



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

**Carie A. Crone
City Clerk**

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**JULY 21, 2011
WORK & REGULAR
MEETING MINUTES**

FLAG SALUTE – Mayor

INVOCATION – Moment of Silence was held

ROLL CALL

Present: Seher, Urban, Green, Vizthum, Gorman, Camp, Falivene

Absent:

Also Present: Mayor Elco, Terry Dolan, Mike Blee, Jessica Thompson and Carie Crone

STATEMENT ON THE SUNSHINE LAW

NOTIFICATION THAT THIS MEETING IS ELECTRONICALLY RECORDED – Jerry

PUBLIC PORTION

Motion to open to public – Councilman Camp – second – Councilman Green

All were in favor.

Gail Zona – 1013 Shelburne Ave. – has been a resident for 41 years and she feels the Absecon Gardens development should be age restricted to 55 and over. Would like Council to consider any other options.

Jerry – turned it over to Bobbie because of conflict.

Bobbie – asked Chris who is head of committee to talk.

Chris – the committee met briefly once and we are still waiting for some more requested information. They are seeking conditional review based on the plan approved by the Planning Board. We can't overturn or change the Planning Board's ruling. We will only be focusing on the conditional requests that have been made by the applicant.

Gail – what is the time line?

Mike – there is no real definitive time for the Council's action.

Leo McLaughlin – 205 Pennsylvania Ave. talked to the Mayor in the past about retired people and what council might consider because retirees are moving out of the state fast because of various reasons. Freezing of taxes was discussed. He worked in the construction field for years and he tried to look at some of the permits for the Absecon Gardens project to see if all bases were covered. He couldn't find what he wanted on the prints or specs or permits for the domestic water line for the large building to see if it could handle it. Was there ever a stress test put on the water or fire line? It should be a requirement. With that type of high-density use, another problem is the sewer line and

was that ever tested?

Chris – in response to the question, he asked the administrator to look into the issues of the water and sewer. He knows the fire dept. did look at the application but does not know specifics.

Mike Iaconelli – 13 E. Church St. – asked Council for their support and help with the Committee to Save Absecon that was formed to try to appeal the lifting of the age-restriction. He does not agree with the board's decision.

Leo McLaughlin – would like to see any results of the testing and if the equipment is certified or calibrated.

Chris – will be glad to give any information we're allowed.

Fred – he knows the business too and as far as he knows there is no pressure test that could be done. What they calibrate the water main with and also the sewer main is how many fixtures units are being used. That's how it's calculated whether the main is big enough or whether the water main is big enough. As to the fire mains, he knows the Chief looked into the plan and fire hydrants were found capable of handling anything they put there. Whether that changed, I don't know. He agrees the plan has been changed

Motion to close public – Councilman Camp – second – Councilman Seher
All were in favor.

WORK MEETING

Jerry – asked for a Motion to add Res. #132-2011 authorizing Change Order for the NJ Ave. streetscape project.

Terry – explained the changes of the bump-out sub-base that needs to be done. All costs will be paid by grants and no city money will be used.

Jim – thinks it should only take a week to do and we are still within budget. It was not on the agenda because the change order had to get completed and approved.

Motion was made by Councilman Camp – second – Councilman Vizthum
All were in favor.

ORDINANCES AND RESOLUTIONS LISTED BELOW ARE FOR DISCUSSION AND MAY BE ACTED UPON AT THE REGULAR MEETING OF CITY COUNCIL.

2011 RESOLUTIONS

- 128** Granting a Raffle License to the Absecon Education Foundation. **MOVED**
- 129** For renewal of membership in the Atlantic County Municipal Joint Insurance Fund. **MOVED**
- 130** Renewing an alcoholic beverage license within the City of Absecon **MOVED**
- 132** Authorizing a Change Order 1 for the New Jersey Ave. Streetscape project **MOVED**

REGULAR MEETING AGENDA

CONSENT AGENDA

All matters listed under item, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion in the form listed. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be discussed separately.

Resolutions #128, #129, #130 and #132 were included in the consent agenda.

Motion to approve – Councilman Green – second – Councilman Camp

ROLL CALL: Seher, yes; Urban, yes; Green, yes; Vizthum, yes; Gorman, yes; Camp, yes; Falivene, yes

APPROVAL OF BILL LIST- \$ 1,383,403.60

Motion to approve – Councilman Camp – second – Councilman Urban

ROLL CALL: Seher, yes; Urban, yes; Green, yes; Vizthum, yes; Gorman, yes; Camp, yes; Falivene, yes

MONTHLY REPORTS - Carie

Clerk's Office - \$13,383.83

Tax Office - \$180,697.66

Construction - \$7,226

APPROVAL OF MINUTES

Regular Meeting Minutes – 6/2/11 and 6/16/11

Chris – first asked for a correction but then rescinded his request.

Motion to approve – Councilman Seher – second – Councilman Green

ROLL CALL: Seher, yes; Urban, yes; Green, yes, abstain 6/16; Vizthum, yes; Gorman, yes; Camp, yes; Falivene, yes

REPORTS

Mayor – had a meeting on the beautification of NJ Avenue and will keep working on this. Asked for input from anybody. Called Chief Cowan up to speak.

Chief – the heat index is supposed to reach 111 so he asked people to keep a watch on relatives, friends, neighbors, pets and if assistance is needed please call. August 2nd is National Night Out, which is being held on the Soccer Field with lights from 6-9 pm.

