

CITY OF VINELAND

ORDINANCE NO. 2013- 68

AN ORDINANCE AMENDING ORDINANCE NO. 2004-39,
AS AMENDED, CHAPTER 84 ENTITLED DEPARTMENT OF
LAW.

WHEREAS, City Council of the City of Vineland adopted Ordinance 2004-39, as amended, which among other things provided for the compensation of the City Solicitor, which included the payment of reimbursable expenses not to exceed \$35,000.00 as well as the payments of additional compensation for pending or anticipated litigation involving the City of Vineland and its employees as set forth at §84-7 of Chapter 84 of the Code of the City of Vineland; and

WHEREAS, the City Solicitor is required to provide his or her services to the City of Vineland and its employees as “full time employee employed by the City of Vineland” as specified in §84-2 of the Code of the City of Vineland; and

WHEREAS, the City Solicitor has been reimbursed for office expenses as the City Solicitor’s staff is specialized and it is financially feasible for the City Solicitor to keep and maintain his own staff as well as maintain legal office necessities while the City simply reimburse him for the same; and

WHEREAS, to make it clear that the intent of Ordinance 2004-39 is to have a full time Solicitor as a City Employee, the City Council of the City of Vineland intends upon amending Chapter 84, §84-7, of the Code of the City of Vineland thereby removing the obligation to reimburse the Solicitor for reimbursable expenses and to simply convert the reimbursement to salary without any added cost to the City including secretarial; and

WHEREAS, the Comptroller/CMFO of the City of Vineland has determined that the appropriate reduction of the Thirty-Five Thousand (\$35,000.00) Dollars reimbursement is Five Thousand (\$5,000.00) Dollars so that the City Solicitor shall not be entitled to a Thirty-Five Thousand (\$35,000.00) Dollars reimbursement but the appropriate salary increase equivalent to thirty Thousand (\$30,000.00) Dollars, Five Thousand (\$5,000.00) Dollars less than the reimbursement to cover any costs to the City; and

WHEREAS, the City Solicitor provides a necessary service to the City and his/her availability as a full time salaried employee is required for the proper function of the City; and

WHEREAS, presently the City Solicitor is paid a reasonable hourly rate for pending or anticipated litigation in which the City, any offices, board or common members or employees may be a party in addition to his/her salary; and

WHEREAS, as an employee of the City of Vineland, said services should be included as part of the responsibilities of the City Solicitor and reflected in the salary being paid and, therefore, not entitled to additional compensation for pending or anticipated litigation. Acceptance of the salary of One Hundred Fifty-Five Thousand (\$155,000.00) Dollars shall reduce the payment made to the Solicitor.

CITY OF VINELAND

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that Chapter 84, Section 84-7 of the Code of the City of Vineland be amended as follows:

1 The City Solicitor, who shall be a member of the unclassified service, shall receive a salary of One Hundred Fifty-Five Thousand (\$155,000.00) Dollars per year. This shall represent compensation for all services provided to the City of Vineland.

2. All portion of Chapter 84, Section 84-7 not amended hereby shall remain in full force and effect.

3. This Ordinance shall take effect upon passage and publication as provided by law.

Passed first reading:

Passed final reading:

President of Council

Approved by the Mayor:

Mayor

ATTEST:

City Clerk