



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

Carie A. Crone, RMC
Municipal Clerk

Phone (609) 641-0663 x101
Fax (609) 645-5098

CITY COUNCIL

May 6th, 2021

REGULAR MEETING - 5:30 PM

AGENDA

ROLL CALL

PRESIDENT'S STATEMENT ON THE SUNSHINE LAW

NOTIFICATION THAT THIS MEETING IS ELECTRONICALLY RECORDED

REGULAR MEETING AGENDA

2021 ORDINANCE FOR ADOPTION

- 08** Creating Chapter 313, Shopping Carts in the Code of the City of Absecon.

CONSENT AGENDA

- 81** Authorizing a refund of an overpayment of taxes on the property located at 814 Chelsea Road (Blk. 130. Lot 2.03).
- 82** Authorizing a refund of an overpayment of taxes for the 2nd quarter of 2021 on the property located at 24 Delray Lane (Blk. 258.02, Lot 1.71).

- 83 Accepting a Performance Guaranty and Engineer's Escrow funds for improvements on property known as Block 177, Lot 4.
- 84 Approving the insertion of a Special Item of Revenue into the 2021 Municipal Budget to allow for the receipt of \$4,439.30 from the State of New Jersey Drunk Driving Enforcement Fund.
- 85 Authorizing the City's participation in the Sourcewell Cooperative for Contract #022818, Acquisition of Fire Apparatus.
- 86 Authorizing the execution of a First Amendment to Redevelopment Agreement with Absecon Urban Renewal, LLC, the Redeveloper for the Block 203 Redevelopment Area.
- 87 Accepting donation of land known as Block 4, Lot 8.01 and 8.02.
- 88 Authorizing Remington & Vernick, City Engineers, to provide professional services for the Shore Road Flood Mitigation Improvements.
- 89 Authorizing Remington & Vernick, City Engineers, to provide permitting and analysis for the dredging of Absecon Creek.

APPROVAL OF BILL LIST – \$1,618,090.28

APPROVAL OF MINUTES

Regular Meeting Minutes – 4/15/2021

REPORTS Administrator/CFO
Engineer
Mayor

PUBLIC PORTION

ADJOURNMENT

CITY OF ABSECON

ORDINANCE 08-2021

**AN ORDINANCE CREATING CHAPTER 313 SHOPPING CARTS IN
THE CODE OF THE CITY OF ABSECON**

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Absecon, County of Atlantic and State of New Jersey as follows:

Absecon City Code Chapter 313 Shopping Carts shall be created as follows:

§ 313-1. Scope and Purpose:

A. Policy Statement

Due to the proliferation of abandoned shopping carts within public rights-of-way, and the failure of shopping cart owners to take remedial action to prevent the removal of carts or the implementation of an effective procedure to retrieve carts which have been removed from their premises, resulting in the presence within the City of unwarranted safety hazards, imposition of an undue burden upon the City Department of Public Works, and an unnecessary utilization of resources and expenditures of taxpayer funds to address the problem; and

B. City Council has attempted to encourage cart owners to implement programs designed to alleviate the problems caused by abandonment of carts but with no satisfactory results; and

C. City Council finds and determines that shopping carts left within streets, on municipal property, and in other public rights-of-way impede the flow of pedestrian and vehicular traffic, and present an added impediment to people with disabilities; and

D. The United States Occupational and Health Administration recognizes the hazards of unsecured shopping carts and encourages store owners to keep shopping carts and other potential obstacles or projectiles inside of stores and away from entrances during special sales and promotional events in recognition of those safety hazards presented; and

E. City Council finds and determines that shopping carts left in a street (as hereinafter defined):

- (1) Create a dangerous attractive nuisance, particularly for minor children who are most prone to injury from shopping cart accidents;
- (2) Create a distraction to drivers seeking to avoid contact with the carts or prevent being struck by a moving cart;
- (3) Adversely affect the preservation of the City's character due to unsightly clutter and create a potential diminution of property values;
- (4) Are detrimental to the public safety, health and welfare;
- (5) Constitute a public nuisance; and
- (6) By their presence in and on a street require immediate removal necessary to prevent a danger to public safety; and

- F. It is the intent and purpose of this action by City Council to establish and enact regulations governing the abandonment of carts, to establish a fee for redemption of impounded carts, and to provide penalties for violations; and
- G. Council of the City of Absecon wishes to comply with and supplement the provisions of N.J.S.A. 40:48-2.65 regulating shopping carts; and
- H. The clauses in this chapter are incorporated herein as statements of explanation, purpose and intent.

§ 313-2. Definitions:

As used in this chapter, the following terms shall have the meanings indicated:

ESTABLISHMENT

A person owning, making available or having control of a place where shopping carts are utilized; the place of a person owning, making available or where shopping carts are utilized.

PARKING AREA

A parking lot or other property provided by a retailer for the use of a customer for parking an automobile or other vehicle. The parking area of a retail mercantile establishment located in a multi-store complex or shopping center shall include the entire parking area used by the complex or center.

PERSON

Includes a person of either sex or a corporation, partnership, association, joint-stock company, societies and other entities capable of being sued.

REMOVE

To take, transport or otherwise remove for any purpose a shopping cart from the interior (if the building should have no parking area accessible to the public) or parking area of the establishment which makes the shopping cart available to the public. Removal or transport of a shopping cart by the owner or agent of the owner for repair, shipment to another location or for any other legal purpose shall not constitute a violation of this chapter.

SHOPPING CART

A push cart of the type or types which are commonly provided by grocery stores, drugstores or other retail mercantile establishments for the use of the public in transporting commodities in stores and markets and their parking areas.

