



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

Carie A. Crone  
City Clerk

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**DECEMBER 17, 2009  
WORK & REGULAR MEETING  
MINUTES**

**FLAG SALUTE** – Mayor Elco

**INVOCATION** - Vince Maven, Worship Vocalist

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

**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

**ADMINISTRATION OF OATH OF OFFICE – Officer Mazer**

Chief Cowan presented Officer Mazer after giving a brief background on him. He was sworn in by the Mayor and standing with him were his parents and sister.

**Proclamation for World Hypnosis Day** - Mayor Elco read the proclamation and announced that the day is acknowledged as January 4, 2010.

**PUBLIC PORTION**

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

**Robert Quandt - 4<sup>th</sup> Street** – feels the ordinance for parking that is to be finalized tonight is vague. Feels more than parking should be addressed. Next to him there is a vacant lot there are 3 boats parked there – one on blocks and two on trailers. There is no home on the property and the owner of the lot does not live in Absecon and he sees it every day. Feels council should include this problem so they can enforce the boat parking. Is there a limit to the number of vehicles, boats etc. that can be parked on a property? How about abandoned vehicles?

**Lynn** – right now the ordinance does not state a limit to numbers, maybe that can be looked at a later date.

Joe – questioned if the problem with the boats parked on the vacant lot would be included.

Lynn – feels that is would be included since no one can live on that property yet.

**Bob** – the existing and proposed ordinances specifically don't address boats, only boat trailers.

**Terry** – a homeowner can have one vehicle on blocks but it must be covered with a tarp.

**Bob** – feels vacant lots should be addressed as well. He is trying to keep his property aesthetically approving and hopes others would do the same.

Motion to close public – Councilman Falivene – second – Councilman Fishman  
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.**

### **2009 RESOLUTIONS**

- 184** Authorizing a refund of an overpayment of taxes on the property located at 406 Burning Tree Blvd (Block 25.01, Lot 9). **MOVED**
- 185** Authorizing a refund of an overpayment of taxes on the property located at 222 Bayview Drive (Block 11, Lot 39). **MOVED**
- 186** Authorizing the Chief Financial Officer to cancel current fund budget appropriations. **MOVED**
- 187** Approving the insertion of a special item of revenue into the 2009 municipal budget to allow for the receipt of \$21,936.00 from the Edward Byrne Memorial Justice Assistance. **MOVED**
- 188** Authorizing the Chief Financial Officer to cancel grant receivables and appropriations no longer needed. **MOVED**
- 189** Appointing a Part-time Deputy City Clerk, namely Leticia Loeser. **MOVED**
- 190** Accepting a performance guaranty and engineer's escrow funds for improvements on property known as Block 207, Lot 5, Autozone, Inc. **MOVED**
- 191** Authorizing the release of a performance guarantee and acceptance of a maintenance guarantee posted by Oyster Bay Condominiums. **MOVED**
- 192** Appointing a Part-time Tele-communicator, namely Wayne Greer. **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.

Lynn – gave a brief explanation.

Motion for second reading - Councilwoman Gorman – second – Councilman Falivene

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

Caterson, yes

Motion to open to public - Councilman Fishman – second – Councilman Falivene

All were in favor.

Motion to close public portion – Councilman Falivene – second – Councilman Fishman

All were in favor.

Motion for final reading and adoption – Councilman Falivene – second – Councilman Fishman

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

**Lynn** – will be looking into the Mayor’s idea as well as the ideas of the residents that came forward.

We wanted to get this ordinance on the books for 2009.

**Jerry** – addressed Mr. Quandt and he thought of what he brought up. We try to enforce certain rules but somebody’s interpretations of what is appropriate for their property may not be for others. We are all concerned about our town and the appearances of properties. It’s hard to write laws to enforce people to have good taste. I appreciate you coming out tonight to speak.

**Mario Flores - 207 Keefer Ave.** – wanted to know if him and his neighbor’s have to have concrete driveways now.

**Lynn** – no that was a suggestion about the definition of a driveway. We are going to look into that.

**13** Amending the Code of the City of Absecon, Chapter 69, Police Department, Article I, General Provisions, adding section 69-7, Special Law Enforcement Officers, Class II.

**Lynn** – clarified that this is only to allow this type of officer in the future to be hired. It does not mean we are going out to advertise now for hiring. Officer Mazer was hired tonight as a regular police officer for our force. We probably won’t talk about this again until 2010.

Motion for second reading - Councilwoman Gorman – second – Councilman Vizthum

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

Motion to open to public - Councilwoman Gorman – second – Councilman Fishman

All were in favor.

