

**CITY COUNCIL MEETING MINUTES  
THURSDAY, DECEMBER 14, 2017 – 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 Jay A. Gillian, Business Administrator, James Mallon and Solicitor, Dorothy McCrosson.

Council President Mr. Madden called the meeting to order and asked everyone to rise for the flag salute and prayer. Ms. Bergman led the prayer. Mr. Madden announced that adequate notice of this meeting has been given pursuant to Public Law 1975, Chapter 231.

**CITIZEN COMMENT:**

**Dave Hayes** – Mr. Hayes shared comments and concerns about Ordinance No. 17-23.

**Wayne Mozzo – 1333 Pleasure Avenue** - Mr. Mozzo provided a re-cap and overview relative to the check valves at 14<sup>th</sup> Street. Mr. Mozzo also suggested a postmortem on projects and said for the city to notify residents when projects will begin.

**APPROVAL OF MINUTES:**

Mr. Madden asked for a motion to approve the regular city council meeting minutes of November 30, 2017. Motion moved by Mr. Barr, seconded by Mr. Wilson. All ayes followed.

**REPORTS – MAYOR & ADMINISTRATION:**

Business Administrator, Mr. Mallon provided an update on beach replenishment in the north end. Pumping operations could be done as early as the weekend, with demobilization of equipment completed next week. Mr. Mallon also said that as he mentioned last meeting, the city has made a change in private slip dredging in Carnival Bayou. All residents should know they do not have to pay to dredge any area outside of their slips. The city now has Trident Marine mechanically dredging private slips in Carnival and have a letter going out to all impacted residences. Updated contact information will also be posted on the website. Mr. Mallon reported that the boardwalk is moving along very well and is hoping that by next weekend the street end at 10<sup>th</sup> Street will be open along with access to the several businesses south of 10<sup>th</sup> Street. Also, Mr. Mallon reported that he attended a meeting today with South Jersey Gas and NJ American Water in order to coordinate their continued investment in Ocean City and the city's infrastructure improvements. SJ Gas has additional gas main projects coming at the start of the new year on and around 34<sup>th</sup> Street. Residents will be notified by South Jersey Gas and the city will be placing the information on the city website. The 34<sup>th</sup> Street bridge will be closed overnight Thursday, December 21<sup>st</sup> into Friday December 22<sup>nd</sup>. Tonight administration asked that council please table Ordinance No. 17-23 on the agenda for introduction because some changes have been made internally and they would like to bring it back at the first meeting in January. Additionally, Mr. Mallon asked that Resolution's 21 and 22 be pulled from the consent agenda, so that council can consider them after reports. Mr. Smith was present along with his wife Kate and his children Brendan and Sarah. Also with him was his parents Pat and Jim Smith. Mr. Berenato was in attendance tonight as well along with his wife Kathy.

**RESOLUTIONS – NON-CONSENT:**

Mr. Madden asked for a motion to pull Resolutions 21 and 22 from the consent agenda. Motion moved by Mr. Hartzell, seconded by Mr. McClellan. All ayes followed. The clerk read the resolutions by title.

**17-53-380 - #21** - A Resolution Consenting to the Mayor's Appointment of James Smith as the Director of Fire and Rescue Services for the City of Ocean City

**17-53-381 - #22** - A Resolution Consenting to the Mayor's Appointment of Joseph Berenato as the Director of Public Works for the City of Ocean City

Mayor Gillian spoke about Mr. Smith and Mr. Berenato and said what an asset they are to the city and he is proud of the job they have done. Also, the Mayor is confident both gentleman will succeed in their new positions and knows that both of them will do an outstanding job for the city. Council congratulated the men on their appointments. Both Mr. Smith and Mr. Berenato said a few words and thanked administration and council.

Mr. Madden opened the meeting up for public comment.

**David Breeden – 114 Victoria Lane** – Mr. Breeden said that both gentleman are assets to the community. He congratulated them both and said they will have a positive impact on the town for many years to come.

Mr. Madden closed the public comment portion of the meeting.

Mr. Madden asked for a motion to approve Resolutions 21 and 22. Motion moved by Mr. Wilson, seconded by Mr. Hartzell. All ayes followed.

