



Ventnor City Board of Commissioners

*Mayor Theresa Kelly
Commissioner Stephen Weintrob
Commissioner John Piatt*

~ 2009 ~

*Commission Meetings
Minutes*

Explanation of Contents:

Our 3rd website volume of the Official Minutes of the Ventnor City Board of Commissioners commences with the Commission Meeting of January 15th, 2009. 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.

After an Ordinance has been introduced, it will appear in the
2009 Index of Ordinances Pending & Adopted

The date scheduled for the Public Hearing can be found at the end of the Ordinance.

After it is adopted, the date will be shown.

You are always welcome to visit your City Clerk's Office in person or phone (609) 823-7904.

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

*Janice K. Callaghan, RMC
Deputy City Clerk*

Office of the City Clerk

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

Business Hours:

Monday – Friday
8:30am-4:00pm

The Regular Meeting of the Ventnor City Board of Commissioners was called to order in the Commission Chambers, City Hall on January 15, 2009 at 7:00 PM followed by the Pledge of Allegiance.

Present: Commissioners Piatt, Weintrob and Mayor Kelly

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

The minutes of the December 18, 2009 Regular Meeting were approved as written. (Oral reading waived)

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

INTRODUCTION OF ORDINANCE 2009-01

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

Cmr Piatt moved, seconded by Cmr Weintrob that Ordinance 2009-01 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

PUBLIC INPUT OR QUESTIONS FOR ANY AGENDA ITEM UNDER CONSENT

Mayor Kelly asked if anyone from the public had any questions on Resolutions #001 thru 008 before their adoption by Consent Agenda.

MOTION FOR CONSENT AGENDA

There being no one further from the public wishing to speak, Cmr Piatt moved, seconded by Cmr Weintrob that Res Nos. 001 thru 008 be adopted by consent.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 001 OF 2009 - URGING NJ LEGISLATURE TO SUPPORT MUNICIPAL REVENUE RESTORATION ACT OF 2009

WHEREAS, all New Jersey businesses pay local taxes on their real property, the New Jersey personal property tax is paid by a handful of petroleum refineries and only three local exchange telecommunications companies - Verizon, Embarg and Warwick Valley - that provide 51% or more of the telephone/voice service in a particular community; and

WHEREAS, due to increased competition and strained market conditions, the cost of communications property has steadily declined over the years and is no longer a stable tax base that NJ municipalities can depend on; and

WHEREAS, fewer providers are meeting the 51% threshold, causing municipal revenues collectively to experience an aggregate loss of \$440 million since 1997; and

WHEREAS, estimates project at least 50 New Jersey municipalities will lose their personal property tax funding by 2009, a number that could grow to 150 within the next year; and

WHEREAS, the Municipal Revenue Restoration Act proposes to replace the current funding system with an expanding sales already applicable to telecommunications services and digital goods sold by communications companies by simply including video services; and

WHEREAS, the approach would ensure that all video service providers within a market that offer the same "product" are taxed at the same rate; and

WHEREAS, the proposal would reverse the declining municipal tax revenue trend by replacing current laws with an equitable and stable funding system tied to the growing use of video services in our state; and

WHEREAS, municipalities and their residents have a significant special interest in preserving a steady and stable funding source.

NOW, THEREFORE, BE IT RESOLVED that the Ventnor City Board of Commissioners urges the NJ Legislature, to support and enact the Municipal Revenue Restoration Act of 2008.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Governor Jon S. Corzine, Senate President Richard Codey, House Speaker Joseph Roberts, Senate Majority Leader Shirley Turner, House Majority Leader Bonnie Watson Coleman, Senate Minority Leader Tom Kean, House Minority Leader Alex DeCroce and members of the Legislature's Senate Budget and Appropriations Committee.

Cmr Piatt moved, seconded by Cmr Weintrob that Resolution No. 001 of 2009

be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 002 OF 2009 - APPOINTMENT OF JIF FUND COMMISSIONER

WHEREAS, the City of Ventnor City is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as the FUND; and

WHEREAS, the Bylaws of the FUND require that in the manner generally prescribed by law, each member shall appoint one (1) Fund Commissioner to the FUND. Each Fund Commissioner shall be either a member of the local unit's governing body or one of its employees and that no individual may serve as Fund Commissioner for more than one (1) member; and

WHEREAS, NJAC 11:15-2.6 states that a Fund Commissioner who is a member of the appointing local unit's governing body, shall hold office for two years or for the remainder of his/her term of office as a member of the local unit's governing body, whichever shall be less; and

WHEREAS, NJAC 11-15-2.6 states that a Fund Commissioner who is any employee of the appointing authority shall hold office at the pleasure of the member and can be removed by the member at any time without cause; and

WHEREAS, the City of Ventnor City recommends the appointment of Sandra M. Biagi to serve as Fund Commissioner in accordance with the FUND Bylaw.

NOW, THEREFORE, BE IT RESOLVED by the Ventnor City Board of Commissioners that it does hereby appoint Sandra M. Biagi as Fund Commissioner to the Atlantic County Municipal Joint Insurance Fund.

