CITY COUNCIL MEETING MINUTES
THURSDAY, SEPTEMBER 10, 2015 – 7:00 PM
CITY HALL COUNCIL CHAMBERS

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

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.

CITIZEN COMMENT
Ed O'Donnell – spoke about being positive; spoke about the unemployment rate, spoke about too much negativity in the world and suggested that Ocean City be a non-smoking city.
Victor Staniec, 903 Third Street – spoke in support of Resolution #1.

APPROVAL OF MINUTES
Mr. Hartzell asked for a motion to adopt the Regular City Council Meeting Minutes of Thursday, August 27, 2015 (Mr. Allegretto was absent). Motion moved by Mr. Wilson; seconded by Mr. McClellan. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION
Mr. Mallon reported the south end beach replenishment project will be completed on or about September 21st; Great Lakes Dredge & Dock was awarded the north end beach replenishment project, Seaspray Road to 14th Street, with completion in March 2016; the final Baker engineering report on flooding is due in sometime next week next and the summer revenue numbers will be provided at the next council meeting.

Mr. Dattilo, Aide to the Mayor provided an update on the skate park and asked Council to pass a resolution approving and accepting the skate park contingent on receiving the as-built plans from the design engineer in order for the JIF to insure the park. Ms. McCrosson requested the resolution be added as Resolution #8 on the council agenda. Mr. Hartzell asked for a motion to add the resolution #8 to the consent agenda. Motion moved by Mr. DeVlieger; seconded by Mr. Wilson. All ayes followed.

REPORTS – CITY COUNCIL
Mr. Guinosso announced the Air Show festival will be held on September 12, 2015. Mr. Allegretto announced the Tourism Commission has begun to develop its budget and event schedule for the coming year.

Mr. Hartzell introduced Marty Mozzo who provided an annual report on the activities of the Environmental Commission. Mr. Mozzo entertained questions from council following his report.

RESOLUTIONS – NON CONSENT AGENDA:
15-51-228-#1. A Resolution Consenting to the Mayor's Appointment of Michael J. Allegretto as the Director of Community Services for the City of Ocean City. Prior to the clerk reading Resolution #1, Mr. Allegretto recused himself from the vote and stepped away from the table.

PUBLIC COMMENT – There was no was no public comment on Resolution #1.

Mr. Guinosso questioned if Mr. Allegretto could accept the position within a year of resigning his council seat citing the state's local government ethics law. Ms. McCrosson explained that law applies to appointments to authorities and not to Mr. Allegretto's appointment as a local officer and is permitted.

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

Mr. Allegretto returned to the table, thanked everyone with whom he had worked with and said in the best interest of council he would remove himself from the council meeting pending his September 14, 2015 appointment.

ORDINANCES: INTRODUCTION & FIRST READING
Mr. Hartzell asked for a motion to introduce Ordinance #15-22 on first reading. Motion moved by Mr. Wilson; seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **#15-22: An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City (Delete Requirement for Crawlspace & Storage Room Deed Restriction).** Ms. McCrosson explained the ordinance eliminates the requirement to record a deed restriction which was part of a zoning change approved after Superstorm Sandy in response to anticipated height of storage areas and crawl spaces, which has since been found to be onerous and not necessary.

Mr. DeVlieger questioned what makes the deed restriction onerous. Ms. McCrosson answered that it was an additional required step to receive a certificate of occupancy, an additional expense to the homeowner and a permanent cloud on the title when doing a title search.

Mr. Hartzell asked for a motion to adopt Ordinance #15-22 on first reading and publish according to law. Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed. Mr. Hartzell announced the ordinance will be sent to the Planning Board for consistency review with second reading and public hearing to be held on October 22, 2015.

ORDINANCES: SECOND READING & PUBLIC HEARING

Mr. Hartzell asked for a motion to take up Ordinance #15-21 on second reading and public hearing. Motion moved by Mr. Guinosso; seconded by Mr. Wilson. 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 addition to metered parking on the south side of the 6th Street fire station lot.

Mr. Guinosso had concerns with the parking of large vehicles on Tennessee Avenue and requested some signage. Mr. Donato said the city is not looking to increase parking on Tennessee Avenue.

PUBLIC COMMENT - There was no public comment on Ordinance #15-21.

Mr. Hartzell asked for a motion to adopt Ordinance #15-21 on second reading. Motion moved by Mr. Guinosso; seconded by Mr. Madden. All ayes followed.

RESOLUTIONS – CONSENT AGENDA:

15-51-229 - #2. A Resolution Authorizing the Award of City Contract #15-07, R-1 Supply, Installation, Removal & Storage of Holiday Decorations for Various Locations

15-51-230 - #3. A Resolution Authorizing a Professional Service Contract between the City of Ocean City & Innovative Risk Solutions, Inc. for Broker of Record Services for the City of Ocean City's Employee Benefit Program

15-51-231 - #4. A Resolution Authorizing First Amendment to Lease Agreement with Hangar Group A Association of Ocean City, Inc.

15-51-233 - #6. A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 636 West Avenue, Block 606, Lot 10; Project #14-015ZSPF

15-51-234 - #7. A Resolution Authorizing the Payment of Claims

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

RESOLUTIONS – NON CONSENT AGENDA

15-51-232 - #5. A Resolution Authorizing a Shared Services Agreement for Uniform Construction Code Conflict Inspection Services. Mr. Wilson removed the resolution to announce he would abstain from voting. Mr. Guinosso questioned the reason for the resolution. Ms. McCrosson explained the need is for conflict inspections because a council member is a plumber. Mayor Gillian said this is a requirement by the State of New Jersey Department of Community Affairs where the City cannot use our own Code inspector.

15-51-235 - #8. *Added at the table* – A Resolution Approving and Accepting the Skateboard Park. Mr. Guinosso removed the resolution to announce he would abstain from voting.

PUBLIC COMMENT – There was no public comment on Resolution #5 or Resolution #8

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

Mr. Hartzell asked for a motion to adopt Resolution #8. Motion moved by Mr. McClellan; seconded by Mr. DeVlieger. All ayes followed, excepted Mr. Guinosso abstained.

PENDING BUSINESS

Mr. Guinosso requested an update on the CRS program and asked if new elevation maps were available. Mr. Mallon indicated an update on CRS will be forthcoming and the City has not received new maps.

NEW BUSINESS

Mr. McClellan reminded everyone about the upcoming Historical Museum luncheon.

CITIZEN COMMENT

Dale Braun, 326 West Avenue – concerned about possible litigation with lifting the deed restrictions related to Ordinance #15-22. Ms. McCrosson indicated there is no source for future litigation.

Mr. Hartzell asked for a motion to adjourn. Motion moved by Mr. Wilson; seconded by Mr. McClellan. The meeting adjourned at 8:15 pm.

Linda P. MacIntyre

Linda P. MacIntyre, City Clerk