

CITY COUNCIL MEETING MINUTES
THURSDAY, SEPTEMBER 13, 2018 – 7:00 PM
CITY HALL COUNCIL CHAMBERS

ATTENDANCE: Mr. Barr, Ms. Bergman (7:18 p.m.), Mr. DeVlieger Mr. Hartzell, Mr. McClellan, Mr. Wilson and Mr. Madden. Present also was Mayor Gillian, Business Administrator, George Savastano and Solicitor, Dorothy McCrosson.

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

CITIZEN COMMENT:

Stan Pszczolkowski – 104 53rd Street – spoke about Act Engineering and asked for the city to get a better handle on reports given by the engineering firm.

Marlene Sheppard – 103 E. 15th Street – said Michael Hartman is doing a great job and that he has brought the Music Pier back to life. Also, she said that the city would benefit from more open space and suggested that the city uses the property at 16th and Haven for a park, a pond or a space for displaying art work. Ms. Sheppard suggested passing a resolution stating that no more than three realtors or developers be appointed to a board or commission.

Suzanne Hornick – 2962 West Ave – spoke about flooding issues and said that she is not in favor of Ordinance No. 18-10.

Jackie Wolchko – 5009 Haven Ave – spoke about flooding and the money spent on trying to resolve the issue. She suggested more education about how to prevent and solve flooding problems in the city.

Dave Hayes – 641 Battersea Rd – referenced the ordinance written in 2005 relative to signs. He expressed his concerns about the lighted real estate signs that he has seen and feels that it is an issue that needs to be addressed.

Marie Hayes – 641 Battersea Rd – expressed her concerns about Ordinance No. 18-10.

Dave Breeden – 114 Victoria Lane – referenced Resolution No. 9 and said that he is in favor of restrooms on the boardwalk. Also, he said that it is hard to support Ordinance No. 18-10 because he doesn't know what the use will be.

Donna Moore – 21 Ocean Ave – expressed her thoughts about flooding issues and affordable housing. She asked council to table Ordinance No. 18-10. Ms. Moore spoke about the trees that were cut down at 52nd Street and requested that cedars be replanted.

Michael Hinchman – 281 W. Atlantic Blvd – said that the appraisals for 16th and Haven are illegitimate and fraudulent.

APPROVAL OF MINUTES:

Mr. Madden asked for a motion to adopt the regular city council meeting minutes of August 23, 2018. Motion moved by Mr. Barr, seconded by Mr. Wilson. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION:

There were not any reports given.

REPORTS – CITY COUNCIL:

Mr. Hartzell provided a thorough explanation for the policies and procedures regarding public comment.

Ms. Bergman gave a report on the Tourism Commission.

Mr. DeVlieger reminded everyone about the air show this upcoming weekend being held by the airport. They will have great activities there for kids and on Saturday there will be a sky diver that you can watch from the boardwalk as well as on Sunday.

ORDINANCES: FIRST READING & INTRODUCTION:

Mr. Madden asked for a motion to take up Ordinance No. 18-11 on first reading and introduction. Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed. The clerk read the ordinance by title.

Ordinance No. 18-11 – An Ordinance of the City of Ocean City, County of Cape May, New Jersey, Authorizing the Acquisition by Purchase or Condemnation of (1) 109 16th Street, Block 1506, Lot 1 (2) 1600 Haven Avenue, Block 1606, Lot 3 and (3) 1640 Haven Avenue, Block 1606, Lot 5

Solicitor, Ms. McCrosson explained that this ordinance would authorize the Mayor to pursue the acquisition of the referenced properties by negotiating a contract to purchase same or take the properties through condemnation.

There was discussion between the governing body members.

Mr. Madden asked for a motion to adopt Ordinance No. 18-11 on first reading and introduction. Motion moved by Ms. Bergman, seconded by Mr. Wilson. All ayes followed. Mr. Madden announced that second reading and public hearing is scheduled for Thursday, September 27, 2018 at 7:00 p.m. in council chambers.

ORDINANCE: SECOND READING & PUBLIC HEARING:

Mr. Madden asked for a motion to take up Ordinance No. 18-10 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. 18-10 – A Bond Ordinance Providing for Acquisition of Property In and By the City of Ocean City, In the County of Cape May, New Jersey, Appropriating \$9,000,000 Therefor and Authorizing the Issuance of \$8,550,000 Bonds or Notes of the City to Finance Part of the Cost Thereof

Solicitor, Ms. McCrosson explained that this ordinance allows the city to put the funds in place for the acquisition of the referenced property.

Mr. Madden opened the meeting up for public comment on Ordinance No. 18-10.

Robert Foreman – suggested that the city slow down on the amount of money they are spending.

Marlene Sheppard – asked that council does not make a plan to develop housing on the referenced property.

Stan Pszczolkowski – expressed concerns about the remediation of the site and the potential pollution problems.

Dave Hayes – asked what the site would be used for and requested a public meeting before being approved.

Brian McPeak – asked that council vote concurrently on Ordinance No. 18-10 and Ordinance No. 18-11.

Mr. Madden closed the public comment portion of the meeting on Ordinance No. 18-10.

There was discussion between the governing body members.

Mr. Madden asked for a motion to adopt Ordinance No. 18-10 on second reading and public hearing. Motion moved by Ms. Bergman, seconded by Mr. Barr. All ayes followed.