Cmr Piatt moved, seconded by Cmr Weintrob that Resolution No. 002 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 003 OF 2009 - SUPPORTING A3522, SUSPENDING MUNICIPAL OBLIGATION TO CREATE AFFORDABLE HOUSING UNITS UNTIL ECONOMIC CONDITIONS IMPROVE

WHEREAS, New Jersey's Council on Affordable Housing regulations known as the Fair Housing Act of 1985 were originally borne out of litigation commonly known as the Mount Laurel decisions of 1975 and 1983; and

WHEREAS, many municipalities have struggled to implement their Fair Housing Standards and meet their affordable housing obligations; and

WHEREAS, many municipalities have incurred large legal fees to defend litigation known as a "Builder's Remedy" by individuals and residential developers seeking to force compliance; and

WHEREAS, in the intervening years between 1975 and 2008 a lack of uniformity, interpretation and guidance have hampered realistic opportunity to comply with the Fair Housing Act and corresponding standards; and

WHEREAS, New Jersey remains the most densely populated state in the country, has accumulated a large amount of inventories of unsold newly-constructed homes, experienced sales of existing homes that have declined to a record low and seen housing prices plummet throughout the State; and

WHEREAS, the housing industry and New Jersey's municipalities need amply opportunity to recover from the shortage in the availability of mortgage funds and time to adjust to the affordable housing policies of the State on an interim basis until the housing market and current economic conditions start to reverse,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Ventnor City, Atlantic County, New Jersey hereby supports Assembly Bill 3522 entitle "An Act Concerning the Production of Affordable Housing in an Economic Turndown (and supplementing PL 1985)".

Which, in short, will permit:

- 1) the calculations for housing obligations under the Fair Hosing Act to be deemed to be advisory only
- 2) the regulations of the Fair Housing Council shall be deemed advisory
- 3) the non-residential development fee shall not be collected
- 4) require the Council on Affordable Housing to undertake various actions, including but not limited to, a vacant land survey, conduct public meetings, study other states and make recommendations to streamline regulations and review demographics to analyze appropriateness of a municipality's fair share obligation

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to Governor Jon Corzine, Assemblymen John Amodio and Vincent Polistina, Senator James Whelan, Senate President Richard J. Codey (449 Mt.

January 15, 2009

Pleasant Ave., West Orange, NJ 07052) and Speaker of the Assembly Joseph J. Roberts, Jr. (Rt 130 and Browning Rd., Brooklawn, NJ 08030)

Cmr Piatt moved, seconded by Cmr Weintrob that Resolution No. 003 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 004 OF 2009 - TRANSFER TAX CREDITS FROM 2008 TO 2009

WHEREAS, the 2008 tax on certain properties were overpaid as follows:

<u>BLK/LOT</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT</u>	<u>REASON</u>
175/26	Thomas	110 N Avolyn Ave	\$28.93	Homestead Rebate
5/1 C1001	Somers/Cacallori	5000 Boardwalk	\$2,190.89	Mispsted payment

WHEREAS, these credits should be applied to their 2009 tax.

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

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

Cmr Piatt moved, seconded by Cmr Weintrob that Resolution No. 004 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 005 OF 2009 - REFUND OF TAX OVERPAYMENTS

WHEREAS, the 2007 tax on Block 215, Lot 3.02 assessed to Dorset Ave Assoc c/o Saul Assoc, 115 Old York Road, Jenkintown, PA 19046 and known as 315 N Dorset Ave, Ventnor, NJ was overpaid in the amount of \$4.77 due to a State Tax Appeal; and

WHEREAS, the 2008 tax on Block 215, Lot 2.01 assessed to Dorset Ave Assoc c/o Saul Assoc, 115 Old York Road, Jenkintown, PA 19046 and known as 305 N Dorset Ave, Ventnor, NJ was overpaid in the amount of \$1,771.14 due to a State Tax Appeal; and

WHEREAS, the 2008 tax on Block 215, Lot 3.01 assessed to Dorset Ave Assoc c/o Saul Assoc, 115 Old York Road, Jenkintown, PA 19046 and known as 313 N Dorset Ave, Ventnor, NJ was overpaid in the amount of \$1,328.35 due to a State Tax Appeal; and

WHEREAS, Dorset Ave Assoc would like refunds in the above amounts sent to them.

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

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

Cmr Piatt moved, seconded by Cmr Weintrob that Resolution No. 005 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 006 OF 2009 - NAMING CONTACT PERSON FOR EMPLOYMENT PRACTICES LIABILITY ATTORNEY CONSULTATION SERVICE (JIF)

WHEREAS, the Governing Body of the City of Ventnor City hereinafter referred to as "MUNICIPALITY", is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as "FUND"; and

WHEREAS, the FUND has adopted a policy authorizing the Employment Practices Liability Attorney Consultation Service; and

WHEREAS, the FUND has budgeted an annual allowance per member for EPL consulting services; and

WHEREAS, the FUND requires the MUNICIPALITY to designate specific managerial or supervisory individuals who will have telephone access to the EPL Hotline; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Ventnor

City does hereby appoint Sandra M. Biagi as its Contact Person.

BE IT FURTHER RESOLVED that the governing body does hereby appoint James Goos as additional Contact Persons.

Comr Piatt moved, seconded by Comr Weintrob that Resolution No. 006 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 007 OF 2009 - REAPPOINTMENT OF JERRY STEINER AS PUBLIC DEFENDER

WHEREAS, JERRY STEINER, ESQ. is presently serving in the position of Public Defender for the City of Ventnor City; and

WHEREAS, the Ventnor City Board of Commissioners is desirous of reappointing JERRY STEINER, ESQ. to serve as Public Defender for a one year term beginning January 1, 2009; 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 JERRY STEINER, ESQ. is herein and hereby appointed Public Defender for the City of Ventnor City for a one year term effective January 1, 2009.

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.

