

**CITY COUNCIL MEETING MINUTES
THURSDAY, MARCH 14, 2019 – 7:00 PM
CITY HALL COUNCIL CHAMBERS**

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

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 – 641 Battersea Road – spoke about FIT, the members and the purpose moving forward.

Bob Dubil – 2837 Haven Avenue – distributed photos of his property on Haven Avenue, north of 29th Street and spoke about the drainage project that was done.

Marty Mozzo – 3803 Westminster Lane – commented on the capital plan and also on Resolution #2. Requested that the flooding mitigation Phase II for Merion Park be included in the capital plan.

Bill Hartranft – 728 Battersea Road – supports the ordinance pertaining to the ban of marijuana. Spoke about his concerns regarding the business administrator and his duties.

Michael Hinchman – W. Atlantic Blvd – commented on the capital plan. Spoke about change orders and gave his opinion about managerial skills.

Dave Breeden – 114 Victoria Lane – spoke about Resolution #2 and also about the housing authority resolution.

Donna Moore – 21 Ocean Avenue – spoke about chemical lawn pesticides being used in Ocean City and complied documents for council's review.

APPROVAL OF MINUTES:

Mr. Madden asked for a motion to approve the regular city council meeting minutes of Thursday, February 28, 2019. Motion moved by Mr. Barr, seconded by Mr. DeVlieger. All ayes followed.

REPORTS – MAYOR & ADMINISTRATION:

The 2019 Local Municipal Budget was presented by CFO, Frank Donato, III.

REPORTS – CITY COUNCIL:

There weren't any reports given.

ORDINANCES: FIRST READING & INTRODUCTION:

Mr. Madden asked for a motion to take up Ordinance No. 19-05 on first reading and introduction. Motion moved by Mr. McClellan, seconded by Mr. DeVlieger. The clerk read the ordinance by title. **Ordinance No. 19-05 – An Ordinance Amending and Supplementing Revised General Ordinances of the City of Ocean City-Reorganization within Administrative Branch**

Solicitor, Ms. McCrosson explained that this ordinance allows for Mr. Vince Beiker to be appointed to the Director of Community Development so that the city can maximize his talents. The Department of Community Development will manage engineering services, project construction, community planning and zoning administration, oversee construction code, enforce miscellaneous state and local codes and ordinances as well as oversee the Office of Licensing.

There as some discussion between the governing body.

Mr. Madden asked for a motion to adopt Ordinance No. 19-05 on first reading and introduction. Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed. Mr. Madden announced that second reading and public hearing on Ordinance No. 19-05 is scheduled for Thursday, March 28, 2019 and will be published according to law.

Mr. Madden asked for a motion to take up Ordinance No. 19-06 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. 19-06 – An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank per (N.J.S.A. 40A:4-45.14) for Calendar Year 2019**

CFO, Frank Donato explained that this ordinance allows the city the ability to bank funds if they are needed for the future.

Mr. Madden asked for a motion to adopt Ordinance No. 19-06 on first reading and introduction. Motion moved by Mr. Wilson, seconded by Mr. McClellan. All ayes followed. Mr. Madden announced that second reading and public hearing on Ordinance No. 19-06 is scheduled for Thursday, April 11, 2019 and will be published according to law.

Mr. Madden asked for a motion to take up Ordinance No. 19-07 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. 19-07 – A Bond Ordinance Appropriating \$7,914,200.00 and Authorizing the Issuance of \$7,518,490.00 In Bonds and Notes of the City of Ocean City for the Various Improvements or Purposes Authorized to be Undertaken by the City of Ocean City, New Jersey**

CFO, Frank Donato explained that this ordinance falls in line with the capital plan, is relative to Resolution No. 2 and he discussed the list of improvements in section 3 of the ordinance.

There was some discussion between the governing body members.

Mr. Madden asked for a motion to adopt Ordinance No. 19-07 on first reading and introduction. Motion moved by Mr. Barr, seconded by Ms. Bergman. All ayes followed. Mr. Madden announced that second reading and public hearing on Ordinance No. 19-07 is scheduled for Thursday, March 28, 2019 and will be published according to law.

