



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

**Carie A. Crone, RMC**  
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**CITY COUNCIL**

**JUNE 17, 2021**

**REGULAR MEETING MINUTES**

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

**FLAG SALUTE**

**ROLL CALL**

**PRESENT:** Burroughs, Cain, Cavileer, Larotonda, Bennett

**ABSENT:** Howell, Light

**ALSO PRESENT:** Mayor Horton; Attorney, Fred Scerni; Jessica Thompson; Carie Crone & Ed Dennis

**STATEMENT OF THE SUNSHINE LAW**

**NOTIFICATION THAT THIS MEETING IS ELECTRONICALLY RECORDED**

**REGULAR MEETING AGENDA**

**2021 ORDINANCES FOR INTRODUCTION**

- 09** Repealing and Replacing Chapter 134 of the Code of the City of Absecon concerning the removal and destruction of brush, weeds, trash, debris and solid waste from private property within the municipality.

Motion for introduction – Councilman Larotonda – second – Councilman Cavileer

**Jessica** – this is updating our code, which deals with the removal of brush, weeds, grass and trash, etc. We are doing this to assist code enforcement and to allow penalties under the chapter to be paid without a mandatory court appearance. The old ordinance had a lot of restrictions and the ability of moving the process along.

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

- 10** Amending Chapter 224 of the Code of the City of Absecon to establish Cannabis Land Use Regulations.

Motion for introduction – Councilman Burroughs – second – Councilwoman Cain

**Eddie** – explained Resolutions 10, 11 and 12. There was a previous draft of a map that had three separate areas in town and through an ad hoc committee process, they identified for three different types of cannabis establishments. The map has essentially stayed the same except for some minor changes. For the area that stretches from the Galloway border along Rt. 30 and NJ Avenue to Shore Road, which was designated for a retail use was changed to permit the delivery use so businesses that would be located and licensed within that area, would not only be able to sell retail, but would also be able to deliver from those locations. This map would be incorporated with each ordinance as well for reference. The other change to that area is that the limits were extended from Shore Road to Turner Avenue. It was originally suggested for all 6 types of uses, but it's not really large enough to cultivate, process, manufacture and have retail use. It would just be permitted for a retail use and the stretch of location that would allow all 6 classes would be on the east side of Rt. 30 from Turner Avenue down. The third area is at the Pleasant Avenue/Mill Road/California Avenue existing Industrial Zone within our city. This zone would permit the manufacturing classes that include cultivation, manufacturing, wholesale and distributor and delivery; they would not be able to do retail. Ordinance 10 amends Chapter 224, the Land Use Regulations and it's the global ordinance that establishes these areas throughout Absecon in the various zones that are impacted. It creates conditional permitted uses within the zones that are highlighted on the Cannabis Class Location Map and the conditions would be: they would need to be located within one of the designated areas; they would need to obtain a Municipal Cannabis License from the City of Absecon and the city is in the process of establishing regulations and procedures for that. In all cases, for any of these establishments located in Absecon, none would be allowed to permit on-site consumption as part of their operations. For the other two ordinances, the areas in question are the two Redevelopment Areas and they both have land that fall within the cannabis areas. We need to do separate ordinances for each Redevelopment Areas to amend those plans to add these conditional uses. The ordinances will need to be sent to the Planning Board because they are amendments to the Land use ordinance of the city for a consistency review with the Master Plan. We are dealing with a deadline of August 21<sup>st</sup> to have our regulations in place so that the default ones don't kick in. After tonight they will be sent to the Planning Board for review and once that is complete, we can then schedule the second hearing and adoption of the ordinances. The licensing ordinance will probably get introduced somewhere in between. He will get a full map up on the website as soon as possible and it really explains everything that is being proposed.

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

**11** Amending the Redevelopment Plan for the Block 203 Redevelopment Area.

Motion for introduction – Councilman Burroughs – second – Councilman Cavileer

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

**12** Amending the Redevelopment Plan for Redevelopment Area 1: Central Business District Redevelopment Area.

Motion for introduction – Councilwoman Cain – second – Councilman Burroughs

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

**2021 RESOLUTIONS**

**98** State of New Jersey Department of Environmental Protection Urban Park Initiative Enabling Resolution.

**Ed** – this authorizes a grant application to the DEP for the abandoned gas station on Turner Ave. He also applied to the DCA for funds for the project as well. It's through the Green Acres program and does require a public hearing, specifically for this and that is scheduled for June 29 @ 6:30 p.m. here at City Hall.