Comr Piatt moved, seconded by Comr Weintrob that Resolution No. 007 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 008 OF 2009 - APPROVAL OF PLANS & SPECS, REPAIR OF WEST CANAL PUMP STATION

WHEREAS, the City of Ventnor City is desirous of receiving bids for the 2009 REPLACEMENT OF SEWER MAIN SIPHON - WEST CANAL CROSSING Fulton Avenue-Harvard Avenue Intersection to West Canal Pumping Station in the City of Ventnor City; and

WHEREAS, Project Plans and Specifications are currently being prepared by the Municipal Engineer will be on file with the Municipal Clerk on January 26, 2009.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter authorizes the Municipal Clerk to advertise for bids in the January 26, 2009 edition of the Atlantic City Press, with bids to be received on February 24, 2009 at 10:00 A.M., prevailing time, in the Municipal Clerk's Office, Room 5, City Hall in the City of Ventnor City, New Jersey; and

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

Comr Piatt moved, seconded by Comr Weintrob that Resolution No. 008 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

APPROVAL OF RAFFLE LICENSE #356, CONGREGATION BETH JUDAH

Comr Weintrob moved, seconded by Comr Piatt that Raffle License #356 for Congregation Beth Judah be approved.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

APPROVAL OF BILLS & PAYROLLS

The City Clerk read bills in the amount of \$1,810,203.77 and payroll from 12/20/08 through 1/9/09 in the amount of \$412,718.23 and from 1/3/09 to 1/16/09 in the amount of \$429,899.17 for approval.

Comr Piatt moved, seconded by Comr Weintrob that the bills and payrolls be approved.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

APPOINTMENTS

Mayor Kelly announced the reappointment of JOHN SANTORO to the Planning Board for a 2 year term effective 11-22-08 to 11-22-10.

ANNOUNCEMENTS

MAYOR KELLY announced that January was "Radon Action Month" and February 6th was "National Wear Red Day For Women".

CMR WEINTROB announced that at the reorganization meeting of the Recreation Bd DEBBIE BEIRNE was chosen President, LORI NOLAN, Vice President and JAN SARNESE, Treas. The Commissioner wished them good luck in the coming year.

PUBLIC REMARKS

TIM KREISCHER 117 N Somerset asked if anyone rechecked \$100 vs.\$60 beach fee per home he had questioned at the last month meeting. CMR WEINTROB affirmed he had. MR KREISCHER asked CMR PIATT to have the new CFO confirm the figure. MR KREISCHER inquired as to when the City would be refinancing our bonds to take advantage of the low interest rates. CMR PIATT responded the City has already opened discussions with bond counsel, using the same counsel as the prior administration and will follow their guidance as to proper timing.

CASSANDRA SHOBER, 210 N Newark reported the City was missing heavy metal grates bought to use at the base of trees throughout the city but were not used because they were overlarge. One volunteer, Rich Bobb, said the metal workers union could downsize them & offered to get it done. When employees from PW went to get them, they were gone. An online estimate valued the grates @\$1,000 each. A police investigation began yesterday when the report was filed. CMR WEINTROB offered his timeline of how/when the theft might have occurred, i.e. the movement of the grates from City Yard to the golf range area, etc. He agreed with MS SHOBER that antitheft controls must be put in place to secure the City's lumber, metal scrap, etc. and accurate tracking/accounting must be provided for all items stockpiled along with the selling of items no longer needed/used to help reclaim proper storage space back at City Yard.

MICHAEL ADVENA 6410 Monmouth familiar with the layout of the Public Works complex said the vehicle storage area w/25' ceiling has an entire wall where stuff is piled on the floor and that better utilization of space could be accomplished by using pallet racking or shelves to free up the ground area. Being enclosed, the security issue becomes evident. Better organization of storage in/about the driving range building would also provide secure space. He expressed that in a small shop such as he has, the use of pallet rackets affords increased space for a good price when buying them at auction. The Commissioners agreed his suggestions were good and would look into them tomorrow.

7:23PM: CONCLUSION OF REGULAR MEETING - RETIREMENT TO EXECUTIVE SESSION

There being no one further from the public wishing to be heard and having no other business to transact, MAYOR KELLY announced the public portion of the meeting concluded and that the Commissioners were going into Executive Session. The MAYOR read the following statement:

The New Jersey Open Public Meetings Act permits the discussion of certain matters within an 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 interests will no longer be served by keeping such matters confidential. The matters to be discussed are:

An investigation that led to penalties, i.e. the resolution of the building at 5008 Ventnor Avenue; potential litigation; a contract and attorney-client privilege.

Cmr Piatt moved, seconded by Cmr Weintrob, that the Commission go into Executive Session.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

EXECUTIVE SESSION CONCLUDED - RETURN TO COMMISSION MEETING - 7:58PM

The business discussed in Executive Session was concluded at 7:58PM and the Board of Commissioners returned to the Commission Meeting.

Solicitor Maguire reported that in Executive Session two matters were discussed. One concerned 5008 Ventnor, which dealt primarily with administrative penalties assessed after investigation. The second matter discussed was attorney client privilege and also potential litigation regarding the resolution to the ongoing saga at the Library with the boilers.

January 15, 2009

MEETING ADJOURNED: 7:59PM

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

The Regular Meeting of the Ventnor City Board of Commissioners was called to order in the Commission Chambers, City Hall on February 19, 2009 at 7:00 PM followed by the Pledge of Allegiance by Ventnor Cub Scout Pack 275 and Boy Scout Troop 275.

Present: Commissioners Piatt, Weintrob and Mayor Kelly

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

The minutes of the January 15, 2009 Regular Meeting were approved as written. (Oral reading waived)

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

PUBLIC HEARING ON VC FLOODPLAIN MANAGEMENT PLAN 2008 UPDATE

The City Clerk announced the Public Hearing of the VC Floodplain Management Plan 2008 Update and asked if anyone from the public had any questions, comments or suggestions. There being none, the Public Hearing was closed.

