



CITY OF ABSECON  
Municipal Complex  
500 Mill Road  
Absecon, New Jersey 08201

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**FEBRUARY 4, 2010  
REGULAR & WORK MEETING  
MINUTES**

**FLAG SALUTE** – Mayor

**PRAYER** – Imam Kamal M. El-Sayegh, Masjid Al-Taqwa, Atlantic City

**ROLL CALL**

**Present:** Seher, Fishman, Green, Falivene, Vizthum, Gorman, Caterson

**Absent:** Mayor Elco

**Also Present:** Terry Dolan, Jessica Thompson, Carie Crone, Michael Blee

**PRESIDENT’S STATEMENT ON THE SUNSHINE LAW  
NOTIFICATION THAT THIS MEETING IS ELECTRONICALLY RECORDED**

**PUBLIC PORTION**

Motion to open to the public – Councilman Green – second – Councilman Vizthum  
All were in favor.

**Steve Baltera – 636 Franklin Blvd.** – He was very disappointed about last council meeting. Being a zoning board member, he thought they were doing a good thing for the city in that it would be cleaned up. He is disappointed in the way the Planning Board said they had no idea what was going on. They get our annual report. If I did something wrong, he apologize and if he could do anything to help it, he will talk to whoever. You all are doing a great job and I hope this works out.

Motion to close public – Councilman Green – second – Councilman Falivene  
All were in favor.

**WORK MEETING AGENDA**

**2010 ORDINANCES**

**01** Amending the Code of the City of Absecon, Chapter 69, Police Department, Article 1, General Provisions, Section 1, Creation.

**Lynn** – we discussed this in the past and it deals with the lieutenants and sergeants. It is my understanding that the Mayor has suggested different language so at this point only Jerry and Fred

were given copies of that language. She asked Terry to get us all copies and there may be legal issues with the changes so she referred it to Mike Blee to handle.

**HELD OVER**

**2010 RESOLUTIONS**

- 37** Accepting a performance guaranty and engineer's escrow for improvements on property known as Block 173, Lot 1, E. Absecon Blvd.

Will be discussed in closed session.

Motion made to table resolution made by Councilman Green – second – Councilwoman Gorman  
All were in favor. Seher, abstained

**Mike Blee** – there may be action taken after closed session.

**TABLED**

- 39** Authorizing the release of a Maintenance Guarantee posted by Luxurious Hospitality, Group, Inc.

**MOVED**

- 40** Certifying the Qualified Participants in the Length of Services Award Program (LOSAP) for the calendar year 2009 for the Absecon Volunteer Fire Department. **MOVED**

- 41** Authorizing the City of Absecon to participate in the Municipality and County Records Management shared services (PARIS Grant).

**MOVED**

- 42** Granting a Raffle License to the Absecon Saltwater Sportsmen. **MOVED**

- 43** Granting a Raffle License to the Irish American Cultural Society of South Jersey, Inc. **MOVED**

- 45** Appointing a Councilperson to the Planning Board, namely Drew Fishman. **MOVED**

**Jerry** – has been doing this position for a number of years and situations are arising and he won't be available for those meetings, so he thought he would turn it over to someone else. I believe Drew has interest on being on the board and take that position.

**REGULAR MEETING**

**Consent Agenda**

Motion to move consent agenda consisting of Res. # 39 to 45 made by Councilman Green – second Councilwoman Gorman

ROLL CALL: Seher, yes; Fishman, yes, abstain on 45; Green, yes, abstain on 40; Falivene, yes; Vizthum, yes; Gorman, yes, abstain on 40; Caterson, yes

**APPROVAL OF BILL LIST- \$ 1,054,014.81**

Motion to accept – Councilman Green – second – Councilwoman Gorman

ROLL CALL: Seher, yes; Fishman, yes; Green, yes, Falivene, yes; Vizthum, yes; Gorman, yes, Caterson, yes

## REPORTS

**Lynn** – Mayor could not be here tonight so he asked the Council President to give his report. She read a proclamation for “Read Across America Day” being March 2, 2010. The other states that March will be “Youth Art Month”.

