

CITY OF VENTNOR

ORDINANCE NO. 2026-002

AN ORDINANCE AMENDING ORDINANCE 8714 ETABLISHING
A PENSION PLAN FOR LIFEGUARDS IN THE CITY OF
VENTNOR CITY AND ESTABLISHING A PENSION
COMMITTEE FOR THE MANAGEMENT OF SAID PLAN
WHICH PLAN SHALL BE ENTITLED, "THE CITY OF
VENTNOR PENSION PLAN FOR LIFEGUARDS", ALL IN
ACCORDANCE WITH N.J.S.A. 43:13-23, ET SEQ.

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SECTION 1

PREAMBLE AND DEFINITIONS

This Plan was established to provide retirement, disability and survivor pension benefits for the individuals who serve on the City of Ventnor Lifeguard Force. It became effective as of January 1, 1987 and is called the City of Ventnor Pension Plan for Lifeguards (or "Plan").

When any of the following terms appear in this document with an initial capital letter, it shall have the meaning set forth next to it, below:

- a. Average Compensation shall mean an Employee's Compensation averaged over the 3 years during which his Compensation was the greatest. Furthermore, in connection with calculating a Plan Member's Disability or Survivor Pension, his Average Compensation will be determined by averaging his Compensation for three years immediately preceding his death or disability.

- b. Compensation shall mean the total base salary earned by an Employee during a calendar year excluding any stipends or other compensation earned.

- c. Effective Date changes to the Plan shall be effective January 1, 2026.

- d. Eligible Employee shall mean an individual who is employed by the City of Ventnor as a guard or officer on its lifeguard force.

- e. Employer shall mean the City of Ventnor, a city of the fourth class, in the County of Atlantic, in the State of New Jersey.
- f. Pension Fund) shall mean the special account maintained by the City Treasurer on behalf of this Plan and its Members.
- g. Surviving Spouse shall mean the person to whom a Plan Member is lawfully married at the time of his/her death.
- h. Year of Service shall mean a calendar year in which an Employee is paid for at least 50 full days or 400 hours of employment as an Officer or Lifeguard. All records of attendance and employment must be verified by the Chief of the Beach Patrol and the City's CFO on an annual basis. This verification shall be completed by October 1 of each year. The CFO shall keep a permanent record for each year with a copy filed with the City Clerk.

SECTION 2

REQUIREMENTS FOR PLAN MEMBERSHIP

a. Plan Membership

An Eligible Employee shall become a Plan Member upon employment.

b. Employee Contributions

Employee Contributions shall be withheld from a Plan Member's Compensation at the rate of 4.0% and contributed to the Plan on his behalf.

c. Notification of Eligibility

Within 30 days after becoming a Plan Member, an Eligible Employee shall be notified of his obligation with respect to the above-described Employee Contributions.

SECTION 3

NORMAL RETIREMENT PENSION (FOR SERVICE AND AGE)

a. Conditions to be Satisfied

A Member whether employed as an officer or a guard who has, or shall have served on the Lifeguard Force, for a period of twenty (20) years, and shall have attained the age of forty-five (45) years and for a period of ten (10) years preceding his/her application, has been continuously in such service with the City of Ventnor, will be considered to be fully vested in the Ventnor City Lifeguard Pension Plan. Such members may be retired at 50% of their average compensation upon their own application provided that they comply with the terms herein specified. Employees who have satisfied the requirements for retirement but have not yet reached the age of forty-five (45) may apply for a deferred retirement, which shall not become payable until the age requirement is satisfied.

b. Amount and Form of Pension

A Plan Member's annual Normal Pension shall be equal to 50% of his Average Compensation. It shall be paid in monthly installments starting on the later of the Member's 45th birthday or his actual retirement date and ending with the payment for the month in which his death occurs. However, post-retirement death benefits may be available which provide for the continuation of such pension after the death of the Plan Member (see Section 5). If the commencement of a Plan Member's Normal Pension is deferred by his continued employment (as an Employee) after his 45th birthday, the amount of his Normal Pension will not change except to reflect changes in his Average Compensation. Additional years of service will not increase pension payments above 50% of the members Average Compensation.

SECTION 4

DISABILITY PENSION

a. Conditions to Qualify for Disability Pension

An officer or member of the lifeguard force who shall have received permanent disability in the performance of his/her duties, shall, upon the certification of a physician designated by the Board of Commissioners, be retired on a pension equal to fifty(50)% of his/her average compensation at the time of his/her retirement.

b. Disability Defined

For purposes of this Section, Disability shall mean the inability to engage in any substantial, gainful activity by reason of a medically determinable physical or mental impairment which is considered permanent and has lasted for a continuous period of at least twelve months. To the extent that additional clarification or guidance is needed in applying the preceding definition to determine whether a Plan Member qualifies for a Disability Pension, the Committee may consider Federal Social Security regulations for Disability Eligibility.

c. Amount of Disability Pension

The Disability Pension shall commence on the first day of the thirteenth month following the onset of the Plan Member's Disability and continue until the month of his/her death. The Disability Pension will equal the Normal Pension which would have been paid to the Plan Member had he remained an Eligible Employee until his 45th birthday, and will be based on his Average Compensation as calculated prior the occurrence of such Disability.

d. Discontinuance of Disability Pension

If during any period prior to the Plan Member's death it is determined by the Committee that his/her condition no longer satisfies the definition of Disability, his Disability Pension may be discontinued by the Committee.

