cologne, NJ 08213.

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

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 75 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

August 18, 2016

**RESOLUTION 2016-136 - AUTHORIZE SETTLEMENT AGREEMENT WITH FALASCA MECHANICAL**

WHEREAS, on or about November 22, 2013, the City of Ventnor issued a Request For Bids entitled "Specifications for the Municipal Building HVAC Replacement, City of Ventnor, County of Atlantic, New Jersey"; and

WHEREAS, as a result of the issuance of such request, the City of Ventnor received various proposals for the necessary work; and

WHEREAS, among the bids received by the City of Ventnor was a bid from Falasca Mechanical, Inc., (hereinafter "Falasca") in the amount of \$1,971,600; and

WHEREAS, after review of bids, the City of Ventnor awarded a contract for the required work to Falasca Mechanical, Inc., in the above noted amount; and

WHEREAS, the necessary work pursuant to the contract was performed during 2014; and

WHEREAS, during the course of performing the work, all parties recognized that certain environmental issues were discovered, specifically, the presence of asbestos, which all parties agreed needed to be remediated during the course of the contract work, which remediation was accomplished during the course of the contract work; and

WHEREAS, upon conclusion of the contract work, Falasca submitted a claim for additional compensation to the City of Ventnor in the amount of \$347,908.76, which request for additional compensation was based upon the discovery of the asbestos and resulting delays that the remediation caused, resulting in additional time and expenditures on the part of Falasca; and

WHEREAS, the City of Ventnor reviewed the claim of Falasca and concluded that some level of additional compensation was appropriate as a result of the delay; and

WHEREAS, Falasca and the City of Ventnor entered into a mediation to review the claim and determine the proper value to be placed upon the additional work performed by Falasca; and

WHEREAS, as a result of the mediation of this matter by the City of Ventnor and Falasca, it has been agreed that additional compensation in the amount of \$130,000 is to be paid to Falasca for additional work resulting from the presence of the asbestos and the additional requirements placed on Falasca as a result thereof; and

WHEREAS, the Mayor and City Commissioners of the City of Ventnor wish to resolve this matter in the amount of \$130,000 and to enter into a Settlement Agreement and Release with Falasca in regard to this matter.

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

1. The above captioned recital clauses are incorporated herein;
2. The City of Ventnor is hereby authorized to enter into a Mutual Settlement Agreement and Release with Falasca in settlement of all claims by Falasca for any compensation due to Falasca resulting from the contract and any and all work, tasks, damages and issues relating thereto.
3. A copy of the proposed Mutual Settlement Agreement and Release is attached hereto;
4. The Mayor and/or City Administrator is authorized to execute such Agreement on behalf of the City;
5. The Chief Financial Officer of the City of Ventnor is authorized to prepare and issue payment in accordance with the Mutual Settlement Agreement and Release upon receipt of appropriate financial documents.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-138 - AUTHORIZING RFP'S/RFQ'S FOR SOLICITOR**

WHEREAS, pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq, the City of Ventnor is hereby requesting proposals/qualifications through the fair and open process for the award of a contract for City Solicitor for a one year term; and

WHEREAS, the Board of Commissioners of the City of Ventnor has determined that it would be in the best interest of the City to prepare and advertise same as a Request for Proposals/Qualifications.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, State of New Jersey, does hereby directs the City Clerk to prepare and advertise the Request for Proposals/Qualifications for the purpose of appointing a City Solicitor.

BE IT FURTHER RESOLVED that the City Clerk is herein and hereby designated to received such proposals/qualifications.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-133 - PLACE PUBLIC QUESTION ON 11.8.16 BALLOT: SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON PREMISES IN RESTAURANTS**

WHEREAS, a petition has been presented to the Governing Body of the City of Ventnor requesting a referendum to be held on the following question: "Shall the City of Ventnor be authorized to issue a license(s) permitting the retail sale of alcoholic beverages for consumption on premises in a restaurant only within areas designated by the City, pursuant to Chapter 1 of Title 33 of the New Jersey Revised Statutes. The sale of package goods shall be expressly prohibited."; and

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WHEREAS, the Municipal Clerk of the City of Ventnor has determined that the Petition meets the requirements of N.J.S.A. 33:1-44.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Ventnor that the Atlantic County Clerk be and is hereby duly authorized, directed and empowered to print, pursuant to Title 19, Elections, referred to as the "General Election Law" upon the official ballot to be used in the City of Ventnor at the general election to be held on November 8, 2016 the aforementioned question to more specifically read as follows:

"Shall the retail sale of all kinds of alcoholic beverages, for consumption on the licensed premises by the glass or other open receptacle pursuant to Chapter One of the Title Intoxicating Liquors of the Revised Statutes (s. 33:1-1 et seq.), be permitted in the City of Ventnor?"

BE IT FURTHER RESOLVED the interpretive statement to accompany the aforementioned question shall read: A "YES" vote will authorize the City of Ventnor to issue liquor licenses to up to three restaurants within the City limits; licensees will be permitted to sell alcoholic beverages for consumption from open containers within areas of the restaurant designated by Ordinance; if the City becomes authorized to issue licenses based on this ballot question, a ballot question which would revoke that authority cannot be placed on the ballot for a period of five year.

A "NO" vote will maintain the status quo under which Ventnor is prohibited from issuing liquor licenses for on-premises consumption; the status quo must be maintained for a period of five years before this question may be placed back on the ballot.

