



CITY OF ABSECON
Municipal Complex
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Absecon, New Jersey 08201

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CITY COUNCIL
REGULAR MEETING
JANUARY 19TH, 2023 6:30 PM
MINUTES

FLAG SALUTE

ROLL CALL

PRESENT: Councilmembers Butch Burroughs, Sandy Cain, Richard DeRose, Betty Howell, Steve Light, Tommy Marrone and Council President Nick LaRotonda

ALSO PRESENT: Mayor Kim Horton, City Administrator/CFO Jessica Thompson, City Engineer Ed Dennis, City Solicitor Bill Blaney Esq., City Clerk Carie Crone, Police Chief J.R. Laughlin

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

REGULAR MEETING AGENDA

2023 RESOLUTIONS OUT OF CONSENT

22 Appointing a Full-Time Patrol Officer – Ryan Thompson

Motioned to move Resolution #22-2023: Councilwoman Howell; Seconded: Councilman DeRose
Roll Call: Burroughs – Yes; Cain – Yes; DeRose – Yes; Howell – Yes; Light – Yes; Marrone – Yes; LaRotonda – Yes

OATHS OF OFFICE – POLICE: Patrol Officer Ryan Thompson

Chief Laughlin: It's very exciting for the Dept. when they are able to welcome someone into their force. Ryan Thompson has been a Class II with Absecon since August. The City's Class II Program began about six years ago, and has been very successful, as it has given Absecon several opportunities to hire Patrol Officers from within the Dept. Is very excited for Ryan to further his career with the City. Expressed how proud he is of who Ryan is and what he brings to the community. Noted Ryan's kindness with both adults and children alike. Wished Ryan luck moving forward in his police career.

CONSENT AGENDA

- 23 Permitting a Charitable Organization to solicit funds, namely the Charles A. Hammel Post #28 American Legion.
- 24 Permitting a Charitable Organization to solicit funds, namely the Absecon PTO.
- 25 Confirming Meeting of Council Committees, Commissions and Boards for the year 2023.
- 26 Authorizing the submission of the City of Absecon's Tonnage Grant Application for the year 2022 to the New Jersey Department of Environmental.
- 27 Authorizing the Mayor and other City Official to execute the 2023 Safety Contract with the Atlantic County Municipal Joint Insurance Fund.
- 28 Authorizing the City Clerk to issue Boat Ramp Permits to local Marinas.
- 29 Awarding a contract for Professional Services for an Auditor, namely Bowmand & Co. LLP.
- 30 Authorizing the Mayor to enter into an agreement with Ed & Gene's King Tire, LLC for the provisions of Fleet Maintenance Services.
- 31 Accepting Volunteer Firefighters into the Absecon City Fire Department – Jack Cella, Domenic Garufi and Joseph Marczyk.

PUBLIC PORTION – (Agenda items only)

Motioned to open to the public: Councilman Light; Seconded: Councilman Marrone
All in Favor, None Opposed.

(Discussion)

Motioned to close to the public: Councilman Light; Seconded: Councilman Marrone
All in Favor, None Opposed.

Councilman DeRose: Requested Resolution #23-2023 be pulled from the Consent Agenda so it may be voted on separately.

Council President LaRotonda: Received.

CONSENT AGENDA: All matters listed under item, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion in the form listed. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be discussed separately.

Council President LaRotonda read Resolutions #24-31 by title.

Motioned to move the Consent Agenda: Councilman Burroughs; Seconded: Councilwoman Cain
Roll Call: Burroughs – Yes; Cain – Yes; DeRose – Yes; Howell – Yes; Light – Yes; Marrone – Yes; LaRotonda – Yes

- 23** Permitting a Charitable Organization to solicit funds, namely the Charles A. Hammel Post #28 American Legion.

Motioned to move Resolution #23-2023: Councilman Howell; Seconded: Councilman Marrone
Roll Call: Burroughs – Yes; Cain – Yes; DeRose – Abstain; Howell – Yes; Light – Yes; Marrone – Yes; LaRotonda – Yes

2023 ORDINANCES FOR INTRODUCTION

- 01** Amending the Code of the City of Absecon, Chapter 77 – Police Department fees.

Motioned for a first reading: Councilman Light; Seconded: Councilman DeRose

Chief Laughlin: This Ordinance pertains to fire arms. The State has kick-backed all permits to carry to the municipal Police Chiefs of NJ, so all the work will be conducted here at the Police Dept, rather than being forwarded to the Superior Court. There is a new fee schedule. The initial Fire Arms Card will be \$50, Fire Arms Permit will be \$25, and the Permit to Carry a Handgun will be \$200 (150 to Absecon & \$50 to State).