STREET

Includes any street, avenue, road, alley, lane, highway, boulevard, concourse, sidewalk or crosswalk, culvert, bike path, and every municipal parking lot within the City of Absecon.

§ 313-3. Affirmative obligation of shoppers, patrons and users

All shoppers, patrons and users of carts who remove a cart for their convenience or any other reason from the establishment or parking lot adjacent to where the cart belongs shall have the affirmative duty and obligation to return the cart forthwith. Any person who does not fulfill that duty and obligation, or who abandons the cart, has violated this chapter.

§ 313-4. Duties of owners and operators of stores supplying carts

All owners and operators of establishments owning and/or supplying carts for the convenience of shoppers, patrons or users shall:

- A. Clearly label them, in a visible manner restrictive of removal of same, with the name, address and phone number of the store or facility owning or responsible for supplying the carts.
- B. Be responsible for retrieval of any of their carts as soon as possible and not more than three business days from notification by the City, or any official thereof, of a request to do so by fax, letter, email or verbal notification. Any that do not do so have violated this chapter.
- C. Create procedures.
 - (1) Create internal procedures to comply with this chapter, which procedures shall be written and in place within 30 days after the effective date of this chapter, and which shall be supplied to the City Clerk, who shall provide copies to the Public Works Supervisor, Code Enforcement Officer, and the Police Department. Additional copies shall be supplied, if requested, from time to time by the City.
 - (2) Such procedures shall identify the name of the establishment, the name of and contact information for the store manager and the person, title, address of the store or facility, phone number, fax number, and e-mail address where and to whom the City may send notices; and shall include an affirmative plan of action demonstrating how, and with what frequency the City shall be searched for shopping carts which have been removed from the establishment; and which shall be at least weekly.
- D. At their sole expense, create signage on their premises, to be prominently displayed in a conspicuous place at or near all entrances and exits, giving notice of the provisions of this chapter relating to the prohibition against removal of carts from the premises or the parking lot immediately adjacent to the establishment and not returning them, or abandoning them, and that violators are subject to fines and penalties.
- E. Acknowledge receipt of a copy of this chapter to confirm that any cart found in a street or place will be impounded to prevent a safety hazard and that notification will be sent by the City not less than once per week via e-mail informing the designated establishment representative of the number of carts in possession of the City and where they may be redeemed.

§ 313-5. Municipal impoundment; redemption fee

- A. The City shall not impound a shopping cart that has sign or notice identifying the owner of the cart or the retailer who has written consent from the owner to use the cart, and listing a valid telephone number or address through which the owner or retailer can be contacted, unless the following conditions are met:
 - (1) The shopping cart is located outside the premises or parking area of a retail mercantile establishment, unless it is found located in a street, in which event it will be promptly impounded by the City;
 - (2) The City will notify the owner or retailer via e-mail of the location of the cart and allow three (3) business days from the date of such notification for the owner, retailer, or an authorized agent to retrieve the shopping cart;
 - (3) The City will notify the owner or retailer via e-mail upon impoundment of a shopping cart and include information as to how the cart may be retrieved;

- (4) The City will hold impounded shopping carts at the Department of Public Works yard, 939 Pitney Road, Absecon, NJ, or such other location that may be designated by the Public Works Supervisor. An appointment is required for the pickup of shopping carts;
 - (5) The City will allow the owner or retailer a minimum of five (5) business days following receipt of notice that a shopping cart has been impounded to retrieve the cart before the City may sell or otherwise dispose of the cart;
 - (6) Whenever the Public Works Department or Code Enforcement shall take any cart into their possession bearing identification of ownership or right to possession, not less than once per week a notice shall be sent by e-mail to the designated representative of the establishment advising that such cart(s) is (are) being held and stored and that the cart may be redeemed upon payment to the City of a fee or charge of \$25.00 per cart. Carts may be redeemed by the owner thereof as shown by the identification of ownership or right to possession prior to sale, dismantling, destruction or disposal thereof, and the owner shall be entitled to receive such cart upon payment of the fee or charge of the sum of \$25.00 per cart.
 - (7) Any fine imposed upon the owner or retailer for an impounded shopping cart shall not exceed \$50.00 for each occurrence for failure to retrieve shopping carts. An occurrence includes all shopping carts impounded in accordance with this section during a twenty-four-hour period.
- B. The City may, at its sole discretion, impound a shopping cart that has a sign or notice identifying the owner of the cart, or the retailer who has written consent from the owner to use the cart, and lists a valid telephone number or address through which the owner or retailer can be contacted, without meeting the conditions required by Subsection **A(1)** through **(6)** of this section, if the City:
- (1) Notifies the owner or retailer within 24 hours of impounding the shopping cart and includes information on how the cart may be retrieved;
 - (2) Releases the cart to the owner, retailer or authorized agent without any charge or fine whatsoever, if the owner, retailer, or authorized agent attempts to retrieve the cart within five (5) days of notice.
- C. Nothing contained in this section shall preclude or otherwise limit the City from impounding a shopping cart that does not have a sign or notice identifying the owner of the cart, or the retailer who has written consent from the owner to use the cart, and lists a valid telephone number or address through which the owner or retailer can be contacted.