BE IT FURTHER RESOLVED, That the Municipal Clerk be and is and is hereby duly authorized, empowered and directed to forthwith deliver a certified copy of this Resolution to the Atlantic County Clerk.

Prior to the Roll Call being taken, Mayor Holtzman reported the required number of signatures on the petition were received. In spite of learning the governing body did not need the petition in order for the question to be placed on the November ballot, they thought going the petition route was a good way to get the community involved.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

#### **RESOLUTION 2016-137 - ACCEPTING RESIGNATION OF CITY SOLICITOR**

WHEREAS, pursuant to Resolution 184 of 2015 the City of Ventnor reappointed Amy R. Weintrob and the law firm of Hankin, Sandman, Palladino & Weintrob, P.C. as the City Solicitor for a period of one year, beginning on January 1, 2016 through December 31, 2016; and

WHEREAS, on August 18, 2016, Amy R. Weintrob, Esquire submitted her letter of resignation effective September 1, 2016 and the City has agreed to release Amy R. Weintrob, Esquire and her law firm, Hankin, Sandman, Palladino & Weintrob, P.C. from their Professional Services Contract executed on January 4, 2016; and

WHEREAS, the City of Ventnor and Ms. Weintrob understand and agree that assistance will be needed to transition the new City Solicitor upon appointment of same and wish for Ms. Weintrob to continue to assist in the transition process; and

WHEREAS, the City of Ventnor agrees to continue to pay Amy R. Weintrob at the same rate as set forth in her January 4, 2016 Professional Services Contract for any services she renders after September 1, 2016 to assist in transitioning the new City Solicitor.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the City of Ventnor shall accept the resignation of Amy R. Weintrob, Esquire from the position of the City Solicitor and shall release her and the law firm of Hankin, Sandman, Palladino & Weintrob, P.C. from the Professional Services Contract and shall continue to pay the hourly rate to Amy R. Weintrob and/or other members of the law firm of Hankin, Sandman, Palladino & Weintrob P.C. as set forth in the Professional Services Contract for any services performed after September 1, 2016.

The Mayor thanked Amy for her years of dedicated service to the City as a resident and City Solicitor and thanked her for aiding in the transition of the new Commissioners. Cmr Landgraf echoed the Mayor's sentiments and voiced his appreciation for her help over the last 3 months.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

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

The City Clerk read bills in the amount of \$6,066,561.24 and payrolls from 7.23.16 to 8.5.16 in the amount of \$645,792.27 and from 8.6.16 to 8.19.16 in the amount of \$610,878.51 for approval.

The Mayor asked to have the bill register amended to include 3 outstanding invoices from JPM in the total amount of \$13,770. The CFO explained why those bills have not yet been paid but assured the Mayor they are being processed and will be included on next month's bill register.

Cmr Landgraf moved, seconded by Mayor Holtzman the bills as read by the City Clerk and payrolls be approved.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

#### **ANNOUNCEMENTS:**

CMR LANDGRAF referred to the following JIF Safety Committee Report: The Safety Committee met on August 10. The following claims were reviewed: (1) A City vehicle struck an illegally parked vehicle while responding to a medical call. (2) A chain reaction occurred with City vehicle was rear ended at a stop light and pushed into the vehicle in front of him. Vehicle damage was substantial but there were no injuries. (3) Husband filed complaint that while walking to beach wife and infant sustained injury caused by a pothole. Infant was being carried on front of mother when she fell. RSW (Roadway, Signage, Walkway) was reviewed, upon notice to Public Works, site is visited, corrected, and notated in log. Zero Tolerance disks were distributed as part of the EPL renewal requirements.

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Upcoming events that could have an impact on traffic in various parts of the City for both vehicles and pedestrians are: (1) multiple Life Guard competitions' (2) The Roar at the Shore Air Show; (3) AC Triathlon; (4) Iron Man event. At Titus Field, Ventnor Pirates Football and Cheerleading have started, with practices nightly and games on weekends, activity in and around the fields will be elevated.

#### **PUBLIC COMMENT**

LINDA KAPLAN, 12 N Wissahickon asked the status of the food bank truck that came monthly to the VFW. The Mayor gave the background on the problems encountered by area residents and informed Ms Kaplan a volunteer is presently looking for a suitable place on public property so the program can be continued.

Ms Kaplan also inquired about the Ventnor Gardens Plaza Pump Station. Cmr Landgraf reported the pump station is completely operational but has not really been tested. There was no issue during last night's downpour.

DAVE BERMAN, 404 Berkshire asked about regulating AirB&B rentals. Cmr Landgraf reported a new ordinance dealing with any short-term rental is being prepared to change the "seasonal CO" to a "change of tenants CO". This change will require property owners to register, pay a fee and have inspections done anytime there is a change of tenants in an effort to have better control with checks and balances.

PRICILLA BEURET, 15 S Richards spoke on: 1) the conflict between the Citywide yard sale and the Cleanup campaign both scheduled for 8-20; 2) efforts to have the fountain behind the library functioning again; 3) pros and cons of reducing traffic on Atlantic from 4 lanes to 2 with a bike lane and turning lane. Discussed was bike and pedestrian safety, timing of traffic lights to keep traffic flowing, need for a traffic study and the goal of making a safer roadway. Cmr Kriebel offered to send Ms Beuret and Mr Berman the video from the last presentation that showed the benefits of the "road diet" in promoting traffic safety.