SECTION 5
SURVIVOR PENSION

The widow of a life guard, officer or member of the life guard force who loses his life in the performance of his duty, dies from natural causes or has been retired on pension shall receive a pension, so long as she remains unmarried equal to one-half of the amount of the annual salary of her husband at the time of his death. At her death, or if there is no widow or she remarries, her minor child or children shall receive the pension for their support until the youngest reaches sixteen years of age. If there are no children under sixteen years of age, the pension shall be paid to the dependent parent or parents of such life guard officer or life guard.

SECTION 6

FUNDING

a. Employer Contributions

(1) Each year the City shall contribute to this Plan a minimum of 4% of the aggregate Compensation paid to Plan Members for the year. This contribution shall be paid into a Pension Fund (or "Fund"). The Fund shall be maintained in a separate Trust Account by the City Treasurer, to be used solely for the accumulating and disbursing of monies for benefits provided under the Plan. The Fund shall be invested in the same manner as other City Funds. Any funds donated to the Fund shall be added to the Pension Fund.

(2) If at any time there are insufficient funds available to meet the obligations of the Fund, the City shall make additional contributions sufficient to meet the requirements. Whenever the Fund exceeds an amount which the Governing Body by resolution from time to time determines to be adequate for the fund, then the City may suspend its annual payment. The 4% contribution from the officers and members may not be suspended at any time.

b. Employee Contributions

An amount equal to 4% of a Plan Member's Base Compensation and excluding any overtime, bonuses or stipends shall be deducted from his/her compensation and deposited into the Fund.

SECTION 7

PENSION COMMITTEE

a. Appointment

The Mayor shall appoint, with the advice and consent of the governing body, a Lifeguard Pension Commission consisting of four members. One member shall be a superior officer of the force, one a lifeguard and two citizens who are not members of the force. They shall serve for a term of four years, and until their successors are appointed. They shall not receive any compensation for their service and shall take an oath of office before the Mayor that they will faithfully discharge the duties of the office.

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b. Removal or Resignation

The Mayor may remove a member of the Pension Committee by giving written notice to the member. A member may resign from the Pension Committee by giving written notice to the Mayor. Vacancies shall be filled for the unexpired term of the member who resigns or is removed.

c. Duties and Responsibilities

The Committee shall be responsible for the administration of this Plan in accordance with the terms and provisions herein contained. It shall possess such general authority and powers as are necessary for the discharge of its duties, including, but not limited to, the power to:

c. Continued

- (1) construe, interpret and apply the Plan, and in so doing, to correct any defect, omission or inconsistency as may be required to carry out what it reasonably believes to be the intent and objectives of the Plan;
- (2) decide all claims and questions with respect to Plan Membership, entitlement to benefits, and the amount and commencement date thereof;
- (3) approve or disapprove all applications for retirement.
- (4) The Commission shall have access to legal guidance and advice from the City Attorney upon request to the City Administrator.
- (5) The City shall indemnify and hold harmless the Commission Members for official acts carried out in the performance of their duties.

d. Operating Procedures

All acts and decisions of the Pension Committee shall be by majority (of those present) vote at any duly called meeting. All decisions shall be binding and conclusive, subject to a claims review procedure which might be established by the Committee. No Committee member shall vote or otherwise participate in a decision pertaining specifically to his own benefits from the Plan. The members of the Committee accept no liability for any act or omission except those for which they are responsible under the terms of this Plan.

SECTION 8

RULES OF CONSTRUCTION

Rules of Construction

If any provision hereof is subject to more than one interpretation or construction, it shall be interpreted or construed in such a manner as is consistent with the intent that this Plan comply with the requirements of the laws of New Jersey.

(N.J.S.A. 43:13-23 et seq)

If any provision of the Plan is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other provisions and the Plan shall be construed as if such provision had not been included.

In the event of any amendment to the applicable state law (N.J.S.A. 43:13-23 et seq.) this Plan shall automatically be amended to comply with said law.

FIRST READING January 22, 2026

	Motion	Second	Yes	Nay	Abstain	Absent
Kriebel						
Landgraf						
Mento						

PUBLICATION

January 29, 2026

PUBLIC HEARING &

ADOPTION

February 12, 2026

	Motion	Second	Yes	Nay	Abstain	Absent
Kriebel						
Landgraf						
Mento						

Mayor H. Timothy Kriebel

Commissioner Lance B. Landgraf Jr.

Commissioner Maria Mento

Lisa H. Hand, RMC
City Clerk