Don – the blind center needs non-perishable food to fill their pantry.

Bobbie – concerts are being well attended and the concession stand people are doing a fine job and it is more convenient now. Thanked the Legion and Council for maintaining it.

Jim – no meeting this week. Thanked the people from Hammonton for coming and giving us ideas. It's going to be a long project.

Chris – finance committee met and discussed worker's comp and insurance liability coverage and that was the resolution adopted tonight. We also reviewed Cell Tower lease opportunities and the income approaches about \$100,000 from it now. We've been offered to sell it for a one lump sum payment offer and the new owner would take it over and have control of it. There is an analysis that has to be done and Terry would have to go out to bids. The finance committee just agreed to look into it.

Terry – we can go out for bids and you can even reject all the bids. You are not bound to enter into a contract with anyone. We would need to take a look at what we would do with a large lump sum payment. How can we use it for a long-term best interest of this corporation? It's something to look into.

Jerry – we have talked about selling the tower numerous times and the number keeps getting higher and higher but it's getting to a point where maybe the lump sum cash would have some really great long term effects for the city. We do not really have a guarantee on the \$90,000 that we have right now. That could go away; so it's something to look at.

Chris – in addition the committee talked about the status of the Planning and Zoning Board review costs and there is a lot of data and we are not sure where the analysis will lead us. He notes the overtime expenses of the Police Dept. are down and he thanked the Chief. The school has received a return of state aid of \$119,000. There was a request for a reply to the State as to how each school board was going to apply that funding. There was a very strong recommendation that it be applied to this current year school year budget to reduce tax rates. He then read a letter that was sent to the School Board on behalf of City Council. We have heard nothing back from this issue and in today's paper it said that no board from either Atlantic or Cape May County has responded to the State. Now it's too late to apply that \$119,000 to this year's tax rate. He is disappointed in the lack of response from the school board and it's two years in a row that the school budget has been voted down and this committee and council have worked amicably with them in trying to make adjustments and we've had good success there. Feels this was a mistake on their part to not get the message and take action.

Chuck – the Public Works committee and he understands the one bid for the road project was rejected and will go out again. Addressed the residents who spoke about Absecon Gardens and when the Sarlo act was being adopted council saw it coming and foreseeing a situation that we have now.

Mike – explained more about the Sarlo Act and how it came about. The city was one of many that passed a resolution opposing it, but it was passed anyway. Then the Planning Board had to apply that State law, which supersedes anything you do locally to that project.

Fred – Chief Cowan touched on National Night Out and his next Public Safety meeting would be Sept. 6th.

Terry – that state is offering to do an egg mass survey for gypsy moths and the spraying will be done next spring if needed. Tax bills have not gone out yet but whenever they do go out there will be a 25-day grace period to be paid.

Chris – perhaps someone to site the new tax rate increase and break it down for the viewers.

Jessica – I can do an estimate. The full tax increase will be 8.4 cents; 1.4 cents for the city's portion; 3.9 cents for the school's portion and 3.1 for the county's portion.

Chris – talked about a pilot program that was mentioned at the meeting they had with the people from Hammonton. It's called "Formed Based Codes" and deals with the city's codebooks. There could be a grant also to help deal with the Master Plan review that was fed into this new pilot program. If there is a way to get money, he's all for trying that. He asked Terry to look into it.

Jerry – as to the NJ Ave. parking, the new signs are up and the parking is on the other side now. Flow will be better and more parking spots. The bump outs are an attempt to slow people down. Concerts are going great and turnouts seem to be larger.

CORRESPONDENCE – Carie read

PUBLIC PORTION

Motion to open to public – Councilman Green – second – Councilwoman Gorman

All were in favor.

Mr. McLaughlin – at a meeting at the Legion the other night, the Sarlo law was addressed and there was a town that did win the appeal, but does not remember the name though. Maybe there is something that could be done.

Mr. Iaconelli – asked if there's a time line on when the solicitor might be willing to address the things that council has in its power to control over this project. It was mentioned that Council has to address a height issue.

Mike – you are correct about that issue and explained how it occurred and what has to be done now. Another issue deals with affordable housing and possibly having a payment in lieu of building those units. Another is the realignment of Mechanic St. and the zoning of a portion of the property that fronts NJ Ave. where Harry Harper's property sits. He asked council to try to slow down this development if they could.

Motion to close public – Councilman Green - second – Councilman Vizthum

All were in favor.

CLOSED SESSION – Res. #131-2011

Mike Blee – stated the reason as being:

Under the litigation exception to the Open Public Meetings Act specifically Craig v. Absecon Police Dept. Those minutes can be disseminated when litigation has been finalized and all appeals have been exhausted or a final settlement is reached between the parties.

No formal action will be taken when coming out of executive session.

Motion to enter into closed session – Councilman Green – second – Councilman Vizthum

All were in favor.

Motion to adjourn Closed Session and re-enter meeting made by Councilman Seher – second – Councilman Green

All were in favor.

Mike – it's now 8:45 and the issue discussed was that announced earlier.

ADJOURNMENT

Motion to adjourn meeting – Councilman Green – second – Councilman Camp

All were in favor.

Respectfully submitted,

Carie A. Crone, Clerk

Approved: _____