MARIANNE BRUKIEWA, 221 N Wyoming thanks the City for opening the fishing pier on 8.17.16 so the public could enjoy the air show. Mayor Holtzman reminded everyone the pier is also open to the public on Sundays during August.

#### **6:35 PM EXECUTIVE SESSION**

Cmr Landgraf 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: Personnel/Professional Services Contract."*

Dan Mason of Jersey Professional Management (JPM) formally introduced Maria Mento to the Commissioners. Ms Mento gave a short presentation outlining her background and qualifications for the position of Temporary Acting Deputy City Administrator.

Cmr Landgraf moved, seconded by Mayor Holtzman the Executive Session be closed and return to Open Session. Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

#### **6:59 PM EXECUTIVE SESSION CONCLUDED**

Mayor Holtzman reported during executive session they went through a formal interview with Maria K Mento to replace Joe Verruni. Ms Mento has an extensive background (36 yrs in government). She was Executive Vice President and Chief Financial Officer for ACUA, a former Municipal Chief Financial Officer and Atlantic County Payroll Pension Officer. She is a Ventnor resident with a network with organizations that will be a true asset to Ventnor. Cmr Landgraf thanked Joe Verruni for assisting though the transition period. It was nice to have him back, having worked in Ventnor 30 years ago and he will be available to help when needed. The Mayor praised JPM, an organization with knowledge and a network of experts in every aspect of government.

#### **RESOLUTION 2016-139 - AUTHORIZING CONTRACT WITH JERSEY PROFESSIONAL MANAGEMENT CORP & MARIA MENTO FOR TEMPORARY ACTING DEPUTY CITY ADMINSTRATOR/DEPUTY CLERK & MANAGEMENT CONSULTING SERVICES**

WHEREAS, by Resolution 2016-088 the City of Ventnor City entered into a contract with Jersey Professional Management Corp (JPM) for Management Consulting Services and Joseph Verruni for Temporary Acting Deputy City Administrator/Deputy Clerk & Management Consulting Services; and

WHEREAS, Joseph Verruni will no longer be performing such duties; and

WHEREAS, the Board of Commissioners wishes to continue its contract with Jersey Professional Management Corporation; and

WHEREAS, the Board of Commissioners wishes to have Maria Mento assume the duties performed by Joseph Verruni as Temporary Acting Deputy City Administrator/Deputy Clerk and Management Consulting Services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioner of the City of Ventnor City that it herein affirms the contract with Jersey Professional Management Corp.

BE IT FURTHER RESOLVED that Maria Mento will assume the duties performed by Joseph Verruni as Temporary Acting Deputy City Administrator/Deputy Clerk & Management Consulting Service at the same rate of \$120 per hour (\$10 per hour on payroll and \$110 per hour on voucher).

BE IT FURTHER RESOLVED the Chief Financial Officer will certify funds as to the Professional Services portion of the Contract.

BE IT FURTHER RESOLVED the Chief Financial Officer is not required to certify funds for the \$10 per hour employee rate.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted. Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

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**AUTHORIZE PAYMENT TO JPM**

Mayor Holtzman, acknowledging the CFO's explanation for not amending the bill register, wished to amend to bill list to include payment to JPM in the amount of \$5,445 for Joe Verruni's services over the past 3 months.

Cmr Landgraf moved, seconded by Mayor Holtzman the bill register be amended in the amount of \$5,445 to include payment to Jersey Professional Management for services rendered by Joseph Verruni.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**7:04PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Cmr Landgraf moved, seconded by Mayor Holtzman the meeting be adjourned.

The special emergency meeting of the Ventnor City Board of Commissioners was called to order by Mayor Holtzman in Commission Chambers, City Hall, on August 23, 2016 at 6:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Kriebel, Landgraf and Mayor Holtzman

MAYOR HOLTZMAN announced, "This Special Emergency Session of the Ventnor City Board of Commissioners is being held for the express purpose of appointing a Municipal Solicitor and interviews for the position of Municipal Court Judge. This action is necessary to insure the uninterrupted legal representation of the City of Ventnor. Notice of this meeting will be sent to the Press, Downbeach Current and posted on the City Hall Bulletin Board as required by law. Notice for the purpose of interviewing for Municipal Court Judge was sent to the Press, Downbeach Current and posted on the City Hall Bulletin Board as required by law".

Cmr Landgraf moved, seconded by Mayor Holtzman the Commission enter executive session.

Roll Call Vote: Yeas: Cmrs Kriebel, Landgraf and Mayor Holtzman

#### **6:05 PM EXECUTIVE SESSION**

Timothy Maguire, Esq 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 Personnel.*

The Executive Session was held in the Mayor's office. Present were Mayor Holtzman, Commissioners Kriebel and Landgraf, Temporary Acting Deputy City Administrator/Deputy Clerk Maria Mento, Consultant Dan Mason and Timothy Maguire, Esq. Mr. Maguire was interviewed by those in attendance after which he discussed his career history and experience and answered questions asked of him.