§ 313-6. Violations and penalties

- A. A shopper, patron, or user of a cart convicted in municipal court of a violation of this chapter shall be fined \$100.00 for the first conviction and \$250.00 for each subsequent conviction.
- B. An owner or retailer of an impounded shopping cart convicted in municipal court of a violation of this chapter shall be fined \$100.00 for each occurrence for failure to retrieve shopping carts. An occurrence includes all shopping carts impounded in accordance with this chapter during a twenty-four-hour period. This penalty shall be in addition to any fees for shopping cart redemption.
- C. Any person violating any of the other provisions of this chapter shall, upon conviction, be punished as set forth in Chapter 1, General Provisions, Article II; and each violation shall be

deemed to be a separate and distinct offense. This penalty shall be in addition to any fees for shopping cart redemption.

§ 313-7. Revocation of mercantile license for repeated violations

The mercantile license of an establishment may be subject to revocation for repeated violations if more than fifty (50) carts are retrieved or impounded by the City within any six-month period.

§ 313-8. Right to inspect

The Department of Public Works, Code Enforcement or members of the Police Department shall be authorized to enter upon establishment premises at any reasonable hour of a business day where carts are provided for the purpose of inspecting carts for proper identification and otherwise effecting compliance with the provisions of this chapter.

§ 313-9. Disposition of funds collected upon sale of carts

Upon a redemption or sale of a cart, the proceeds shall be deposited into the general funds of the City or in such a manner as shall be designated by the Mayor and City Council.

§ 313-10. Nonliability of City

Any sale or other disposition of such cart pursuant to this chapter shall be without liability on the part of the City to the owner of such a cart or other person lawfully entitled thereto or having interest therein.

§ 313-11. No obligation of City to search for carts

Nothing contained herein is intended to impose upon the City or any department therein to utilize the Public Works, Code Enforcement or Police Department resources to conduct City-wide searches for abandoned carts or to make such searches on any regular schedule or basis.

§ 313-12. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

Dated: May 6th, 2021

SIGNED: _____
Kimberly Horton, Mayor

ATTEST: _____
Carie A. Crone, RMC Municipal Clerk

Passed on first reading at a regular meeting of the Municipal Council held on April 15th, 2021. Laid over and advertised for public hearing and final adoption on May 6th, 2021.

CITY OF ABSECON

RESOLUTION 81-2021

**A RESOLUTION AUTHORIZING A REFUND OF AN
OVERPAYMENT OF TAXES ON THE PROPERTY LOCATED
AT 814 CHELSEA ROAD (BLOCK 130, LOT 2.03)**

WHEREAS, the Tax Collector, by letter attached, has notified City Council of an overpayment of taxes in the amounts and on the property listed below; and

WHEREAS, the overpayment was due to prorated Veteran's Exemption; and

WHEREAS, the Tax collector has requested permission to refund the taxes for the 2nd quarters of 2021 on the following property:

Block	Lot	Property Owner	Property Address	Amount
130	2.03	Palermon, Mark A.	814 Chelsea Road	1,964.71

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Absecon that:

1. The Chief Financial Officer be authorized and directed to refund the amount listed above to CoreLogic Centralized Refunds, P.O. Box 9202, Coppell, TX 75019-9760.
2. This Resolution shall take effect immediately.

Dated: May 6th, 2021

**This is to certify that this is a true
copy of a Resolution adopted by the
Council of the City of Absecon at a
Regular Meeting held on May 6th, 2021**

**ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk**

CITY OF ABSECON
Municipal Complex
500 Mill Rd.
ABSECON, NJ 08201



Absecon Absolutely!

Jessica A. Snyder, CTC
Tax Collector

Phone (609) 641-0663 ext. 116
Fax (609) 645-5098

April 30, 2021

Mayor & City Council
500 Mill Road
Absecon, NJ 08201

Dear Members of City Council,

Please have a resolution drawn up to refund the following overpayments of taxes for the 2nd Quarter of 2021, due to a prorated Veteran's Exemption.

Block	Lot	Qual.	Property Owner	Property Address	Amount
130	2.03		Palermo, Mark A.	814 Chelsea Road	1,964.71

The refunds should be sent to the following address:

CoreLogic Centralized Refunds
PO Box 9202
Coppell, TX 75019-9760

Sincerely,

Jessica A. Snyder, CTC
Jessica A. Snyder, CTC
Tax Collector

CITY OF ABSECON

RESOLUTION 82-2021

**A RESOLUTION AUTHORIZING A REFUND OF AN OVERPAYMENT OF
TAXES FOR THE 2nd QUARTER OF 2021 ON THE LISTED PROPERTY**

WHEREAS, the Tax Collector, by letter attached, has notified City Council of overpayment of taxes in the amount on the property listed below; and

WHEREAS, the refund amount is a result of the property being sold and the payment received was for the prior owner; and

WHEREAS, the Tax collector has requested permission to refund the taxes for the 2nd quarter of 2021 on the following property:

Block	Lot	Qual.	Property Owner	Property Address	Amount
258.02	1.71		Gillane, John P. & Mary Ann B	24 Delray Lane	1,592.32

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Absecon that:

1. The Chief Financial Officer be authorized and directed to refund the amount listed above to CoreLogic Centralized Refunds, P.O. Box 9202, Coppell, TX 75019-9760
2. This Resolution shall take effect immediately.

Dated: May 6th, 2021

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ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk

CITY OF ABSECON

Municipal Complex
500 Mill Rd.
ABSECON, NJ 08201



Absecon Absolutely!

Jessica A. Snyder, CTC
Tax Collector

Phone (609) 641-0663 ext. 116
Fax (609) 645-5098

April 30, 2021

Mayor & City Council
500 Mill Road
Absecon, NJ 08201

Dear Members of City Council,

Please have a resolution drawn up to refund the following overpayments of taxes for the 2nd Quarter of 2021. The payment was designated for the prior owners. Please refund to Corelogic.

