

CITY COUNCIL MEETING MINUTES
THURSDAY, FEBRUARY 14, 2013 - 7:00 PM
OC Free Public Library, Room 110

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

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

CITIZEN COMMENT

Ed Price, 7 Marlin Court - questioned Resolution #6 on agenda three and a half months early; requested Council reject the contract and go out to competitive bid. He also questioned the use of Shore Clean for cleaning the city vehicles after Hurricane Sandy.

The following south end residents demanded immediate relief and to be included in the City's beach replenishment project which left the homes vulnerable in the wake of Hurricane Sandy:

Al Grohe, 5079 Simpson Avenue

Linda & Milt Reisen, 5735 Asbury Avenue

Don Weidner, 44 Safe Harbor Drive

John MacNorton, 152 Dory Drive

Paul Butter Ribble, 5816 Central Avenue

Bill Stanwood, 5824 West Avenue

Steve Durso, 5617 Central Avenue

Jan & Bill Booth, 104 Dory Drive

Thad Kirk, 5656 West Avenue

Louise & Kevin Cook, 5643 Central Avenue

Steven Fenichel, 2117 Bay Avenue – spoke about the Country minting medals to award to Drone operators and requested a public discussion on an ordinance not to use tropical hardwood on the boardwalk.

APPROVAL OF MINUTES

Mr. Allegretto asked for a motion to adopt the City Council Workshop Meeting Minutes of Thursday, January 17, 2013 (absent: Mr. DeVlieger). Motion made by Mr. Hartzell; seconded by Mr. Wilson. All ayes followed.

Mr. Allegretto asked for a motion to adopt the Regular City Council Meeting Minutes of Thursday, January 24, 2013 (all present). Motion moved by Mr. Hartzell; seconded by Mr. Guinosso. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION

Mayor Gillian explained the reasons behind using Shore Clean for cleaning the city vehicles used in Hurricane Sandy and spoke about the good work done by the public defender. The Mayor promised he will do everything the City can to provide relief to the south end beaches prior to the summer.

Mayor Gillian reported on the State of the City and presented his proposed 2013 Local Municipal Budget of \$79M which provides for an increase in the tax levy of 1%. He said if this budget is adopted as presented the local tax levy would be just \$292,000 more than his first budget as Mayor in 2011 and will come in significantly under the cap for the third year in a row.

Mr. Dattilo reported on a meeting he, the Mayor and other city officials in Cape May County attended in Trenton to discuss the Advisory Flood Maps with FEMA representatives, the Commissioner of the Department of Environmental Protection and an assistant to the Department of Community Affairs office. He said they left the meeting with some degree of reassurance there would be dialogue regarding the FEMA maps. Mr. Dattilo announced he invited the DEP and Army Corp to attend the next Council meeting to report on the beach replenishment project and that it was unlikely the project would include extending the pipe to the south end of the island.

Mr. Guinosso asked if the city was prepared to have trucks move sand. Mr. Dattilo indicated the city is looking at all options. He suggested a task force could be formed to work on better protection of the island in the future.

Mr. Hartzell spoke about the importance of hiring an engineering consultant for FEMA flood map review.

Mr. Allegretto announced budget workshops will be held next week and said he also supports Resolution #2.

REPORTS – CITY COUNCIL

Mr. Guinosso reported he attended a JIF seminar and there was discussion on ways to alleviate employee insurance claims; he attended an Advisory Aviation Board meeting where airport repairs and grants were discussed and he attended an Ethics Board Seminar and reported there are 44 Ethics Boards in the State and 3 in Cape May County.

ORDINANCES – INTRODUCTION & FIRST READING

Mr. Allegretto asked for a motion to introduce on first reading Ordinance #13-03. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **#13-03: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development, of the Revised General Ordinances of the City of Ocean City to Change the Zone Designation of Block 11, Lots 1-13, Inclusive and Block 108, Lots 1-17, Inclusive from North End Neighborhood to R-1-30.** Ms. McCrosson explained the zone change designation is between North Street and 2nd Street on the ocean side of West Avenue and would be conforming to the recommendation of the 2001 Land Use Plan and the current Master Plan Re-Exam Report.

Mr. Hartzell spoke in support of this ordinance and thanked the administration for bringing the ordinance and spoke in support of this ordinance. Mr. Allegretto reported he spoke with Councilman DeVlieger who spoke and met with some of the residents of the neighborhood who found no objections.