Mr. Madden asked for a motion to take up Ordinance No. 19-08 on first reading and introduction. Motion moved by Mr. Wilson, seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title. **Ordinance No. 19-08 – A Bond Ordinance Providing Funds for the Purpose of Aiding the Ocean City Housing Authority with Respect to Housing Projects within Ocean City by the City of Ocean City, in the County of Cape May, New Jersey, Appropriating \$6,650,000 Therefor and Authorizing the Issuance of \$6,650,000 Bonds or Notes of the City to Finance the Cost Thereof**

Solicitor, Ms. McCrosson explained that this ordinance will help the city to meet its affordable housing plan. This bond ordinance includes funds that will go towards building a structure on the parking lot adjacent to Bay View Manor which is on West Avenue. Once constructed, residents from Peck Beach Village North (which will be demolished) will move in. Bay View Manor will be rehabilitated. The Housing Authority will also contribute funds to the project.

Mr. Madden asked for a motion to adopt Ordinance No. 19-08 on first reading and introduction. Motion moved by Ms. Bergman, seconded by Mr. McClellan. All ayes followed with the exception of Mr. Barr who abstained. Mr. Madden announced that second reading and public hearing on Ordinance No. 19-08 is scheduled for Thursday, March 28, 2019 and will be published according to law.

ORDINANCES: SECOND READING & PUBLIC READING:

Mr. Madden asked for a motion to take up Ordinance No. 19-02 on second reading and public hearing. Motion moved by Mr. DeVlieger, seconded by Mr. McClellan. All ayes followed. The clerk read the ordinance by title. **Ordinance No. 19-02 – An Ordinance Supplementing the Revised General Ordinances of the City of Ocean City (Boardwalk Entertainers)**

Solicitor, Ms. McCrosson explained this ordinance prohibits electric amplified devices for performances.

Mr. Madden opened the meeting up for public comment on Ordinance No. 19-02.

Brian Mulbert – is a boardwalk entertainer and is concerned about playing his battery operated keyboard and asked for clarification regarding the wording in the ordinance

Philip Mulbert – concerns about electronic amplification

Dave Hayes – not in favor of the ordinance

Donna Moore – not in favor of the ordinance

There was discussion between the governing body and it was decided that the ordinance be tabled in an effort to clarify the wording.

Mr. Madden asked for a motion to table Ordinance No. 19-02. Motion moved by Mr. Wilson, seconded by Mr. DeVlieger. All ayes followed.

RESOLUTION – NON-CONSENT:

19-55-202 - #1 - A Resolution Introducing the 2019 Local Municipal Budget

The clerk read the resolution by title. CFO, Frank Donato provided an explanation on the resolution.

There was some discussion between the governing body.

Mr. Madden opened the meeting up for public comment on Resolution No. 1.

Dave Breeden – 114 Victoria Lane – said that Mr. Donato has done a great job. He also gave comments on the proposed budget.

Mr. Madden closed the public comment of the meeting.

Mr. Madden asked for a motion to adopt Resolution No. 1. Motion moved by Mr. Barr, seconded by Mr. DeVlieger. All ayes followed.

RESOLUTIONS – CONSENT AGENDA:

19-55-203 - #2 - A Resolution to Adopt Capital Plan 2019-2023 and Specific Debt Service Guidelines

19-55-204 - #3 - A Resolution to Authorize the Advertisement of Specifications for City Contract #19-20, Maintenance of City Owned Garden Plots II

19-55-205 - #4 - A Resolution Authorizing the Award of a Professional Service Contract to Taurus Allied Partners D/B/A Integra Reality Resources – Atlantic Coast, NJ for Appraiser Services for the City of Ocean City

19-55-206 - #5 - A Resolution Authorizing the Award of a City Contract #18-08, Dredge Spoil Material Testing Services

19-55-207 - #6 - A Resolution Authorizing the Award of a City Contract #19-17, 2019 Site 83 Confined Disposal Facility Dredge Material Removal

19-55-208 - #7 - A Resolution Authorizing the Award of a Contract between the City of Ocean City & the Stander Group, Inc. for the Appearance of “Ballroom with a Twist” at the Ocean City Music Pier on Saturday, May 11, 2019

19-55-209 - #8 - A Resolution Authorizing the Award of a Professional Services Contract between the City of Ocean City and Henry Hengchua, Architect, PC for Architectural Service on an “As Needed Basis” for the City of Ocean City

19-55-210 - #9 - A Resolution Authorizing Change Order #26 to City Contract #17-53, North End Drainage Improvements

19-55-211 - #10 - A Resolution Authorizing Change Orders #1 & 2 to City Contract #18-11, 2018 Road Improvement Program-Phase 3

