

**CITY COUNCIL MEETING MINUTES
THURSDAY, FEBRUARY 26, 2015 – 7:00 PM
CITY HALL COUNCIL CHAMBERS**

ATTENDANCE: Mr. Allegretto, Mr. DeVlieger, Mr. Guinosso, Mr. Hartzell, Mr. McClellan and Mr. Wilson. Also present was Mayor Gillian, Mr. Dattilo, Aide to the Mayor and Ms. McCrosson, City Solicitor. Mr. Madden arrived at 7:03 pm.

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

Bill Hartranft, 728-A Battersea Road – would like to see a more detailed report on the city's drainage plan.

Roy Wagner, 2824 Wesley Avenue – asked why the City is building a dirt path at the end of the boardwalk at 23rd Street.

Michael Hinchman, 281 West Atlantic Boulevard – asked a few questions regarding fund balance, he handed out information on bonds, rates & yields rates and suggested going long term on the city's debt. He spoke about the number of employees in the budget and said the city could do better; spoke about flooding and said the city should be organized regarding the drainage.

APPROVAL OF MINUTES

Mr. Wilson asked for a motion to adopt the City Council Meeting minutes of Thursday, February 12, 2015 (Mr. Madden was absent) Motion moved by Mr. McClellan; seconded by Mr. Hartzell. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION

Mr. Dattilo reported the city received notification that the City's 2015 allocation from the Federal government for the Community Development Block Grant Funds is \$183,000 down approximately \$15,000 from last year; stated the Schilling matter will go to settlement in the next few weeks; expect to have capital plan resolution on next agenda and a bond ordinance for the capital plan. Mr. Dattilo spoke about adding some clarity to the plans for drainage and reported the City is maintaining and improving the access path to the beach under the general beach maintenance permit as asked by Mr. Wagner.

Mr. Hartzell spoke about how the City rates roads for paving and drainage how a project would come together. Mr. Dattilo said there is a criteria and that the drainage and roads are rated separately.

REPORTS – CITY COUNCIL – There were no reports.

ORDINANCES: INTRODUCTION & FIRST READING

Mr. Wilson asked for a motion to introduce Ordinance #15-07 on first reading. Motion moved by Mr. McClellan; seconded by Mr. Madden. All ayes followed. The clerk read the ordinance by title: **#15-07: An Ordinance Revising Chapter XXI, Flood Damage Prevention of the Revised General Ordinances of the City of Ocean City, New Jersey (Designating Planning Board as Flood Damage Prevention Board of Appeals)**. Ms. McCrosson explained that due to the increase in the number of homeowners interested in elevating or replacing their beachfront and bayfront bulkheads the Administration saw a need for a Flood Damage Prevention Appeal Board. The Mayor proposes to designate the Planning Board to serve as the City's Appeal Board with members appointed by the Mayor with council consent.

Mr. Guinosso suggested the Zoning Board would be a better fit to review variances since he felt they had more interaction granting variances. Ms. McCrosson said that it could be either board but most municipalities use the Planning Board as the authority. Mr. DeVlieger indicated that Mr. Guinosso's suggestion had some merit.

Mr. Wilson asked for a motion to adopt Ordinance #15-07 on first reading and publish according to law. Motion moved by Mr. McClellan; seconded by Mr. Hartzell. All ayes followed, except Mr. DeVlieger and Mr. Guinosso, voted no. Mr. Wilson announced second reading and public hearing would be held on March 12, 2015.

ORDINANCES: SECOND READING AND PUBLIC HEARING

Mr. Wilson asked for a motion to take up Ordinance #15-01 on second reading and public hearing. Motion moved by Mr. McClellan; seconded by Mr. Hartzell. 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 General Ordinances of the City of Ocean City (Hospitality Zone)**. Ms. McCrosson explained the changes in the ordinance and handed out a minor amendment to the Schedule of District Regulations which better clarifies the use standards for one and two family homes.

Mr. Guinosso addressed concerns with the ordinance which he felt should be looked at prior to adopting. Ms. McCrosson responded to his issues with the ordinance.

PUBLIC COMMENT – Ordinance #15-01

Roy Wagner, 2924 Wesley Avenue - questioned some of the backup documents to the ordinance. Ms. McCrosson explained that several pages not associated with the ordinance were inadvertently inserted.

Mr. Wilson asked for a motion to take up Ordinance #15-01 as amended on second reading and public hearing. Motion moved by Mr. McClellan; seconded by Mr. Hartzell. All ayes followed, except Mr. Guinosso, voted no.

Mr. Wilson asked for a motion to take up Ordinance #15-05 on second reading and public hearing. Motion moved by Mr. McClellan; seconded by Mr. Allegretto. All ayes followed. The clerk read the ordinance by title: **#15-05: An Ordinance Amending Ordinance #87-17 of the Revised General Ordinances of the City of Ocean City, New Jersey (Police Ordinance 2015 (2))**. Ms. McCrosson explained the ordinance clarifies the chain of command identifying the appropriate authority as the City Business Administrator.