Roll Call: Burroughs – Yes; Cain – Yes; DeRose – Yes; Howell – Yes; Light – Yes; Marrone – Yes; LaRotonda - Yes

This Ordinance will be posted, laid over, and published according to law. A Public Hearing, second, and final reading will be held on February 2nd, 2023.

- 02** Amending the Code of the City of Absecon, Chapter 320 – Towing.

Motioned for a first reading: Councilman Light; Seconded: Councilman Burroughs

Chief Laughlin: This Ordinance upgrades the fees for the Towing Companies who the City have under contract. The Ordinance that this one replaces is outdated. The new Ordinance now those of surrounding municipalities. The fees include towing and storage fees.

Roll Call: Burroughs – Yes; Cain – Yes; DeRose – Yes; Howell – Yes; Light – Yes; Marrone – Yes; LaRotonda - Yes

This Ordinance will be posted, laid over, and published according to law. A Public Hearing, second, and final reading will be held on February 2nd, 2023.

- 03** Amending the Code of the City of Absecon, Chapter 69 – Police Department, Article I, §69-2 – Requirements for Patrolman.

Motioned for a first reading: Councilman Light; Seconded: Councilman DeRose

Chief Laughlin: Recruiting has become a wide-spread difficulty for Police Departments across the country. Departments are coming up with clever strategies to help with recruiting struggles. The City's current Ordinance prohibits the hiring of people under 21 years old as Police Officers. This new Ordinance allows the City to hire people above the age of 18 (as a Class II, for example.)

Roll Call: Burroughs – Yes; Cain – Yes; DeRose – Yes; Howell – Yes; Light – Yes; Marrone – Yes; LaRotonda - Yes

This Ordinance will be posted, laid over, and published according to law. A Public Hearing, second, and final reading will be held on February 2nd, 2023.

APPROVAL OF BILL LIST – \$ 2,084,716.50

Motioned to accept: Councilwoman Cain; Seconded: Councilman DeRose

Roll Call: Burroughs – Yes; Cain – Yes; DeRose – Yes; Howell – Yes; Light – Yes; Marrone – Yes; LaRotonda - Yes

REPORTS

Councilwoman Cain – Finance Committee: Looked at the budget, got everyone up to date with the City's finances, and signed purchase orders. Will begin meeting to discuss the budget, however the meeting earlier that day regarded mostly introductory information.

Councilman Light – Parks & Playgrounds Committee: Will not meet until 7:00PM on Tuesday February 21st in the Conference Room. The Public is welcome to join.

Councilman Marrone – Economic Development: Will meet on Wednesday February 1st at 4:30PM. Excited to work towards making Absecon a great place to successfully open and operate business. The better it is for business, the better it is for a town. Looks forward to working with Councilwoman Cain and Councilman Light, who are on the Committee as well.

Councilman DeRose – Public Safety Committee: Within the past two weeks has spent a significant amount of time meeting with Chiefs of Police, Fire, and EMS, so that he may get a better and more comprehensive understanding of their roles in the community. Looking forward to working with everyone.

Councilwoman Howell – Community Affairs Committee: Have not yet met. Martin Luther King Jr. Day of Service was celebrated on January 16th. Mayor Horton and Recycling Coordinator Bob Battista made the cleaning equipment available so that the City had a very successful Community Cleanup. Will be meeting on the first Thursday of every month at 5:30PM.

Council President LaRotonda: Thanked everyone from the public who attended the Community Cleanup for helping maintain our community.

Councilman Burroughs – Public Works Committee: Have not yet met. First meeting will be Tuesday, February 21st.

J. Thompson – City Administrator/CFO: Reiterated Councilwoman Cain's update regarding budget preparations. Has begun collecting Dept. requests and other information. Will be discussing the budget more in the upcoming weeks.

