



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

Carie A. Crone, RMC
Municipal Clerk

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

CITY COUNCIL
REGULAR MEETING
OCTOBER 3RD, 2024
MINUTES

FLAG SALUTE – Mayor Horton

ROLL CALL

PRESENT: Councilmembers Alex Clark, Richard DeRose, Tommy Marrone, and Christine Parker,
ABSENT: Councilmembers Cain and Light, and Council President Nick LaRotonda
ALSO PRESENT: Mayor Kim Horton, 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

2024 ORDINANCES FOR INTRODUCTION

- 18** Amending and supplementing the Code of the City of Absecon, Chapter 224 – Zoning, and repealing all Ordinances heretofore adopted, the provisions of which are inconsistent herewith.

Motioned for the first reading of Ordinance #18-2024: Councilman Marrone; Seconded: Councilwoman Parker

B. Blaney: Explained that this Ordinance refers to Sober Living establishments. Several provisions have been added. First was to include zoning restrictions around schools and the other is to allow fines for violations related to State regulations.

Roll Call: Cain – Absent; Clark – Yes; DeRose – Yes; Light – Absent; Marrone – Yes; Parker – Yes; LaRotonda – Absent

This Ordinance will be posted, laid over, and published according to law. A Public Hearing, second, and final reading will be held after Zoning Board review.

- 19 Authorizing the entering into of a Lease Agreement between the City of Absecon and the American Legion Post #28.

Motioned for the first reading of Ordinance #19-2024: Councilman Marrone; Seconded: Councilwoman Parker

Roll Call: Cain – Absent; Clark – Yes; DeRose – Abstain; Light – Absent; Marrone – Yes; Parker – Yes; LaRotonda – Absent

Council President Pro-Tem DeRose: Explained that he abstained because he is an officer of the American Legion.

This Ordinance will be posted, laid over, and published according to law. A Public Hearing, second, and final reading will be held on November 7th, 2024.

2024 RESOLUTIONS – CONSENT AGENDA

- 131 Approving the insertion of a Special Item of Revenue into the 2024 Municipal Budget to allow for the receipt of \$4,444.36 from the Federal Body Armor Fund.
- 132 Approving the insertion of a Special Item of Revenue into the 2024 Municipal Budget to allow for the receipt of \$500,000.00 from the Department of Justice Cops Hiring Program.
- 133 Authorizing Municipal support for High Rollerz, LLC to receive a Class 6 Delivery Cannabis License from the New Jersey Cannabis Regulatory Commission to operate within the City of Absecon.
- 134 Authorizing the release of Escrow Funds posted by Gary Gandolfi, 138C Crestview Ave. (Blk. 3, Lot 15).
- 135 Establishing a Waterfront Advisory Committee for the City of Absecon.

PUBLIC PORTION – (Agenda items only)

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

Harry Hartman – 632 Woodland Avenue: Praised the money received, in regard to Resolution #132. Noted that the money only covers 4 officers. Asked whether the money was only provided once. Questioned how the money will be supplied moving forward long-term. Mentioned that other municipalities are also dealing with the same issue. Asked how this will impact the budget in the future. Asked what plans the City has to deal with the matter.

Council President Pro-Tem DeRose: Stated that the City's CFO/Administrator is not here to answer that question. If Councilman Clark, the Finance Chair, is unable to answer that question, then they will have to circle back when J. Thompson is available.

Chief Laughlin: Explained that the \$500K will be allocated over a 4-year period. Explained that they have less police officers now than they did from 1990-1995.

Councilman Clark: Explained that the City will receive roughly \$125K a year to pay for police officers, and they must hire 4 police officers in order to receive that allocation. Confirmed that the City will pay more money to hire more police, which they planned on doing anyway and have already budgeted for. J. Thompson went over the whole plan with H. Hartman in her office already.

H. Hartman: The City allocated an additional \$400K in the budget for salaries.

Councilman Clark: Asked whether J. Thompson went over the budget with him.

H. Hartman: Denied. Looking at the numbers, the City raised allocation for salaries by about \$400K. Asked whether the \$500K received would be allocated to salaries in addition.

Councilman Clark: Confirmed that the money would be added in addition. The money budgeted was to hire 2 new officers, which the City has yet to do. The City is still behind by 3.

H. Hartman: Asked if that includes all Police personnel:

Chief Laughlin: Confirmed.

Councilman Clark: The game-plan drawn up was to hire 5 police officers by the end of 2025.

H. Hartman: Stated that the money used for the police officers must be supported by the tax payers.

Councilman Clark: The money gets its money from various sources.

H. Hartman: Commented that Absecon's hasn't received this grant in recent years.

Councilman Clark: Noted how this was a positive thing for the City.