PUBLIC COMMENT – There were no comments on Ordinance #15-05.

Mr. Wilson asked for a motion to adopt Ordinance #15-05 on second reading. Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed.

Mr. Wilson asked for a motion to take up Ordinance #15-06 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: **#15-06: An Ordinance Amending and Supplementing Ordinance #87-17, Chapter II “Administration”, Section 2-1.19 of the Revised General Ordinances of the City of Ocean City, New Jersey (Mayor’s Appointment of Tax Collector, with Council’s Advise and Consent)**. Ms. McCrosson explained the ordinance makes the City’s code consistent with the requirement of State Statutes regarding the appointment of a Tax Collector and authorizes the Mayor to appoint a Tax Collector subject to the advice and consent of City Council.

PUBLIC COMMENT – There were no comments on Ordinance #15-06.

Mr. Wilson asked for a motion to adopt Ordinance #15-06 on second reading. Motion moved by Mr. Guinosso; seconded by Mr. McClellan. All ayes followed.

RESOLUTIONS – CONSENT AGENDA:

15-51-052 - #1. A Resolution to Authorize the Advertisement of Specifications for City Contract #15-01, Firework Shows for the Calendar Years 2015-2016 for the City of Ocean City & the City of Ocean City Cooperative Pricing System Members

15-51-054 - #3. A Resolution Authorizing the Award of a Professional Services Contract between the City of Ocean City & Czar Engineering, LLC for Structural Boardwalk Study & Cost Analysis from the Ocean City Music Pier to 8th Street

15-51-055 - #4. A Resolution Accepting Surplus Items from the United States Defense Logistics Agency Disposition Services

15-51-056 - #5. A Resolution Authorizing Change Order #1 to City Contract #14-24, 2014 Road Improvement Program – Phase 1

15-51- 57 - #6. A Resolution Authorizing Change Order #2, Final Acceptance & Final Payment of City Contract #12-48, 2013 Bulkhead Improvements at Various Locations

15-51-058 - #7. A Resolution Authorizing the Extension of City Contract #12-07, Concession Licenses for the Sale of Food, Ice Cream & Beverage Related Products at City Owned Street Ends

15-51-059 - #8. A Resolution Authorizing the Payment of Claims

15-51-060 - #9. Authorizing the Award of a Contract to Cody Computer Services, Inc. for the City of Ocean City’s Department of Fire & Rescue Services Dispatch System Upgrades

15-51- 62 - #11. A Resolution Authorizing a Closed Executive Session for the Purpose of Discussing Personnel, Board & Commission Appointments (Environmental Commission)

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

RESOLUTIONS – NON CONSENT AGENDA

15-51-053 - #2. A Resolution Authorizing the Award of a Professional Services Contract between the City of Ocean City & Ruderman & Glickman, P.C. for Labor Counsel Services for the Calendar Year 2015. Mr. DeVlieger asked if there was a paralegal rate. Ms. McCrosson said Mr. Ruderman has personally negotiated the City’s labor contracts over the last four years.

15-51-061 - #10. A Resolution Authorizing the Award of City Contract #15-20, Material Removal From Confined Disposal Facility #83. Mayor Gillian spoke about the removal of spoils from the site and indicated that his administration has been in contact with state representatives from the DEP and Army Corps of Engineers.

PUBLIC COMMENT – There were no comments on Resolution #2 and #10.

Mr. Wilson asked for a motion to adopt Resolution #2 and #10. Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed.

PENDING BUSINESS

Mr. Hartzell spoke about emails he received regarding concerns of the tennis court surface and requested the administration reach out and meet with those residents who use the courts. Mr. Mallon said he had received feedback on that subject as well. Mr. Dattilo said construction is to begin late spring and a carpet surface would be used which would be easier on the legs.

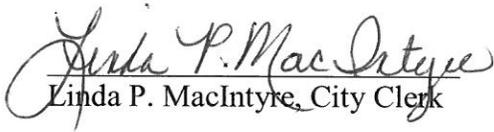
Mr. Guinosso asked if DEP representatives would be making a report to Council on the beach replenishment project and asked if another drainage and road survey would be done. Mr. Dattilo indicated the DEP and Army Corps will attend a council meeting sometime in March or April and that no road re-ratings will be done prior to the adoption of the Capital Plan.

NEW BUSINESS – There was none.

CITIZEN COMMENT

Al Keleher, 3304 Haven Avenue – spoke about increased flooding on Haven Avenue and said the truck traffic pattern needs to be addressed on Haven Avenue which contributes to the destruction of the underlayment of the roadway.

Mr. Wilson asked for a motion to adjourn into closed executive session. Motion moved by Mr. Allegretto; seconded by Mr. DeVlieger. All ayes followed. The meeting adjourned into closed executive session at 8:10 pm.


Linda P. MacIntyre, City Clerk