Carie Crone – City Clerk: Monthly Report – December 2022

- Municipal Court: \$5,773.11
- Tax Office: \$846,411.64
- Construction Office: \$7,635.00
- Municipal Clerk's Office: \$2,778.57

Mayor Horton: Provided an update that on January 9th she wrote another letter to the Acting Commissioner of Education, Dr. Allen-McMillan, asking her to reverse her decision regarding Absecon student's sending-receiving district. Forwarded a copy of her letter to Governor Murphy. Her letter spoke on behalf of hardworking families in Absecon who are unable to afford sending their kids to a private school nor given the opportunity to be selected for school choice. These families want their children to have the same opportunities that a Greater Egg Harbor Regional High School would supply. Due to the fact that the GEHRHSD has the availability for the Absecon students, there is no reason why they should remain prevented from its opportunities. Will keep everyone updated if she receives a reply. Was invited to participate in a NJ literacy event to celebrate the achievements of ESL students in Atlantic, Cape May, and Ocean counties, and given the opportunity to publicly congratulate the students and thank the volunteers for their work. Several students wrote essays about Dr. MLK Jr. Students were introduced with their own biographies. Expressed that she was impressed with the dedication shown by the student's tutors. Thanked the residents and hard-working honor students who participated in the Day of Service honoring Dr. MLK Jr. Was proud of the amount of people who attended the Community Cleanup. Indicated that the next Community Cleanup would be in April, depending on the Community Affairs Committee.

Council President LaRotonda: Encourages all residents and local elected officials to send letters to the Governor and the Acting Commissioner of Education, urging them to reconsider their send-receive decision.

PUBLIC PORTION

Motioned to open to the public: Councilman Burroughs; Seconded: Councilman Light
All in Favor, None Opposed.

John Doris: Provided hand-outs to the Councilmembers which showed the last eight properties that came up for sale in Absecon. Shared that he was a former builder and current restaurant owner. Previously lived in Absecon for 12 years with his wife, who was born and raised in the city, and are both interested in moving back. Discussed the New York Ave. Project. Suggested that the current houses on New York Ave. are more expensive than the limited number of houses currently for sale. J. Doris, along with four other families, are very interest in the project. His understanding is that there is a concern that the New York properties won't sell, which has resulted in hesitancy in paying to install proper infrastructure. Is personally aware of five families interesting in purchasing the properties. These families are all of older age, without school-aged children, and of the ability to get a mortgage without issue. Hopes that Council will consider moving the Project along. Has been following with the Projects progress over the past eight months.

Council President LaRotonda: Provided a project update. Confirmed that the Planning Board approved the project at the end of 2022. New members were sworn into Council during the Reorganization Meeting early in the month, and he will be appointing a new committee, hopefully within the upcoming weeks, to evaluate the New York Ave. Project and decipher what the next steps of the Project will be. After the Committee meets, they will be able to offer insight into Project expectations. An update may possibly be available next Council Meeting, and you are more than welcome to attend.

Michael Reilly – 444 4th Street: While budget preparations are underway, strongly urged the Council to consider solar installation for all public buildings, including the Fire House. Advised that there is grant money available which would decrease the installation cost substantially. Emphasized the timing for this consideration, as budget preparations are soon to be underway.

Council President LaRotonda: Expressed that M. Reilly made a valid suggestion and assured him the City would look into whether solar installation on public buildings, such as the Public Works Facility, Fire House, etc. would be a fitting decision. The City will surely consider the option.

Maria Burns – 110 E. Faunce Landing: Urged for more trash control around the Faunce Landing Boat Ramp. Suggested, for at least, as a deterrent, that the City post surveillance signage in the area. Noted that there are, in fact, cameras located there. Also urged the City to limit the hours that people may sit down at the Boat Ramp. Complained that people hang around the Boat Ramp after dark being a nuisance. Hoping that, if a sign were installed, and a neighbor called to complain, the offenders would be instructed to leave the area.

Council President LaRotonda: Indicated this was a matter that could be discussed in a Public Safety Committee meeting with the Police Chief. Suggested for Councilman DeRose to possibly take the lead and research some avenues the City may take in order to limit after-hour use of the Boat Ramp.

M. Burns: Emphasized that she is simply looking for an excuse to prevent the people who behave recklessly from loitering around the Boat Ramp.

Council President LaRotonda: Hopes that they may find a solution which prevents dangerous activity, as well as the littering.

M. Burns: Asked if the public has access to the details of the City's budget.

J. Thompson: Confirmed the public has access to the information and that the meeting details were available on the public website.

Council President LaRotonda: Also shared that the City's Bill Lists are available to view online in the meeting packets before they are voting upon by Council. Assured that the public may review the Bill Lists and are welcome to ask questions about them.

M. Burns: Baffled at how high her taxes are compared to other municipalities. Questioned what influence will the cannabis industry have on the City's taxes when they are up and running.

Council President LaRotonda: The new cannabis businesses will create tax revenue for the City.

M. Burns: Wanted clarification on whether the City's tax revenue will possibly decrease residents' personal taxes.

Council President LaRotonda: Confirmed it was possible. Clarified that the City will be receiving property ratables, in addition to 2% of all sales.