#### **6:33 PM EXECUTIVE SESSION CONCLUDED**

Upon returning to Commission Chambers, Cmr Landgraf moved, seconded by Mayor Holtzman the Executive Session be closed and return to Open Session.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

#### **RESOLUTION 2016-140 – APPOINTMENT OF TIMOTHY P. MAGUIRE, ESQ AS CITY SOLICITOR**

WHEREAS, the Ventnor City Board of Commissioners is desirous of appointing Timothy P. Maguire, Esq. of the law firm Maguire & Maguire, P.C. to serve as City Solicitor for a one year term beginning September 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 Timothy P. Maguire, Esq. of the law firm Maguire & Maguire, P.C. is herein and hereby appointed Solicitor of the City of Ventnor City for a one year term effective September 1, 2016 pursuant to the contact on file in the City Clerk's office.

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.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

Cmr Landgraf voiced his pleasure in the appointment of Tim Maguire given his history with Ventnor and his experience in municipal government. In addition, this appointment will save the City about \$30,000 per year (25% savings) compared to the prior contract.

Tim Maguire thanked the Commission and commented he is looking forward to working with the City.

#### **6:40 PM EXECUTIVE SESSION**

MAYOR HOLTZMAN announced, "Pursuant to the Open Public Meetings Act, adequate notice of this meeting has been provided in accordance with the Law".

Cmr Landgraf moved, seconded by Mayor Holtzman the Commission enter executive session.

Roll Call Vote: Yeas: Cmrs Kriebel, Landgraf and Mayor Holtzman

The Executive Session for interviewing candidates for the position of Municipal Court Judge was held in the Mayor's office. Present were Mayor Holtzman, Commissioners Kriebel and Landgraf, Temporary Acting Deputy City Administrator/Deputy Clerk Maria Mento, Consultant Dan Mason. Two candidates were interviewed.

#### **7:40 PM EXECUTIVE SESSION CONCLUDED**

Upon returning to Commission Chambers, Cmr Landgraf moved, seconded by Mayor Holtzman the Executive Session be closed and return to Open Session.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

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**7:40PM MEETING ADJOURNED**

There being no further business to conduct Cmr Landgraf moved, seconded by Mayor Holtzman the meeting be adjourned..

The meeting of the Ventnor City Board of Commissioners was called to order by Mayor Holtzman in Commission Chambers, City Hall, on September 15, 2016 at 6:36 PM followed by the Pledge of Allegiance.

Present: Commissioners Kriebel, Landgraf and Mayor Holtzman

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

**HAZARD MITIGATION PLAN UPDATE**

Cm Landgraf read the Hazard Mitigation Plan update.

**MOTION TO APPROVE MINUTES**

Cmr Landgraf moved, seconded by Mayor Holtzman the Minutes of the 8.15.16 Regular and 8.23.16 Special Commission Meetings be approved as written (oral reading waived).

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2016-14**

AN ORDINANCE AMENDING CHAPTER 197, STREETS AND SIDEWALKS OF THE  
VENTNOR CITY CODE – REVOCABLE LICENSES FOR RESIDENTIAL ENCROACHMENTS

Cmr Landgraf 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, Cmr Landgraf moved, seconded by Mayor Holtzman, the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**2<sup>ND</sup> READING (PUBLIC HEARING) OF ORDINANCE 2016-15**

AN ORDINANCE AMENDING CHAPTER 171-7, HOURS OF CONSTRUCTION  
OF THE CODE OF THE CITY OF VENTNOR

Cmr Landgraf announced the Public Hearing was open and anyone could be heard speaking for or against the Ordinance.

JANIS ALBUCK, 130 N Cambridge asked about the difference between summer and winter construction hours.

There being no one further wishing to be heard, Mayor Holtzman moved, seconded by Cmr Landgraf, the Public Hearing be closed.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**FINAL READING & ADOPTION OF ORDINANCE 2016-14**

AN ORDINANCE AMENDING CHAPTER 197, STREETS AND SIDEWALKS OF THE  
VENTNOR CITY CODE – REVOCABLE LICENSES FOR RESIDENTIAL ENCROACHMENTS

Cmr Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-14 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**FINAL READING & ADOPTION OF ORDINANCE 2016-15**

AN ORDINANCE AMENDING CHAPTER 171-7, HOURS OF CONSTRUCTION  
OF THE CODE OF THE CITY OF VENTNOR

Cmr Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-15 be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**PUBLIC COMMENT: QUESTIONS ON ANY ITEM TO BE VOTED ON BELOW**

Prior to opening the floor for public comment, Mayor Holtzman requested anyone wishing to speak to keep their comments and questions brief so the meeting could adjourn in time to greet the Wounded Warrior expected to arrive about 7pm this evening.

There being no one wishing to be heard, Mayor Holtzman moved, seconded by Cmr Landgraf the Public Comment Portion be closed.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**MOTION TO RECEIVE & FILE BID OPENING REPORT – CITY HALL WATER PROOFING**

Date of Bid Opening: September 7, 2016 @ 11:00 AM

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

- |   |              |
|---|--------------|
| 1. Peter V. Pirozzi General Contracting, LLC<br>Pittsgrove, NJ 08318<br>Bid Bond Attached | \$774,202.00 |
| 2. Coastal Land Contractors, Inc<br>Pittsgrove, NJ 08318<br>Bid Bond Attached             | \$545,501.00 |

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

Cmr Landgraf moved, seconded by Mayor Holtzman the Report be received and filed.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

