



CITY OF ABSECON
Municipal Complex
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CITY COUNCIL

FEBRUARY 4, 2021

REGULAR MEETING MINUTES

The meeting was called to order by Council President, Bennett at 5:30 p.m.

FLAG SALUTE

STATEMENT OF THE SUNSHINE LAW
NOTIFICATION THAT THIS MEETING IS ELECTRONICALLY RECORDED

ROLL CALL

PRESENT: Burroughs, Cain, Cavileer, Howell, Larotonda, Light, Bennett

ABSENT:

ALSO PRESENT: Mayor Horton, Attorney, Fred Scerni, Jessica Thompson, Carie Crone

PRESENTATION

Kevin Sedlak, Commander American Legion presented plaques to Caleb, Don and Steve for all their work they have done to help the Legion out.

2021 ORDINANCES FOR INTRODUCTION

- 03** Amending the Code of the City of Absecon Chapter 69, Article IV,
Employment of Off-Duty Assignments.

Motion for introduction – Councilman Light – second – Councilman Cavileer

Chief Laughlin – explained how it is handled now and how this new procedure with going through an outside company would be easier. Officers would be able to sign up as they want online. The payment would be covered by the company who will pay the city directly. The company would collect the monies from the contractors and they also cover the liability insurance and we get a total scheduling system out of this, making payroll easier. This will not cost us anything as well. If we can't man the details offered, we can use Pleasantville and Atlantic City, who are already in this program.

ROLL CALL: Burroughs, yes; Cain, yes; Cavileer, yes; Howell, yes; Larotonda, yes; Light, yes; Bennett, yes

2021 ORDINANCES FOR ADOPTION

- 01** Amending the Code of the City of Absecon, Chapter 224 – Land Use and Development, Article XXIII – Signs.

Motion for second reading – Councilman Cavileer – second – Councilwoman Cain

ROLL CALL: Burroughs, yes; Cain, yes; Cavileer, yes; Howell, yes; Larotonda, yes; Light, yes; Bennett, yes

Motion to open to the public – Councilman Light – second – Councilman Cavileer

All were in favor.

Motion to close public – Councilwoman Howell – second – Councilman Cavileer

Motion for final reading and adoption – Councilman Cavileer – second – Councilwoman Cain

ROLL CALL: Burroughs, yes; Cain, yes; Cavileer, yes; Howell, yes; Larotonda, yes; Light, yes; Bennett, yes

- 02** Amending the Code of the City of Absecon, Chapter 35 – Fire Department, §35-6 – Chain of Command

Motion for second reading – Councilwoman Howell – second – Councilman Cavileer

ROLL CALL: Burroughs, yes; Cain, yes; Cavileer, yes; Howell, yes; Larotonda, abstain; Light, yes; Bennett, yes

Motion to open to the public – Councilwoman Howell – second – Councilman Cavileer

All were in favor.

Mike Walsh – 202 Twelfth Street - resident for 78 years and past volunteer firefighter for 51 years - Asked for the need for this ordinance is needed. It's been in existence over 100 years and rated as one of the best in the State for a number of years and that is done by leadership. He doesn't understand what council is trying to do. He feels that it just complicates a simple procedure. You are putting someone above the fire chief now. He asked that the ordinance be tabled.

Keith – we are not changing the leadership or dismantling it. It's simply to enhance communication that has been lacking over the past few years. It's nothing to do with the day-to-day operations; on scene operations etc. It has to do with communication between the fire department and the city.

Greg Seher – 625 Yarmouth Ave. – now that there's a fireman on Council, shouldn't that be enough to help with communication? Communication is a part of leadership and you're saying it's a breakdown of communication. There are phones, Public Safety meetings, emails and texting now that should be able to help out. He'd hope this would be an easier fix rather than putting someone else above the fire chief for communicating with the City.

Roy Talley, Fire Chief – He asked that this be tabled as well for now. He really would like to have everyone sit down and talk about this. You don't make laws to try to fix things. We should be sitting down together and at the least this should be tabled. He read portions of the ordinance and talked about NJ Fire Safety regulations. No one was able to hear the last meeting because the sound played back has the voices sounding like munchkins.

Keith - the intention of this is to work together better.

Chris Seher – 707 Chelsea Rd. – asked who the Public Safety chair was and he was told Betty. He asked if there was a meeting on Monday and if so, was this ordinance discussed and the issues that were brought up by the fire department.

Betty – she mentioned some of the things discussed and that this ordinance is not to have the Police Chief pull up at any fire scene. It's about the communication process.

