

**CITY COUNCIL MEETING MINUTES  
THURSDAY, JUNE 12, 2014 - 7:00 PM  
CITY HALL COUNCIL CHAMBERS**

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

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**

The following persons spoke in support of Resolution #1:

**Carla Migliaccio, 937 Palen Avenue; JR Robinson, 916 Palen Avenue; Gordon Arauco, 913 Palen Avenue Don Friday, 12 Arkansas Avenue; Paul Wheaton, 342 Central Avenue; Gary Thomas, Egg Harbor Township; Joe Young, 941 Palen Avenue; Tina Wagner, 24 West Tenth Street; Lou Piergross, Marmora Michael McGucken, 15 Barbados Lane; Jessica Davidson, 17 East 8<sup>th</sup> Street & Jeff Valentine, Somers Point**

**Michael Hinchman, 281 West Atlantic Boulevard**, spoke in support of any type of hardwood product for the boardwalk other than pine which is currently being used on the boardwalk; wants to know how much pine the city has.

**APPROVAL OF MINUTES**

Mr. Wilson asked for a motion to adopt the Regular City Council Meeting Minutes of Thursday, May 22, 2014. Mr. Allegretto was absent. Motion moved by Mr. Ping; seconded by Mr. Guinosso.

**REPORTS – MAYOR & ADMINISTRATION**

MS representatives Chas Crits and Pamela Craighead made a presentation on this year's MS City to Shore Bike-A-Thon to be held on September 27 and 28<sup>th</sup> finishing in OC and announced last year there were over 7,000 riders; \$5.9M was raised and they thanked the City for their continued support.

OC Chamber of Commerce employees' Shawnda McGinnis and Kaitlin Green presented a "Happy" video showcasing how happy everyone is to live, work and play in Ocean City.

**REPORTS – CITY COUNCIL** – There were no reports.

**RESOLUTION**

**#14-50-123-#1** A Resolution Designating a Redeveloper and Authorizing the Execution of a Redevelopment Agreement with Respect to the Palen Avenue and Tenth Street Redevelopment Area. Ms. McCrosson explained this was the ninth public meeting regarding the site speaking about its blighted condition. Ms. McCrosson made a detailed presentation of the history of the property; provided an explanation of the redevelopment plan, the agreement and the remediation with the Gill family and said the loan would be paid in full in seven years. Ms. McCrosson then answered the questions that had been brought forward prior to the meeting.

Mr. Donato explained the financing proposed and the bond strategy under Ordinance #14-15 authorizing \$2.6 million which is tied to the redevelopment agreement.

Mr. Guinosso spoke about concerns and said he stands optimistic with the remediation of the site.

Mr. Allegretto spoke in support of seizing this opportunity to develop this bay front property.

Mr. DeVlieger and Mr. McClellan spoke in support of the project which benefits boaters, visitors and beautifies the area.

Mr. Hartzell thanked the administration for a thorough presentation and their professionalism during discussions to revitalize Palen Avenue.

Mr. Ping said this was an ideal situation for a public/private partnership, benefits the boaters and is a wonderful asset for the future of the city.

Mr. Wilson thanked the administration for answering the many questions council received during the week and spoke about how this will beautify the entry way of the city which he wholeheartedly supports.

**PUBLIC COMMENT – Resolution #1**

**Michael Hinchman, 281 West Atlantic Boulevard** - supports the project; felt some amendments should be made and spoke where he felt in certain areas the package was incomplete.

**Jim Tweed, 1512 Wesley Avenue** – spoke in support of Resolution #1.

**Wayne Mozzo, 1333 Pleasure Avenue** – spoke about the Gill family having the 3<sup>rd</sup> floor as their private living quarters and said a project management team should be put together to avoid any type of defaults; spoke about having an escrow buffer for environmental issues and said spoke about the back bay dredging silt build up.

Mr. Wilson asked the administration to address citizens comment concerns. Ms. McCrosson addressed the questions and stated projections are not to be relied on and not part of the agreement.

Mr. Wilson asked for a motion to adopt Resolution #1. Motion moved by Mr. Hartzell; seconded by Mr. Ping. All ayes followed.