Mr. Allegretto asked for a motion to adopt Ordinance #13-03 on first reading and publish according to law. Motion moved by Mr. Wilson; seconded by Mr. Hartzell. All ayes followed. Mr. Allegretto announced second reading and public hearing will be held on Thursday, March 28, 2013.

Mr. Allegretto asked for a motion to introduce on first reading Ordinance #13-04. Motion moved by Mr. Wilson; seconded by Mr. Guinosso. All ayes followed. The clerk read the ordinance by title: **#13-04: A Bond Ordinance Appropriating \$5,788,000 and Authorizing the Issuance of \$5,498,600.00 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 this ordinance represents the first funding of the recently adopted a \$5M Capital Plan by City Council.

Mr. Guinosso asked if any money was appropriated for 52nd Street playground and asked about building and installation of ADA foot paths at the south end of the island. Mr. Donato said the 15th Street playground is included in this ordinance. Mr. Dattilo indicated equipment at the 52nd Street Playground will be funded next year. Mr. Donato said hard packed material will be used and in conjunction with the emergency dune repairs.

Mr. McClellan asked if there were meter upgrades. Mr. Donato said the electronic meter upgrades will be included and discussed next week's budget workshop. Mr. Hartzell asked about reimbursement of 29th street fire house. Mr. Donato said flood insurance that would apply and any FEMA reimbursement would pay down the debt.

Mr. Allegretto reminded Council Ordinance #13-03 sets money in place for each project that would need Council approval.

Mr. Allegretto asked for a motion to adopt Ordinance #13-04 on first reading and publish according to law. Motion moved by Mr. Wilson; seconded by Mr. Guinosso. All ayes followed. Mr. Allegretto announced second reading and public hearing will be held on Thursday, February 28, 2013.

Mr. Allegretto asked for a motion to introduce on first reading Ordinance #13-05. There was no motion to introduce on first reading. **#13-05: An Ordinance Amending Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City, New Jersey (Height of Oceanfront R-1 & R-2 same as R-O-1 & R-O-2).** Ms. McCrosson said there were concerns due to the lack of clarity of this ordinance which changes the permitted height on the boardwalk between 16th and 23rd Street. Mr. Hartzell made a point of order that non introduction means Council may bring this ordinance back to the table at a future date.

ORDINANCES – SECOND READING & PUBLIC HEARING

Mr. Allegretto asked for a motion to take up Ordinance #12-20 on second reading. Motion moved by Mr. McClellan; seconded by Mr. Hartzell. All ayes followed, except Mr. Wilson who rescued himself and stepped away from the table. The clerk read the ordinance by title: **#12-20: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City to Expand Permitted and Conditional Uses in the Drive-In-Business Zone.** Ms. McCrosson explained the changes in the ordinance and stated the Planning Board found the ordinance consistent with substantial changes which were approved at Council's last meeting; and re-advertised for final approval at this meeting. Ms. McCrosson explained this ordinance eliminates Office and Bank Zones entirely.

PUBLIC COMMENT – There was no comment on Ordinance #12-20.

Mr. Allegretto asked for a motion to adopt Ordinance #12-20 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed.

Mr. Allegretto asked for a motion to take up Ordinance #13-02 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. Guinosso. All ayes followed. The clerk read the ordinance by title: **#13-02: A Bond Ordinance Appropriating \$5,290,000.00 and Authorizing the Issuance of \$5,025,500.00 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 outlined in the bond which were are related to Hurricane Sandy.

PUBLIC COMMENT – There was no public comment.

Mr. Guinosso questioned the amount of money for work on the 34th Street tennis courts. Mr. Donato said extensive repairs are needed.

Mr. Allegretto asked for a motion to adopt Ordinance #13-02 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. Wilson. All ayes followed.

RESOLUTIONS – CONSENT AGENDA:

13-49-134 - #1 - A Resolution to Authorize the Advertisement of Specifications for City Contract #13-33, Installation & Repair of the Airport Lighting & Facilities

13-49-136 - #3 - A Resolution Authorizing the Award of City Contract #12-69, Supply & Installation of Flooring at the Ocean City Arts Center

13-49-137 - #4 - A Resolution Authorizing the Award of City Contract #13-06, Lease of 9th Street Parking Lot Restaurant

13-49-138 - #5 - A Resolution Authorizing a Professional Services Contract between the City of Ocean City & Czar Engineering, Inc. for Plans, Specifications, Contract and Construction Administration for the Renovations of City Hall's First Floor

13-49-139 - #6 - A Resolution Authorizing the Award of a Professional Service Contract between the City of Ocean City & the Law Office of Douglas K. Walker, P. C. for Municipal Public Defender Legal Counsel Services for the City of Ocean City