September 15, 2016

**MOTION TO RECEIVE & FILE BID OPENING REPORT - BULKHEAD INSTALLATION AT VARIOUS LOCATIONS**

Date of Bid Opening: September 13, 2016 @ 11:00 AM

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

	Base Bid	Alternate Bid
R.A. Walters & Son, Inc Cape May Court House, NJ 08210 Bid Bond Attached	\$ 945,210.00	\$1,158,000.00
Walters Marine Construction Ocean View, NJ 08230 Bid Bond Attached	\$1,047,325.00	\$1,427,550.00
Arthur R. Henry, Inc Egg Harbor Twp., NJ 08234 Bid Bond Attached	\$1,198,895.00	\$2,561,739.00
Channel Marine Construction, Inc. Clermont, NJ 08210 Bid Bond Attached	\$1,630,000.00	\$1,440,000.00

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

Comr Landgraf moved, seconded by Mayor Holtzman the Report be received and filed.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**INTRODUCTION OF ORDINANCE 2016-13**

AMENDING CHP 126 FLOOD HAZARD AREAS, SECTION 5 DEFINITIONS  
AS IT RELATES TO SUBSTANTIAL DAMAGE AND SUBSTANTIAL IMPROVEMENT

Comr Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-13 be introduced.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**INTRODUCTION OF ORDINANCE 2016-16**

AN ORDINANCE AMENDING CHAPTER 156 NOISE, SECTION 4 B. (4) & (5),  
OF THE CODE OF THE CITY OF VENTNOR

Comr Landgraf moved, seconded by Mayor Holtzman Ordinance 2016-16 be introduced.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

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

Comr Landgraf moved, seconded Mayor Holtzman that Resolutions 2016-141 thru 2016-163 be adopted by consent.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-141 - APPOINTMENT OF MICHAEL MOSCA AS MUNICIPAL COURT JUDGE**

WHEREAS, Mary Siracusa has tendered her resignation as Municipal Court Judge effective August 1, 2016; and

WHEREAS, the Ventnor City Board of Commissioners is desirous of appointing Michael Mosca as Judge of the Municipal Court; and

WHEREAS, pursuant to NJSA 2B:12-4, any appointment to fill a vacancy not caused by the expiration of term shall be made for the unexpired term only.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that Michael Mosca is herein and hereby appointed as the Municipal Court Judge of the City of Ventnor City to fill the unexpired term of Mary Siracusa effective immediately to March 7, 2017.

Comr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-142 - APPROVE 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 Robert & Riki-Lin Petracci for the newly constructed residential dwelling known as Block 54, Lot 6, C01; and

WHEREAS, application for such tax exemption has been filed by Yvette D Cooper & Craig J Weiss for the newly constructed residential dwelling known as Block 54, Lot 6, C02; and

WHEREAS, application for such tax exemption has been filed by Patricia & Kathleen Costello for the newly constructed residential dwelling known as Block 217, Lot 15.02; 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:21-1 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	Address
Robert & Riki-Lin Petracci	54/6 C01	25 S Little Rock Ave
Yvette D Cooper & Craig J Weiss	54/6 C02	25 S Little Rock Ave
Patricia & Kathleen Costello	217/15.02	300 N Derby Ave

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-143 - APPROVE CHANGE ORDER #3, 2015 ROAD PROGRAM**

WHEREAS, the City of Ventnor City did award a contract for the “2015 Road Program” and did enter into a contract with L. Feriozzi Concrete Co. in the amount of \$1,189,353.50; and

WHEREAS, during performance of the project, the contract required adjustments in quantity amounts and by Change Orders #1 and 2 the contract price was adjusted to \$1,218,653.50; 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 “2015 Road Program” be amended to \$1,014,260.90 for a net adjustment of \$204,392.60.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-144 - AUTHORIZE ON LINE AUCTION OF FIRE TRUCK**

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 Clerk’s Office.

(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) The surplus property to be sold is one:  
1999 American LaFrance 100' Ladder Truck VIN # 4Z36ESEB2XRB43577

(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.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-145 - AUTHORIZE CERTAIN CLOSURES & NO PARKING ENFORCEMENT DURING 9.18.16 IRONMAN EVENT**

WHEREAS, on Sunday, September 18, 2016 the Ironman event will take place through Ventnor City; and

WHEREAS, in order to insure the safety of the competitors, event staff and volunteers as well as the general public, certain closures and no parking enforcement are necessary.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City, County of Atlantic, the following closures and no parking enforcement will be in effect on Sunday, September 18, 2016 from 6:00am until 5:00pm:

(1) No bicycle riding shall be permitted on the Boardwalk.

(2) The Fishing Pier shall be closed to the Public.

(3) No Parking on both sides of the Beach blocks of Suffolk and Somerset Avenues and the South side of Atlantic Avenue between Suffolk and Somerset Avenues.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

September 15, 2016

**RESOLUTION 2016-146 - DEDICATING PORTION OF SUFFOLK AVE AT THE BEACH IN MEMORY OF BILL HOWARTH**

WHEREAS, William (Bill) Howarth was a lifelong resident of Ventnor City; and

WHEREAS, Bill Howarth dedicated himself to the service of others as a 25-year retired Ventnor firefighter and a 49-year member and captain of the Ventnor City Beach Patrol; and

WHEREAS, Bill Howarth was also the longtime swim coach, a state championship swimmer and Atlantic City High School Hall of Famer; and

WHEREAS, Bill, a champion of life, was a true family man who always put his family first; and

WHEREAS, Bill taught his girls to slow down, relax, have fun, and stay close to God, "Stay the Course", a motto that has been shared throughout the swimming/lifeguard community; and

WHEREAS, the City of Ventnor wishes to honor the memory of Bill Howarth by dedicating the portion of Suffolk Avenue at the beach, located near Beach Patrol Headquarters, to him.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the portion of Suffolk Ave at the beach is herein and hereby dedicated to William (Bill) Howarth in memory of his commitment to the City of Ventnor City and its residents.

