

**CITY COUNCIL MEETING MINUTES
THURSDAY, JULY 11, 2013 - 7:00 PM
OC FREE PUBLIC LIBRARY, ROOM N110**

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

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

Michael Hinchman, OC – suggested the following: publish criteria for spoils sites and hire a paralegal to provide deed searches along the bay; he then spoke on the following topics: coastal cottages, use of boardwalk pine and the City's debt.

Marc Schuster, OC – requested the opening prayer be non secular and spoke about the need for a new storm water management plan in the Master Plan.

Mary Faust, OC – presented a letter with signatures requesting relocating the surfers one block over to 28th or 30th Street, past the lifeguard stand.

Chuck Deal, OC – addressed his concerns related to safety for the 29th Street sailors due to the young people surfing.

Wendy Smith, OC – wanted an update on what the final plan is for the south end beaches.

Mr. Dattilo stated he will discuss the 29th Street beach concerns with the Fire Chief and Beach Patrol Superintendent and reported he is aware of a meeting held between the Army Corp or DEP but has not received anything definitive. However, the City will continue acquisition of obtaining the required easements for whatever project needs to take place in the off season.

APPROVAL OF MINUTES

Mr. Wilson asked for a motion to adopt the Regular City Council Meeting Minutes of Thursday, June 27, 2013 (all present). Motion made by Mr. Hartzell; seconded by Mr. Guinosso. All ayes followed.

Mr. Wilson asked for a motion to adopt the Reorganization Meeting of City Council of Monday, July 1, 2013 (all present). Motion made by Mr. Hartzell; seconded by Mr. Guinosso. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION

Mr. Dattilo reported on the following: Cape May County certified the City's local tax rate at 84.2 cents; 204 tax appeals were settled for a total reduction in ratable base of \$15M; a revenue update will be presented at the next Council meeting and announced a meeting was held with the South Jersey Pops and at least one date has been confirmed for 2014. Mr. Dattilo reported under Resolution #5 Ms. McCrosson is maintaining the same rates for general legal services for the past four years.

REPORTS – CITY COUNCIL

Mr. DeVlieger thanked the Mayor and Administration for the corrective action on the roadway of Pennlyn Place. Mr. McClellan provided an update on the bay dredging committee recently formed. Mr. Hartzell provided background on the initial dredging meeting coordinated by Congressman LoBiondo related to obtaining alternative dredge spoil sites.

ORDINANCES – SECOND READING AND PUBLIC HEARING

Mr. Wilson asked for a motion to take up Ordinance #13-20 on second reading. Motion moved by Mr. Ping; seconded by Mr. Hartzell. All ayes followed. The Clerk read the ordinance by title: **#13-20: A Bond Ordinance Appropriating \$4,550,000.00 and Authorizing the Issuance of \$4,322,500.00 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 capital items listed in the ordinance.

PUBLIC COMMENT – Ordinance #13-20

Michael Hinchman, 281 West Atlantic Boulevard questioned the amount to be spent on paving the 5th-6th Street parking lot.

Mr. Donato reported the original capital plan provided for the repaving of the parking lot but was held to include an initiative to reconfigure and include the recreation facilities in the entire project.

Mr. Wilson asked for a motion to adopt Ordinance #13-20. Motion moved by Mr. Ping; seconded by Mr. Hartzell. All ayes followed.

Mr. Wilson asked for a motion to take up Ordinance #13-21 on second reading. Motion moved by Mr. Hartzell; seconded by Mr. Guinosso. All ayes followed. The Clerk read the ordinance by title: **#13-21: A Capital Ordinance Appropriating Improvement Authorizations in the Amount of \$125,000 by the Utilization of \$125,000 from Capital Improvement Fund (CIF).** Mr. Donato outlined the improvements associated with the ordinance and explained the ordinance authorizes no debt.

PUBLIC COMMENT – Ordinance #13-21 – There was no public comment.

Mr. Guinosso asked about the possibility of Fire using E-ticket application. Mr. Dattilo said it still under review by the staff and if moved forward previously allocated funds would be used.

Mr. Wilson asked for a motion to adopt Ordinance #13-21. Motion moved by Mr. Hartzell; seconded by Mr. McClellan. All ayes followed.

