

**CITY COUNCIL MEETING MINUTES  
THURSDAY, AUGUST 27, 2015 – 7:00 PM  
CITY HALL COUNCIL CHAMBERS**

**ATTENDANCE:** Mr. DeVlieger, Mr. Guinosso, Mr. Madden, Mr. McClellan, Mr. Wilson and Mr. Hartzell. Also present was Mayor Gillian, Mr. Dattilo, Aide to the Mayor and Ms. McCrosson, City Solicitor. Mr. Allegretto was absent.

Council President Hartzell 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.

Mr. Hartzell turned the meeting over to Mayor Gillian who presented a Proclamation to Police Officers Brendan Gheen and Karl Ruf and Fire Captain Vito DeMarco who were honored for saving the life of pedestrian after she was struck by a car. Firefighters John Furey, Ryan Lenegan, Bernie Walker and EMT Winston Roberts were also honored.

Mr. Hartzell spoke on the procedures of public comment and requested residents be respectful and professional when making comments and standing rules.

#### **CITIZEN COMMENT**

**Rob Boyer, The Chatterbox, 500 East 9<sup>th</sup> Street** – requested that something be done about the hazardous condition of buckling concrete from tree roots which resulted in a woman injured when she tripped on the sidewalk in front of the Chatterbox.

**Jim Tweed, 1512 Wesley Avenue** – clarified a comment made at the last council meeting by Mr. Hinchman.

**Michael Hinchman, 281 West Atlantic Boulevard** – spoke about his concerns that the city permitted occupancy at a city building located at 1501 West Avenue without first having a fire inspection.

**Michael Hyson, 637 Simpson Avenue** – thanked the Mayor for holding town meetings on back bay dredging and road and drainage improvements from the area of 26<sup>th</sup> Street to 34<sup>th</sup> Street West to Bay Avenue and for his commitment to reinvest in the City's infrastructure.

**Claudia Young, 5414 Central Avenue** – reported she was disturbed by Mr. Chew, one of the City's engineers by his comment that he would not recommend repaving of her alley.

**Richard Burns, 4509 Central Avenue** – has been requesting for over three years for the city to do a study on the possibility of making Central Avenue a one-way street.

#### **APPROVAL OF MINUTES**

Mr. Hartzell asked for a motion to adopt the Regular City Council Meeting Minutes of Thursday, August 13, 2015 (all present). Motion moved by Mr. Wilson; seconded by Mr. McClellan. All ayes followed.

#### **REPORTS – MAYOR & ADMINISTRATION**

Mr. Dattilo said he will contact Mr. Boyer and address the safety concerns of the trees along 9<sup>th</sup> Street; remarked that no children would have been permitted in an unsafe building and the violations at 1501 West Avenue are being taken care of; assured Mrs. Young petitions are always accepted and that her alley will be repaved in the next round of paving. Mr. Dattilo indicated the Mayor has an interest in taking a look at making Central Avenue one way; provided an update of the ongoing Army Corp south end beach replenishment project and said the City should receive a schedule tomorrow from the contractor regarding the high school track.

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

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

Mr. Hartzell asked for a motion to introduce Ordinance #15-20 on first reading. Motion moved by Mr. Wilson; seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **#15-20: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City Neighborhood Business (NB) Zone.** Ms. McCrosson explained the change would add yoga and dance studios to the list of permitted uses in the Neighborhood Business Zone.

Mr. Hartzell asked for a motion to adopt Ordinance #15-20 on first reading and publish according to law. Motion moved by Mr. Wilson; seconded by Mr. Guinosso. All ayes followed. Mr. Hartzell announced the ordinance would be sent to the Planning Board for consistency review with second reading and public hearing to be held on September 24, 2015.

Mr. Wilson asked for a motion to introduce Ordinance #15-21 on first reading. Motion moved by Mr. Guinosso; seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **#15-21: An Ordinance Amending Ordinance #87-17, Chapter VIII “Parking Meters and Time Limit Parking” and Chapter XXX “Municipal Fees” of the Revised General Ordinances of the City of Ocean City, New Jersey (Parking Fees).** Ms. McCrosson explained the ordinance will amend and update parking meters, time limits and parking changes throughout the City and focuses on creating public parking at 6<sup>th</sup> Street & Asbury Avenue. She requested an amendment of 57 parking spaces under Rate G on non-metered lots.

Mr. Guinosso spoke about parking large vehicles on Tennessee Avenue and parking at the 6<sup>th</sup> Street Tennis Courts. Mr. Donato said the city is not looking to increase the parking in the lot on Tennessee Avenue lot and indicated there is an area for free parking free along the tennis courts.

Mr. Hartzell asked for a motion to adopt Ordinance #15-21 on second reading and public hearing as amended for 57 parking spaces. Motion moved by Mr. McClellan; seconded by Mr. Wilson. All ayes followed. Mr. Hartzell announced second reading and public hearing would be held on September 10, 2015.

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

Mr. Hartzell asked for a motion to take up Ordinance #15-18 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: **#15-18: An Ordinance Authorizing the Execution of an Easement to New Jersey American Water Company in, on, over and across 719 Tenth Street, shown on the Current Tax Map of the City of Ocean City as Block 901, Lot 24.01.** Ms. McCrosson explained the water company proposes to replace an old water main running under the boardwalk in the 10<sup>th</sup> Street area which serves privately-owned boardwalk property. An easement is required to run a water line along an existing right-of-way around the Ocean Colony complex and crosses a small unused city-owned parcel.

**PUBLIC COMMENT** – Ordinance #15-18. There were no comments.

Mr. Hartzell asked for a motion to adopt Ordinance #15-18 on second reading. Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed.