BE IT FURTHER RESOLVED that a street sign be installed naming the portion of Suffolk Ave at the beach "Capt. Bill "Fish" Howarth Way"

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-147 - AUTHORIZE PARTICIPATION IN CDBG NON-FEDERAL COST SHARE PROGRAM**

WHEREAS, the City of Ventnor City desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$121,901.57 to carry out a project to:

Debris Removal (Category A) \$105,389.56  
Emergency Protective Measures (Category B) \$16,512.01

THEREFORE, BE IT RESOLVED,

- 1) that the Board of Commissioners of the City of Ventnor City does hereby authorize the application for such a grant; and
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Ventnor City and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-148 – AUTHORIZE EMERGENCY ELECTRICAL REPAIR ON VOLLEYBALL COURTS**

WHEREAS, on July 20, 2016 an electrical wire was broken while Public Works was digging on the volleyball courts; and

WHEREAS, since the children's recreational program was using this area and volleyball games were scheduled for that night it was emergent to have the electrical wire fixed immediately; and

WHEREAS, the Sam Horn Electrical Contractor, Inc responded to this emergency and repaired said wire.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it Sam Horn Electrical Contractor, Inc, 102 N Dorset Ave., Ventnor, NJ 08406 is hereby authorized to perform said emergency repair.

BE IT FURTHER RESOLVED that said emergency repair shall not exceed \$1,164.10.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-149 - AUTHORIZE EMERGENCY SEWER JETTING AT FISHING PIER**

WHEREAS, on June 19, 2016 a sewer stoppage occurred on the Fishing Pier thus causing an emergent situation involving the health and welfare of the public; and

WHEREAS, in an attempt to remediate the problem it was necessary to contact Thomas Byrd for jetting of the sewer line; and

September 15, 2016

WHEREAS, the stoppage could not be cleared and on June 21, 2016 Lafayette Utility Construction Co was call upon to open the manhole so Thomas Byrd could jet out the manhole and sewer main; and

WHEREAS, upon further investigation it was found that the sewer main was collapsed with several uneven sections of pipe which necessitated the replacement of approximately 20 feet of sewer line; and

WHEREAS, Thomas Byrd was again called to jet the manhole up to the bathroom on the pier thus clearing the line.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it Thomas Byrd, 1325 Mays Landing Rd., Egg Harbor Township, NJ 08234 is hereby authorized to perform said emergency repair.

BE IT FURTHER RESOLVED that said emergency repair shall not exceed \$6,553.00.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-150 - AUTHORIZE INTERLOCAL AGREEMENT WITH ATLANTIC COUNTY TO IMPLEMENT NJDOT TRANSPORTATION ALTERNATIVES PROGRAM GRANT**

WHEREAS, by Resolution No. 128 of 2016 the City of Ventnor opted to participate in the NJDOT Transportation Alternatives Program Grant for bike racks and is expected to be allocated \$275,000 to be split equally between Ventnor and Margate; and

WHEREAS, since Atlantic County is already approved by the State to receive federal funds and since this is a shared gran, the County has agreed to be the project sponsor; and

WHEREAS, in order to accept this sponsorship, the City of Ventnor must enter into an interlocal service agreement with Atlantic County; and

WHEREAS, the City desires to enter into such agreement with Atlantic County.

NOW, THEREFORE, BE IT RESOLVED that the Ventnor City Board of Commissioners herein authorizes an interlocal agreement with Atlantic County for the purpose of sponsoring the NJDOT Transportation Alternatives Program Grant on behalf of the City of Ventnor City.

BE IT FURTHER RESOVLVED that the Mayor and City Clerk are authorized to sign the Partnership Agreement on behalf of the City of Ventnor City.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-151 - APPROVE CHANGE ORDER, INSTALLATION OF BULKHEAD AT VGP PUMP STATION**

WHEREAS, the City of Ventnor City did award a contract for the "Bulkhead Installations at Ventnor Gardens Plaza" and did enter into a contract with Walters Marine Construction in the amount of \$277,890.00; 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 "Bulkhead Installations at Ventnor Gardens Plaza" be amended to \$270,320.00 for a net adjustment of \$7,570.00.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-152 - AWARD CONTRACT FOR CITY HALL WATER PROOFING**

WHEREAS, the Municipal Clerk of the City of Ventnor City received and opened on Wednesday, September 7, 2016 at 11:00 AM in her Office two (2) Proposal for the Waterproofing Repairs to the Municipal Building; and

WHEREAS, the proposals have been reviewed for completeness by the City Engineer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter awards a Contract for the Waterproofing Repairs to the Municipal Building to Coastal Land Contractors, Inc of Pittsgrove, NJ in the Amount of \$545,501.00.

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

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-153 – CONFIRM SALE OF 113 N NEWPORT TO CONTIGUOUS OWNER**

WHEREAS, Ordinance No. 2016-10 was previously adopted by the Commission of the City of Ventnor authorizing the placement for sale by auction of certain lands described in said Resolution and pursuant to the conditions as contained therein; and

WHEREAS, the appropriate notice of public sale was published and posted as required by law; and

WHEREAS, a single bid in the amount of Six Thousand Five Hundred Dollars (\$6,500) plus all publication costs was submitted by Jared K. Levy.