#### **ORDINANCES: INTRODUCTION & FIRST READING**

Mr. Wilson asked for a motion to introduce Ordinance #14-15 on first reading. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **#14-15: A Bond Ordinance Providing for the Acquisition of Land and Various Redevelopment Project Improvements in and by the City of Ocean City, in the County of Cape May, New Jersey, Appropriating \$2,600,000 therefor and Authorizing the Issuance of \$2,600,000 in Bonds or Notes of the City to Finance the Cost Thereof.** Mr. Donato explained the \$2.6 million bond is for the purpose of the redevelopment area at Tenth & Palen Avenue; no down payment is linked to the ordinance as permitted through the redevelopment law and said at second reading of the ordinance a resolution will be brought forward to amend the capital plan.

Mr. Wilson asked for a motion to adopt Ordinance #14-15 on first reading. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed. Mr. Wilson announced second reading and public hearing would be held on June 26, 2014.

Mr. Wilson asked for a motion to introduce Ordinance #14-16 on first reading. Motion moved by Mr. Ping; seconded by Mr. Hartzell. All ayes followed. The clerk read the ordinance by title: **#14-16: An Ordinance Amending and Supplementing Chapter XVIII, "Beaches, Boardwalks and Recreational Areas" of the Revised General Ordinances of the City of Ocean City Banning Smoking on the Boardwalk (Sponsored by Councilman Ping).** Ms. McCrosson announced Councilman Ping requested preparation of the ordinance which bans tobacco products on the ramps and the entire boardwalk; penalties are \$100-\$250 for the first offense and \$500-\$1,000 for a second offense.

Mr. Allegretto requested the administration to place receptacles to collect cigarette butts at the boardwalk street ends.

Mr. DeVlieger requested the administration to educate the public regarding the law. Mr. Dattilo indicated warnings are given already regarding designated smoking area and that there will be warnings and summons will be issued if warranted.

Mr. Guinosso requested an amendment to the Recreation & Parks section of the ordinance to include the 29<sup>th</sup> Street playground.

Mr. McClellan said the Council on Physical Fitness & Sports and the Boardwalk Merchants Association also support the ordinance.

Mr. Hartzell spoke in support of the ordinance and suggested some type of small congregation area of some type near the boardwalk on each block and some appropriate type of receptacle to deposit cigarette butts.

Mr. Ping spoke about the safety issue and requested council support.

Mayor Gillian asked for patience while they make the smoking areas safe for those who wish to smoke.

Mr. Wilson asked for a motion to adopt Ordinance #14-16 on first reading as amended to include the 29<sup>th</sup> Street Playground. Motion moved by Mr. Ping; seconded by Mr. Guinosso. All ayes followed. Mr. Wilson announced second reading and public hearing would be held on June 26, 2014.

#### **ORDINANCES: SECOND READING & PUBLIC HEARING**

Mr. Wilson asked for a motion to take up Ordinance #14-13 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **#14-13: A Bond Ordinance Appropriating \$1,905,000.00 and Authorizing the Issuance of \$1,809,750.00 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 explained the improvements or purpose associated with the ordinance which included construction or reconstruction of the boardwalk including but not limited to boardwalk, ramp, stair and railing replacements including associated professional services and all related work and the acquisition of equipment of self contained breathing apparatus and a cascade air filling station for the Fire Department.

**PUBLIC COMMENT** – There was no comment on Ordinance #14-13.

Mr. Wilson asked for a motion to adopt Ordinance #14-13 on second reading. Motion moved by Mr. Ping; seconded by Mr. Guinosso. All ayes followed.

Mr. Wilson asked for a motion to take up Ordinance #14-14 on second reading and public hearing. Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed. The clerk read the ordinance by title: **#14-14: A Capital Ordinance Appropriating Improvement Authorizations in the Amount of \$160,000 by the Utilization of \$160,000 from Capital Improvement Fund (CIF).** Mr. Donato said this ordinance authorizes no debt; improvements funded through this ordinance are funded through the operating budget and have a lesser useful life and includes various equipment listed in the ordinance.

**PUBLIC COMMENT** – There was no comment on Ordinance #14-14.

Mr. Wilson asked for a motion to adopt Ordinance #14-14 on second reading. Motion moved by McClellan; seconded by Mr. Guinosso. All ayes followed.