Block	Lot	Property Owner	Property Address	Amount
258.02	1.71	GILLANE, JOHN P. & MARY ANN B	24 Delray Lane	768.75

The refunds should be sent to:

CoreLogic Centralized Refunds
PO Box 9202
Coppell, TX 75019-9760

Sincerely,

Jessica A. Snyder, CTC
Tax Collector

CITY OF ABSECON

RESOLUTION 83-2021

**A RESOLUTION ACCEPTING A PERFORMANCE GUARANTY
AND ENGINEER'S ESCROW FUNDS FOR IMPROVEMENTS
ON PROPERTY KNOWN AS BLOCK 177, LOT 4**

WHEREAS, 408 Absecon Blvd. LLC has posted a Performance Guaranty in the amount of \$3,780.00 for improvements to Block 177 Lot 4; and

WHEREAS, 408 Absecon Blvd. LLC has posted Engineer's Escrow funds in the amount of \$1,495.00 for periodic and final inspections of the project; and

WHEREAS, the Performance Guarantee is contingent upon review by the City Attorney as to form and content.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Absecon as follows:

1. The Performance Guaranty in the amount of \$3,780.00, as posted by 408 Absecon Blvd. LLC is hereby accepted and shall be deposited into the appropriate bank account.
2. The Engineer's Escrow funds in the amount of \$1,495.00 is hereby accepted and shall be maintained by an account established by the Chief Financial Officer.

Dated: May 6, 2021

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Regular Meeting held on May 6th, 2021**

ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk

CITY OF ABSECON

RESOLUTION 84-2021

A RESOLUTION APPROVING THE INSERTION OF A SPECIAL ITEM OF REVENUE INTO THE 2021 MUNICIPAL BUDGET TO ALLOW FOR THE RECEIPT OF \$4,439.30 FROM THE STATE OF NEW JERSEY DRUNK DRIVING ENFORCEMENT FUND

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the City of Absecon will receive \$4,439.30 from the State of New Jersey Drunk Driving Enforcement Fund and wishes to amend its 2021 Budget to include this amount as revenue.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Absecon hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$4,439.30, which is now available as revenue from:

Miscellaneous Revenue
Special Items of General Revenue Anticipated with Prior Written Consent of the
Director of Local Government Services:
State and Federal Revenues Offset with Appropriations:
DDEF; and

BE IT FURTHER RESOLVED, that the Municipal Clerk will electronically submit this resolution to the Director of Local Government Services.

Dated: May 6th, 2021

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Regular Meeting held on May 6th, 2021**

ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk

CITY OF ABSECON

RESOLUTION 85-2021

**A RESOLUTION AUTHORIZING THE CITY'S PARTICIPATION
IN THE SOURCEWELL COOPERATIVE FOR
CONTRACT #022818, ACQUISITION OF FIRE APPARATUS**

WHEREAS, the City of Absecon is allowed to participate in national purchasing cooperatives per N.J.S.A. 52:34-6.2(b) P.L. 2011, c.139; and

WHEREAS, the City of Absecon has joined the Sourcewell Cooperative Purchasing Program as a participating member; and

WHEREAS, the Fire Department is in need of a new Fire Apparatus, specifically the 2019 Pierce Enforcer 110 FT Ascendant platform Truck identified as #33391; and

WHEREAS, Sourcewell has entered into contract #022818 for this vehicle; and

WHEREAS, the purchase price is \$908,318.56, less a trade-in allowance of \$10,000.00 for a total of \$898,318.56; and

WHEREAS, this resolution sets forth the certification of available funds of the maximum dollar value of the contract according to N.J.A.C. 5:30-5.4(a)3.

Account # C-04-34-196-005	\$ 45,000.00
Account # C-04-34-196-015	\$853,318.56

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Absecon that the purchase of a 2019 Pierce Enforcer 110 FT Ascendant Platform Fire Truck, under the Sourcewell Cooperative #022818 for the purchase price of \$898,318.56 is hereby authorized; and

Dated: May 6, 2021

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Council of the City of Absecon at a
Regular Meeting held on May 6th, 2021**

ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk

CITY OF ABSECON

RESOLUTION 86-2021

A RESOLUTION AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT WITH ABSECON URBAN RENEWAL, LLC, THE REDEVELOPER FOR THE BLOCK 203 REDEVELOPMENT AREA

WHEREAS, the City of Absecon entered into a Redevelopment Agreement with Absecon Urban Renewal, LLC dated February 27th, 2019, (the "Redevelopment Agreement"); and

WHEREAS, the City of Absecon authorized an amendment to Section 8.01(b) of the Redevelopment Agreement pursuant to Resolution #75-2021, dated April 1st, 2021; and

WHEREAS, to memorialize the amendment to Section 8.01(b), the Redeveloper has provided the attached First Amendment to Redevelopment Agreement; and

WHEREAS, the City Council wishes to enter into the First Amendment to Redevelopment Agreement to document and memorialize the new provisions in Section 8.01(b).

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Absecon, that the Mayor and City Clerk are hereby authorized to execute the attached First Amendment to Redevelopment Agreement the City of Absecon and Absecon Urban Renewal, LLC.

Dated: May 6, 2021

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copy of a Resolution adopted by the
Council of the City of Absecon at a
Regular Meeting held on May 6th, 2021**

ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk

FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT

This First Amendment to Redevelopment Agreement made as of the _____ day of _____, 2021 by and between the City of Absecon, a public body corporate and politic of the State of New Jersey, having its offices at 500 Mill Road, Absecon, New Jersey 08201, in its capacity as a “redevelopment entity” pursuant to N.J.S.A. 40A:12A-4(c) (the “City”) and Absecon Urban Renewal, LLC, a limited liability company of the State of New Jersey, having its address at c/o Wright Partners, P.O. Box 1908, Media, Pennsylvania 19063 (“Redeveloper”).

