

CITY COUNCIL MEETING MINUTES
THURSDAY, FEBRUARY 13, 2014 - 7:00 PM
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17TH STREET ENTRANCE, LECTURE HALL, ROOM N110

ATTENDANCE: Mr. Allegretto, Mr. DeVlieger, Mr. Guinosso, Mr. McClellan, Mr. Ping, and Mr. Wilson. Also present: Mayor Gillian, Mr. Dattilo, Business Administrator and Ms. McCrosson, City Solicitor. Via telephone: Mr. Hartzell

Council President Wilson called the meeting to order at 7:00 pm and asked everyone to rise for the flag salute. He announced the meeting had been advertised in accordance with P.L. 1975, Chapter 231.

CITIZEN COMMENT

Steve Winja, 1118 Central Avenue – stated an ordinance should be adopted that trash cans must have lids.

The following persons expressed support of a new skate park:

Christopher Oliva, 7 Michigan Avenue

Chris Pustizzi, 9 Homestead Court, Marmora

Mike Carmondy, 415 Ocean Avenue

Ricky Hardin, 199 Bay Avenue

Todd Dwyer, 116 Bay Avenue

Willie Fannon, 5020 Bay Avenue

Steve Beseris, 3520 Bay Avenue

Michael Hinchman, 281 West Atlantic Boulevard - presented Council an EMS report of calls that he requested under OPRA; gave his opinions why he felt the fire workshops were flawed, criticized Council for being lazy, not doing their homework and not having the insight to ask where the ambulance calls come from. Council President Wilson responded that he took umbrage to the fact Mr. Hinchman called Council lazy.

Michael Hyson, 637 Bay Avenue – thanked the administration for meeting with him and asked if the solicitor reviewed the ordinance on utility opening repairs; reported his alley is paved but he still has a problem accessing his driveway.

Steven Fenichel, 2117 Bay Avenue – spoke on the details of the Petnick lawsuit and other employee law suits.

APPROVAL OF MINUTES

Mr. Wilson asked for a motion to adopt the City Council Regular Meeting Minutes of Thursday, January 23, 2014 (all present). Motion moved by Mr. Ping; seconded by Mr. McClellan. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION

Mayor Gillian made a few comments on the past year and presented the 2014 Local Municipal Budget and the year ahead. He said the most significant increases in the budget are contractual salary increases and the cost of health insurance; employee contributions are up which offsets some of the cost. He reported a tax rate increase of approximately 1.5 cents; with one-half cent of the increase due to a decrease in ratable and said the budget will meet or be well under any required “caps”. The Mayor said the financial condition is solid finishing the year with a fund balance of just over 5.8 million dollars. The mayor spoke about restructuring debt and being more conservative on the operating side, spoke about challenges with flood insurance increases, spoke about his commitment to build a skate board park and spoke about the federally funded beach replenishment project for the south end. He said in City is exploring many options and is committed on finding a spoil site for Bay and lagoon dredging. The Mayor also spoke about the City’s continued interest in sharing services with other municipalities.

Mr. Dattilo reported they continue to monitor the south end beaches; the berm is holding, however the city did loose beach island-wide. He presented a handout on the CRS/FEMA Focus and Mission stating it looks favorable that the City will obtain enough points in the program to move to a level 5 which represents a significant savings in flood insurance. He also spoke about the bond ordinance as it related to the capital plan. Mr. Dattilo requested Resolution #1 pulled from agenda until a final drawing is completed.

REPORTS – CITY COUNCIL

Mr. Hartzell requested Mr. Hinchman communicate with Council in advance on any issues or problems so homework can be done on both sides for better communication on the issues.

Mr. McClellan asked Ms. McCrosson to address Mr. Hyson’s concerns. She spoke about reviewing the ordinance and addressing his concerns regarding utility opening requirements.

Mr. DeVlieger announced he is hard to offend, but that he is far from lazy and would have no problem reviewing the data with Mr. Hinchman. He spoke about his support for three fire stations but said he is open to listen to other arguments for consideration. He asked about the timeline for the north end pump station. Mr. Donato said the application permit will be filed in the next four to six weeks with the project to be completed in the fall/winter 2015-2016. He asked when Pennlyn Place would be completed. Mr. McLarnon, City Engineer said in the spring.

Mr. Allegretto announced he will be making a tourism report at an upcoming meeting since the Tourism Commission recently adopted their budget.

Mr. Wilson publicly announced he would not accept any name calling by members of the public and announced no comments of a personal nature will be tolerated under the rules adopted by City Council.