2nd READING (PUBLIC HEARING) OF ORDINANCE 2009-01

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

The City Clerk read the Public Notice on Ordinance 2009-01 after which Mayor Kelly announced the Public Hearing was open and anyone could be heard speaking for or against the Ordinance.

JOHN SPALDING, 4 N Melbourne asked if he could continue using recycling tubs for dumping his yard waste or if only these bags could be used.

CITY CLERK BIAGI explained that dumping yard waste directly into the can was acceptable but if any bags are used, only **biodegradable** bags are permitted.

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

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RECEIPT & FILING OF SUPPLEMENTAL DEBT STATEMENT PREPARED AS OF 2-19-09

The City Clerk reported that she was in receipt of the Supplemental Debt Statement prepared as of 2-19-09.

CMR PIATT explained the purpose of Annual & Supplemental Debt Statements.

Cmr Piatt moved, seconded by Cmr Weintrob the Supplemental Debt Statement be received and filed according to law.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

INTRODUCTION OF ORDINANCE 2009-02

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

Cmr Piatt moved, seconded by Cmr Weintrob that Ordinance 2009-02 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

INTRODUCTION OF ORDINANCE 2009-03

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

Mayor Kelly moved, seconded by Cmr Piatt that Ordinance 2009-03 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

INTRODUCTION OF ORDINANCE 2009-04

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

Cmr Piatt moved, seconded by Mayor Kelly that Ordinance 2009-04 be introduced.

Roll Call Vote:

Yeas: Commissioner Piatt and Mayor Kelly

Abstained: Commissioner Weintrob

INTRODUCTION OF ORDINANCE 2009-05

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 102 -
DEVELOPMENTAL REGULATIONS OF THE CODE OF THE CITY OF VENTNOR
CITY AS IT RELATES TO THE R-7 ZONING DISTRICT

Cmr Weintrob moved, seconded by Cmr Piatt that Ordinance 2009-05 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

INTRODUCTION OF ORDINANCE 2009-06

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

Cmr Weintrob moved, seconded by Cmr Piatt that Ordinance 2009-06 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

INTRODUCTION OF ORDINANCE 2009-07

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

Cmr Piatt moved, seconded by Cmr Weintrob that Ordinance 2009-07 be introduced.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

FINAL READING & ADOPTION OF ORDINANCE 2009-01

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

Mayor Kelly moved, seconded by Cmr Piatt that Ordinance 2009-06 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

PUBLIC INPUT OR QUESTIONS FOR ANY AGENDA ITEM UNDER CONSENT

Mayor Kelly asked if anyone from the public had any questions on the following
Resolutions Nos 09 thru 21 of 2009, before adoption by Consent Agenda.

CMR PIATT explained that Ordinance 2009-07 amends Bond Ordinance 2002-03 to modify
certain line items to allow \$11,936.94 to complete the \$511,936.94 payment to NJDEP
for the Ventnor City Beachfill Project memorialized in Resolution 17 of 2009.

MOTION FOR CONSENT AGENDA

There being no one from the public wishing to speak, Cmr Weintrob moved, seconded by
Cmr Piatt that Resolution Nos 09 thru 21, 2009 be adopted by consent.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 09 OF 2009 - ADOPTION OF FLOODPLAIN MANAGEMENT PLAN

WHEREAS, the National Flood Insurance Program has successfully encouraged
communities throughout the country to enact and encourage and enforce floodplain
regulations; and

WHEREAS, in order to encourage communities to do more than enforce minimum
regulatory standards, the Federal Insurance Administration has implemented a
Community Rating system; and

WHEREAS, the Community Rating System provides incentives for communities to take
additional actions to reduce flood damage by increasing public awareness, by
identifying potential flood hazards, and by engaging in additional flood mitigation
activities; and

WHEREAS, the Community Rating system provides incentives by allowing for reduced
flood insurance premiums to property owners in participating communities, sometime
reducing premiums by 45%; and

WHEREAS, the system requires the participants to submit information describing the
activities that the community is undertaking to promote public awareness, to

identify flood hazards and to mitigate flood damage and further requires the participants to submit plans for future activities to promote these goals; and

WHEREAS, the City of Ventnor has actively participated in efforts to reduce flood losses within the City, having joined the National Flood Insurance Program in 1978; and

WHEREAS, the Commissioners of the City of Ventnor have reviewed the proposed plan and concurs with the City's Emergency Management recommendations; and

WHEREAS, the City of Ventnor held a public hearing on February 19, 2009 on the Proposed Floodplain Management Plan and Repetitive Loss Plan.

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

Section 1: that the City of Ventnor hereby adopted the Floodplain Management Plan and Repetitive Loss Plan attached hereto as Exhibit "A" and the administration is directed to submit it to the Federal Insurance Administration.

Section 2: This Resolution shall take effect immediately from and after its passage by the Ventnor City Board of Commissioners.

Cmr Weintrob moved, seconded by Cmr Piatt that Resolution No. 09 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO 10 OF 2009 - AUTHORIZING SUBMISSION OF APPLICATION TO NJ LOCAL FINANCE BOARD

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF VENTNOR CITY, COUNTY OF ATLANTIC, NEW JERSEY AUTHORIZING THE PREPARATION AND SUBMISSION OF AN APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51 et. seq.

BACKGROUND

WHEREAS, the City of Ventnor City, County of Atlantic, New Jersey ("City"), desires to make application to the New Jersey Local Finance Board seeking its approval for the adoption by the City of a refunding bond ordinance authorizing the issuance of general obligation refunding bonds of the City in the aggregate principal amount of up to \$4,500,000; and

WHEREAS, the City believes:

- (a) it is in the public interest to accomplish such purpose
- (b) said purpose or improvements are for health, welfare, convenience or betterment of the inhabitants of the City
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the City and will not create an undue financial burden to be placed upon the City.