BACKGROUND

1. The parties have entered into a certain Redevelopment Agreement dated on or about February 27, 2019 (the “Original Agreement”); and
2. Redeveloper has been actively redeveloping, and is continuing to redevelop, the subject property, with appropriate City oversight as contemplated pursuant to the terms of the Original Agreement; and
3. The parties are mutually desirous of amending the Original Agreement, as more specifically set forth herein.

NOW, THEREFORE, the parties hereto, intending to be legally bound, hereby amend the Original Agreement as follows:

1. Incorporation of Recitals. All the paragraphs set forth above under the heading “Background” are incorporated herein as if fully set forth at length.
2. Paragraph 8.01(b) is hereby amended to read as follows:

Paragraph 8.01(b):

Notwithstanding anything contained herein to the contrary, the following transfers are hereby deemed to be permitted transfers, and shall not require the prior approval of the City: (1) mortgages, leases, and other liens and encumbrances for the purpose of financing the costs associated with, or incurred in connection with the acquisition, development and construction of the Project; (2) utility and other development easements; (3) sale(s) of a Phase of the Project following the recordation of a subdivision plan or subdivision deed with respect to such Phase subject to all other provisions of

the Redevelopment Plan remaining in full force and effect; (4) transfers for estate planning purposes provided one or more of the Key Persons retains Control. Further, nothing in this Redevelopment Agreement shall be deemed to restrict the ability of Redeveloper to transfer its interest herein to a special purpose urban renewal entity, provided that after such transfer(s), one or more of the Key Persons retains Control of Redeveloper.

3. All of the other terms and conditions set forth in the Original Agreement shall remain in full legal force and effect, except to the extent that same shall be in conflict with, or modified by, the terms hereof.

IT WITNESS WHEREOF, the parties hereto have caused this First Amendment to Redevelopment Agreement to be executed by their duly authorized officials or managers, as the case may be all as of the date first written above.

Witness:

CITY OF ABSECON

Carie A. Crone, City Clerk

By: _____
Kim Horton, Mayor

Witness:

ABSECON URBAN RENEWAL, LLC,
A New Jersey Limited Liability Company

Name: _____

By: _____
Name: Carl Wright
Title: Member

CITY OF ABSECON

RESOLUTION 87-2021

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF LAND DONATION

WHEREAS, Rosalyn Santucci, Et Al is listed as the owner of Property in the City of Absecon known as Block 4, Lots 8.01 and 8.01; and

WHEREAS, Mrs. Santucci has advised City Official in the City of Absecon that she wishes to donate such property to the City; and

WHEREAS, the City has reviewed this offer and is agreeable to accepting a donation of Block 4, Lots 8.01 and 8.02.

NOW, THEREFORE, BE IT FURTHER RESOLVED that City Council hereby accepts the donation of Block 4, Lots 8.01 and 8.02 and will receive a Deed transferring such property to the City and will dully record such Deed.

Dated: May 6th, 2021

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Regular Meeting held on May 6th, 2021**

**ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk**

CITY OF ABSECON

RESOLUTION 88-2021

**A RESOLUTION AUTHORIZING THE CITY ENGINEER,
REMINGTON & VERNICK, TO PROVIDE PROFESSIONAL
SERVICES FOR THE SHORE RD FLOOD MITIGATION IMPROVEMENTS**

WHEREAS, the Public Works Committee of the Municipal Council has determined the need for flood mitigation roadway improvements in Absecon; and

WHEREAS, the City of Absecon will work in partnership with the County of Atlantic to reconstruct and elevate a section of Shore Road that is subject to repetitive flooding; and

WHEREAS, the firm of Remington & Vernick Engineers has provided a proposal to undertake the engineering and construction services not to exceed \$125,000.00; and

WHEREAS, this resolution sets forth the certification of available funds of the maximum dollar value of the contract according to N.J.A.C. 5:30-5.4(a) 3.

Account # C-04-34-199-005	\$ 6,250.00
Account # C-04-34-199-015	\$ 118,750.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Absecon that the firm of Remington & Vernick Engineers, is hereby authorized to provide professional services for the Shore Rd Flood Mitigation Improvements for a sum not to exceed \$125,000.00.

Dated: May 6th, 2021

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Council of the City of Absecon at a
Regular Meeting held on May 6th, 2021**

**ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk**

May 4, 2021

Jessica Thompson, Administrator/CFO
City of Absecon
500 Mill Road
Absecon, New Jersey 08201

**RE: Shore Road Flood Mitigation Roadway Improvements
City of Absecon
Atlantic County, New Jersey
RVE File No. M2021-98**

Dear Ms. Thompson:

Remington & Vernick Engineers is pleased to present this proposal to provide professional services for the Shore Road flood mitigation roadway improvements in the City of Absecon. In partnership with the County of Atlantic, the City proposes to reconstruct and elevate a 0.16-mile section of Shore Road (CR 585) that is subject to repetitive flooding. The project limits include Shore Road from mile post 9.34 just south of Illinois Avenue (CR 631) to mile post 9.50 just north of Ohio Avenue (CR 630). The proposed improvements extend onto Illinois Avenue and Ohio Avenue in order to match existing higher elevations.