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

1. Property commonly known as 113 North Newport Avenue in the City of Ventnor, County of Atlantic and State of New Jersey and also described as Lot 15 in Block 169 as shown on the Tax Map of the City of Ventnor shall be sold to Jared K. Levy.
2. The sale price shall be Six Thousand Five Hundred Dollars (\$6,500) plus all advertising costs incurred by the City of Ventnor.
3. Any and all conditions as contained in this Resolution, Ordinance No. 2016-10 and the advertisement of sale are specifically incorporated herein by this reference and must be complied with by the purchaser as a condition of this sale. Any such restrictions imposed are to run with the land in perpetuity.
4. The City of Ventnor and any of its officials, employees or agents make absolutely no representation concerning the property to be sold. The property shall be transferred via a Quit Claim Deed and is purchased in an "as is" "where is" condition. The purchaser is, and was, responsible for performing due diligence and addressing any and all questions concerning the property prior to placing a bid for the same.
5. The purchase price must be paid in full at the time of settlement. Settlement shall occur at a mutually agreeable time and place as agreed to by the parties after the adoption of this Resolution.
6. By accepting the Quit Claim Deed to the property, the purchaser releases any and all officers, officials, employees or agents of the City of Ventnor and holds the same harmless regarding the sale, the property or anything of any nature connected therewith.
7. This Resolution shall take effect immediately.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
 Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-154 - CLOSE ZONING/PLANNING 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>
Kimberly Wnuk	121 N Martindale	\$1,135.00
Peter Martin	103 S Fredericksberg	\$ 43.75
Anthony Gaetano	21 S Lafayette	\$ 316.25
Monir Uzzman	108 N New Haven	\$ 45.00
Davila Guilermo	114 N Baltimore	\$ 112.50
Martinburg Group	111 S Fredericksberg	\$ 405.00
John Cahill	315 N Cambridge	\$ 0.00
Joseph Calvi Jr	317 N Cambridge	\$1,182.50
Domenick Catrambone	808 N Cambridge	\$ 75.00
Eileen Conran	24 N Austin	\$ 0.00
Robert Leib	11 S Fredericksburg	\$ 365.00

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
 Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-155 - AUTHORIZE RELEASE OF PERFORMANCE GUARANTEE (THE WAVES)**

WHEREAS, The Waves LP and Firstrust Bank signed a Financial Security Agreement with the City of Ventnor City in the amount of \$290,628.00 for site inspections at the property known as 111 S Little Rock Ave 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 Financial Security Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it herein and hereby authorizes the release of the \$290,628.00 Financial Security Agreement for improvements at the site known as 111 S Little Rock Ave.

BE IT FRUTHER RESOLVED that as a condition of said release The Waves shall post a two (2) year maintenance guarantee in the amount of \$43,519.75 pursuant to the Municipal Land Use Law Chapter 291 Section C.40:55D-53.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
 Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

September 15, 2016

**RESOLUTION 2016-156 - ACCEPTING RESIGNATION OF THOMAS RUSSO, ADMINISTRATOR**

WHEREAS, on June 15, 2012 Thomas Russo was appointed Municipal Administrator for the City of Ventnor; and

WHEREAS, Thomas Russo has tendered his resignation from his position as Municipal Administrator effective September 30, 2016; and

NOW, THEREFORE, BE IT RESOLVED by The Board of Commissioners of the City of Ventnor City by this Resolution the City of Ventnor accepts said resignation effective September 30, 2016.

BE IT SO RESOLVED.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-157 - APPOINTMENT OF MARIA MENTO AS TEMPORARY ACTING CITY ADMINISTRATOR/DEPUTY CLERK/MANAGEMENT CONSULTANT**

WHEREAS, by Resolution 2016-139 the City of Ventnor City entered into a contract with Jersey Professional Management Corp (JPM) for Management Consulting Services and Maria Mento for Temporary Acting Deputy City Administrator/Deputy Clerk & Management Consultant; and

WHEREAS, with the resignation of Thomas Russo from his position as Municipal Administrator the Board of Commissioners wishes to appoint Maria Mento as Temporary Acting City Administrator/Deputy Clerk and Management Consultant

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioner of the City of Ventnor City that it herein affirms the contract with Jersey Professional Management Corp.

BE IT FURTHER RESOLVED that Maria Mento will assume the duties as Temporary Acting City Administrator/Deputy Clerk & Management Consultant at the same rate of \$120 per hour (\$10 per hour on payroll and \$110 per hour on voucher).

BE IT FURTHER RESOLVED the Chief Financial Officer will certify funds as to the Professional Services portion of the Contract.

BE IT FURTHER RESOLVED the Chief Financial Officer is not required to certify funds for the \$10 per hour employee rate.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-158 - 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
Breakers Condos 5400 Boardwalk Ventnor, NJ 08406	8-16-16	9-11-16	\$100.00

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-159 - TAX REFUND, PAID IN ERROR**

WHEREAS, the 2015 4th quarter tax and 2016 1st quarter tax were paid by credit card in error on Block 46 Lot 2 C0251 4825 Atlantic Ave Ventnor, NJ assessed to Barbara Rak; and

WHEREAS, after an investigation, the credit card company FIS PO Box 4535 Carol Stream, IL 60197 has requested a refund of \$1615.88.