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

Section 1. The application to the Local Finance Board is hereby approved, and the City's Bond Counsel, Solicitor and Auditor, along with other representatives of the City, are hereby authorized to prepare such application and to represent the City in matters pertaining thereto.

Section 2. A copy of this resolution shall be prepared and filed with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey law.

**STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
LOCAL FINANCE BOARD
APPLICATION CERTIFICATION**

APPLICANT'S NAME: City of Ventnor City, County of Atlantic, New Jersey ("City")

I, Sandra M. Biagi, Clerk of the City

DO HEREBY DECLARE:

That the documents submitted herewith and the statements herein are true to the best of my knowledge and belief; and

That this application was considered and its submission to the Local Finance board approved by the governing body of the City on February 19, 2009; and

That the governing body of the City has notified each participating local unit of its submission of this application to the Local Finance board and has made available to each, a true copy of this application.

Cmr Weintrob moved, seconded by Cmr Piatt that Resolution No. 10 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 11 OF 2009 - AUTHORIZING CHANGING WATER/SEWER BILLING SCHEDULE TO MARCH AND SEPTEMBER

WHEREAS, presently the Ventnor City Water and Sewer Utility sends out the water/sewer bills on a biannual basis in June and September; and

WHEREAS, the Ventnor City Board of Commissioners wishes to change the billing schedule to March and September.

NOW, THEREFORE, BE IT RESOLVED by the Ventnor City Board of Commissioners that the Water and Sewer Utility billing department is herein and hereby authorized to change the water/sewer billing schedule to March and September.

Cmr Weintrob moved, seconded by Cmr Piatt that Resolution No. 11 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 12 OF 2009 - SUPPORTING REQUEST BY MCCULLOUGH FAMILY FOR SIGN TO BE PLACED AT VIP LOUNGE IN BOARDWALK HALL HONORING MARIE MCCULLOUGH

WHEREAS, the Board of Commissioners of the City of Ventnor City wishes to support the honoring of Marie McCullough commemorating, the 79th Anniversary of the opening dedication of Boardwalk Hall and the 25th Anniversary of the passing of Marie McCullough; and

WHEREAS, Mrs. McCullough's great grandfathers family, the Antonio Ruffu's were the first Italian settlers in Atlantic City in 1876; and

WHEREAS, her grandfather, Anthony M. Ruffu, was Mayor of Atlantic City when the Atlantic City Boardwalk Hall was dedicated on January 31, 1929; and

WHEREAS, on February 7, 1975, Senator Frank "Hap" Farley and the Atlantic City Convention Hall Advisory Commission renamed the Musicians Balcony located in the Boardwalk Hall the Marie McCullough VIP Lounge and Senator William Gormley rededicated the lounge in her name following the renovation of the Hall on September 4, 2001; and

WHEREAS, the family and several local elected officials are requesting to have Marie McCullough honored by installing a sign located over the entrance of the Marie McCullough VIP Lounge; and

WHEREAS, the Schultz Hill Foundation has donated the sign and the Carpenters Union has volunteered to install the sign at no charge to the Atlantic City Convention and Visitors Authority; and

WHEREAS, New Jersey State elected officials and Atlantic County elected officials have requested and endorsed the installation of the sign including her son, Senator James McCullough, Assemblyman Vince Polistina, Assemblyman John Amodeo, County Executive Dennis Levinson, the Atlantic County Board of Chosen Freeholders, the Atlantic City Council, Galloway Township Council and the Egg Harbor Township Council

WHEREAS, Senator James Whelan has requested and endorsed the installation of a plaque in the Lounge to replace the one lost during the renovation. The plaque to be donated by the family.

NOW, THEREFORE, BE IT RESOLVED that the Ventnor Board of Commissioners hereby supports the request of her family and other elected officials to honor Marie McCullough by installing a sign over the entrance to the Marie McCullough VIP Lounge in Boardwalk Hall; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted to Governor Jon Corzine, State Senator James Whelan, Assemblyman Vince Polistina, Assemblyman John Amodeo and the Atlantic City Convention and Visitors Authority Board Chairman Fred Scerni.

Cmr Weintrob moved, seconded by Cmr Piatt that Resolution No. 12 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 13 OF 2009 - AUTHORIZING SHARED SERVICES AGREEMENT WITH SHILOH BOROUGH PLANNING BD FOR ENGINEER

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

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq. authorizes the City of Ventnor City in Atlantic County and the Planning Board of the Borough of Shiloh in Cumberland County to enter into a Contract for the sharing of services; and

WHEREAS, it is the desire of the Governing Body of the City of Ventnor City to authorize the execution of an Interlocal Governmental Services Agreement with the Shiloh Borough Planning Board in Cumberland County for sharing of a Planning Board Engineer and Board related Engineering and Planning Services.

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

(1) The Preambles hereof are incorporated herein as though fully set forth at length.

(2) The Mayor is hereby authorized to execute, and City Clerk to attest, to an Interlocal Government Services Agreement with the Borough of Shiloh Planning Board in Cumberland County for the purpose of sharing a Board Engineer and related Board Engineering and Planning Services. A copy of said Agreement, in substantial form to be executed, is on file in the City Clerk's Office and available for inspection as a Public Document.

(3) All Resolutions inconsistent with the provisions hereof are hereby immediately repealed upon adoption of this Resolution, which shall be effective immediately according to law.