RESOLUTIONS – CONSENT AGENDA:

18-54-324 - #1 - A Resolution Authorizing the Advertisement of Specifications for City Contract #18-09, 2018 Fall Road Improvement Program

18-54-325 - #2 - A Resolution Authorizing the Advertisement of Specifications for City Contract #18-08, Dredge Spoil Material Testing Services

18-54-326 - #3 - A Resolution Authorizing the Award of a Contract to Beach & Bay Landscape, LLC for Tree Replacement Along Haven Avenue 24th Street to 20th Street in the City of Ocean City

18-54-327 - #4 - A Resolution Authorizing the Award of a Contract to Center Stage Entertainment, Inc. for 1st Night Activities

18-54-328 - #5 - A Resolution Authorizing the Award of a Contract between the City Of Ocean City and JE Touring, Inc. for the Appearance of Jackie Evancho

18-54-329 - #6 - A Resolution Authorizing a Professional Services Contract between the City of Ocean City & TY Sound Design Consulting, LLC for the Ocean City Music Pier Sound System Improvements

18-54-330 - #7 - A Resolution Authorizing a Shared Services Agreement with the Cape May County Municipal Utilities Authority (CMCMUA) for Solid Waste Disposal and Recycling Services

18-54-331 - #8 - A Resolution Authorizing Change Orders # 6 & 7 to City Contract #17-53, North End Drainage Improvements

18-54-332 - #9 - A Resolution Authorizing Change Order #3, Final Acceptance & Final Payment of City Contract #17-51, Construction of a Boardwalk Bathroom Facility at 6th Street

18-54-333 - #10 - A Resolution Authorizing Change Order #2, Final Acceptance & Final Payment of City Contract #18-18, 2018 Downtown Streetscapes Improvements

18-54-334 - #11 - A Resolution Authorizing Change Order #1 to Musco Sports Lighting, LLC for Sports Field Lighting Equipment & Related Products at Carey Field through Sourcewell Formerly National Joint Powers Alliance (NJPA) Contract RFP #082114, Indoor-Outdoor Athletic Surfacing with Related Equipment Products, Supplies, Installation & Services

18-54-335 - #12 - A Resolution Authorizing the Extension of City Contract #17-26 R-1, Towing & Lockout Services for the City of Ocean City

18-54-336 - #13 - A Resolution Authorizing the Release of a Maintenance Guarantee for a Construction Project at 156-62 West Avenue, Block 109, Lot 22, Project #15-019PMN

18-54-337 - #14 - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 5245 Central Avenue, Block 5201, Lot 1, Project #13-031ZC

18-54-338 - #15 - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 219 Wesley Avenue, Block 208, Lot 6.01, Project #17-034PBA

18-54-339 - #16 - A Resolution Authorizing the Execution of a Grant Application and Agreement between the City of Ocean City and U.S. Department of Transportation Federal Aviation Administration, FAA for the Ocean City Municipal Airport Wildlife Hazard Assessment and Lighting Obstructions Project

18-54-340 - #17 - A Resolution Amending the 2018 Budget of the City of Ocean City To Include Additional Revenue From the United States Department of Transportation, Federal Aviation Administration: Airport Light-Obstruction Phase I: FAA #3-34-0029-19-2018

18-54-341 - #18 - A Resolution Authorizing the Award of City Contract #18-13 R-1, Fire Station #1 Boiler Replacement

18-54-342 - #19 - A Resolution Authorizing the Payment of Claims

18-54-343 - #20 - A Resolution Authorizing a Closed Session for the Purpose of Reviewing the Status of Negotiation of a Contract to which Ocean City is a Party (Contract Between the City of Ocean City and the Ocean City Housing Authority)

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

PENDING BUSINESS:

Mr. Hartzell spoke about the last 4th ward meeting that was held and referenced the questionnaire that was made available to the residents regarding flooding concerns and issues.

Mr. McClellan thanked the city for the clean-up this past weekend at Shiloh Baptist Church (7th Street) and said it was very much appreciated.

Mr. Barr reported that the next 4th ward meeting will be held Saturday, September 15th at 10:00 a.m. in the Ocean City Free Public Library. It's an open workshop, concerns are written down and taken to administration. Also, Mr. Barr said he sends his condolences to the Caserta family.

NEW BUSINESS:

Mr. DeVlieger said that he sends his condolences to the Caserta family. He also encouraged everyone to attend the air show and sky diver performances this weekend.

Mr. Wilson reminded everyone that on September 26th the VFW is sponsoring golf tournament at Greate Bay Country Club.

CITIZEN COMMENT:

Jackie Wolchko – 5009 Haven Ave - asked why the sprinklers are running if there is rain.

Robert Foreman – 2300 West Ave - asked that council return his phones calls.

Bill Hartranft – 728 Battersea Rd - said that he was impressed with the quality of speakers this evening. He agrees with Ms. Moore about replanting cedar trees at 52nd Street.

Dave Breeden – 114 Victoria Lane - said that local law does not supersede state law regarding public comment.

Donna Moore – 21 Ocean Ave - expressed her opinion about the time given for public comment and also said that the public safety building needs to be safe.

Dave Hayes – 641 Battersea Rd - expressed his thoughts regarding public comment at council meetings.

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

Mr. Madden asked for a motion to go into closed executive session. Motion moved by Mr. Wilson, seconded by Mr. McClellan. All ayes followed.

ADJOURN:

Mr. Madden asked for a motion to adjourn. Motion moved by Mr. Hartzell, seconded by Ms. Bergman. All ayes followed. 9:23 p.m.



Melissa Rasner, RMC
City Clerk