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

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

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.

Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-160 – AUTHORIZE 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.

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-161 - AWARD CONTRACT - BULKHEAD INSTALLATIONS, VARIOUS LOCATIONS**

WHEREAS, the Municipal Clerk of the City of Ventnor City received and opened on Tuesday, September 13, 2016 at 11:00 AM in her Office four (4) Proposals for the Installation of Bulkheads at Various Locations; and

WHEREAS, the proposals have been reviewed for completeness by the City Engineer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter awards a Contract for the the Installation of Bulkheads at Various Locations to R.A. Walters & Son, Inc of Cape May Court House, NJ for their Base Bid in the Amount of \$945,210.00.

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

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-162 - APPOINTMENT GRUCCIO PEPPER DESANTO & RUTH, PA AS LABOR COUNSEL FOR ALL PERSONNEL/LABOR ISSUES AND POLICE & FIRE NEGOTIATIONS**

WHEREAS, by Resolution No. 46 of 016, the City of Ventnor requested qualifications and proposals for Labor Attorney services for the City of Ventnor City; and

WHEREAS, the qualifications and proposal of interested applicants were reviewed and interviews conducted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter awards a Contract for Labor Counsel for all Personnel/Labor Issues and Police and Fire Negotiations to Gruccio Pepper DeSanto & Ruth, PA for a one year term effective immediately.

BE IT FURTHER RESOLVED that Gruccio Pepper DeSanto & Ruth, PA shall be compensated at the rate of \$150 per hour.

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

Cmr Landgraf moved, seconded by Mayor Holtzman the Resolution be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**RESOLUTION 2016-163 - APPOINTMENT OF SCHWARTZ, SIMON EDELSTEIN & CELSO, LLC AS LABOR COUNSEL FOR TEAMSTER CONTRACT NEGOTIATIONS**

WHEREAS, by Resolution No. 46 of 016, the City of Ventnor requested qualifications and proposals for Labor Attorney services for the City of Ventnor City; and

WHEREAS, the qualifications and proposal of interested applicants were reviewed and interviews conducted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter awards a Contract for Labor Counsel for Teamsters Contracts Negotiations to Schwartz Simon Edelstein & Celso, LLC for a one year term effective immediately.

BE IT FURTHER RESOLVED that Schwartz Simon Edelstein & Celso, LLC shall be compensated at the rate of \$160 per hour.

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

Cmr Landgraf moved, seconded by Mayor Holtzman Resolution No 75 of 2016 be adopted.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

September 15, 2016

**CONFIRMATION OF PLANNING BOARD APPOINTMENTS**

Cmr Landgraf moved, seconded by Mayor Holtzman the appointments of Dan Smith, III (replacing Greg Maiuro), Peter Tocco as Alternate #3 and Timothy Koob as Alternate #4 to the Planning Board be confirmed.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**APPROVAL OF BILLS & PAYROLLS**

The City Clerk read bills in the amount of \$5,559,701.40 and payrolls from 8.20.16 to 9.2.16 in the amount of \$591,056.15 and from 9.3.16 to 9.16.16 in the amount of \$560,698.54 for approval.

Mayor Holtzman moved, seconded by Cmr Landgraf the bills as read by the City Clerk and payrolls be approved.  
Roll Call Vote: Yeas: Commissioners Kriebel, Landgraf and Mayor Holtzman

**ANNOUNCEMENTS:**

CMR LANDGRAF referred to the following JIF Safety Committee Report: 1) The Safety Committee met on September 14. We reviewed 1 accident resulting in two claims: 1. auto liability (damage to other vehicle hit); 2. Property (damage to city vehicle). Upcoming events: 1. back bay cleanup (PW has 2 drop off locations for trash collected. 2. Ventnor Pirates Homecoming at Titus Field 3. Iron Man event. Also discussed: 1. City Hall Fire Extinguishers, locations and inspections; 2. need for a Fire Drill and evacuation procedures and signage; 3. training issues including Fire, Police and Public Works. Under the Wellness program, a recent "in House" health fair was well received. Lastly a reminder that Boiler and Machinery Inspections are to be completed by the Insurance Carrier, not the State (they charge). We will try to provide this notice to avoid confusion for future inspections.

**PRESENTATION OF PLAQUE TO THOMAS RUSSO (6-15 -12 to 9-30-16)**

Mayor Holtzman presented Administrator Thomas Russo with a plaque thanking him for his years of dedicated service, guidance, expertise and never ending compassion to the City of Ventnor and its residents.

**PUBLIC COMMENT**

HELEN OLIVE, 4919 Ventnor commented on the cleanliness of City Hall.

PRICILLA BEURET, 15 S Richards asked about 1) the hours dogs permitted on beach noting the large number of dogs seen on the beach since Labor Day and 2) whether maintaining the movie theater was being considered in the new Master Plan.

**SWEARING IN OF MICHAEL R. MOSCA AS MUNICIPAL COURT JUDGE**

With family and friends looking on and his wife Ivelisse holding the bible, the Honorable Mary Siracusa administered the Oath of Office to Michael R. Mosca. Judge Mosca's mother Dolores then presented him with his judicial robe.

**7:01PM MEETING ADJOURNED**

There being no further business to conduct and no one further wishing to speak, Mayor Holtzman moved, seconded by Cmr Kriebel the meeting be adjourned.