H. Hartman: The taxpayer needs to know about the influx of money. But also, the taxpayer needs to know that at some point they will be the ones who provide its funding.

Councilman Clark: Confirmed. Reminded him that Council was very clear that Public Safety was going to be their priority. Last year taxes were raised and money was used to get through the contract. They will continue to focus on improving Public Safety.

H. Hartman: Reiterated that the taxpayers will be the ones providing funding. Does not believe they should hire police officers just to hit a certain number.

Council President Pro-Tem DeRose: Agreed. However, the numbers are legitimately needed. More officers are absolutely necessary in this Police Dept. for a variety of reasons (e. g. injuries, backup, PTO, etc.).

H. Hartman: Does not dispute that. Emphasized, again, that the money will come out of the taxpayer's pocket.

Council President Pro-Tem DeRose: Confirmed that every municipality works off tax dollars. The City cites the number of Police Officers to illustrate the severity of the issue.

H. Hartman: Claimed that the number of Police cited in the City's User-Friendly Budget, do not match the numbers proclaimed by Council. The number of officers is incorrect, as it shows increases over the last 9 years. Some years show your down 5 and then up 3.

Council President Pro-Tem DeRose: Explained that police officers leave and then are replaced.

B. Blaney: Explained that over the last few years, the City has been chasing officers. As soon as they get out of the Academy, the leave to municipalities who pay more.

H. Hartman: Considering the pay raise, doesn't believe that will be an issue anymore.

B. Blaney: Explained that it's the bottom officers who leave, not the top.

Chief Laughlin: Emphasized that this is a nation-wide issue. They used to receive 200-300 applicants, however last hiring round, they received less than 50 applications. They previously only accepted applications of certified and trained officers, but they are unable to do that now.

Councilman Clark: Pointed out that just because they receive 47 applicants, does not guarantee that they are all qualified. Addressed that the money needs to come from somewhere (e.g. grant, taxes, surplus, etc.). We all, including H. Hartman, agreed to it. H. Hartman acknowledged the dangers of Route 30 for Officers. The City wants to bring in a traffic unit. H. Hartman, himself, is aware of the City's Public Safety issue and the need for more officers, specifically on Route 30. Council knows that there is an issue and is taking proper steps to address it. The City is doing its best to increase Public Safety the most affordable way.

Chief Laughlin: Commented that the NJ State Police used to receive 20,000 applicants. They recently changed their pay scale to start at around \$70K, but in their recent hiring efforts, received less than 2,000 applications. The applicants are simply not there.

Council President Pro-Tem DeRose: As Public Safety Chair, refuses to settle on their Police Officers. They want community-oriented Officers to serve their community. Explained, again, how 47 applicants quickly dwindle down.

H. Hartman: Does not dispute that. Assumes that the City's efforts are to get more qualified candidates.

Mayor Horton: Explained that many other Police Dept.'s end up having issues because they do not have the same criteria for Officers that Absecon upholds. Absecon Police go through a rigorous process and many candidates don't make it.

H. Hartman: Understands their refusal to lower their standards. Emphasized that there is a price that must be paid by the taxpayers.

Council President Pro-Tem DeRose: Declared that the City needs Police Officers to protect its citizens, children, Mom and Dad, etc. Economic development relies on public safety. Public safety is the foundation on which a city thrives. People love to live in Absecon and it is imperative that Council keep the city safe. Tax dollars will be used. Money will be found to fund public safety.

H. Hartman: Warned that over the next couple years, there's no way to avoid raising taxes.

Councilwoman Parker: It's not that the taxpayers are supplementing the grant, however, more-so that the grant is supplementing taxpayers.

H. Hartman: Regardless of whether they got the grant, expects taxes to raise every year.

Councilwoman Parker: Tax increases will eventually happen regardless.

Council President Pro-Tem DeRose: Informed him that any Elected Official in the City telling him that increasing public safety does not require increasing taxes, is lying. It is impossible to pay for cost increases and to hire more people, without spending more money. H. Hartman has seemed to agree several times, that it is money well spent. The Finance Committee has worked very hard to make sure they can pay for the costs at the smallest impact to the Absecon residents. Hiring more Police Officers is a necessity. Offered to bring H. Hartman in on discussions regarding Police Officers. Confirmed, again, that it costs money to hire Police Officers.

H. Hartman: Stated that is exactly his point. Has issue that it has not been publicly discussed at Council Meetings.

Council President Pro-Tem DeRose: The topic has been publicly discussed every time he has come to talk at Council Meetings.

Councilman Clark: Reminded H. Hartman that all Finance Meetings are open to the public.