He then said the next three resolutions (99, 100 and 100) are three grant applications to the NJDOT for their annual state aid program for 2022 funding. He then described the locations.

- 99** Authorizing the submission of an application for grant funding and the execution of a grant contract with the New Jersey Department of Transportation for the Reconstruction of Cordova Drive, Seminole Avenue, and Stone Circle. (Priority 1).
- 100** Authorizing the submission of an application for grant funding and the execution of a grant contract with the New Jersey Department of Transportation for the Reconstruction of Fourth Avenue Roadway and Drainage Improvements (Priority 2).
- 101** Authorizing the submission of an application for grant funding and the execution and the execution of a grant contract with the New Jersey Department of Transportation for the Central Business District Streetscape – Phase 4.
- 102** Approving the insertion of a Special Item of Revenue to the 2021 Municipal Budget to allow for the receipt of \$19,471.80 from the State of New Jersey Clean Communities.

**Jessica** – we usually get this every year and they are a slight bit higher than last year

- 103** Approving the insertion of a Special Item of Revenue to the 2021 Municipal Budget to allow for the receipt of \$61,140.00 from the State of New Jersey Body-Worn Camera Grant Program.

**Jessica** – this will help off-set the costs for the body worn cameras for the police department. They will be ordered soon.

- 104** Authorizing the Mayor to enter into a Shared Services Agreement with Atlantic County Utilities Authority for solid waste, bulky waste, recycling, roll-off pull services and yard waste collection.

**Jessica** – we already have a contract with the ACUA and based on the presentation of the recycling carts, we would enter into a new contract that would extend it longer and allow us to purchase the carts and be able to pay for them over a longer period of time so it was more affordable for us. We need to decide how many and the colors and we could be looking at getting them in September. A new ordinance will be created to spell out the rules and regulations of how the program will work and what the responsibilities of the homeowner are. They will be the property of Absecon, but for the residents' use.

**Kevin** – they gave a presentation at the last meeting, but we didn't have a whole lot of discussion from Council, so he asked if anyone had any questions.

**Butch** – gave a thumbs up

**Sandy** – is in favor of it and thinks it will help the city and an asset to have them.

**Kim** – it's an effort to move forward to keep our community cleaner. It is always windy on those days. It will be larger with a lid and you won't see several containers rolling around.

**Jessica** – the full cost to purchase them was \$210,000 and there are grant funds available, which we will try to get and then hopefully go down to \$150,000. The number of carts we need might go down and spread out over 7 years, it might be \$30,000 a year. They front the funds and we pay for it over a course of time. It's affordable that way and don't need to come up with the full cost.

**Caleb** – we signed our tipping fees tonight and it was \$49,000 for trash and \$13,000 for recycling. He's curious if we are able to establish better habits of recycling more, maybe the fees will change and offset some of the cost.

## **PUBLIC PORTION (Agenda Items Only)**

Motion to open to the public – Councilman Larotonda – Councilwoman Cain

All were in favor.

**Greg Seher – 625 Yarmouth Ave.** – thanked council for voting on Res. #100; that area has come a lot at the Planning and Zoning Board meetings. He also thanked council for being pro active on the cannabis law. If we don't do anything, we then have to follow the State rules. He feels this needs to get out there since it's an important issue; maybe you can put the meetings on the Legion sign or website. He feels having it downtown is not a good idea, especially if trying to clean up NJ Ave. He mentioned "place making" for the planning process. How does it get enforced about using it in public areas?

**Keith** – he believes that will be covered in the other ordinance that is going to be introduced

Motion to close public portion – Councilman Larotonda – second – Councilwoman Cain

All were in favor.

## **CONSENT AGENDA**

**Keith** – read the resolutions again

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

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

## **APPROVAL OF BILL LIST - \$1,403,232.97**

Motion to approve – Councilman Larotonda – second – Councilwoman Cain

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

## **APPROVAL OF MINUTES**

Regular Meeting Minutes – 6/03/2021

Closed Session as to form and content only – 5/20/21

Motion to approve – Councilman Cavileer - second – Councilman Burroughs

ROLL CALL: Burroughs, yes; Cain, yes; Cavileer, yes; Larotonda, yes, abstain on 5/20; Bennett; yes

## **REPORTS**

**Public Works - Butch** – everything has been explained

**Ed** – the road program had the preconstruction meeting today and it should start in about 2 weeks. The gas company will be starting up again soon too.

Jessica is to put the road program up on the website

**Community Affairs – Sandy** – congratulated the 8<sup>th</sup> graders on graduation; 6/18 is the annual Legion clam bake; Christmas in July movie is on the 9<sup>th</sup> at 7:30; the concerts in the park start 6/27; on 8/29 a wind ensemble will play starting at 4:00 p.m.

