

**CITY COUNCIL MEETING MINUTES
THURSDAY, JULY 28, 2016 – 7:00 PM
CITY HALL COUNCIL CHAMBERS**

ATTENDANCE: Mr. Barr, Ms. Bergman, Mr. DeVlieger, Mr. Hartzell, Mr. McClellan, Mr. Wilson and Mr. Madden. Present also was Mayor Gillian, Business Administrator James Mallon and Solicitor Dorothy McCrosson.

Council President Peter Madden called the meeting to order and asked everyone to rise for the flag salute and prayer.

CITIZEN COMMENT:

Bill Stuempfig – 330 Simpson Avenue; Carol Jones – 247 Marshallville Rd, Tuckahoe – Mr. Stuempfig and Ms. Jones spoke to council about a no balloon policy especially during events like Night in Venice in order to keep turtles and other sea life safe.

Donna DeRoacher – 14 Wesley Avenue – Ms. DeRoacher spoke to council about the alley way, handicap access and resurfacing of the street from 1st Street to West Avenue and then to the Boardwalk; she would like a timeline as to when this can be done.

APPROVAL OF MINUTES:

Mr. Madden asked for a motion to approve the Regular City Council Meeting Minutes of Thursday, July 14, 2016. Motion moved by Ms. Bergman, seconded by Mr. Wilson. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION:

Business Administrator James Mallon read the following proclamation: Recognizing July 28th as World Hepatitis Day. Mr. Mallon also reported that representatives of Michael Baker International are having a town meeting held on Tuesday, August 30, 2016 located in the Senior Center (Community Center) to provide an update on the 26th to 34th Street project. Mr. Mallon then turned the meeting over to Marty Mozzo, Chairman for the Environmental Commission.

Mr. Mozzo provided the governing body and administration with the annual report for the Environmental Commission. The clerk distributed a hard copy of his report and he also provided a copy of a fact sheet. There was discussion between Mr. Mozzo, the administration and the governing body.

The 2015 Audit Presentation was provided by Mike Garcia of Ford, Scott and Associates. There was discussion between the governing body, Mr. Garcia and CFO, Frank Donato. Overall, the city received an unqualified audit with no findings or recommendations.

ORDINANCE: INTRODUCTION & FIRST READING

Mr. Madden asked for a motion to take up Ordinance No. 16-19 on introduction and first reading. Motion moved by Mr. Barr, seconded by Mr. Hartzell. All ayes followed. The clerk read the ordinance by title:
Ordinance No. 16-19 – A Bond Ordinance Providing for Various Capital Improvements in and by the City of Ocean City, in the County of Cape May, New Jersey, Appropriating \$18,965,000 Therefor and Authorizing the Issuance of \$18,461,750 Bonds or Notes of the City to Finance Part of the Cost Thereof

Mr. Donato explained that this ordinance is appropriating a large majority of the 2016 Capital Plan. He also discussed section 3 of the ordinance in detail.

There was some discussion between the governing body.

Mr. Madden asked for a motion to adopt Ordinance No. 16-19 on introduction and first reading. Motion moved by Mr. Hartzell, seconded by Mr. Barr. All ayes followed. Mr. Madden announced that second reading and public hearing will be held on August 11, 2016.

ORDINANCES: SECOND READING & PUBLIC HEARING

Mr. Madden asked for a motion to take up Ordinance No. 16-17 on second reading and public hearing. Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed. The clerk read the ordinance by title:
Ordinance No. 16-17 – An Ordinance Amending and Supplementing Chapter XII, “Building and Housing,” of the Revised Ordinances of the City of Ocean City

Solicitor, Ms. McCrosson explained that this ordinance provides that if pilings are installed by the auguring and vibration method rather than the older hammering method, the summer restrictions which provide for a later start and an earlier finish with a 6 hour day, will not apply. The notice required for installation by the auguring and vibration method would also be changed so that the notices will go out to property owners within 100 ft, at least 10 days in advance and no more than 30 days in advance. The ordinance does provide the contractor with more detail that has to go into the notice and makes it clear that the contractors do have to obtain a mercantile license as well as permits.

Mr. Madden opened the meeting up to the public for comments on Ordinance No. 16-17.

Marty Mozzo – 1333 Pleasure Avenue – Mr. Mozzo asked if the new method will include bulkhead pilings. Also, he wanted to know how the city will know what method the contractor will be using. He also mentioned that he opposes the 100ft notice requirement; being a full time resident he would like notification. Mr. Mozzo wanted to know if the city has done a study relative to the db level when the vibration method is being used.

There was discussion between the Solicitor and the governing body addressing Mr. Mozzo's comments and questions.

Mr. Madden asked for a motion to adopt Ordinance No. 16-17 on second reading and public hearing. Motion moved by Ms. Bergman, seconded by Mr. Barr. All ayes followed.

Mr. Madden asked for a motion to take up Ordinance No. 16-18 on second reading and public hearing. Motion moved by Mr. Wilson, seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title: **Ordinance No. 16-18 – An Ordinance Amending and Supplementing Chapter II, Article 4, of the Revised General Ordinances of the City of Ocean City (Reorganization within the Administrative Branch)**

Solicitor, Ms. McCrosson explained that this ordinance would move the construction office and the office of licensing from Community Services to the Department of Administration. It would be moved to the Department of Police Services which currently has an IT department and the two will be combined for added efficiencies.