#### **REPORTS – CITY COUNCIL:**

Mr. DeVlieger announced that there will be a 1<sup>st</sup> Ward public meeting on January 6, 2018 at 11:00 a.m. at the Ocean City Free Public Library in the lecture hall. The topic of discussion will be the north end drainage project. The meeting will be advertised in the newspaper and on the city website.

Ms. Bergman reported that the Tourism Commission approved their budget for 2018.

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

Mr. Madden asked for a motion to table Ordinance No. 17-23. Motion made by Mr. Barr, seconded by Ms. Bergman. All ayes followed. The clerk read the ordinance by title. **Ordinance No. 17-23 - An Ordinance Amending and Supplementing Chapter XXV, Zoning and Land Development of the Revised General Ordinances of the City of Ocean City, Cape May County, State of New Jersey (Hedges)**

It was announced that Ordinance No. 17-23 will be brought back to the table for introduction and first reading in January 2018.

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

Mr. Madden asked for a motion to take up Ordinance No. 17-22 on second reading and public hearing. Motion moved by Mr. McClellan, seconded by Mr. Hartzell. All ayes followed with the exception of Mr. DeVlieger who abstained. The clerk read the ordinance by title. **Ordinance No. 17-22 – An Ordinance Amending Ordinance No. 87-17, Chapter XXX “Municipal Fees” of the Revised General Ordinances of the City of Ocean City, Cape May County, State of New Jersey (Mechanical Sub Code Fees)**

Solicitor, Ms. McCrosson explained that this ordinance allows for putting the fees in place for permitting requirements.

#### **RESOLUTION – NON-CONSENT:**

**17-53-360 - #1** - A Resolution Introducing and Approving the 2018 Budget of the Special Improvement District of the City of Ocean City

CFO, Frank Donato provided an explanation on the resolution.

Mr. Madden opened the meeting up for public comment on Resolution No. 1 and no one wished to speak. Mr. Madden closed the public comment portion of the meeting and there was some discussion between the governing body.

Mr. Madden asked for a motion to approve Resolution No. 1. Motion moved by Ms. Bergman, seconded by Mr. McClellan. All ayes followed with the exception of Mr. Wilson who did not vote.

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

**17-53-361 - #2** - A Resolution Authorizing the Award of RFP #Q-18-004, Conflict Public Defender Legal Services for the City of Ocean City

**17-53-362 - #3** - A Resolution Authorizing the Award of a Contract to Evergreen Environmental, LLC, for Wetland Mitigation Activities Associated with the Dredging of Ocean City Waterways

**17-53-363 - #4** - A Resolution Authorizing a Contract between the City of Ocean City and the Jersey Cape Diagnostic, Training & Opportunity Center, Inc. for the Manufacture and Supply of Beach Tags for the Calendar Year 2018

**17-53-364 - #5** - A Resolution Authorizing a Professional Services Contract between the City of Ocean City & AmeriHealth Insurance Company of New Jersey (“AmeriHealth”), as the Provider of the Employee & Retiree Health Care Benefit Program

**17-53-365 - #6** - A Resolution Authorizing a Professional Services Contract between the City of Ocean City & Benecard Services, Inc. (“Benecard”), as the Provider of the Employee & Retiree Prescription Drug Benefit Program

**17-53-366 - #7** - A Resolution Authorizing a Professional Services Contract between the City of Ocean City & Horizon Blue Shield Blue Cross of New Jersey “Horizon Dental” as the Provider of the Employee & Retiree Dental Benefit Program

**17-53-367 - #8** - A Resolution Authorizing Final Acceptance & Final Payment of City Contract #17-41, Improvements to Various Playground Facilities

**17-53-368 - #9** - A Resolution Authorizing the City’s Participation in the Educational Services Commission of New Jersey MRESC#14/15-33, Medical Supplies for the Department of Fire & Rescue Services with V.E. Ralph & Son, Inc.

