

**CITY COUNCIL MEETING MINUTES
THURSDAY, SEPTEMBER 24, 2015 – 7:00 PM
CITY HALL COUNCIL CHAMBERS**

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

NOMINATION AND ELECTION OF VICE PRESIDENT OF CITY COUNCIL

The City Clerk announced that nominations were open to fill the vacancy for the office of Council Vice President ending June 30, 2016. Mr. McClellan nominated Mr. Madden which was seconded by Mr. Hartzell. All ayes followed. Mr. Hartzell congratulated Mr. Madden on his appointment to fill the vacancy of Vice President.

CITIZEN COMMENT

Ed O'Donnell, Ocean City – spoke about negativity, verbal abuse and harassment throughout the world.

Wayne Mozzo, 1333 Pleasure Avenue – spoke about the lack of city enforcement and inspection of properties being demolished and suggested a change to the ordinance that mandates the contractor report to the City on the day of demolition.

APPROVAL OF MINUTES

Mr. Hartzell asked for a motion to adopt the Regular City Council Meeting Minutes of Thursday, September 10, 2015. Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION

Mr. Mallon reported the dredge *Liberty Island* will return early next week to finish the south end beach replenishment project followed by demobilization of the pipes; the contractor for the north end beach replenishment project received a notice to proceed and pumping could begin as early as mid October. Mr. Mallon reported open space funds were received for City Hall; Snug Harbor dredging has begun and the skate park opened today. Mr. Mallon assured Mr. Mozzo he would look into his concerns on the lack of city enforcement regarding demolitions.

REPORTS – CITY COUNCIL

Mr. DeVlieger spoke about the opening of the skate park and thanked everyone involved with making the park a reality.

Mr. Guinosso thanked the American Legion for their participation and work on the “Run For the Fallen” event honoring those members of the armed forces who lost their lives serving our Country.

ORDINANCES: SECOND READING & PUBLIC HEARING

Mr. Hartzell asked for a motion to take up Ordinance #15-20 on second reading and public hearing. Motion moved by Mr. Guinosso; seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **#15-20: An Ordinance Amending Ordinance #87-17, 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 adoption of the ordinance would add to the list of permitted uses, yoga and dance studios.

PUBLIC COMMENT - Ordinance #15-20 There was no public comment.

Mr. Hartzell asked for a motion to adopt Ordinance #15-20 on second reading. Motion moved by Mr. McClellan; seconded by Mr. Guinosso. All ayes followed.

RESOLUTIONS – CONSENT AGENDA:

15-51-236 - #1. A Resolution to Authorize the Advertisement of Specifications for City Contract #15-28, Emergency Debris Removal Services for the City of Ocean City & the Members of the Ocean City Cooperative Pricing System (251COOCPS)

15-51-237 - #2. A Resolution to Authorize the Advertisement of Specifications for City Contract #15-34, Temporary Access Road to CDF Site 83

15-51-238 - #3. A Resolution to Authorize the Advertisement of Specifications for City Contract #15-37, 2015 Bulkhead and Road Improvements at Various Locations

15-51-239 - #4. A Resolution Authorizing the Award of a Contract to New Jersey Emergency Vehicles, LLC for Equipment Handling Upgrading of the Department of Fire and Rescue Services Rescue Truck

15-51-241 - #6. A Resolution Authorizing a Professional Services Contract between the City of Ocean City & Shore Title Company for Title Search Services for the Calendar Year 2015-2016 for the City of Ocean City

15-51-242 - #7. A Resolution Authorizing an Amendment to the Municipal Shared Services Defense Agreement with the State University of New Jersey ("Rutgers") to Retain an Alternate Expert

15-51-243 - #8. A Resolution Authorizing the Payment of Claims

15-51-244 - #9. A Resolution Approving Tax Overpayment Refund 2015-8 to 15

Mr. Hartzell 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

15-51-240 - #5. A Resolution Authorizing a Professional Services Contract between the City of Ocean City & Junetta N. Dix Consulting, Inc. for Environmental Consulting & Permitting Services. Mr. Guinosso removed the resolution due to constituents concerns regarding wetlands and the addition of a new paved parking lot at the American Legion building at 45th Street and asked if Ms. Dix would be involved with the permitting process. Ms. McCrosson indicated she is working on the permit process.

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

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

PENDING BUSINESS

Mr. Hartzell requested Ms. McCrosson explain the process of the city council vacancy. Ms. McCrosson explained the process under the NJ State Statute vacancy law which provides the seat can be left vacant until the May 2016 local election unless council acts to fill the vacancy within 30 days from the date the seat was vacated which was September 14, 2015.

Mr. McClellan spoke about the short timeframe and indicated he was still torn in his decision.

Mr. Guinosso wanted the position to remain vacant and placed on the May 2016 local election ballot.

Mr. DeVlieger indicated he was not prepared to act on this matter and wanted additional time to examine Council's options.

Mr. Madden said that he felt it made sense to leave the At-Large council seat empty and let the voters decide in May since the residents have representation in each four wards.

Mr. Hartzell spoke in support of letting the public vote for filling the vacancy in May 2016 and was not comfortable in filling the vacancy for a short period of time, which he thought may give someone an advantage if they wanted to run in May 2016.

Council discussed and concluded if three council members wanted to interview candidates after the agenda meeting Monday, a workshop meeting would be held to convene the process.

Mr. Guinosso asked questions regarding on-going dredging, the CRS Program, the Baker report and affordable housing to which Mr. Mallon responded to all his questions.

Mr. DeVlieger asked when the grand opening of the skate park would take place. Mayor Gillian said tentatively at Noon on Block Party weekend.

Mr. Madden thanked council for their support in appointing him as Vice President.

NEW BUSINESS

Mr. McClellan reported the residents are happy with the work completed on Plaza Place.

CITIZEN COMMENT – There was no citizen comment.

Mr. Hartzell asked for a motion to adjourn. Motion moved by Mr. McClellan; seconded by Mr. DeVlieger. The meeting adjourned at 8:03 pm.



Linda P. MacIntyre, City Clerk