M. Burns: Asked how many dispensaries are to open.

Council President LaRotonda: The City approved three retail licenses, which is the maximum allowed in the City's Ordinance.

M. Burns: Acknowledged that she is aware the industry is lucrative, but wants to know if cannabis retail will be in other municipalities.

E. Dennis: Confirmed.

B. Blaney: Added that businesses do market research, on demographics, for example, and use that information to decide where to establish themselves. They are like any other retailer that strives to get the most customers. There are municipalities in Cape May County, for example, that are struggling to find cannabis retailers willing to operate locally due to their limited off-season population.

Councilwoman Howell: Reminded M. Burns that legalization was voted on and approved by the tax payers of the state. Once NJ's residents approved cannabis legalization, the State allowed each municipality to establish themselves as open to cannabis-related operations, which Absecon did.

Absecon formed a Committee to decide the specifics of what they will allow. Ultimately, Absecon is allowing the operation of three dispensaries, as well as some cultivation and manufacturing businesses. These operations will bring in a substantial amount of money to the City.

M. Burns: Questioned her own personal benefits from local cannabis operations. Contemptuously criticized the possibility of local cannabis-related operations, and, more specifically, the customers she is concerned the operations will attract. Questioned again, what the benefit of cannabis business is to the City.

B. Blaney: Revenue for the budget.

Council President LaRotonda: Specified that it was an outside revenue source for the City, which will undeniably be beneficial for the community, and so the City decided to allow three retail licenses. Asserted that the cannabis businesses are also required to obtain a state license.

J. Thompson: Confirmed that all three cannabis retailers in Absecon have already acquired their state license.

B. Blaney: Mentioned that these businesses are also limited to specific city areas.

M. Burns: Expressed her anticipation and determination to see the City budget, in order to analyze where costs could be cut. Complained how "outrageous" she believes her taxes to be.

Council President LaRotonda: Informed her that the Budget Meeting would be on February first.

J. Thompson: Commented how taxes throughout the entire state of NJ are very high.

M. Burns: Challenged the comment, claiming other NJ municipalities have less expensive taxes.

J. Thompson: According to an analysis about NJ tax rates, Absecon actually has lower taxes than many other nearby municipalities, and much lower taxes than the municipal average.

Council President LaRotonda: Mentioned how most of people's property tax money are actually taxes for the Absecon School District, of which the City has no part.

Councilman DeRose: Expressed his anticipation to begin working on the budget by means of a collaborative process.

Councilman Marrone: Emphasized the importance of business in the community. Reminded M. Burns that the more revenue the City receives, the less they will need to take out through taxation.

M. Burns: Doesn't want to keep paying high taxes especially if there are cannabis-related businesses operating in the city. Asked if the City is building an abortion clinic.

Council President LaRotonda: Is not aware of any "abortion clinic" being built in Absecon, however did mention that there has been word that Planned Parenthood has purchased a building space in the City.

M. Burns: Demanded clarification about the status of a possible Planned Parenthood in the city.

Council President Howell: Confirmed that Planned Parenthood had purchased a building in the city, but emphasized that the city is not allowed the authority to decide what organizations/companies/people may purchase private land that is for sale by private ownership. There are certain zoning qualifications, but if an entity meets all those qualifications, they retain the right to purchase private land with their own money.

M. Burns: Suggested placing special fees and taxes on certain kinds of operations as to make the City an undesirable location for them.

B. Blaney: No, the City may not place arbitrary fees or permits on random businesses. They will pay the same taxes and fees that apply to all businesses.

Roger Dutch – 315 Pennsylvania Avenue: Complimented the City's Public Work department in their successful efforts in making sure Absecon looks nicely manicured and clean. As a self-proclaimed "Bay Rat," shared with the public that after being out on his boat, he enjoys arriving back at Faunce Landing and spending time with fellow boaters. Strongly opposes the idea of a government imposing restrictions on the public's ability to spend time down at the Boat Ramp with friends, in order to punish a few bad apples. Suggested, rather, increasing the presence of police patrol in the area. While some people litter and ignore the trash, there are plenty of people who voluntarily help

clean up the litter scattered around. Appreciates all that the Boat Ramp area offers, in terms of socialization. Also commented on its beauty, explaining that as another reason why so many people use the area. Admitted the need for more trash maintenance, but vehemently opposed the City imposing property restrictions. The boaters spend money to use the Boat Ramp so opposes idea of restricting their presence.

Council President LaRotonda: Respects R. Dutch's points. Believes a consensus can be reached among interested parties. Suggested that involvement from the City's Police Dept. and Public Works Dept. could enable more satisfaction amongst different groups within the general public.

