



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

**FEBRUARY 6, 2014
COUNCIL MEETING
MINUTES**

The meeting was called to order by Council President, Chris Seher at approximately 7:09 p.m.

FLAG SALUTE

INVOCATION – Rev. Kenneth A. Johnson, Mt. Pleasant UMC, Pleasantville

ROLL CALL

PRESENT: Vizthum, Camp, Horton, Cain, Phillips, Ring, Seher

ALSO PRESENT: Mayor Armstrong, Tom Henshaw, Jessica Thompson, Carie Crone, Eddie Dennis

**PRESIDENT’S STATEMENT OF SUNSHINE LAW
NOTIFICATION OF MEETING**

REPORTS

Sandy – Public Works and Sewer – next meeting will be 2/20 @ 3:30 p.m. She handed out to everyone duties that the dept. does on a daily basis. She spoke about Res. #37-2014 regarding the tonnage grant application for 2013. We are able to apply for grant money that will help pay for recycling programs. Heard compliments about how well our streets were taken care of after the last storm we had.

Jim – Public Safety – spoke about the generator here at city hall and the chief and Lloyd feel it’s sufficient for what we do here. A new one would be very expensive. The Committee suggested we look to replace it in a 3-5 year plan and possibly get grant funding to replace it. The chief explained the police accreditation where there is a \$40,000 initial layout for it, which can be split over 2 years. The benefit long term could be huge. It protects us from some insurance liability and to litigate lawsuits, etc. The recommendation from the committee is to try and move forward with this, even if it’s next year, because we eventually will have to.

Chief Risley – it’s been discussed over the years with different chiefs. A company would come in and redo all our policies and procedures, rules and regulations and go through the building to bring everything up to a national standard. We are pretty close to it now but a lot of things aren’t legal. This company will make sure everything is legal. They will continue to update any new policies and it is a big expense, but he feels it is worth it. Most large departments in Atlantic County have already done it. It will reduce your liabilities down the road. They will provide a defense in case you do get sued. It will be standards across the nation, not just NJ. He asked that Council consider even if not this year. He then explained the fee breakdown. After the \$40,000, there would be a \$5,000 accreditation fee, where it gets inspected to make sure everything is correct and the total fee for the first 12 months would be \$46,500 and continuation over the years would be an additional \$12,000 in the police budget each year.

Mayor – clarified what he meant by our policies not being legal. They technically do not comply with upgraded standards.

Jim – spoke to Res. #48-2014 – reappointing a fire official for the fire dept., namely Jerry Cohen and #49 – accepting a volunteer firefighter, Tom Hurden. They received an update from the Ambulance Squad, who plans on continuing offering service to Absecon.

Frank – Parks and Playgrounds – will be having a meeting on 2/18, but he did talk to Pete Higbee and some members of the different sport groups. We are in the process of looking into shared services with Galloway on having the background checks completed for all people who have contact with minors. We hope to introduce an ordinance at the next meeting. They are working on scheduling our fields also.

Don – Finance – next meeting will be 2/20 @ 6 p.m. Looks like our budget will have no tax increase, with no layoffs or furloughs. A new wheel loader will be purchased this year for Public Works. Hopefully the city should receive money back from the Visions settlement to help with our legal fees from 2013. He spoke about Res. #38 that deals with selling property not needed anymore. Res. #39-43 deal with JIF items; #46 transfers funds from last year and #50 hires an electrical sub-code official and #53 dealing with OPRA requests and #54 applying for a Municipal Alliance Grant of \$7,325.50 for now and then more in July since they changed their calendar year.

Mike – Community Affairs – met tonight and his next meeting is 3/6. A calendar is in conference room for people to put items on it. Announced upcoming events; Shop Rite gift cards for a school fundraiser and 9/11 decals for their fundraising project. He spoke about res. #45 a raffle to be held by the Irish American Cultural Society and res. #47 – the annual coin drop for the Absecon Blue Devils.

Kim – Economic Development – met tonight and discussed painting of the electrical control boxes in town and tourism efforts. Spoke about res. #51 and #52, both awarding contracts for professional services.