For years this section of Shore Road has been subject to significant and repetitive tidal flooding. Based on documentation provided by the Absecon Police Department, the roadway was closed due to flooding an average of 71 times per year from 2017 through 2019. The average closure time was estimated to be 70 hours per year. In addition, each time Shore Road is closed, numerous other intersections within the City are impacted, including Absecon Boulevard and Shore Road; Absecon Boulevard and Turner Avenue; Shore Road and Bolton Avenue; Shore Road and California Avenue; and Shore Road and Station Avenue. During Super Storm Sandy, this section of roadway was completely closed for 48 hours and could not be crossed with any vehicles in the City's emergency response fleet. These closures and detours result in significant impacts on City and County resources, public safety, and the free flow of traffic. Further, frequent flooding has contributed to the deterioration of the existing pavement, curb, gutter, and sidewalk.

The proposed improvements will elevate the centerline of Shore Road to match the centerline elevation beneath the New Jersey Transit overpass at Ohio Avenue. It has been observed that flooding rarely reaches this elevation. On average, the elevation of Shore Road will be raised approximately 9 inches. At the lowest elevations, the road will be raised up to 16 inches. The pavement will be reconstructed with an elevated dense-graded aggregate base, 4" hot mix asphalt base course, and 2" hot mix asphalt surface course. Existing sidewalk on the west side of the road will be reconstructed to maintain pedestrian access. New guide rail will be installed on both sides if and where needed. Other incidental improvements include reconstruction of accessible curb ramps, gutter, and driveway aprons; new and upgraded drainage facilities to address stormwater runoff; and new traffic control devices.

We have provided a summary of anticipated project costs for your review below. As you are aware, this project will be implemented through an inter-local agreement between the City and County governments. The County will be responsible for 100% of all construction costs and has allocated \$1,000,000.00 for this project. This City is responsible for 100% of all costs associated with engineering and construction phase services.

Estimated construction budget: (including police traffic control and material testing)	\$1,000,000.00
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Engineering services:	\$70,000.00
Construction services:	\$55,000.00

Total estimated project costs:	\$1,125,000.00
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County funding:	-\$1,000,000.00
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ESTIMATED CITY EXPENDITURE:	\$125,000.00
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It is our understanding that, at this time, the City intends to proceed with the engineering portion of this project, and that separate authorization will be provided for construction services upon award of a construction contract. As detailed above, Remington & Vernick Engineers will complete the engineering services specified herein for a lump sum amount of **\$70,000.00**, to be invoiced monthly on a percent-complete basis. We are prepared to begin work on this project immediately upon your direction and City authorization to proceed.

Should you have any questions, comments, or require additional information, please feel free to contact me in our Pleasantville office by phone at (609) 645-7110 or via edward.dennis@rve.com.

Very truly yours,

REMINGTON & VERNICK ENGINEERS



Edward D. Dennis Jr., PE, PP, CME

Copy service:

Councilman Keith Bennett, President – City of Absecon (via email: kbennett@abseconnj.org)

Councilwoman Kimberly Horton, Public Works Committee Chair – City of Absecon (via email: khorton@abseconnj.org)

Carie A. Crone, Municipal Clerk – City of Absecon (via email: ccrone@abseconnj.org)

Correspondence File (City of Absecon)

Project File (M2021-98)

CITY OF ABSECON

RESOLUTION 89-2021

**A RESOLUTION AUTHORIZING REMINGTON & VERNICK,
CITY ENGINEERS TO PROVIDE PERMITTING AND ANALYSIS
FOR THE DREDGING OF ABSECON CREEK**

WHEREAS, the City of Absecon has determined the need for the dredging of Absecon Creek; and

WHEREAS, the firm of Remington & Vernick Engineers has provided a proposal to provide the permitting and analysis phase for a fee not to exceed \$55,000.00; and

WHEREAS, this resolution sets forth the certification of available funds of the maximum dollar value of the contract according to N.J.A.C. 5:30-5.4(a)3.

Account # C-04-34-198-005 \$ 2,750.00

Account # C-04-34-198-015 \$52,250.00

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Absecon that the firm of Remington & Vernick Engineers, is hereby authorized to provide permitting and analysis services for the dredging of Absecon Creek for a fee not to exceed \$55,000.00.

Dated: May 6th, 2021

**This is to certify that this is a true
copy of a Resolution adopted by the
Council of the City of Absecon at a
Regular Meeting held on May 6th, 2021**

ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk

May 4, 2021

Jessica Thompson, Administrator/CFO
City of Absecon
500 Mill Road
Absecon, New Jersey 08201

**RE: Absecon Creek Dredging Program – Permitting
City of Absecon
Atlantic County, New Jersey
RVE File No. M2021-99**

Dear Ms. Thompson:

Remington & Vernick Engineers is pleased to present this proposal for the permitting phase of the Absecon Creek Dredging Program. The proposed area of dredging includes approximately 1 million square feet from the Faunce Landing Road boat ramp to US Route 30. As you are aware, the New Jersey Department of Transportation (NJDOT) has plans to dredge Absecon Creek Channel from the Faunce Landing Road boat ramp into the City of Atlantic City.

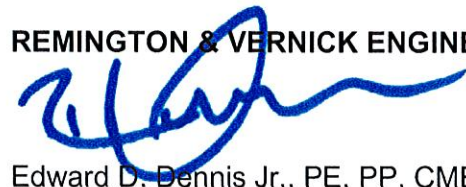
Our scope of services for this proposal includes preparation of permit documents, cost estimates, sediment sampling and analysis plan, and identification of a disposal site for the proposed dredging. All work will be based on the previously completed bathymetric survey and base plans. A separate proposal for sampling and testing, preparation of construction documents, bid coordination, and construction phase services will be provided at the appropriate time.