**Chris** – no finance report. Next meeting 2/18 and a budget meeting will be held on 2/11.

**Drew** – Feb. 16<sup>th</sup> will be first Parks and Playground meeting @ 7pm and reminded everybody with the pending storm to be careful on the roads and if you have a fire hydrant, please clear it out.

**Fred** – had a public works meeting on Monday and we discussed the upcoming road project for the 2<sup>nd</sup> and 3<sup>rd</sup> block of St. Charles Avenue. It will be paved from a state grant of \$160,000. We are going to put in for a grant for state aid to be able to Cynwyd Drive and hopefully we will get it.

**Jerry** – Public Safety met Tuesday night and the fire dept. received a grant for \$37,000 for radios and pagers and he thanked Jeff Ciccone for his work in getting that. Commended our police dept. for the TD bank robbery that took place and apprehending the suspects. Public works will be busy with the storm coming and asked people to be careful.

**Jim** – had a short meeting tonight and discussed the ongoing downtown plans and snapshot of the year.

**Bobbie** – also had a meeting tonight and Jim Smith and Terry Iaconelli attended. They are spear heading the fire department’s efforts in putting a mural on the side wall of the dept. There was a contest for the artwork and Mary Ann Cannon’s was picked. It depicts the history of the dept. A fundraiser for the project is March 14<sup>th</sup> at the Black Cat. Announced other events coming up.

**Lynn** – announced the 2/11 6 p.m. budget meeting is open to the public and the discussion will be the police dept. Reported that the amount we need to put in reserve for uncollected taxes in 2009 is alone a 1.8 cents increase for the 2010 budget. We will be doing a tax sale in March but it doesn’t change this fund. We also discussed the possible development of the Kunkley property near the dock area.

**Drew** – they will be coming to the meeting on the 16<sup>th</sup> with their initial vision.

**Terry** – thanked council for mentioning the clearing of the fire hydrants. This will be a challenging storm for us in that we are going to get 24 inches of snow in 24 hours. From past experience, that will be about 2 inches an hour coming down, so bear with us. If you can keep your cars off the street, that will help out for plowing.

## PUBLIC PORTION

Motion to open – Councilman Green – second – Councilman Vizthum

All were in favor. No public comment.

Motion to close – Councilman Green – second – Councilwoman Gorman

All were in favor.

## CLOSED SESSION – # 44-2010

**Mike Blee** – stated the reasons as potential litigation, specifically 236 E. Absecon Blvd. v. City of Absecon and/or other parties. Those minutes can be disseminated if in fact, litigation is commenced by any party and all appeals are exhausted or an amicable settlement is reached. Also regarding the same property but a different issue under potential litigations specifically regarding the performance guarantee or performance bond for 236 E. Absecon Blvd. Those minutes can be disseminated if in fact formal action is taken either accepting the bond or if litigation is commenced to enforce the city to accept the bond; if all appeals are exhausted or a settlement is reached or when action is taken regarding the acceptance or rejection of the bond. Action may be taken this evening following

executive session. Pursuant to the law, we will open the doors and come back into open session and I don't know whether or not action will be taken but there is a possibility it will. The only action that will be taken would be regarding Res. #37 accepting a performance guarantee and engineer's escrow for improvement on property known as Block 173, Lot 1, 236 E. Absecon Blvd.

Motion to enter closed session – Councilman Green – second – Councilman Vizthum  
All were in favor. Councilman Seher is asked to be excused from the Closed Sessions discussion.

We are now out of closed session and issues discussed were those announced earlier.

We need a motion to accept Resolution #37 Acceptance of the Performance Bond for 236 E. Absecon Blvd.

Motion to move Resolution #37-2010 made by Councilman Vizthum – second – Councilwoman Gorman

ROLL CALL: Seher, absent; Fishman, yes; Green, yes; Falivene, yes; Vizthum, yes; Gorman, yes; Caterson, yes

**ADJOURNMENT**

Motion to adjourn meeting – Councilman Vizthum - second – Councilwoman Gorman  
All were in favor.

Respectfully submitted,

Carie A. Crone, Clerk

Approved: \_\_\_\_\_