ORDINANCES: INTRODUCTION AND FIRST READING

Mr. Wilson asked for a motion to introduce Ordinance #14-02 on first reading. Motion moved by Mr. Ping; seconded by Mr. McClellan. All ayes followed, except Mr. Allegretto left the table prior to the vote. The Clerk read the ordinance by title: #14-02: An Ordinance Vacating a Portion of the 15-Foot Wide Un-Named, Unimproved Alley which runs through Block 3001, Lot 1 from 31st Street to the Existing Un-Named, Improved Alley Leading to 30th Street in the City of Ocean City, County of Cape May, State of New Jersey. Ms. McCrosson reported the property commonly known as the Christian Brothers recently received subdivision approval to their property and as a condition of that approval the vacation of the "paper alley" which runs through one of the buildings to be demolished is a condition of that approval.

Mr. McClellan announced he sat on the Planning Board Review Committee and indicated there were no complaints from the neighbors. Mr. Ping asked if there was alley access for trash and parking. Ms. McCrosson indicated there is no alley between the buildings.

Mr. Wilson asked for a motion to adopt Ordinance #14-02 on first reading and publish according to law. Motion moved by Mr. Ping; seconded by Mr. Guinasso. All ayes followed. Mr. Wilson announced second reading and public hearing would be at held at the Council meeting on February 27, 2014.

Mr. Wilson asked for a motion to introduce Ordinance #14-03 on first reading. Motion moved by Mr. Ping; seconded by Mr. Guinasso. All ayes followed. The Clerk read the ordinance by title: #14-03: An Ordinance Accepting a Deed Dedicating the 20-Foot Wide Un-Named, Improved Alley Adjacent to and Between Block 3001, Lots 1 and 2 in the City of Ocean City, County of Cape May and State of New Jersey for Public Use. Ms. McCrosson announced adoption would accept a deed dedicating the *de factor* alley as a public right-of-way which was a condition of the Christian Brothers receiving Planning Board approval.

Mr. Wilson asked for a motion to adopt Ordinance #14-03 on first reading and publish according to law. Motion moved by Mr. Ping; seconded by Mr. Guinasso. All ayes followed. Mr. Wilson announced second reading and public hearing would be at held at the Council meeting on February 27, 2014.

Mr. Wilson asked for a motion to introduce Ordinance #14-04 on first reading. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed, except Mr. Guinasso voted no. The Clerk read the ordinance by title: #14-04: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City 2014(1) Residential Mechanical. Ms. McCrosson and Randy Scheule, Planning Consultant spoke on the changes in the ordinance.

Mr. Guinasso spoke about the lack of floor area ratio, storage room concerns, alley width and the increase in attic space which increases height of the buildings. He spoke about other concerns with bump outs and felt fence heights for pools in back yard should be 6' not 4'.

Mr. Ping spoke about increased roof peaks; stated there is a need to relook at Ocean City Homes area to control height in that section of town; requested Section 2 of the ordinance regarding attic height of 9' be taken out until a focus group is formed to review and said he didn't agree with pull down attic stairs.

Ms. McCrosson said the only language change in Ocean City Homes was to make it clear that attics are permitted but the space remains non-habitable.

Mr. Hartzell agreed with Mr. Ping with removing Section 2 for further review by the professionals; doesn't support pull down attic stairs and said climate control in the attic should be an option.

Mr. Wilson stated he is not in favor of pull down stairs. He suggested addressing attic height only with no other changes to Section 2 and let Councilman McClellan go back to the professionals and the Planning Board to revisit the difference in the height.

Mr. DeVlieger said he was inclined to keep Section 2 in, let the Planning Board address Council's concerns with height and said he was not in favor of collapsible stairs.

After further discussion, Council agreed to amend the Ordinance under Section 2 as an attic as defined herein with a maximum height from the main roof eave to roof peak of six (6) feet; change under Hospitality Zone, Schedule of District Regulations C2-30/2400 Maximum Building Height to 80 and under Section 10, #3 remove the word attic in two places. Mr. Wilson asked for a motion to adopt Ordinance #14-04 as amended. Motion moved by Mr. Hartzell; seconded by Mr. DeVlieger. All ayes followed. Mr. Wilson announced Ordinance #14-04 as amended will be sent to the Planning Board for consistency with second reading and public hearing to be held at the Council meeting of March 27, 2014.

Mr. Wilson asked for a motion to introduce Ordinance #14-05 on first reading. Motion moved by Mr. Ping; seconded by Mr. McClellan. All ayes followed. The Clerk read the ordinance by title: #14-05: A Bond Ordinance Appropriating \$9,319,000.00 and Authorizing the Issuance of \$8,853,050.00 in Bonds and Notes of the City of Ocean City for the Various Improvements or Purposes Authorized to be Undertaken by the City of Ocean City, New Jersey. Mr. Donato reviewed the improvements or purposes under Section 3 of the bond ordinance.