**Finance – Caleb** – regarding the Cares Act money, we are still trying to get more guidance on how to spend that money

**Jessica** – they are starting to send out information and she will be doing a webinar on Monday. The general information is still the same. They haven't been specific yet.

**Caleb** – asked about the grants being applied for

**Eddie** – in all likelihood, we will only get one or the other and it would be priority one. We would then have a decision next year to slide priority two up to one. It is possible #2 could get awarded if it were to score higher. The grant should cover ¾ of the project and then they go into the 2022 road program and anything not covered is covered by us as part of the road program.

**Economic Development – Nick** – he met with the property tax card software to explore potential opportunity for economic development in town. It will provide property tax credits to residents if they shop in town. Participating businesses will offer a discount to the residents and it will reflect as a tax credit on their property bill in the fourth quarter. There is no cost to the city and the business owner will pay a \$10 monthly charge and a small percentage of the discount they will take in as well. Some other towns in NJ have it.

**Sandy** – is that an added burden to our tax office?

**Nick** – no, the tax collector was there and the presenter walked her through it and she said it seemed simple

**Jessica** – they only make the adjustment one time a year and it would be before the new tax bills come out.

The Employee handbooks are getting some updates and will be done later this year. The Volunteer Handbooks are being given out now.

### **MONTHLY REPORTS for MAY – Carrie**

**Tax Collection - \$1,379,458.64**

**Municipal Court - \$11,073.54**

**Construction Office - \$9,144.00**

**Clerk's Office - \$18,430.00**

**Mayor** – she attended the honors luncheon last week and it was a fantastic event. She will be attending graduation as well. She congratulated Caleb's daughter on her graduation and wished her well at OCHS. She reminded everyone that school is out for the summer, so please be aware of the children.

**Keith** – he has not officially handed in his letter, he announced that he will be resigning from Council on September 1<sup>st</sup>.

### **PUBLIC PORTION**

Motion to open to the public – Councilman Larotonda – second – Councilman Cavileer. All were in favor.

**Greg Seher** – congratulations on your retirement and thank you for what you have done for the city. It was mentioned about the federal aid and not being sure what you could spend it on. Egg Harbor City is using their funds to stabilize their tax rates and it was suggested back when Absecon was putting the budget together. The state has dictated that you can use it for lost revenue.

**Jessica** – you can't just take the funds and put them into the fund balance that you feel is so simple to do. There are funds that will come in and formulas still being calculated as to how much can be put in and those funds will come in and be able to come in as unanticipated revenue, which will go into our fund balance for the future year. It still is part of all our regulations that you can't have taken those funds and use them to reduce taxes; that was clear in all the documentation that was given for this rescue fund. What some other communities may be doing is using funds from this to offset funds that they were going to be spending for infrastructure, which could be what of what EHC is doing. There are different situations in each community. We were not just able to put them in at this moment to be used for this year's budget and disregard all the documentation that said we could not use those funds to offset taxes.

**Keith** – no offense to anyone in Egg Harbor City, but he believes Absecon, by far and away, has done an outstanding job being run as opposed to that town. They just had to sell their water infrastructure and they are still in the hole. He trusts all of our professionals and feels all of council do.

Motion to close public – Councilman Larotonda - second – Councilwoman Cain  
All were in favor.

### **GOOD AND WELFARE**

**Keith** – asked council if they are in agreement to put the lots on Blenheim and Chelsea Avenue up for sale again. He doesn't feel we advertised enough and the word didn't get out there and people were interested and it came and went not knowing about it.

**Jessica** – wanted it out there that it was advertised legally, but it could have been marketed a little bit more. It would make sense to do it again and get the word out if everyone agrees.

Everyone was in agreement to put them up for sale again at the next meeting.

### **CLOSED SESSION - #105 – Contract Negotiations**

**Attorney Fred Scerni** – council will be discussing certain contract negotiations. Upon conclusion of that discussion, Council will return to public session and a brief summary will be given. It is anticipated that no formal action will be taken tonight.

Motion to enter closed session – Councilman Burroughs – second – Councilman Cavileer  
All were in favor.

**Fred** – it's now 7:15 p.m. and council discussed certain contract negotiations dealing with joint municipal services. No formal vote was taken and additional information will be made available in this matter within the next 60 days.

### **ADJOURNMENT**

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

Respectfully submitted,



Carie A. Crone, City Clerk

Approved: 7-15-21