Rob Reid – explained the property at 40 N. Shore Road where the owners want to donate a portion of their land in order for a pedestrian path to run along the creek to Faunce Landing Road. This piece would be a 1/3 of the linear feet of the walkway. They need to know if Council is interested in this project before they move ahead with it.

Chris – concerned about opening up a can of worms about the process of how we accept donated land. We discussed it in the past, but never resolved it.

Rob – explained the need for Ord. #3 – amending the code relating to the C1 zone land size requirements

Mayor – spoke about the ABVisions settlement and explained the process and why we would still need the professionals we hired. We also obtained the FESA grants for the old swimming hole and Kunkley's marina. We have made good progress with our new website and hopes it will be up and running soon.

Chris – spoke about res. #44, re-appointment of Zoning Board members; attended the School Board meeting and he would like to have a joint meeting once a year with them. They will be an election on 3/11 for them to borrow money and people should be educated as to what they are voting on. At the 2/20 meeting they will be coming to give a presentation about why they need the money. He thanked Rob Reid for giving a status report on Absecon Gardens. He then gave a brief JIF update.

Tom – if someone can come back and do light instead of being out on worker's comp, we try to do that. Thanked Public Works for doing a great job with the snowstorms.

Jessica – continuing on with the budget decisions and her target date is 3/6 for introduction.

Clerk – no report

Eddie – we will be receiving almost \$800,000 for the two projects that the Mayor announced and he explained work to be done at them. He is working on the NJ Ave. intersection project and the road reconfiguration and hopefully that will be done this summer and the 2014 road program will begin once the budget is established.

PUBLIC PORTION –

Motion to open to the public – Councilman Phillips – second – Councilwoman Horton
All were in favor.

Mark Catona – 22 New Jersey Ave. – inquired if the city was doing anything on the vibration problem that is coming from Cross Fit gym. It's been going on for 8 months and nothing has been done. He feels our code is vague on the vibration levels.

Chris – he has looked into this and done some research and discussed the requirements and encouraged the city to enforce any violations we're able to enforce.

Tim – will take a look at it and asked for time so he could get the appropriate documentation. Vibration and noise ordinances are extremely difficult to enforce.

Mayor – explained standards

Tom – we are going to be redoing our codebook and hopefully bring them up to date.

Chris – explained vibration and sound measurements. We will be looking into the legalities of our enforcement capabilities and the enforcement of the requirements of the planning board.

Tim – explained the steps that will be taken on this matter.

Allison Quandt – 523 4th Street – met with the administrator regarding the basin behind their neighbors' property. The last lot was sold and the clock is ticking on this on how the problem can be fixed.

Eddie – he is scheduling a meeting with the developer on this, and he understands her feeling that once the developer sells the last lot, he is gone. He still could not get his performance guarantee released until this matter is resolved. The developer has told him he would be willing to sit down and try to come up with some options.

Motion to close public – Councilman Vizthum – second – Councilman Phillips
All were in favor.

REGULAR MEETING AGENDA

2014 ORDINANCES FOR INTRODUCTION

01 Amending the Code of the City of Absecon, Chapter 61 – Personnel, Section 61-1 – Longevity.
Motion for second reading – Councilman Ring – second – Councilman Camp
ROLL CALL: Vizthum, yes; Camp, yes; Horton, yes; Cain, yes; Phillips, yes; Ring, yes; Seher, yes
Motion to open to public – Councilman Camp – second – Councilman Camp
All were in favor.

Chris – explained this is something that gets added into the base salary of certain employees and in the future it will no longer be given to new employees.

No public comment.

Motion to close public – Councilman Vizthum – second – Councilman Ring
All were in favor.

Motion for final reading and adoption – Councilman Camp – second – Councilman Ring
ROLL CALL: Vizthum, yes; Camp, yes; Horton, yes; Cain, yes; Phillips, yes; Ring, yes; Seher, yes

03 Amending the Code of the City of Absecon, Chapter 224-44, A (5) of the Development Ordinance.

Chris – this would amend the size of the lot on the WHP between NJ Ave. & Michigan Ave. formerly the ball fields, making it 2.5 acres as opposed to a minimum of 5 acres.

