



CITY OF ABSECON
Municipal Complex
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Absecon, New Jersey 08201

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**NOVEMBER 19, 2009
WORK & REGULAR MEETING
MINUTES**

FLAG SALUTE – Mayor Elco

INVOCATION – Reverend Joseph DeLaurentis, Pastor Emeritus, Ventnor Community Church

ROLL CALL: Fishman, Marczyk, Green, Vizthum, Gorman, Caterson

Absent: Falivene

Also Present: Mayor Pete Elco; Terry Dolan, City Administrator; City Solicitor, Mike Blee; CFO, Jessica Thompson & Carie Crone, City Clerk

PRESIDENT’S STATEMENT ON THE SUNSHINE LAW – Lynn

NOTIFICATION THAT THIS MEETING IS ELECTRONICALLY RECORDED – Lynn

PUBLIC PORTION

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

All were in favor.

Jerry Hoenes – 740 Shelburne Ave. – talked about Ord. #11 and while riding around town on his bike through the estates to see really how many trailers, motor homes, boats, rigs, etc. were parked on the street or in the driveways. The number of legally stored vehicles were 15 and the illegally parked ones were 11. Three unattached vehicles were parked in the street. He wanted to know when it went on the books but his research couldn’t find it. When the bus ordinance was adopted that had gone to the Public Safety committee for review. Concerned that even though ordinances are adopted, the enforcement of them does not happen. Does not think it’s a good idea to pass this because he feels there will be more vehicles parked around town and change the character of the town.

Lynn – explained the process and how it came about. She doesn’t know how many complaints were put in.

Joe – seems to remember it also started when large commercial vehicles were being brought home. Vehicles parked in the street have been enforced and his area is not concerned about vehicles being parked in the driveways as long as they are off the street. The police dept. needs to be called if they are parked in the street.

Dory Saul, 233 N. Shore Road – his is in compliance now, and he owns a motor home and asked if this new ordinance would effect motor homes over 25 ft.

Lynn – no, the Planning Board suggested the 25 ft. limit be for the buses, jitneys, etc. and the vehicles need to be owned by the property owner and the other suggestion was no site obstructions should be incurred.

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

WORK MEETING AGENDA

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

Motion to add Resolution #179-09 to work agenda made by Councilman Green – second – Councilman Marzyk
All were in favor.

2009 ORDINANCES

- 11** Amending the code of the City of Absecon, Chapter 224, Land Use and Development, Article XVIII, Regulations Applicable to all Zoning Districts, revising section 224-107, prohibited uses in all districts.

Lynn – read the ordinance and suggestions from the Planning Board that buses no longer than 25 ft. be parked in the driveway and the other was about any type of obstruction that could create a hazard. She gave a little history regarding the origin of the ordinance. Feels people don't know they are in violation and most homes' driveways are in the front and they can't get the vehicles in the rear yard.

Mayor – asked Lynn and Joe about the site triangle and the public safety matter where you don't delineate the 10 ft. setback.

Lynn – we thought that it would be arbitrary and if someone parked back 10 ft. and it still was not safe and causing an obstruction, then we would have no recourse.

Bobbie – every ordinance goes through a lot of thought. Thanked Lynn, Joe for addressing it, the planning board for their thoughts and residents for theirs too. She feels this new one is good.

Jim – we pass ordinances for safety reasons and it's the responsibility of the owners to follow the law and not us to enforce them every day. He is in favor of the new ordinance.

Drew – discussed commercial vehicles.

2009 RESOLUTIONS

- 174** Amending Resolution 168-2009, a place-to-place liquor license transfer for White Horse Liquors, LLC. **MOVED**
- 175** Authorizing a refund of an overpayment of taxes on the property located at 1116 Plymouth Landing Road, Block 1.01, Lot 2.09. **MOVED**
- 176** Authorizing a refund of an overpayment of taxes on the property located at 201 Boulder Court, Block 9.02, Lot 3.02 C0201. **MOVED**
- 177** Appointing a full time Patrol Officer, namely Jeffrey Mazer. **HELD OVER**
- 179** Authorizing the advertising of one full time and one part-time tele-communicators **MOVED**

REGULAR MEETING AGENDA

- 11** Amending the Code of the City of Absecon, Chapter 224, Land Use and Development, Article XVIII, Regulations Applicable to all Zoning Districts, Revising Section 224-107, Prohibited Uses in all Districts.