We are prepared to begin this work immediately upon your direction and City authorization to proceed for a lump sum amount of **\$55,000.00**, to be invoiced monthly on a percent-complete basis.

Should you have any questions, comments, or require additional information, please feel free to contact me in our Pleasantville office by phone at (609) 645-7110 or via edward.dennis@rve.com.

Very truly yours,

REMINGTON & VERNICK ENGINEERS



Edward D. Dennis Jr., PE, PP, CME

Copy service:
Councilman Keith Bennett, President – City of Absecon (via email: kbennett@abseconnj.org)
Kimberly Horton, Mayor – City of Absecon (via email: khorton@abseconnj.org)
Carie A. Crone, Municipal Clerk – City of Absecon (via email: ccrone@abseconnj.org)
Correspondence File (City of Absecon)
Project File (M2021-99)

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Bill List By Vendor Id

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P.O. Type: All Include Project Line Items: Yes Open: N Paid: N Void: N
Range: First to Last Rcvd: Y Held: Y Aprv: N
Format: Condensed Bid: Y State: Y Other: Y Exempt: Y

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
9723 CALIBRE PRESS								
	21-00001	01/12/21	TRAINING	Open	398.00	0.00		
9847 HD SUPPLY								
	21-00408	05/04/21	SOAP/TRASH CANS/DOLLIES	Open	573.28	0.00		
A0007 NAT ALEXANDER CO.								
	20-01180	12/28/20	CARBON HOODS	Open	86.00	0.00		
	20-01181	12/28/20	GLOVES	Open	<u>252.00</u>	0.00		
					338.00			
A0008 ATLANTIC CAPE								
	21-00003	01/12/21	NJ EMT RECERT CLASS	Open	375.00	0.00		
A0016 COUNTY OF ATLANTIC								
	21-00370	04/23/21	2Q 2021 TAXES	Open	928,468.84	0.00		
A0034 ABSECON CITY PAYROLL ACCOUNT								
	21-00344	04/15/21	PAYROLL 04/15/21	Open	182,775.46	0.00		
	21-00391	04/29/21	PAYROLL 4/29/21	Open	<u>186,368.75</u>	0.00		
					369,144.21			
A0189 AIRPOWER INTERNATIONAL INC								
	21-00322	04/08/21	MAINT. TO SCBA COMPRESSOR	Open	215.38	0.00		
A0253 ATLANTIC CITY ELECTRIC								
	21-00395	04/29/21	APRIL 2021 BILLING	Open	24,720.85	0.00		
A0259 ACMJIF								
	21-00364	04/22/21	2Q 2021 ASSESSMENT	Open	104,484.00	0.00		
B0126 ROBERT BATTISTA								
	21-00365	04/22/21	REIMBURSEMENT	Open	5.70	0.00		
C0128 CLEGG'S GARAGE INC								
	21-00381	04/27/21	REPAIRS TO LEAFER	Open	837.00	0.00		
C0150 CONSTELLATION NEW ENERGY, INC.								
	21-00406	05/03/21	MONTHLY BILLING	Open	1,767.74	0.00		
C0201 COMCAST								
	21-00349	04/15/21	MONTHLY BILLING	Open	2,549.01	0.00		
C0208 CME ASSOCIATES								
	21-00389	04/27/21	PROFESSIONAL SERVICES	Open	314.00	0.00		
D0010 DELL MARKETING L.P.								
	21-00296	03/30/21	MONITORS	Open	790.67	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
E0070 ED & GENE'S KING TIRE LLC	21-00352	04/16/21	VEHICLE MAINTENANCE	Open	581.52	0.00		
F0050 FIRE LINE EQUIPMENT	21-00271	03/25/21	VEHICLE MAINTENANCE TOWER 8	Open	1,963.76	0.00		
F0078 FRANKOSKI CONSTRUCTION	19-01088	10/31/19	NEW FIREHOUSE CONSTRUCTION	Open	4,300.53	0.00		B
F0093 KRISTOPHER J. FACENDA	21-00345	04/15/21	APRIL 2021 PROSECUTOR	Open	1,800.00	0.00		
G0004 GANN LAW BOOKS	21-00355	04/20/21	2021 NJ LAW BOOKS	Open	161.00	0.00		
G0041 GALLOWAY ACE HARDWARE	21-00403	05/03/21	SUPPLIES P.W. 146066	Open	51.44	0.00		
	21-00411	05/04/21	SUPPLIES F.D.141511/426521	Open	299.56	0.00		
					351.00			
H0083 HORIZON BLUE CROSS	21-00360	04/22/21	MAY 2021 DENTAL INSURANCE	Open	4,187.18	0.00		
H0095 KIM HORTON	21-00371	04/26/21	SUPPLIES	Open	62.34	0.00		
I0043 IMPACT TECHNOLOGY SOLUTIONS	21-00405	05/03/21	ANNUAL SERVICE AGREEMENT	Open	1,165.00	0.00		
J0014 JERSEY ARCHITECTURAL DOOR	21-00265	03/23/21	PLEXIGLASS SNEEZE GUARDS	Open	1,675.00	0.00		
L0001 LOOSELEAF LAW PUBLICATIONS INC	21-00123	02/09/21	NJ CRIMINAL CODE & TRAFFIC LAW	Open	119.88	0.00		
L0006 LIZBEST SERVICES, LLC	21-00379	04/27/21	PROFESSIONAL SERVICES	Open	1,600.00	0.00		
L0051 LAUREL LAWNMOWER SERVICE	21-00387	04/27/21	REPAIR BACKPACK BLOWER	Open	89.87	0.00		
M0122 WILLIAM H. MARSDEN	21-00361	04/22/21	ELECTRICAL SUBCODE	Open	640.00	0.00		
M0173 TERRELL MADDOX	21-00350	04/16/21	REIMBURSEMENT	Open	500.00	0.00		
M0193 MASER CONSULTING P.A.	21-00388	04/27/21	PROFESSIONAL SERVICES	Open	1,069.66	0.00		
M0194 W B MASON CO INC	21-00354	04/19/21	2 FILE CABINETS	Open	300.00	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
N0003 STATE OF NJ HEALTH BENEFITS PR								
	21-00398	04/30/21	MARCH 2021 HEALTH BENEFITS	Open	69,124.82	0.00		
O0001 OLD DOMINION BRUSH CO., INC.								
	21-00378	04/27/21	PANEL FOR LEAFER	Open	872.60	0.00		
P0014 PEDRONI FUEL CO								
	21-00382	04/27/21	GASOLINE	Open	632.62	0.00		
P0117 PROFORMA								
	21-00407	05/04/21	UNIFORM SHIRTS & HOODIE	Open	160.65	0.00		
P0125 PREMIER ORTHOPAEDIC ASSOCIATES								
	21-00277	03/26/21	PROFESSIONAL SERVICES	Open	165.00	0.00		
Q0004 QUILL CORPORATION								
	21-00353	04/19/21	OFFICE SUPPLIES	Open	387.61	0.00		
R0004 ROK INDUSTRIES, INC.								
	21-00351	04/16/21	2021 TAX SALE	Open	540.00	0.00		
R0007 REMINGTON & VERNICK ENGINEERS								
	20-01142	12/15/20	2021 ROAD PROGRAM	Open	7,315.00	0.00		B
	21-00318	04/08/21	NEW YORK AVE SUBDIVISION	Open	3,366.00	0.00		B
	21-00393	04/29/21	PROFESSIONAL SERVICES	Open	22,263.52	0.00		
					32,944.52			
R0038 RUTGERS, THE STATE UNIVERSITY								
	21-00332	04/12/21	TRAINING	Open	5,391.25	0.00		
S0003 STC WATER TREATMENT SERVICE								
	21-00384	04/27/21	APRIL 2021 WATER TREATMENT	Open	104.00	0.00		
S0011 A E STONE INC								
	21-00359	04/22/21	COLD PATCH	Open	279.00	0.00		
S0019 SOUTH JERSEY GAS CO.								
	21-00399	04/30/21	MONTHLY BILLING	Open	1,804.75	0.00		
S0158 SITE ONE LANDSCAPE SUPPLY, LLC								
	21-00383	04/27/21	SUPPLIES	Open	1,454.00	0.00		
S0168 MARK H. STEIN, ESQ.								
	21-00346	04/15/21	APRIL 2021 PUBLIC DEFENDER	Open	600.00	0.00		
S0169 STONE WORLD								
	21-00315	04/08/21	COVENTRY CORNERS & STRETCHERS	Open	138.51	0.00		
T0044 TREASURER								
	21-00362	04/22/21	MARCH 2021 DOG REPORT	Open	44.40	0.00		
	21-00363	04/22/21	1Q 2021 MARRIAGE/CU LICENSES	Open	325.00	0.00		
	21-00366	04/23/21	AIR PERMIT NEW FIREHOUSE	Open	885.00	0.00		