Motion for introduction – Councilwoman Horton – second – Councilman Vizthum

ROLL CALL: Vizthum, yes; Camp, yes; Horton, yes; Cain, yes; Phillips, yes; Ring, yes; Seher, yes

CONSENT AGENDA

- 37** Authorizing the submission of the City of Absecon's Tonnage Grant Application for the year 2013 to the New Jersey Department of Environmental Protection.
- 38** Authorizing the sale of personal property not needed for public use under N.J.S.A. 40A: 11-36.
- 39** Rescinding Resolution 17-2014 appointing Tom Henshaw as Fund Commissioner for the Atlantic County Municipal Joint Insurance Fund.
- 40** Appointing a Fund Commissioner for the Atlantic County Municipal Joint Insurance Fund.

- 41 Appointing an Alternate Fund Commissioner for the Atlantic County Municipal Joint Insurance Fund.
- 42 Appointing a Safety Coordinator for the Atlantic County Joint Insurance Fund.
- 43 Appointing a contact person for the employment practices liability helpline for the Atlantic County Municipal Joint Insurance Fund.
- 44 Re-appointing members to the Zoning Board.
- 45 Approving a Raffle License for the Irish American Cultural Society of South Jersey.
- 46 Authorizing the transfer of Appropriation Reserves in the 2013 Local Municipal Budget per N.J.S.A. 40A: 4-58.
- 47 Permitting a charitable organization to solicit funds, namely the Absecon Blue Devils.
- 48 Re-Appointing a Fire Official for the Absecon City Fire Department, namely Jerry Cohen.
- 49 Accepting a Volunteer Firefighter into the Absecon City Fire Department, namely Thomas Hurden.
- 50 Authorizing the hiring a part time Electrical Sub-Code Official, namely Donald McBride.
- 51 Awarding a contract for Professional Services for a Special Counsel to represent the City of Absecon with regards to matters involving Affordable Housing Obligations.
- 52 Awarding a contract for Professional Services for a Mt. Laurel Planner to assist the City of Absecon with regards to matters involving Affordable Housing Obligations.
- 53 Calling upon the New Jersey Legislature to promote equality and true transparency in Government by amending provisions of the Open Public Records Act, N.J.S.A. 47:1A-1 *et seq.* so as to remove the exemptions that apply to members of the New Jersey Legislature.
- 54 Authorizing an application for the Municipal Alliance Grant for 2014.

Motion to move consent agenda – Councilman Camp – second – Councilman Phillips

ROLL CALL: Vizthum, yes; Camp, yes; Horton, yes; Cain, yes; Phillips, yes; Ring, yes; Seher, yes

APPROVAL OF BILL LIST - \$1,664,949.75

Motion for approve – Councilman Vizthum – second – Councilman Camp

ROLL CALL: Vizthum, yes; Camp, yes; Horton, yes; Cain, yes; Phillips, yes; Ring, yes abstain on C00225, G0001, H0097 and M0172; Seher, yes

APPROVAL OF MINUTES

Regular Meeting Minutes – 1/16/14

Budget Meeting Minutes – 1/23/14

Closed Session as to form and content only – 1/16/14

Motion to approve – Councilman Ring – second – Councilman Vizthum

ROLL CALL: Vizthum, yes; Camp, yes; Horton, yes; Cain, yes; Phillips, yes; Ring, yes; Seher, yes

PUBLIC PORTION

Motion to open to the public – Councilman Phillips – second – Councilman Vizthum
All were in favor.
No public comment.

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

CLOSED SESSION – Res. #55-2014

Tim – issues to be discussed were:

1. Contract negotiations with PBA
2. Update on Absecon Emergency Services discussed at last meeting

No action will be taken following the meeting.

Motion to enter closed session – Councilman Camp – second – Councilman Ring

ROLL CALL: Vizthum, abstain; Camp, yes; Horton, yes; Cain, yes; Phillips, yes; Ring, yes; Seher, yes

Tim – it’s now 10:18 p.m. and we are back in session and issues discussed were contract negotiations with the PBA and potential litigation concerning Emergency Services Squad. No formal action was taken.

ADJOURNMENT

Motion to adjourn meeting – Councilman Phillips – second – Councilman Ring
All were in favor.

Respectfully,

Carie A. Crone, City Clerk

Approved: _____