Motion to introduce – Councilman Marczyk – second – Councilman Vizthum

ROLL CALL: Fishman, yes; Marczyk, yes; Green, abstain; Vizthum, yes; Gorman, abstain; Caterson, yes

CONSENT AGENDA

Resolutions #174 –176, 179 were moved in the consent agenda.

Motion to move Consent Agenda made by Councilman Fishman – second – Councilman Vizthum

ROLL CALL: Fishman, yes; Marczyk, yes; Green, yes; Vizthum, yes; Gorman, yes; Caterson, yes

APPROVAL OF BILL LIST- \$1,428,220.31

Motion to approve: – Councilwoman Gorman – second – Councilman Vizthum

ROLL CALL: Fishman, yes; Marczyk, yes; Green, yes; Vizthum, yes; Gorman, yes; Caterson, yes

MONTHLY REPORTS

Tax Collection - \$1,937,554.51

Construction – \$7,668.00

Clerk's Office - \$3,322.40

Court - \$2,280.15

APPROVAL OF MINUTES

Regular Meeting Minutes – 10/1/2009 and 10/15/2009

Closed Session as to form and content only – 10/1/2009

Motion to approve: – Councilman Green – second – Councilwoman Gorman

ROLL CALL: Fishman, yes; Marczyk, yes; Green, yes; Vizthum, yes; Gorman, yes; Caterson, yes

REPORTS

Mayor – thanked all those who lent their support from the agencies regarding the recent flooding this weekend. Wanted Joe Cowan to speak to this who was involved mostly.

Chief Cowan – we did have a few tide cycles that were abnormal. He then gave a brief explanation of what happened and what took place to alleviate the problem.

Bobbie – announced upcoming events

Jim – announced Dollar Tree has opened and White Horse Liquor is moving tomorrow and asked residents to shop locally. Wished everyone a Happy Thanksgiving.

Fred – no report. His next meeting is Mon. 12/7 @ 7 p.m. Wished all a Happy Thanksgiving.

Joe – Finance committee discussed police overtime expenses and the possible special officer positions. We're trying to get a reporting system in progress to keep check on things.

Drew – Trying to get the porch light program back in December. Happy Thanksgiving.

Lynn – thanked the residents who came out tonight. Recommended we publicly advertise for our city positions again with RFP's. She will put a committee together.

Terry – budget process for 2010 has begun. Dept. heads received information about a schedule. Asked residents to be patient while we get the leaves us. With all the rain we're getting, it makes delays. The staff will be working on Saturday on the leaves.

PUBLIC PORTION

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

All were in favor. No public comment.

Motion to close – Councilman Marczyk – second – Councilman Fishman

All were in favor

CLOSED SESSION – RES. #178-09

Mike – under the personnel matter exception to the open public meetings act specifically the possibility of hiring special law enforcement officers. Those minutes can be disseminated if in fact official action is taken to commit the city to hire said officers. No individuals will be discussed and no rice notices were given.

No formal action will be taken after the meeting, however there may be further discussion concerning a possible ordinance following executive session.

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

All were in favor.

We are now in open session and it's 9:20 and the issue discussed was that announced earlier. Council is now going to have a discussion in open session regarding possible language to a possible ordinance.

Lynn – talked about the last two paragraphs that dealt with the residency clause and the percentage of hirees.

Fred – we know there is one in the process of being interviewed.

Jim – thinks the person will live in the town anyway after taking the training so they can get hired.

Joe – doesn't like the mandatory language to limit all candidates for residency. It will tie the chief's hands.

Bobbie – my son was a special officer in Brigantine and he would have loved to be in Absecon if they had it then.

Lynn - If there are two equal candidates, the resident could get a preference.

Drew – in AC after a year, they can't mandate they live there.

Lynn – Okay I think we all feel we know what we want it to say and we will most likely introduce this at our Dec. 3rd meeting.

ADJOURNMENT

Motion to adjourn meeting – Councilman Fishman - second – Councilman Green

All were in favor.

Respectfully submitted,

Carie A. Crone, Clerk

Approved: _____