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Vendor # Name		PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
PO #								
T0044	TREASURER			Continued				
21-00373	04/26/21 STORMWATER PERMIT			Open	<u>2,000.00</u> 3,254.40	0.00		
T0061	TUCKAHOE TURF FARMS, INC							
21-00386	04/27/21 SOD FOR CITY HALL			Open	550.00	0.00		
T0092	TOSHIBA BUSINESS SOLUTIONS,USA							
21-00374	04/26/21 COPIER COUNTER & MAINTENANCE			Open	4.97	0.00		
T0096	TOSHIBA FINANCIAL SERVICES							
21-00368	04/23/21 COPIER LEASE			Open	337.00	0.00		
T0105	TELVUE CORP.							
21-00348	04/15/21 WEBUS MONTHLY SUPPORT			Open	600.00	0.00		
T0106	TACTICAL PUBLIC SAFETY, LLC							
21-00375	04/27/21 ZETRON SERVICE CALL 4/22/21			Open	106.25	0.00		
U0021	UNITED METHODIST CHURCH							
21-00357	04/22/21 MARCH 2021 SENIOR SERVICES			Open	1,844.04	0.00		
V0001	VITAL COMMUNICATIONS INC							
21-00396	04/29/21 TAX & CAMA ASSESSMENT SYSTEMS			Open	315.00	0.00		
V0012	VISION SERVICE PLAN (EA)							
21-00369	04/23/21 MAY 2021 VISION PLAN			Open	246.63	0.00		
21-00404	05/03/21 APRIL 2021 CLAIMS			Open	<u>242.75</u> 489.38	0.00		
V0022	VERIZON							
21-00394	04/29/21 MONTHLY BILLING			Open	148.91	0.00		
W0041	WINNER FORD OF CHERRY HILL							
20-01028	11/16/20 2021 F150			Open	28,485.00	0.00		
W0044	WASZEN BROTHERS							
21-00380	04/27/21 PUMP STATION REPAIRS/MAINT.			Open	11,807.58	0.00		
<hr/>								
Total Purchase Orders:		68	Total P.O. Line Items:	0	Total List Amount:	1,618,090.28	Total Void Amount:	0.00