Mr. Hartzell asked for a motion to take up Ordinance #15-19 on second reading and public hearing. Motion moved by Mr. Wilson; seconded by Mr. McClellan. All ayes followed, except Mr. Guinosso abstained. The clerk read the ordinance by title: **#15-19: An Ordinance Amending and Supplementing the Revised General Ordinances of the City of Ocean City, Eliminating the Department of Community Operations, Reinstating the Department of Public Works and Incorporating the Duties of the Former Department of Community Operations into Other Departments.** Ms. McCrosson explained the changes in the restructuring of the Departments.

**PUBLIC COMMENT** – Ordinance #15-19. There were no comments.

Mr. Hartzell asked for a motion to adopt Ordinance #15-19 on second reading. Motion moved by Mr. Wilson; seconded by Mr. McClellan. All ayes followed, except Mr. Guinosso abstained.

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

**15-51-217 - #1.** A Resolution to Authorize the Advertisement of Specifications for City Contract #15-18, City Hall Ground Floor Exterior Door & Window Replacement

**15-51-219 - #3.** A Resolution Authorizing the Award of City RFP #Q15-008, General Municipal Bond Counsel Services for the City of Ocean City

**15-51-220 - #4.** A Resolution Authorizing a Professional Service Contract between the City of Ocean City & Fralinger Engineering PA for Professional Surveying Services on an “As Needed” Basis

**15-51-224 - #8.** A Resolution Authorizing the Payment of Claims

**15-51-225 - #9.** A Resolution Approving Tax Overpayment Refund 2015-7

**15-51-226 - #10.** A Resolution Certifying the Governing Body has Reviewed the 2014 Annual Audit

**15-51-227 - #11.** A Resolution Authorizing Execution of a Collective Bargaining Agreement with the Communication Workers of American, AFL-CIO, Local No. 1032

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

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

**15-51-218 - #2.** A Resolution Authorizing the Award of City Contract #15-21 R-1, 2015 Back Bay Dredging  
Mr. Guinosso asked for a time frame on the project. Mr. Dattilo reported the dredging of Snug Harbor and a portion of the bay front area between the mouth of Snug Harbor and the intercoastal waterway will commence mid to late September and will take approximately two months to complete.

**15-51-221 - #5.** A Resolution Authorizing Change Order #1 to City Contract #15-14, Supply & Installation of the Ocean City Skateboard Park. Mr. Guinosso announced, without explanation, that he would abstain from voting on the resolution.

**15-51-222 - #6.** A Resolution Authorizing Change Order #3 to City Contract #14-39, Installation of Track Surface at Carey Field. Mr. Guinosso requested an explanation on the change order. Mr. Dattilo explained the change order is to repave and pave a new portion of adjacent parking lot by the beach which will provide for an additional 17 to 18 parking spots.

**15-51-223 - #7.** A Resolution Authorizing a Shared Services Agreement between the City of Ocean City, NJ and the City of Somers Point, NJ for the Maintenance of a Waste Water Pumping Station located on Route 52. Mr. Guinosso asked who was doing the work prior to this agreement. Mr. Dattilo said Somers Point was doing the work, in the spirit of good will, along with a prior contractor.

**PUBLIC COMMENT** – There was no public comment on Resolution #2, #5, #6 or #7.

Mr. Hartzell asked for a motion to adopt Resolution #5. Motion moved by Mr. Wilson; seconded by Mr. McClellan. All ayes followed, except Mr. Guinosso abstained.

Mr. Hartzell asked for a motion to adopt Resolution #2, #6 and #7. Motion moved by Mr. Guinosso; seconded by Mr. Wilson. All ayes followed.

#### **PENDING BUSINESS**

Mr. Guinosso asked if there was any update on CRS program. Mr. Dattilo indicated he had no update but would check.

Mr. Hartzell spoke about his disturbance regarding a comment made last week during citizen comment regarding an Open Public Record request and explained the Open Public Records procedure handled through the City Clerk's office. Mr. Hartzell clarified his position on the definition of market affordable housing verses subsidized housing from an article that appeared in the local paper recently regarding the City's COAH obligation.

#### **NEW BUSINESS**

Mr. DeVlieger announced he will be sending out letters to the residents of 3<sup>rd</sup> Street & Park Place between Atlantic & Boardwalk to obtain input on how to make the alley safer; possibly making the alley one-way and letters to the residents between 1st and 2nd Street on Simpson Avenue for input on the possible return of diverters for the safety of the children playing in that area.

#### **CITIZEN COMMENT**

**Dale Braun, 326 West Avenue** – likes the reconfiguration of the parking lot entrance at 6<sup>th</sup> & Boardwalk; his concerns are with pedestrian safety crossing the street; he spoke about long lines and congestion entering the 6<sup>th</sup> Street boardwalk restrooms which impede pedestrian traffic going up the boardwalk ramp and suggested relocation of the entrance to face the ocean.

**Steve Wayda, 1118 Central Avenue** – would like to see the City create a zone for affordable multi unit quality rental properties for families to live in year-round.

**Nancy Burton, 617 Ocean Avenue** – nurse at Shore Medical Center wanted the community to know Shore Medical is losing nurses with over 20 years of experience which will affect patient care as they fight for a fair contract with management who want to reduce benefits.

**Cindy Miller, 234 Seaspray Road** – works at Shore Medical Center and stated that patient care is paramount to the hospital; they are currently in contract negotiations with nurses who are the highest paid nurses in area receiving a good benefit and compensation package and their hope to resolve through the contract through collective bargaining.

Mr. Hartzell asked for a motion to adjourn. Motion moved by Mr. Wilson; seconded by Mr. Guinosso. All ayes followed. The meeting adjourned at 8:49 pm.

  
Linda P. MacIntyre, City Clerk