13-49-140 - #7 - A Resolution Approving a Special Event Permit for a Fireworks Display for First Night Ocean City, Inc. on January 1, 2014

13-49-141 - #8 - A Resolution Approving a Special Event Permit for a Fireworks Display for Gilamco, Inc. on June 6, 2013

13-49-142 - #9 - A Resolution Authorizing the Award of a Contract to Fire & Safety Services, Ltd for Warranty, Maintenance and Service of the Pierce Fire Trucks for the Department of Fire and Rescue Services for the 2013 Calendar Year

13-49-143 - #10 - A Resolution Authorizing the Award of a Contract to VCI, Emergency Vehicle Specialists for Maintenance and Service of the Department of Fire and Rescue Services Ambulances for the 2013 Calendar Year

13-49-144 - #11 - A Resolution Authorizing the Award of a Contract between the City of Ocean City and Richard N. Best Associates, Inc. for the Repair & Maintenance of the Parking Systems for the 2013 Calendar Year

13-49-145 - #12 - A Resolution Authorizing the Award of a Contract between the City of Ocean City and Edmunds and Associates, Inc. for the 2013 Software Maintenance Contract for the Financial Management System

13-49-146 - #13 - A Resolution Authorizing the City's Participation in State Contract #T-2006, Vehicles, Passenger Vans 7/8/12/15 Passenger for the Purchase of One (1) 2013 or Newer Chevrolet Express 15 Passenger Van

13-49-147 - #14 - A Resolution Consenting to the Proposed Water Quality Management (WQM) Plan Amendment

13-49-148 - #15 - A Resolution Authorizing the Payment of Claims

13-49-149 - #16 - A Resolution Approving Tax Overpayment Refunds 2013–7 to 9

13-49-150 - #17 - A Resolution Authorizing Transfers of Appropriations Reserves of the 2012 Local Municipal Budget Per N.J.S.A. 40A: 4-59

13-49-151 - #18 - A Resolution Authorizing An Emergency Temporary Appropriation

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

RESOLUTIONS – NON CONSENT AGENDA

13-49-135 - #2 - A Resolution Authorizing the Award of City RFQ #Q13-004, Professional Consulting Services for FEMA Flood Map Review. Mr. Dattilo explained Atkins is a worldwide recognized firm who has developed flood insurance maps in other parts of the country and has provided extensive work for and with FEMA. Mr. Guinosso asked if part of the scope of services could provide insight to alleviate the drastic zones FEMA has put in place. Mr. Dattilo responded that an in-depth analysis is outside the scope of the work however mitigation measures on the west side of the island will mostly likely be discussed.

PUBLIC COMMENT – There was no public comment on Resolution #2.

Mr. Allegretto asked for a motion to adopt Resolution #2. Motion moved by Mr. Guinosso; seconded by Mr. Wilson. All ayes followed.

PENDING BUSINESS

Mr. Guinosso reported he met with Ms. McCrosson to discuss the problems at Ocean City Homes and Merion Park and said that he is looking to put a focus group together.

Mr. McClellan reported residents began to move back into their homes last Saturday at Peck’s Beach Village and all residents should be back in by the end of February.

Mr. Hartzell asked if a second public meeting could be scheduled with FEMA. He addressed his concerns about the V-Zones related to BFE and the downtown. Ms. McCrosson addressed his concerns and said a BFE Mechanical ordinance is being worked on. Ms. McCrosson said the downtown requires more study and should be handled by the Planning Board.

Mr. Allegretto thanked the south end residents for attending and expressing their frustration of the lack of sand and said the City shares those frustrations and will do everything that is possible to help restore the beaches.

NEW BUSINESS

Mr. Guinosso announced he will be holding a 4th Ward meeting on Saturday, February 16th from 9:00 to 12:00 Noon at Our Lady of Good Counsel Parish Hall and that he will meet with Sgt. Hopely on March 6th to discuss traffic patterns between Bay and West Avenue between 29th to 31st Street.

CITIZEN COMMENT

Al Keleher, 3304 Simpson Avenue – repeated his idea about using the concrete from the repairs of 34th Street Bridge and crushed rock along the railroad beds.

Wendy Smith, 220 Clipper Drive – said at some point the City has to tell the residents what the plans are for the south end beaches.

Mr. Allegretto asked for a motion to adjourn. Motion moved by Mr. Wilson; seconded by Mr. Hartzell. All ayes followed and the meeting adjourned at 9:20 pm.

_____/s/
Linda P. MacIntyre, City Clerk