#### **RESOLUTIONS – CONSENT AGENDA:**

- 14-50-124 - #3.** A Resolution Authorizing the Award of City Contract #14-16, Towing & Lockout Services  
**14-50-125 - #4.** A Resolution Authorizing the Award of City Contract #14-32, Supply of LED Lamps  
**14-50-126 - #5.** A Resolution Authorizing the Award for Lease of City Owned Beach Parcel at Block 3300 Lot 1 also known as 3301-3329 Wesley Avenue  
**14-50-128 - #7.** A Resolution Authorizing Change Order #1, Final Acceptance & Final Payment for City Contract #13-49, Boardwalk Reconstruction from 5<sup>th</sup> Street to 6<sup>th</sup> Street  
**14-50-129 - #8.** A Resolution Authorizing Change Order #3 to City Contract #13-35, City Hall Storm Damage Restoration & Improvements  
**14-50-130 - #9.** A Resolution Adopting Certain Policies of the City's Policy & Procedure Manual  
**14-50-131 - #10.** A Resolution Authorizing the Release of a Performance & Maintenance Guarantee for a Construction Project at 962 West Avenue, Block 906, Lot 3, Project# 08-016PSPF  
**14-50-132 - #11.** A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 2837-39 Wesley Avenue, Block 2800, Lot 8, Project# 09-031PSPF  
**14-50-133 - #12.** A Resolution Amending the 2014 Budget of the City of Ocean City to Include Additional Revenue from the State of New Jersey, Department of Transportation, Municipal Aid Program  
**14-50-134 - #13.** A Resolution Authorizing the Payment of Claims

Mr. Wilson asked for a motion to adopt the consent agenda. Motion moved by Mr. Hartzell; seconded by Mr. Guinosso. All ayes followed.

#### **RESOLUTIONS – NON CONSENT AGENDA**

**14-50-127 - #6.** A Resolution Authorizing the Award of a Contract with Thomas Cassidy, Inc. DBA/Americas Music, Inc. for an Artists Musical Performances with the Ocean City Pops Orchestra. Mr. Wilson requested an explanation. Mr. Dattilo explained this is an agency the OC Pops is going to employ.

**PUBLIC COMMENT** – There was no public comment on Resolution #6.

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

#### **PENDING BUSINESS**

Mr. Allegretto announced a meeting would be held on Saturday, June 14 at the 8<sup>th</sup> Street Recreation Center to discuss the Historic District and review the responses to the survey that went out to the residents of the District.

Mr. DeVlieger spoke about the American Cancer Fund Relay For Life fundraiser event to be held at Carey Field June 21 and June 22. He then spoke about his comments at a prior council meeting regarding the use of another type of product for the boardwalk and said he wanted to have an intelligent ongoing conversation about what is the best quality product to be used. He said an interested group should request this issue be placed on the ballot for the voters to decide. Mr. DeVlieger said that we owe it to the taxpayer to look at the issue.

Mayor Gillian said he was confident on the decision to use pine on the boardwalk and said it was not just a question of environmental responsibility but also financial responsibility to the taxpayer for the 8 miles of boardwalk. Mr. DeVlieger requested a piece of hardwood be placed next to a piece of pine on the boardwalk

Mr. Guinosso asked if the traffic studies were on schedule and if Central would be included. Mr. Dattilo spoke about the 9<sup>th</sup> Street and West Avenue signal which was pushed back until the fall by the County and said he would check if Central Avenue would be included. Mr. Guinosso spoke about an issue in the 2800 Block of Haven Avenue.

Mr. McClellan announced a prayer service will be held at the Tabernacle on June 30<sup>th</sup> for the Mayor and Council Elect.

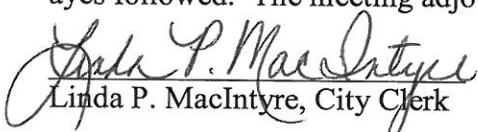
Mr. Hartzell said he and Mr. Wilson were aware of the issues in the 2800 Block of Haven Avenue.

Mr. Ping said people are not using the dangerous bike lane at 9<sup>th</sup> and West Avenue; they are taking the sidewalk to get to the corner.

**NEW BUSINESS** – There was no new business

**CITIZEN COMMENT** – There was no citizen comment.

Mr. Wilson asked for a motion to adjourn. Motion moved by Mr. McClellan; seconded by Mr. Allegretto. All ayes followed. The meeting adjourned at 9:31 pm.

  
Linda P. MacIntyre, City Clerk