

**CITY COUNCIL MEETING MINUTES  
THURSDAY, JANUARY 22, 2015 – 7:00 PM  
CITY HALL COUNCIL CHAMBERS**

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

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

**CITIZEN COMMENT** – There was none.

**APPROVAL OF MINUTES**

Mr. Wilson asked for a motion to adopt the Regular City Council Meeting Minutes of Thursday, January 8, 2015. (All present). Motion moved by Mr. Hartzell, seconded by Mr. McClellan. All ayes followed.

**REPORTS – MAYOR & ADMINISTRATION**

Mayor Gillian read a Proclamation entitled “**A Proclamation Establishing Ocean City’s “Green Team” For 2015**” Mayor Gillian said the proclamation will create a team will allow Ocean City to participate in grant making and keep Ocean City healthy.

Mr. Mallon reported on the pre-construction meeting for the south end beach replenishment with no changes in the schedule beginning early April and ending August 12, 2015 tentative on the weather.

Mayor Gillian asked the public keep an open mind throughout the beach replenishment project and to be thankful for the process and look at the big picture. The City will do everything possible to limit the inconvenience to the public.

**REPORTS – CITY COUNCIL**

Mr. McClellan and Mr. Hartzell thanked everyone that participated in the Martin Luther King celebration.

**RESOLUTION #1**

**15-51-025 #1** - A Resolution Honoring the Boy Scouts of America of Ocean City’s Troop 32 that Achieved the Rank of Eagle Scout During the Calendar Year 2014. Mr. Wilson asked the family of Bradari Philip Altman to step forward. The clerk read the resolution in its entirety. Mayor Gillian and Council members each congratulated Mr. Altman for the achievement on the Rank of Eagle Scout during 2014.

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

**ORDINANCES: INTRODUCTION & FIRST READING**

Mr. Wilson asked for a motion to introduce on first reading Ordinance #15-01. Motion moved by Mr. Hartzell, seconded by Mr. McClellan. All Ayes followed. The clerk read the ordinance by title: **#15-01 An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised Ordinances of the City of Ocean City (Hospitality Zone).**

Ms. McCrosson said the Hospitality zone is a relatively new zone that needs some language adjustments. Ms. McCrosson said the bulk requirement for the residential use referenced is not necessary and the ordinance removes the deference in the schedule and the structural format for mixed use is clarified. She also reported that the depth of the smaller lots in the zone reduces the prevailing lot depth from 100 feet to 75 feet that was an oversight in the zone. Ms. McCrosson commented there may be other changes brought forward.

Mr. Wilson asked for a motion to adopt Ordinance #15-01 on first reading and publish according to law. Motion moved by Mr. McClellan, seconded by Mr. Hartzell. All ayes followed. Mr. Wilson announced Ordinance #15-01 would be sent to the Planning Board for consistency review with second reading and public hearing to be held on February 26, 2015.

Mr. Wilson asked for a motion to introduce on first reading Ordinance #15-02. Motion moved by Mr. McClellan, seconded by Mr. Hartzell. All ayes followed. The clerk reading the ordinance by title: **#15-02 An Ordinance Amending and Supplementing Chapter V “General Licensing” of the Revised General Ordinances of the City of Ocean City, New Jersey (Peddlers, Hawkers and Vendors)**

Ms. McCrosson said the ordinance reflects changes to the way the ice cream vendor market is and how the public reacts to the enforcement of the existing ordinance. This ordinance changes the operation hours to 10:00 am to 6:00 pm and reduces the amount of trucks or bicycle carts in a street end at one time. The ordinance now

stipulates only one truck or one bicycle at any given time to help reduce the constant bell ringing that is disturbing to the public.

Mr. Guinosso said he doesn't really see the need to change the ordinance and likes the competitiveness of the process, he believes competition is important. He said if the price of the permit increases the price of your product will escalate.

Mr. Wilson asked for a motion to adopt Ordinance #15-02 on first reading and publish according to law. Motion moved by Mr. Hartzell, seconded by Mr. McClellan. All ayes followed. Mr. Wilson announced second reading and public hearing would be held on February 12, 2015.

Mr. Wilson asked for a motion to introduce Ordinance #15-03 on first reading. Motion moved by Mr. McClellan, seconded by Mr. Madden. All ayes followed. The clerk read the ordinance by title: **#15-03 An Ordinance Amending Ordinance #87-17, Chapter IV "Police Regulations" of the Revised General Ordinances of the City of Ocean City, New Jersey (Jumping Off Bridges; Abandoned Bicycles)**

Ms. McCrosson offered an explanation to the Ordinance brought forward by Chief Callahan for safety reasons at Route 52 Causeway bridges, the Ocean City-Longport bridge, Ocean City-Strathmere bridge, the Rush Chatten Bridge, W. 17<sup>th</sup> Street Bridge and the 34<sup>th</sup> Street Bridge. Councilman Hartzell asked if the ordinance could extend to bulkheads and fishing piers.

Mayor Gillian said he agreed, because of the currents around the piers and bridges. Ms. McCrosson said adding bulkheads, boardwalk and fishing piers would be a change to the ordinance and suggested a new ordinance to include them. Councilman Wilson said he agrees to the ordinance that will give Chief Callahan the tools the police need for the public safety of the citizens.

Mr. Wilson asked for a motion to adopt Ordinance #15-03 on first reading and publish according to law. Mr. McClellan made a motion, seconded by Mr. Hartzell. All ayes followed. Mr. Wilson said second reading and public hearing will be held on February 12, 2015.