Motion to close public portion – Councilman Falivene – second – Councilman Fishman

All were in favor.

Motion for final reading and adoption – Councilwoman Gorman – second – Councilman Fishman

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

### **CONSENT AGENDA**

Resolutions #184 to #192 were moved in the consent agenda.

Motion to move Consent Agenda made by Councilman Green – second – Councilwoman Gorman

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

### **APPROVAL OF BILL LIST - \$1,276,598.74**

Motion to approve – Councilman Green – second – Councilwoman Gorman

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

## **MONTHLY REPORTS - Carie**

Tax Office - \$2,065,768.95

Construction Office - \$4,400

Clerk's Office - \$1,505.50

Municipal Court - \$7,942.57

## **APPROVAL OF MINUTES**

Regular Meeting Minutes – 11/5/2009 and 11/19/2009

Closed Session as to form and content only – 11/19/2009

Motion to approve – Councilman Green – second – Councilman Vizthum

ROLL CALL: Fishman, yes; Marczyk, abstain; Green, yes; Falivene, yes but abstain on 11/19;

Vizthum, yes; Gorman, yes; Caterson, yes

## **REPORTS**

**Mayor** – talked to John Lamey from ACUA and a possible joint venture and asked Terry to report.

**Terry** – the county is looking into a pulled group of cities to create large-scale alternative energy generation facilities. It's an excellent idea and feels we should be included in the survey.

Mayor – wished all a Merry Christmas and a happy holiday.

**Bobbie** – happy holidays to all and announced Santa will be going around this weekend.

**Jim** – there were 13 new or expanded businesses in Absecon in 2009. He thinks that is a lot for the economy being the way it is. Congratulated Jeff Mazer and wished everyone a happy holiday.

**Jerry** – welcomed Jeff Mazer on board and wished him a long happy career. Wished all a Merry Christmas and a Happy New Year.

**Fred** – represented the city at the second "Wreaths Across America" sponsored by the VFW. We went to gravesites and 17,000 wreaths were placed at veteran's graves. Would like it advertised more for next year. Welcome Jeff Mazer and he wished him a safe and productive career in the dept.

Wished all a happy and healthy and safe holiday season.

**Joe** – Jim left off the liquor store in his report. Wished all a happy holiday.

**Drew** – Welcome Jeff Mazer and thanked the chief for the induction. Discussed the porch light program and thanked all those who came out to help to volunteer. Wished all a happy safe holiday.

**Lynn** – invited all to the school for a Charles Dickens program. Last week, we met with a group of citizens who are working to develop the Kunkly property along the dock area. The cost is the main factor and next year's budget will be tight but we will discuss at our budget meetings. The fire dept. is looking into solar power. The Reorganization meeting is scheduled for Jan. 7<sup>th</sup>. Fred was elected to the council at large seat so he will be resigning from his First Ward seat and sworn in on the 7<sup>th</sup>. The names suggested for Fred's seat were Drew Fishman, Glenn Hayden and Gerry McCullough. If we know by the 7<sup>th</sup> we can then swear that person in that night. Wished everyone, no matter what they celebrate, a happy holiday. Jim Vizthum will be organizing our reorganization party so all of council needs to pay him this year. All are invited.

**Terry** – Blue Devils got a new scoreboard for their football field, which was done through donations and contributions from contractors and members. It's really a great addition to the field. If we get snow, he encouraged anyone with a fire hydrant outside you're house, to dig it out. We don't have people to do that. Proposes the first budget meeting to be Jan. 14<sup>th</sup>.

**PUBLIC PORTION**

Motion to open to public – Councilman Green – second – Councilman Falivene  
All were in favor. No public comment.  
Motion to close – Councilman Falivene – second – Councilman Fishman  
All were in favor

**CLOSED SESSION - #193-2009**

**Attorney Mike Blee** – stated the reason as:

Contract negotiations and/or litigation exception to the open public meeting act with respect to Visions at the Shore – Foxmoor Homes and potential litigation. Those minutes can be disseminated if in fact litigation is commenced and all other appeals are exhausted or an amicable resolution reached.

Motion to enter closed session – Councilman Green – second – Councilwoman Gorman  
All were in favor.

**Mike** – it’s now 9:15 p.m. and the issue discussed was that announced earlier.

**ADJOURNMENT**

Motion to adjourn meeting – Councilman Falivene - second – Councilman Green  
All were in favor.

Respectfully submitted,

Carie A. Crone, Clerk

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