Chris – maybe it should be tabled and some of the language changed to make it a little clearer. He also heard Roy asked to meet with council to resolve the communications issues. Public Safety meetings are held once a month with the fire department there and that has been an open line of communication that has always been there. It seems it's disappearing, if the fire department won't be able to report directly to city council at those meetings. Frank, as public safety chair, never had a communication problem with the members in that room. He has been on both sides of this fence and this communication issue is not a breakdown between Council; you can have disagreements and there have been some, but the breakdown is between the fire department chief and the city administration office; so, to solve that, instead of Council stepping up and managing it, you're creating a layer of bureaucracy that segregates the chief's ability or need to speak directly to administration.

Fred Scerni – his view is that the police chief is not being put in that chain of command for operational activities. This is largely an administrative ordinance to facilitate communication for budgetary discussions.

Stan Kolbe – former fire chief – he would like to see it tabled, but above all he sees ambiguous language that doesn't exactly say what you are implying what you want it to say. You're saying it doesn't put the police chief over the fire chief, but it clearly states the change of command as police chief, fire chief, deputy chief, on and on. Everyone here has a different opinion as to what it says. Thinks the language should be fixed at least so it's clear.

Roy Talley – referred to paragraph B and the chain of command. He read some of the State rules and requirements needed and that is why some other fire departments got into trouble. When he met with Betty and Caleb the talk went well. He knows Keith will be meeting with him too.

Keith – read from paragraph A

Mike Walsh – you can see that there are a lot of upset people and asked that it be tabled again. If you sit down and talk, you can work things out.

Chris Seher – questioned why Nick was not put on the Public Safety committee with him being an experienced firefighter?

Jeff Ciccone – everyone is mentioning tabling this and it should be. He feels it could be worked out. You don't improve communication by putting another step in the process.

Betty – thanked Chris for thinking that she has so much power that I took over on Monday and all this happened. Evidently there has been a problem and that's why the ordinance was drawn up since before she became chairman. She thinks the reason Nick wasn't put on that committee is because we have the firemen coming and talking to us. We don't need another fireman coming to talk to us. We're supposed to be the neutral part when we meet with them and it's hard if you're a member of an organization to be a neutral part; it's simple. The same reason I'm not on emergency management. It wasn't because we were slighting Nick. We have firemen that come talk to us. They meet with us once a month and that's what our job is; to meet with the firemen. I think that would put Nick in a bad position because it would be tough for him to be neutral or to see Council's way and still see the firemen's part.

Motion to close public portion – Councilman Light – second – Councilman Cavileer

All were in favor.

Motion for second reading and adoption – Councilman Burroughs - second – Councilwoman Cain

ROLL CALL: Burroughs, yes; Cain, yes; Cavileer, yes; Howell, yes; Larotonda, abstained since he is a member of the fire department and officer; Light, yes; Bennett, yes

REGULAR MEETING AGENDA

2021 RESOLUTIONS

- 35 Authorizing Change Order No. 3 – Final for the 2018 Road Program.
- 36 Authorizing Change Order No. 2 – Final for the 2019 Road Program.
- 37 Authorizing Change Order No. 1 – Final for the Pitney Road Pedestrian Safety Improvement Project.

Eddie – explained the need for the three resolutions

- 38 Authorizing Remington & Vernick Engineers to provide closeout services for the Fire Department Facility

Eddie – this is not to close out the project. It's authorizing his firm to close out the project and start that process. We've had authorization in phases throughout the whole time. We are aware of the punch list items to be done. It's a big project and will take time to close it out. Final payment will not be recommended until all items have been addressed.

- 39 A resolution supporting the Absecon Public School's petition to the State of New Jersey's Commissioner of Education to end the send-receive relationship with the Pleasantville School District

Kim – hopes doing this will speed up the process

Keith – thanked Nick for doing a letter as well

- 40 Accepting a Volunteer Firefighter into the Absecon City Fire Department, namely Ryan Bobb.
- 41 Amending Resolution #03-2021, confirming meetings of the City Committees, Commissions and Boards for the 2021.
- 42 Appointing members to the Zoning Board, namely Christopher Cottrell and Michael Reilly. **TABLED**
- 43 Authorizing a refund of an overpayment of taxes on the property located at 1118 Plymouth Landing Rd. (Blk. 1.01, Lot 2.10).

PUBLIC PORTION (Agenda Items Only)

Motion to open to the public – Councilman Light – second – Councilwoman Cain

All were in favor.

Tina Lawler – Zoning Board Secretary – referred to Res. #42 and inquired why the normal procedures of appointing members is not being followed and that the board is still not full. Asked that it be tabled since there is no rush for it. The next earliest meeting would be March 16th.

Chris Seher – questioned the reason for not moving up the alternate as well. Regarding Ord. #3, he said it sounds like a win/win situation. We all think resolution 39 is a good thing as well. Inquired when the school board will be rescheduling the hearing on the transit village.

Betty – I was in charge of that committee but not now. The superintendent asked that she bring the Jim Rutala with her and he couldn't make it, so it needs to be rescheduled.