Mr. Madden opened the meeting up to the public for comments on Ordinance No. 16-18. There was no public comment.

Mr. Madden asked for a motion to adopt Ordinance No. 16-18 on second reading and public hearing. Motion moved by Mr. Wilson, seconded by Mr. McClellan. All ayes followed.

RESOLUTIONS – CONSENT AGENDA:

16-52-212 - #1 - A Resolution to Authorize the Advertisement of Specifications for City Contract #16-39, Airplane Rides Based from the Ocean City Municipal Airport

16-52-213 - #2 - A Resolution to Authorize the Advertisement of Specifications for City Contract #16-40, Vending Machine Services for the City of Ocean City and #251 COCCPS Members

16-52-214 - #3 - A Resolution Awarding City RFP #Q16-005, Commercial Appraisal Services

16-52-216 - #5 - A Resolution Authorizing the Extension of City Contract #15-28, Emergency Debris Removal Services for the City of Ocean City & the Members of the Ocean City Cooperative Pricing System (251COCCPS)

16-52-217 - #6 - A Resolution Authorizing City's Participation in the National Joint Powers Alliance (NJPA) for RFP #102811-NAF, Public Safety, Vehicles, Fire Trucks & Equipment with National Auto Fleet Group

16-52-218 - #7 - A Resolution Authorizing a Shared Services Agreement Between the City of Ocean City and the Ocean City Board of Education for the Use of the Ocean City Aquatic and Fitness Center

16-52-219 - #8 - A Resolution Authorizing the Award of City Contract #16-32, Site 83 Confined Disposal Facility Dredged Material Removal

16-52-220 - #9 - A Resolution Refunding 2016 Taxes for 100% Disabled Veteran

16-52-221 - #10 - A Resolution Refunding 2016 Taxes for 100% Disabled Veteran

16-52-222 - #11 - A Resolution Authorizing the Extension of the Grace Period for the August 2016 Tax Quarter

16-52-223 - #12 - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 2145 West Avenue Block 2103, Lot 3.01, Project #14-036PMN

16-52-224 - #13 - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 2141 West Avenue, Block 2103, Lot 3.02, Project #14-036PMN

16-52-225 - #14 - A Resolution of The City of Ocean City, in the County of Cape May, New Jersey, Providing for an Appropriation in the Amount of \$250,000 Pursuant to the Provisions of N.J.S.A. 40A:4-46 to Provide for the Down Payment on Various Capital Improvements

16-52-227 - #16 - A Resolution Authorizing Change Order #1 to City Contract #15-34, Construction of a Temporary Access Roadway to CDF #83

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

NON-CONSENT AGENDA:

16-52-215 - #4 - A Resolution Authorizing a Professional Services Contract Between the City of Ocean City & Shirley M. Bishop, P.P., LLC for Professional Planning Services for the Council on Affordable Housing (COAH)

Mr. DeVlieger asked for clarification on this resolution so that people understand the scope of work and nature of the resolution. Mr. Mallon explained that this is an annual contract the city does for professional services related to a planner who possesses specialized skills having to do with COAH compliance.

Mr. Madden opened the meeting up for public comment. There was no public comment.

16-52-226 - #15 - A Resolution Authorizing the Payment of Claims

Mr. Madden opened the meeting up for public comment. There was no public comment.

Mr. Madden asked for a motion to adopt resolution #4. Motion moved by Mr. Hartzell, seconded by Mr. McClellan. All ayes followed.

Mr. Madden asked for a motion to adopt resolution #15. Motion moved by Ms. Bergman, seconded by Mr. Hartzell. All ayes followed with the exception of Mr. Wilson who abstained.

PENDING BUSINESS

Mr. Hartzell commented on the Ocean City Theater Company fundraiser. He said that the OCTC is an amazing program especially for kids who don't like traditional sports; the OCTC has a very high level of professionalism. Also, Mr. Hartzell attended a George Thorogood concert at the Music Pier Monday night and said that it was a great show held at a great venue. Mr. Hartzell reminded everyone that Mr. Wagner, former councilman, is at Wesley Manor in room 309; he appreciates company so if anyone has time to visit him that would be very nice.

Mr. DeVlieger followed up on the hawk light and asked if it was possible to put signage on the hawk light signal when it is not operational letting people know to go to 9th and Bay where the officer is; this will ensure people are able to cross the street safely. He also commented on the OCTC and said that they deserve all of the success that they have.

NEW BUSINESS

Mr. Barr said it may be a good idea to tape the OCTC event next year as Mr. Hartzell suggested because it is a great thing. He also informed everyone that he will be holding ward meetings on the 3rd Saturday every other month starting in September. The meetings will be held in the lecture hall at the library.

CITIZEN COMMENT

There were no citizen comments.

ADJOURNMENT

Mr. Madden asked for a motion to adjourn. Motion moved by Mr. Wilson, seconded by Mr. McClellan . All ayes followed. 8:42 p.m.



Melissa G. Bovera
City Clerk