Councilman Marrone: Reminded the public that, if in possible need, to never hesitate in calling the Police.

Chief Laughlin: Strongly emphasized the public to follow Councilman Marrone's advice.

Councilman Marrone: Indicated that he didn't want M. Burns to feel like a nuisance by calling the police.

M. Burns: Appreciated that. Noted that things have significantly improved since the closure of High Point Pub, but still feels like the situation is dangerous enough for her to be nervous when walking her dogs. People are not abiding by the speed limit. Believes the police are without recourse to dismiss people loitering in the area. Feels her safety is threatened by these people's blacked-out tinted cars, indulgence in cannabis, and loud music. Doesn't want to press charges but is concerned that no one else will be calling

President Council LaRotonda: Assured her that the Council will speak to the Police Chief about increasing police presence at the Boat Ramp.

Councilman Marrone: Assured M. Burns that he, Councilman Burroughs, and everyone else in the Public Works Committee, will discuss the Boat Ramp issue.

M. Reilly: Is at a location which oversees the area of discussion and acknowledges that there are times when trash litters the area, usually after weekends, and doesn't understand the implication that the issue is of a catastrophic nature. Personally goes out and cleans up trash. It's not as though the trash cans are overflowing, so doesn't understand how restricted use would be a solution. Admits people play music loudly sometimes, but that there are noise Ordinances already instituted to address that. Informed the public to report a noise violation by calling 911 or 616. Reports are always responded to quickly and all it takes is either a spot light or a knock on their windows to encourage their departure. Speeding is an issue, but offenders not just being those who use the Boat Ramp, but local residents as well. Fourth Street has always been a racing street, which is a problem, and must be dealt with by calling the police. Faunce Landing is a very dark road, so encourages people to either bring a flashlight or wear reflective clothing.

Alex Perri – 620 Yarmouth: In regard to the litter, Sustainable Jersey offers a program which provides \$500 for every community cleanup.

Mayor Horton: Does not believe the organization grants money to every cleanup. In her experience with the ACUA, money is granted for every four community cleanups. Believes there is more action required in order to receive money from Sustainable NJ.

A. Perri: Agreed in that he believes there are stipulations, such as a yearly cleanup limits and participation requirements. But from his conversations with people from Go Green Galloway, the process to claim the money seems pretty simple and easy. Go Green Galloway has also volunteered to partner with Absecon to help restart their program here. Has spoken with 5-10 people who have indicated their willingness to invest their time and energy into an Absecon Green Team. Asked for the City's support. Galloway suggested that A. Perri should try to get two resolutions passed, one stating that the people of Absecon will be relaunching a Sustainable Jersey Green Team, and the second listing the names of all those who plan to be involved.

Councilman DeRose: Thinks Sustainable Jersey is a great program and is looking forward to seeing Absecon being involved. Asked Councilman Light if this project would go through Parks & Playgrounds. Noted that the Mayor indicated that's true. Informed A. Perri that he should bring these topics up during a Parks & Playgrounds Committee Meeting to begin his process.

Council President LaRotonda: Gives A. Perri credit for his enthusiasm and persistence. Is looking forward to working with A. Perri moving forward.

A.Perri: Mentioned that he is pleased here that a Committee is being formed to address the many concerns that the public has about the New York Avenue Subdivision Project. Encourages the Committee to gather as much insight and opinions as they can.

Motioned to close to the public: Councilman Light; Seconded: Councilman Burroughs
All in Favor, None Opposed.

CLOSED SESSION - #32-2023 – Litigation

Bill Blaney: Declared, in accordance with the Open Records Act N.J.S.A. 10:4-6, the City Council will be going into Closed Session. Explained that the reason to go into Closed Session is to discuss current and potential litigation. It is unlikely that there will be action taken after Closed Session, but there remains the possibility.

Motioned to enter Closed Session: Councilman DeRose; Seconded: Councilman Light
All in Favor, None Opposed.

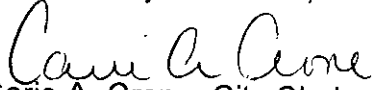
(Closed Session)

Motioned to adjourn Closed Session and re-enter the meeting: Councilman Light; Seconded: Councilman Burroughs
All in Favor, None Opposed.

ADJOURNMENT

Motioned to adjourn: Councilman DeRose; Seconded: Councilman Light
All in Favor, None Opposed.

Respectfully submitted,


Carie A. Crone, City Clerk

Approved: 3/6/23