Mr. Wilson asked for a motion to adopt Ordinance #14-05 on first reading and publish according to law. Motion moved by Mr. Hartzell; seconded by Mr. Ping. All ayes followed. Mr. Wilson announced second reading and public hearing would be held at the Council meeting of February 27, 2014.

RESOLUTIONS – CONSENT AGENDA:

14-50-042-#2. A Resolution to Authorize the Advertisement of Specifications for City Contract #14-14, Ocean City Housing Authority (OCHA) Roof Replacement on Peck's Beach Village Senior Buildings

14-50-044-#4. A Resolution Authorizing the Rejection of Bids and the Re-Advertisement of Specifications for City Contract #14-05, Maintenance of City Owned Grounds & Garden Plots

14-50-045-#5. A Resolution Authorizing the Payment of Claims

14-50-046-#6. A Resolution Authorizing the Transfers of Appropriations Reserves of the 2013 Local Municipal Budget per N.J.S.A. 40A:4-59

14-50-047-#7. A Resolution to Adopt Capital Plan 2014 to 2018 and Specific Debt Service Guidelines

14-50-048-#8. A Resolution Calling on the Legislature to make Permanent the 2% Cap on Interest Arbitration Awards

Motion moved by Mr. Hartzell; seconded by Mr. Ping. All ayes followed. Mr. McClellan and Mr. Wilson stepped away from the table.

RESOLUTIONS: NON CONSENT AGENDA

14-50-043-#3. A Resolution to Authorize the Advertisement of Specifications for City Contract #14-29, Merion Park Drainage Improvement Program. Mr. Dattilo outlined the improvements associated with the Merion Park project and spoke about the significant amount of public input the project received. Mr. Guinasso recognized the committee and the neighbors who participated in making this project move forward.

Mr. Hartzell paid respect to the late Joseph Newsome, frequently called the Mayor of Merion Park, for his leadership and tireless effort on making this project as reality which we would be so proud of.

CITIZEN COMMENT – Resolution #3.

Roy Wagner, 2824 Wesley Avenue – questioned regarding the installation of three pump stations. Mr. McLarnon, Director of Community Operations and City Engineer came forward to show Mr. Wagner the location of the pump stations.

Mr. Wilson asked for a motion to adopt Resolution #3. Motion moved by Mr. Hartzell; seconded by Mr. Ping. All ayes followed.

PENDING BUSINESS

Mr. Guinasso announced he will be holding a 4th Ward meeting on Saturday, February 22nd at 9:30 am and spoke about the poor condition of the alley between in the 5400 Block between Asbury and Central and requested a light on a pole at the end bend of 55th Street. Mr. McLarnon said it is a county road and he is working with them regarding your request.

Mr. McClellan announced there would be no “Friday Night With Friends” at the Community Center this coming Friday, but would resume the following Friday night.

Mr. Ping asked if the State ever responded to Council’s resolution petitioning the State for lifeguard pension relief in an effort to eliminate pensions for part time lifeguards. Mr. Allegretto reported he sent the letter to the newest Assemblyman asking for his support and help in moving this legislation forward.

NEW BUSINESS

Mr. DeVlieger thanked Council and the Administration for budget for building the skate park and announced he will continue to work toward raising funds for rebuilding the skate park.

Mr. Hartzell announced he supports the new skate park and will work very hard to obtain sponsorships on building of the skate park which he would like to rebrand the park to be called a “long board park”.

Mr. Ping asked if consideration was given to having an ice skate park which the City had many years ago. The administration said that was not being considered.

CITIZEN COMMENT

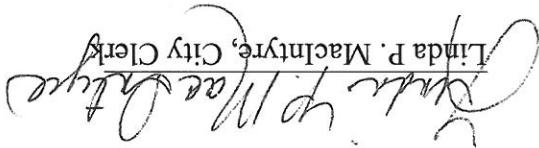
Earl Axelson, representing Snug Harbor Association and properties on Revere Place—emphasized the lack of lagoon access to boaters and encouraged the Mayor and Council to continue to work toward a solution to find a spoil site so the lagoon can be dredged.

Al Keleher, 3304 Haven Avenue - asked if all south end easements were received. Ms. McCrosson responded she is preparing condemnation for 11 properties which may be reduced by two by the time condemnation proceedings begins.

Mr. Wilson announced the city is working diligently to find relief and get results for all lagoons along the bay front.

Mr. Hartzell asked if an email blast was sent to the people who signed up for dredge updates. Mr. Dattilo reported the administration was waiting for the Mayor's budget presentation which is now complete and an email can be sent out as early as tomorrow.

Mr. Wilson asked for a motion to adjourn. Motion moved by Mr. Ping; seconded by Mr. Hartzell. All ayes followed. The meeting adjourned at 9:51 pm.


Linda P. MacIntyre, City Clerk