RESOLUTIONS – CONSENT AGENDA:

12-49-264 - #2. A Resolution Authorizing a Professional Services Contract between the City of Ocean City & McCrosson & Stanton, P.C. for General Legal Services
12-49-267 - #5. A Resolution Amending the 2013 Local Municipal Budget of the City of Ocean City/Capital Budget
12-49-268 - #6. A Resolution Authorizing the Payment of Claims

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

RESOLUTIONS – NON CONSENT AGENDA

12-49-263 - #1. A Resolution Authorizing the Award of a Contract to TriState EZ Docks, Inc. for the Bayside Center - Master Dock Plan for the Calendar Year 2013. Mr. Guinasso questioned the use of the docks. Mr. Dattilo explained the docks are used for public access, transient use and by the Ocean City Sailing Foundation for sailing lessons.
12-49-265 - #3. A Resolution Authorizing the Extension of City Contract #12-05, Maintenance of City Owned Grounds & Garden Plots for the Contract Year 2013. Mr. Guinasso asked if the strip of land between 34th to 35th Street along Haven Avenue would be included and spoke about the an unsightly piece of land at on the northwest side of 34th Street and Bay Avenue. Mr. Dattilo reported Haven Avenue is currently maintained in-house and that he will take another look at the other area in question.
12-49-266 - #4. A Resolution Authorizing Change Order #1, Final Acceptance & Final Payment of City Contract #13-30, Reconstruction of 34th Street Tennis Courts. Mr. Guinasso questioned the additional charges to the contract. Mr. Dattilo reported more repairs were required then the specifications called for.

PUBLIC COMMENT – There was no comment on Resolution #1, #3 and #4.

Mr. Wilson asked for a motion to adopt Resolution #1, #3 and #4. Motion moved by Mr. Hartzell; seconded by Mr. Guinasso. All ayes followed.

PENDING BUSINESS

Mr. Allegretto asked if the Administration received a response from Comcast regarding the closing of the Ocean City office, and suggested the Utility Advisory Board forward comments in support of retaining a local office. Mr. Dattilo stated no formal response was received. However, comments will be submitted to the Board of Public Utilities.

Mr. Guinasso requested an update on the south end beach easements. Ms. McCrosson reported approximately 105 out of about 200 easements were received and said that the City will move forward taking easements from property owners who have not responded.

Mr. Hartzell requested an update on S-2598. Ms. McCrosson responded the Bill, passed by the Assembly and Senate, is on the Governor desk for signature; the Bill would allow non-conforming uses to be elevated to meet FEMA requirements without going to the Zoning Board.

Mr. Ping spoke about his concern for surfers and sailors sharing beaches and requested the Administration to take a look at this potential problem.

NEW BUSINESS

Mr. DeVlieger announced the local youth football league will hold a night time cruise fundraiser on August 9th.
Mr. McClellan announced that Bobby Barr was elected as the new President of the OC Community Association.
Mr. Hartzell announced the Walk for the Wounded on the boardwalk will be held on September 28th.

Mr. Wilson spoke about his awareness regarding the surfing/sailing beach and will work with the Administration to make the beaches safer.

CITIZEN COMMENT

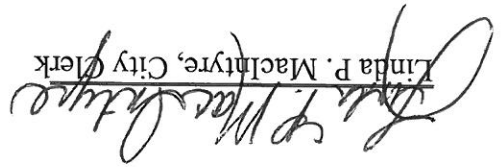
Michael Hinchman, 281 West Atlantic Boulevard - requested an answer to his questions regarding the parking lot.
Al Keleher, 3304 Simpson Avenue - heard a rumor that some people are opposing the 59th Street beach path; stated he is still waiting to see a visitor count and financial report for the Life Saving Station.
Wendy Smith, 220 Clipper Drive - asked if any meetings were held with representatives for the south end.

Mr. Hartzell responded that all parties involved have been in contact numerous conversations have occurred with the Army Corp and DEP and the City is committed to move forward with a plan.

Mr. Wilson reported an explanation was provided by Mr. Donato regarding the parking lot.

Dale Braun, 326 West Avenue - requested once or twice a year Council schedule a conversational workshop between the public and Council.

Mr. Wilson asked for a motion to adjourn. Motion moved by Mr. Hartzell; seconded by Mr. Ping. All ayes followed. The meeting adjourned at 8:23 pm.


Linda P. MacIntyre, City Clerk