Cmr Weintrob moved, seconded by Cmr Piatt that Resolution No. 13 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 14 OF 2009 - APPROVING PARTICIPATION W/NJ SAFE & SECURE COMMUNITIES PROGRAM ADMINISTERED BY DIV OF CRIMINAL JUSTICE, DEPT OF LAW PUBLIC SAFETY

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

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

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

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

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

Grant#P-4663

Cmr Weintrob moved, seconded by Cmr Piatt that Resolution No. 14 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 15 OF 2009 - NAMING EMPLOYEES AUTHORIZED TO SERVE ON COUNTY TASK FORCES & TEAMS (JIF FORM)

WHEREAS, the City of Ventnor City is a member of the Atlantic County Municipal Joint Insurance Fund (JIF); and

WHEREAS, the JIF Fund Solicitor is currently researching the issues involved and related to the General Liability and Workers' Compensation Coverage of municipal employees serving on County Task Forces and/or Teams; and

WHEREAS, the Fund Solicitor has requested that each member municipality approve by Resolution any municipal employee who is presently authorized to serve on a County Task Force and/or Team.

NOW, THEREFORE, BE IT RESOLVED by the Ventnor City Board of Commissioners that the following Ventnor City employees are authorized to serve on the County Task Force and/or Team so named:

Atlantic County Emergency Response Team:

Entry Team: Ofc. Earl Emmell & Francisco O'Neill

Negotiator: Capt. Michael Miller, Det. Lt. Robert Pettit,
Det. Ted Berman & Jason Rzemyk
Ofc. Mario Lima

Driving While Intoxicated Task Force: Sgt. Charles Wood,
Ofc. Joseph Fussner

Gangs Guns & Narcotics Task Force: Capt. Michael Miller,
Det. Lt. Robert Pettit, Det. Ted Bergman,
Jason Rzemyk & Thomas Schallus

Atlantic County Haz Mat Team: Lt. Brady Middlesworth

Cmr Weintrob moved, seconded by Cmr Piatt that Resolution No. 15 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 16 OF 2009 - NAMING OFFICIAL CITY 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, 2012.

1. Point Auto Repairs, Inc.
Charles Ross, Jr., owner
646 New Rd.
Somers Pt., NJ 08244
927-5011
2. Fourteen Towing Co.
Carolyn T. DiGirolamo-Kaiser, owner
1635 N. Albany Ave.
Atlantic City, NJ 08401
517-5544
3. A.C. Tow Squad
Patrick Aiken, owner
2416 Fairmont Ave.
Atlantic City, NJ 08401
428-7071

Cmr Weintrob moved, seconded by Cmr Piatt that Resolution No. 16 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 17 OF 2009 - MEMORIALIZING \$511,936.94 PAYMENT TO DEP BEACHFILL PROJECT

WHEREAS, the City of Ventnor City in 2004 participated in the Absecon Island Beachfill performed under Army Corps of Engineers Project 6057-I; and

WHEREAS, the City was supplied a Construction Cost Breakdown in the amount of \$678,092.65 as the City's Share in the cost of sand and betterments under said Project; and

WHEREAS, the City has negotiated with the State which has resulted in the revised *Appendix B, attached hereto, in the total amount of \$511,936.94; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that it hereinafter directs the Municipal Finance Officer to release a check in the amount of \$511,936.94 made payable to the Treasurer, State of New Jersey.

BE IT FURTHER RESOLVED that a Certificate of Availability of Funds prepared by the Municipal Finance Director for the amount of \$511,936.94 be attached hereto.

* Appendix B - Follows

APPENDIX B

PROJECT 6057-I BRIGANTINE INLET TO GREAT EGG HARBOR INLET, ABSECON ISLAND, NJ
VENTNOR BEACHFILL COST SHARING ANALYSIS

INITIAL BEACHFILL CONSTRUCTION COST WITHOUT BETTERMENTS:

Beachfill and Sand Dune \$7,458,915.00

Federal and Non-Federal Cost Sharing:

The project cost for the beachfill is to be shared between the federal and non-federal sponsor as follows:

65% Federal Share \$ 4,848,295.00
35% Non-Federal Share \$ 2,610,620.00
Total \$ 7,458,915.00

State and Municipal Beachfill Cost Sharing:

The non-federal share of the project cost for the beachfill is to be shared between the State and the City of Ventnor is as follows:

75% State Share	\$ 1,957,965.00	\$652,655.00
		11
		x0.33
25% Ventnor Share	\$ 652,655.00	\$108,667.06
<u>Total</u>	<u>\$ 2,610,620.00</u>	<u>\$652,655.00</u>
		-108,667.06
		\$543,987.94

Itemized Costs of Betterments:

Changes Requested to Handicap Crossovers	\$ 43,106.30	\$280,671.49
Ventnor City Additional Crossovers (11)	\$ 280,671.49	11
		x3
Manholes	\$ 29,867.26	\$76,546.77
<u>Total</u>	<u>\$ 353,645.05</u>	<u>\$353,645.05</u>
		- 76,546.77
		\$277,098.28

State and Municipal Betterments Cost Sharing:

The non-federal share of the project cost for the betterments is to be shared between the State and the City of Ventnor as follows:

75% State Share	\$ 265,233.79	\$207,823.71
25% Ventnor Share	\$ 88,411.26	69,274.57
<u>Total</u>	<u>\$ 353,645.05</u>	<u>\$277,098.28</u>

Total Municipal Cost of Federal Project:

Beachfill	\$ 652,655.00	\$543,987.94
Betterments	\$ 88,411.26	69,274.57
<u>Total</u>	<u>\$ 741,066.26</u>	<u>\$613,262.51</u>

Total Cost to Date to the City of Ventnor:

Total Cost	\$ 741,066.26	\$613,262.51
Ventnor Dune Relocation Credit	\$ (62,973.61)	(62,973.61)
<u>Total</u>	<u>\$ 678,092.65</u>	<u>\$550,288.90</u>

\$550,288.90
- 38,351.96 Less Credit for Lost Taper
\$511,936.94

Cmr Weintrob moved, seconded by Cmr Piatt that Resolution No. 17 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 18 OF 2009 - TAX REFUND, OVERPAYMENTS

WHEREAS, the 2008 tax on Block 236, Lot 1 assessed to 201 N Swarthmore Ave, LLC and known as 201-201B N Swarthmore Ave, Ventnor, NJ was overpaid in the amount of \$1,843.91 due to the mortgage company and the title company paying; and

WHEREAS, LandAmerica Tax & Flood Service, Attn: Central Refunds, 1123 S Parkview Drive, Covina, CA 91724 has requested a refund sent to them; and

WHEREAS, the 2009 tax on Block 151, Lot 19 known as 106 N Surrey Ave, Ventnor, NJ was overpaid in the amount of \$1,212.00 due to the property being subdivided; and

WHEREAS, Countrywide Home Loans, PO Box 10211, MS: SVW-24, Van Nuys, CA 91410-0211 has requested a refund sent to them; and

WHEREAS, the 2008 tax on Block 20, Lot 2 assessed to 111 S Cambridge Ave, LLC and known as 111 S Cambridge Ave, Ventnor, NJ was overpaid in the amount of \$3,265.94 due a state tax appeal; and

WHEREAS, 111 S Cambridge Ave, LLC, c/o The Irwin Law Firm, PA, 80 Main Street, Suite 410, West Orange, NJ 07052 has requested a refund sent to them; and

WHEREAS, the 2007 tax on Block 282, Lot 2 known as 502 N Suffolk Ave, Ventnor, NJ was overpaid in the amount of \$500.00 due to the homestead rebate from the previous owner; and

WHEREAS, Estate of Dorothy Benner, c/o Richard McSweeney, 15 Evergreen Lane, Burlington, NJ 08016 has requested a refund sent to them; and

WHEREAS, the 2008 tax on Block 169, Lot 25 assessed to Contreras, Santos & Juana and known as 127 N Newport Ave, Ventnor, NJ was overpaid in the amount of \$688.97 due to a tax appeal; and

WHEREAS, Mr. & Mrs. Contreras would like a refund in the above amount sent to them at 27 S Nashville Ave, Ventnor, NJ 08406.

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

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

Cmr Weintrob moved, seconded by Cmr Piatt that Resolution No. 18 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 19 OF 2009 - AUTHORIZING EXECUTION OF AN INTERLOCAL SERVICES AGREEMENT WITH BOROUGH OF LONGPORT FOR SHARING OF CONSTRUCTION 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, the City of Ventnor City is desirous of continuing this interlocal shared services agreement with the Borough of Longport for an additional one (1) year period; and

WHEREAS, the City of Ventnor City and the Borough of Longport have agreed that the contract should be renewed under the same terms and conditions for an additional one (1) year period, increasing the total contract amount to \$35,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Ventnor City that the Interlocal services agreement with the Borough of Longport for furnishing the services of a Construction Code Official and related Sub-code Officials is herein and hereby approved under the same terms and conditions for an additional one (1) year with the total contract amount being raised to \$35,000.00.

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

Cmr Weintrob moved, seconded by Cmr Piatt that Resolution No. 19 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 20 OF 2009 - ACCEPTING RESIGNATION OF TAX ASSESSOR

WHEREAS, William Johnson has submitted a letter of resignation from his position as Ventnor City Tax Assessor effective at the close of business on February 18, 2009; and

WHEREAS, the Ventnor City Board of Commissioners has agreed to accept the resignation of William Johnson as Ventnor City Tax Assessor.

NOW, THEREFORE, BE IT RESOLVED by the Ventnor City Board of Commissioners that it herein and hereby accepts the resignation of William Johnson as Ventnor City Tax Assessor effective February 18, 2009.

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

Cmr Weintrob moved, seconded by Cmr Piatt that Resolution No. 20 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

RESOLUTION NO. 21 OF 2009 - SUPPORTING JERSEY SHORE COUNCIL, BOY SCOUTS OF AMERICA'S REQUEST TO HOLD CUB SCOUT DAY CAMP IN VENTNOR (JULY 13-17, 2009)

WHEREAS, each year the Boy Scouts of America hold hundreds of Day Camps across the United States; and

WHEREAS, the Jersey Shore Council of the Boy Scouts of America has applied to the City of Ventnor City to hold its Cub Scout Day Camp within the City of Ventnor City during the week of July 13 thru July 17, 2009; and

WHEREAS, the Scouts have requested the use of the following sites belonging to the City of Ventnor City:

1. The Ventnor Golf Driving Range to be utilized as their daily base camp, providing port-a-potties at this site.
2. The New Haven Avenue beach between the library and Boardwalk for a continuation of their daily camp programs and their Thursday night family cookout and gathering.
3. With nature being an integral part of the scouting experience, the scouts will utilize the Ventnor West hiking trail along Lafayette Avenue for nature walks through a limited area of Ventnor West.

WHEREAS, the Ventnor City Board of Commissioners wishes to support the Jersey Shore Council of the Boy Scouts of America in this endeavor.

NOW, THEREFORE, BE IT RESOLVED by the Ventnor City Board of Commissioners that it herein and hereby supports the Jersey Shore Council of the Boy Scouts of America's request to hold their Cub Scout Day Camp within the City of Ventnor City during the week of July 13 thru July 17, 2009.