19-55-212 - #11 - A Resolution Authorizing an Agreement for an Additional Substitute Municipal Prosecutor for the Ocean City Municipal Court for the 2019 Calendar Year

19-55-213 - #12 - A Resolution Authorizing the City’s Participation in the National Cooperative Purchase Alliance (NCPA) for Contract #05-14, RFP#01-15, Parking Meters, Single & Multi Space Award with IPS Group, Inc. for Lease of Parking Meters for use by the Department of Financial Management, Division of Public Transportation, Parking & Revenue Collection

19-55-214 - #13 - A Resolution Authorizing the Renewal of City Contract #18-24, Lease of City Owned Beach Parcels

19-55-215 - #14 - A Resolution Authorizing the City's Participation in the Cranford Police Cooperative Pricing System #47-CPCPS for the Acquisition of One (1) 2019 Chevrolet Tahoe 4WD Vehicle for the Department of Police Services

19-55-216 - #15 - A Resolution Authorizing the Consent of Assignment for City Contract #18-05, Collection & Disposal of Recycling Materials & Solid Waste Containers from Earthtech Contracting, Inc. to Gold Medal Environmental Services, Inc.

19-55-217 - #16 - A Resolution Consenting to City Council’s Appointment of Martin J. Schlembach to the Aviation Advisory Board

19-55-218 - #17 - A Resolution Consenting to City Council’s Appointment of Brian Kempf as Alternate I and Lea Giosa as an Alternate II Member to the Environmental Commission

19-55-219 - #18 - A Resolution Consenting to the Mayor’s Reappointment of Carol Frank and Burton Wilkins as Members to the Tourist Development Commission

19-55-220 - #19 - A Resolution Authorizing the Execution of a Collective Bargaining Agreement with the Policeman’s Benevolent Association of New Jersey, Local Number 61

19-55-221 - #20 - A Resolution Approving Tax Overpayment Refund 2019-1 thru 2019-7

19-55-222 - #21 - A Resolution Authorizing the Execution of an Amendment to the Shared Services Agreement with the Ocean City Housing Authority for Construction of Affordable Senior Rental Units in the Speitel Building, Demolition at Peck’s Beach Village, North and the Rehabilitation of Bayview Manor

19-55-223 - #22 - 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. DeVlieger. All ayes followed.

PENDING BUSINESS:

Mr. Barr commented on Donna Moore’s presentation and the effort that she put in to her report. He also responded to some of the public comments from earlier in the meeting. Mr. Barr sends his condolences to Senator Andrews and family; Senator Andrew’s mother recently passed away.

Mr. DeVlieger said he appreciated Donna Moore’s efforts and passion. He also wished everyone a happy St. Patty’s Day. He also commented that Vince Beiker and George Savastano are a great team. Mr. DeVlieger spoke highly about the young gentleman who graduated from Ocean City high school that recently passed away in an airline crash while doing charity work in a foreign country.

Ms. Bergman thanked Ms. Moore for her comprehensive report on chemical pesticides.

Mr. Wilson said he was very impressed with the young man who spoke to council about the boardwalk entertainer’s ordinance.

NEW BUSINESS:

Mr. Wilson informed everyone that he will not be attending the March 28th council meeting.

CITIZEN COMMENT:

Marty Mozzo – 3803 Westminster Lane – informed council that the NJDEP provides a list of what chemicals/pesticides are allowed to be used in New Jersey.

Bill Hartranft – 728 Battersea Road – commented on zoning issues relative to flooding. Also, he asked about the revenue from the charging station. Mr. Hartranft spoke about Ms. Moore's efforts regarding chemicals and pesticides.

Dave Hayes – 641 Battersea Road – said the budget presentation was excellent. He also stated that he is not in favor of Ordinance No. 19-08, but does support those who are less unfortunate. He commented on Resolution # 7.

Dave Breeden – 114 Victoria Lane – spoke about ratable growth; construction taking place in town; the capital budget; roads and drainage; and spoke about the elimination of the engineer position in the city.

Mary Crane – 103 Third Street – thanked Mr. Beiker for all of his help and said that he went above and beyond for her.

ADJOURN:

Mr. Madden asked for a motion to adjourn. Motion moved by Mr. Wilson, seconded by Ms. Bergman. All ayes followed. 9:15 p.m.

Melissa Rasner

Melissa Rasner, City Clerk