Mr. Wilson asked for a motion to introduce Bond Ordinance #15-04. Mr. Guinosso made a motion, seconded by Mr. McClellan. All ayes followed. The clerk read the Bond Ordinance by title: **#15-04 A Bond Ordinance Appropriating \$5,000,000.00 and Authorizing the issuance of \$4,750,000.00 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 said the single purpose of the bond ordinance is to appropriate \$4.7 million in bonds and notes for dredging the lagoons and back bays. The funds would cover the permitting, engineering and dredging of lagoons and bay front and the preparation of emptying one or more confined disposal sites. Mr. Donato said it is consistent with the five-year capital plan. Mr. Donato said this is the most aggressive plan the City has ever taken, and is being brought before Council in advance of the adoption of the Capital plan. Mayor Gillian said it was a top priority and the hardest thing he has ever dealt with and can't afford for the homeowners to lose the value of their homes. Mayor Gillian said he hopes that dredging will begin by July 1, 2015.

Mr. Wilson asked for a motion to adopt on first reading Ordinance #15-04 on first reading and publish according to law. Mr. McClellan made a motion, seconded by Mr. Hartzell. All ayes followed. Mr. Wilson said second reading and public hearing would be held on February 12, 2015.

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

**15-51-026 - #2.** A Resolution to Authorize the Advertisement of Specifications for City Contract #15-06, Concession Licenses for the Sale of Food, Ice Cream & Beverage Related Products at Designated City Owned Street Ends

**15-51-027 - #3.** A Resolution Authorizing the Award of City Contract #14-39, Installation of Track Surface at Carey Field

**15-51-028 - #4.** A Resolution Authorizing Change Order #1 to City Contract #14-29, Merion Park Drainage Improvement Program

**15-51-029 - #5.** A Resolution Authorizing the Award of City Contract #15-04, Supply & Delivery of Sand Fence & Posts and Posts and Rail Fence Materials (251COCCPS)

**15-51-030 - #6.** A Resolution Authorizing the Award of a Professional Services Contract Between the City of Ocean City & Tetra Tech, Inc. as a Hazard Mitigation & Environmental Consultant

**15-51-031 - #7.** A Resolution Authorizing the Award of a Professional Services Contract between the City of Ocean City & Thomas G. Smith, P.C. for Special Legal Counsel for Tax Appeals for the Calendar Year 2015

**15-51- 032 - #8.** A Resolution Authorizing the Execution of a Lease Agreement Between the City of Ocean City and the Humane Society of Ocean City, Inc for Certain Land and Premises Owned by the City of Ocean City, New Jersey

**15-51-033 - #9.** A Resolution to Authorize the Advertisement of Specifications for City Contract #14-37, 2014 Road Improvement Program – Phase 2

**15-51-034 - #10.** A Resolution Authorizing the Application by the City Of Ocean City to Sustainable Jersey™ 2014-2015 Small Grants Program Funded By PSEG for a Capacity Building Grant

**15-51-035 - #11.** A Resolution Authorizing the Payment of Claims

**15-51-036 - #12.** A Resolution Authorizing Transfers of Appropriations Reserve of the 2014 Local Municipal Budget per N.J.S.A 40A:4-59

**15-51-037 - #13.** A Resolution Approving Tax Overpayment Refund 2015-1 to 3

**15-51-038 - #14.** A Resolution Authorizing the Application for the Execution of a Subcontract with the County of Cape May for the Upper Township/Ocean City Municipal Alliance Program

**15-51-039 - #15.** A Resolution Authorizing Change Order #2, Final Acceptance and Final Payment of City Contract #13-48 R-1, Ocean City Life Saving Station Reconstruction of Outbuildings and Exterior Renovations

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

#### **PENDING BUSINESS**

Mr. Hartzell said there was some concern from a citizen on the condition of the roofs at Peck's Beach Village. Mr. Hartzell provided a picture the roof and believes that the Council did the right thing for the residents to have them live in an appropriate manner.

Mr. Guinosso asked if there would be a plan in the 5-year Capital Budget to alleviate the flooding along Haven Avenue because he believes he got an incomplete answer. Mayor Gillian said the right people will be put in place to solve this problem area like it was done in the Merion Park neighborhood. Mr. Guinosso said he heard there was a plan to move the Historical Museum to the Stainton's Building. Mayor Gillian responded that many options are still being considered at this point.

Mr. DeVlieger said he applauds the Administration for taking a step in the right direction to preserve the history of Ocean City and Surf Museum, he believes it to be culturally valuable to the community.

#### **NEW BUSINESS**

Mr. Guinosso asked if there was any certification for the safety of underground fuel tanks. Ms. McCrosson said there is a state remediation program in place.

Mr. DeVlieger said he recently attended a presentation at the High School entitled "Pills to Heroin, which would be aired on Channel 97 and encouraged parents to view the presentation.

#### **CITIZEN COMMENT**

**Dale Braun, 326 West Avenue** - asked a question regarding Ordinance #15-03, bicycle ordinance. Ms. McCrosson responded to his question.

#### **ADJOURNMENT**

Mr. Wilson asked for a motion to adjourn. Mr. Hartzell made the motion, seconded by Mr. Guinosso. Meeting adjourned at 8:15 p.m.

  
Sheila Cottrell, Deputy City Clerk