BE IT FURTHER RESOLVED that such support is contingent upon the Jersey Shore Council of the Boy Scouts of America providing proofs of all necessary facilities, health and safety approvals, insurances, hold harmless agreements, as well as any and all additional consents and authorizations necessary to insure the safety and well being of every participant during all aspects and activities of the Cub Scout Day Camp.

Cmr Weintrob moved, seconded by Cmr Piatt that Resolution No. 21 of 2009 be adopted.

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

APPROVAL OF BILLS & PAYROLLS

The City Clerk read bills in the amount of \$10,786,213.73 and payroll from 1/17/09 through 1/30/09 in the amount of \$422,296.15 and from 1/31/09 to 2/13/09 in the amount of \$430,383.59 for approval.

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

Roll Call Vote:

Yeas: Commissioners Piatt, Weintrob and Mayor Kelly

APPOINTMENTS - Mayor Kelly announced the following appointments:

BOARD OF RECREATION: DIANE BIRKBECK replacing holdover KATHY MCFADDEN until 7-21-12. Reappointment of JOHN GALLAGHER(holdover)until 7-21-10.

ZONING BD: MICHAEL CONTE to fill unexpired term of MATTHEW FEINSTONE until 12-1-09.

PLANNING BD: MICHAEL VENTURA, ALT #1, to replace ROBERT GROSS until 1-1-10.

ANNOUNCEMENTS

The MAYOR noted that May 1, 2009 has been designated as "Global Love Day".

Mayor Kelly announced that in addition to the Police Department Grant announced at the Workshop, the Fire Dept has received an \$82,000 grant to install a 100% vehicle exhaust system in both Fire Houses to benefit the Firefighters living there.

PUBLIC REMARKS

HENERY MARCUS, 7301 Marshall said the 10AM-6PM on the regulations sign at Boardwalk & Martindale Ave is confusing. CMR WEINTROB said he would have it checked tomorrow.

TIM KREISCHER 117 N Somerset asked CMR PIATT if he had checked CMR WEINTROB'S cost per house based on \$400,000 beach maintenance expenditure? CMR PIATT recalled having a discussion shortly after the meeting asking TORO ABODERIN, the new CFO if she recalled the correct number. Reluctant to chance it without benefit of calculator, MS ABODERIN promised to call KREISCHER with the correct figure tomorrow. Discussion ensued. CMR WEINTROB said he obtained the figure from the previous CFO and stood by his figure as being correct. The CITY CLERK interjected that when she told the CFO briefly what had transpired, he felt he was not in error and clearly stood by his figure - and if tomorrow sees a 2nd disagreement or agreement, maybe that will put it to rest. CMR PIATT reaffirmed that the figure would be available tomorrow.

KREISCHER asked how much less money was spent between 2007-2008 from the Mayor's 'Slush Account' alluding vaguely to campaign rhetoric. The CFO responded that we

have no 'slush fund', i.e. we have no account by that name. MAYOR KELLY said the Audit was almost complete & he could look at that when it was done. KREISCHER said he was glad to see Commission refinancing the City's debt, inferring they acted on his advice. CMR PIATT responded as previously (meeting) that refinancing of debt 'is a work in progress'. Addressing why we don't refinance **all** of the debt.. the **State requires a 3% net benefit** & while we were monitoring **all** the debt instruments, we found only **one** that applies/has met that requirement right now.. the **School Bonds** - seen on the agenda tonight. Other debt will be refunded if/when there is a 3% net benefit.

KRESICHER noted media inconsistencies of when the stolen/missing grates were last seen. CMR WEINTROB said it is under investigation by the Police Dept and we will not comment further until the investigation is complete. KREISCHER asked why Ventnor was not listed by the Star Ledger in the list of 123 municipalities applying for the Stimulus Program. CMR WEINTROB said that Ventnor has applied for 3 programs not done in the last 3 years such as the PW roof, all damages done to City Yard, a water main and a 4th under the Waste Management Program.

CASSANDRA SHOBER, 210 Newark thanked the Commission for having the Scouts here tonight & for their support of scouting programs. MAYOR KELLY welcomed them back.

WAYNE CRIMI, 226 Dudley expressed that the proposed increases (doubling) in fishing pier fees seemed like a citizen/user was paying twice as much. Offering Margate Bridge as an example of revenue lost through overcharging, he suggested selling trademarked tee/sweat shirts throughout the city as another way to raise money. The fees would gain support because of popularity. He also asked if the Pirates symbol was trademarked. There being no response, the CITY CLERK offered that it was a private organization and he could ask any one of their members. CMR WEINTROB added that the Pirates were a 5013C Corp. MAYOR KELLY added that it operates independently from the City. CMR WEINTROB said he will have the answer for that at the next meeting. WAYNE added that the Pirate symbol could be marketed throughout the country and help keep the Pier rates from increasing so drastically.

LISA MARTINELLI 6507 Atlantic applauded the 3 Commissioners for the positive changes they've made with so many, many wonderful things that have occurred in the community since they took office - adding that she'd feel remiss if she didn't wonder where some of the questions that were asked this evening were for the last 16 years.

MIKE WEISEN, 326 Dorset elaborating on Wayne's suggestions that if we could promote tee shirts and sweat shirts with a logo of the Pier, we might make a few dollars to help out. He suggested a logo like '**We're Hooked on Ventnor's Pier**' be promoted. Although it doesn't stop rate increases from happening, it's something that shop owners might want to do.. promote the Fishing Pier and donate the sales money back into the Pier. Everyone agreed MIKE'S suggested slogan would make a great logo.

MEETING ADJOURNED: 7:42PM

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