**17-53-369 - #10** - A Resolution Appointing Elizabeth M. Woods, Director of Human Resources as the Fund Commissioner & Diane M. Wood, Municipal Claims Coordinator as the Alternate Fund Commissioner to the Atlantic County Municipal Joint Insurance Fund

**17-53-370 - #11** - A Resolution Appointing Elizabeth M. Woods, Director of Human Resources as the Primary Contact Person & Diane M. Wood, Municipal Claims Coordinator as the Secondary Contact Person for

XL/Summit Risk Insurance Company's Employment Practices Liability (EPL) Helpline Through the Atlantic County Municipal Joint Insurance Fund

**17-53-371 - #12** - A Resolution Authorizing the Mayor to Execute an Agreement between the City and AtlantiCare Regional Medical Center for Advanced Life Support Services for the Calendar Year 2018

**17-53-372 - #13** - A Resolution Authorizing the Execution of an Agreement between the City of Ocean City and the City of Sea Isle City, Cape May County, New Jersey for Municipal Engineer Services for the Calendar Year 2018

**17-53-373 - #14** - A Resolution Amending the 2017 Budget of the City of Ocean City to Include Additional Revenue from the United States Department of Housing and Urban Development, Community Development Block Grant 2017/18

**17-53-374 - #15** - A Resolution Amending the 2017 Budget of the City of Ocean City to Include Additional Revenue From the Department of the Treasury, State of New Jersey, Division of Criminal Justice 2017 Body Armor

**17-53-375 - #16** - A Resolution Authorizing the Transfer of Appropriations

**17-53-376 - #17** - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 215-19 Wesley Avenue, Block 208, Lot 6.01, Project #15-002PMN

**17-53-377 - #18** - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 1 Wesley Road, Block 70.03, Lot 1, Project #16-002PMN

**17-53-378 - #19** - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 6 - 14<sup>th</sup> Street, Block 1408, Lot 6, Project #16-019PMN

**17-53-379 - #20** - A Resolution Approving Tax Overpayment Refunds 2017-18 to 2017-36

**17-53-382 - #23** - A Resolution Authorizing the Payment of Claims

Mr. Madden asked for a motion to adopt the consent agenda. Motion moved by Mr. Barr, seconded by Mr. McClellan. All ayes followed.

#### **PENDING BUSINESS:**

Mr. Barr wished everyone a Merry Christmas and said how beautiful the town looks with all of the festive decorations.

Mr. McClellan reminded everyone about the Juneteenth event and will have a guest speaker at the meeting in January 2018 to discuss it more in detail.

Mr. DeVlieger reminded everyone about the play, "A Christmas Carol" being performed on Friday Night and said what great talent the kids have.

Ms. Bergman wished everyone a Merry Christmas.

Mr. Wilson encouraged everyone to enjoy the holiday season with their families and said how beautiful the downtown looks with all of the decorations.

#### **NEW BUSINESS:**

Mr. Hartzell said that he loves how the downtown looks with all of the holiday decorations and encourages everyone to enjoy it while they walk up and down; it looks beautiful.

Mr. McClellan reminded everyone to purchase their First Night buttons and to have a Merry Christmas.

Mr. Barr commented that the lights along 34<sup>th</sup> Street look great.

Mr. Madden wished everyone a Merry Christmas and a happy holiday.

#### **CITIZEN COMMENT:**

**Bill Hartranft – 728 Battersea Road** – Mr. Hartranft spoke about Ordinance No. 17-23. He said that he doesn't like the thought of the greenery blocking the houses and that the foliage takes away from the fresh air and sun.

**Jackie Mittleman – 207 23<sup>rd</sup> Street** – She is concerned about the proposed indoor water park and wants to keep the parking lots as is. She is not opposed to new projects in the city but those parking lots allow for easy accessibility to the boardwalk.

**Al Kelleher – 330 Haven Avenue** – Mr. Kelleher commented on how beautiful city hall looks this time of year with the Christmas decorations and he said thank you.

**David Breeden – 114 Victoria Lane** – Mr. Breeden said what a great town Ocean City is and to promote it every chance you can. He then spoke about his concerns regarding 50 Tennessee Avenue and expressed his thoughts about how the city handled the ordinances and the overall business of the property.

#### **ADJOURN:**

Mr. Madden asked for a motion to adjourn. Motion moved by Mr. Barr, seconded by Ms. Bergman. All ayes followed. 7:48 p.m.



Melissa Rasner, RMC  
City Clerk