Chris Cottrell – 304 Pine Street - thanked everyone for supporting Res. #39. On Feb. 23, Absecon

School will be having an open question and answer meeting with outside legal counsel to discuss the termination of our sending/receiving district, Pleasantville and the new district. The Commissioner still needs to approve this, so it's not a done deal. There are other steps to be done. **Chris Seher** – announced the passing of Rosalie DeRitis, whose services were today

Keith – asked for a motion to pull Resolution #42 from the Consent Agenda
Motion was made by Councilman Larotonda -second – Councilman Burroughs
All were in favor.

Motion to close public portion – Councilman Light – second – Councilman Burroughs
All were in favor.

CONSENT AGENDA - Resolutions were read again.

Motion to move consent agenda – Councilman Cavileer – second – Councilman Larotonda

ROLL CALL: Burroughs, yes; Cain, yes; Cavileer, yes; Howell, yes; Larotonda, yes; Light, yes; Bennett, yes

APPROVAL OF BILL LIST - \$1,768,728.98

Motion to approve – Councilman Light – second – Councilman Cavileer

ROLL CALL: Burroughs, yes; Cain, yes; Cavileer, yes; Howell, yes; Larotonda, yes; Light, yes; Bennett, yes

APPROVAL OF MINUTES

Regular Meeting Minutes – 1/21/2021

Motion to approve – Councilman Larotonda – second – Councilman Cavileer

ROLL CALL: Burroughs, yes; Cain, yes; Cavileer, yes; Howell, yes; Larotonda, yes; Light, yes; Bennett, yes

REPORTS

Eddie – we will be closing out most of our projects from last year and the 2021 road program design is being worked on now. It should go out to bid in the Spring and get it started in the Summer. Projects will be discussed during the budget meetings.

Caleb – asked about the walkway project from Shore Road down to Faunce Landing

Steve – asked Eddie for a map of Absecon's vacant lands that could possibly be available. Land is a hot commodity now. He's been asked from about 6 people for possible development here.

Keith – agrees with Steve and he anticipates forming a committee soon. We still have the two lots near Heritage Park on Blenheim Avenue for auction.

Jessica – budget meetings have been scheduled for February 11 and 25 at 5:30 p.m.

Mayor – thanked the Emergency Management team for the updates on our storm last week. Thanked the police department for helping people getting through our flooded roadways. Thanked the fire dept. for helping a vehicle that got stuck in the water on Faunce Landing. Thanked the council persons who have helped at the Legion. Thanked Betty with helping to get our public safety officials are able to get the Covid vaccine shot. She expressed her condolences to the DeRitis family.

Caleb – Finance – announced community affairs events for February for Valentine's Day. Starting Saturday, a Love Locks will be started in Heritage Park. It will be up till 2/28. The citywide yard sale will be held on June 5th.

Steve – Parks & Playgrounds – the fireplace at the Legion will be getting a makeover with some help from Stan Weiner framing a neat picture. Announced the passing of Joe McDevitt.

PUBLIC PORTION

Motion to open to the public – Councilman Light – second – Councilwoman Cain
All were in favor.

Kevin Sedlak – the Legion has been opened for ShopRite to give COVID shots. He just spoke with the Police Chief and he will announce on the board to drive safely on Super Bowl Sunday. The girl scouts had asked to sell their cookies outside along the Mill Road side.

Brook Szeker - 103 E. Weiler's Lane – wanted to know when the transit village presentation is rescheduled, where she would find that information out.

Betty – it would probably be on the school website

Brook - Questioned the zoning regarding the transit village area

Eddie – explained what the zoning is now and what it would be if this is passed. It really wouldn't be anything different; other than the overlay district being required by the DOT to be part of the base zone. It's a lot of technicalities.

Keith – we haven't moved on it yet and it's still in the planning stages.

Steve – asked why we are even moving on this. Was it to get grant money?

Keith – he thinks it was suggested from the ABCD group to improve our downtown area. We hired a gentleman to do that and he has done some good work in a lot of towns and he suggested this. It's a way to get grant monies easier and other benefits.

Mike Reilly – 444 4th Street – asked how long has that overlay been in place and was interested in the grants that could be given

Eddie – he just took a guess and thinks it was 2007 and that it came from a recommendation from the Planning Board

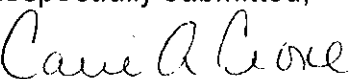
Kim – said you can go online there are 33 transit villages in NJ and you can see what grants they've received and at substantial amounts. It's really to encourage more biking and walking and using public transportation.

Motion to close public – Councilman Light - second – Councilman Cavileer
All were in favor.

ADJOURNMENT

Motion to adjourn – Councilman Larotonda – second – Councilman Cavileer
All were in favor.

Respectfully submitted,


Carie A. Crone, City Clerk

Approved: 3-4-21