H. Hartman: Wants to know what the tax increases will be in the following years.

Councilman Marrone: Noted that H. Hartman has asked this question before, but re-stated that they cannot forecast that information. Proposed that this grant is one of the best things to happen recently, and believes H. Hartman feels the same way.

Council President Pro-Tem DeRose: In order to follow their City Council guidelines, as the topic has strayed so far from the \$500K grant, asked H. Hartman to be seated and offered he return at the appropriate time.

Greg Seher – 625 Yarmouth Avenue: As an aside, stated that federal grants also come from taxpayers. In regard to Resolution #133, asked for clarification.

Mayor Horton: The business has already gone through the licensing process. Their delivery driver would go to a cannabis dispensary, pick up the order, and then drive it to the customer. They are not allowed to keep the order overnight, there is no cash exchanged, and the customer must show ID.

Council President Pro-Tem: Clarified that it's like DoorDash.

B. Blaney: All delivery services were approved years ago.

Councilman Marrone: Explained that they are in the early steps of their business.

B. Blaney: In order to get their license, they must have City authorization, like the other cannabis businesses.

G. Seher: Asked for clarification about the Waterfront Advisory Committee.

Council President Pro-Tem: Initially discussed about 8 months ago, Advisory Committees serve Council. This is one of the Advisory Committees considered. Advisory Committees are important because no one on Council is an expert. The Absecon Creek and the bulkhead require special attention. There are also many forward-thinking ideas that could be implemented. The Waterfront Advisory Committee will be a group of citizens appointed by Council for a 1-year term to periodically

discuss all thing waterfront-related and advise Council on decisions. There will be more Advisory Committees formed/revitalized over the next 6 months. The best people recognize the importance of collaboration in order to achieve success.

Motioned to close to the public: Councilwoman Parker; Seconded: Councilman Clark
All in Favor, None Opposed.

CONSENT AGENDA VOTE

Motioned to move Consent Agenda: Councilwoman Parker; Seconded: Councilman Clark

Roll Call: Cain – Absent; Clark – Yes; DeRose – Yes; Light – Absent; Marrone – Yes; Parker – Yes; LaRotonda – Absent

APPROVAL OF BILL LIST –\$ 537,923.65

Motioned to accept: Councilwoman Parker; Seconded: Councilman Clark

Roll Call: Cain – Absent; Clark – Yes; DeRose – Yes; Light – Absent; Marrone – Yes; Parker – Yes; LaRotonda – Absent

APPROVAL OF MINUTES

Regular Meeting Minutes – 9/19/2024

Motioned to accept: Councilman Clark; Seconded: Councilman Marrone

Roll Call: Cain – Absent; Clark – Yes; DeRose – Abstain; Light – Absent; Marrone – Yes; Parker – Yes; LaRotonda – Absent

REPORTS

Councilman Clark – Finance: Have not met since last Council Meeting. No report.

Councilwoman Parker – Parks & Playgrounds: Have not met since last Council Meeting. No report.

Councilman Marrone – Public Works: Will meet on 5PM on October 7th. Have not met since last Council Meeting. Commended the great work and coordination done with the County to clean up Veteran's Way. Credited Councilman Light for spearheading the project.

Councilman Clark: In March, they had a Town Hall Meeting with ACUA. Recently spoke with Matt DeNafo and met with Greg Seher about the matter. Read an email from M. DeNafo which acknowledged local concern about the landfill odor. The email mentioned their website, which posts news updates about the ACUA and its happenings, and their commitment to transparency. The ACUA offered monthly readings for the landfill site. This is all part of their ongoing effort to develop their engineering gas collection system. The presence of odor is not a sign of non-compliance or negligence. While strive to eliminate odors, that is not realistic for a landfill. They hope to minimize odor and to be a good and transparent neighbor.

Greg Seher: Offered his contact information to anyone who asks and expressed willingness to answer any questions they may have.

Council President Pro-Tem DeRose – Public Safety: Met on September 16th. When he is contacted about any Public Safety concern, he compiles them and addresses the matters at the Public Safety meeting. Anyone and everyone is welcome to join their meetings. There have been 113 matters brought to his attention, and only 3 remain outstanding. At the recent meeting they discussed crossing guards, EMS, and other safety matters.

Chief Laughlin – Police Dept.: For the month of September, there were 3,385 calls for service, 735 total traffic enforcement calls, 50 accident reports (increased in hit and runs), another fatal accident (5 this year), 51 arrests, several burglaries, and 3 stolen vehicles. Reminded the public to lock their cars and to install additional lighting. Encouraged people to look out for their neighbors and that if

they see something, say something.

Council President Pro-Tem DeRose: Praised the Absecon PD, Absecon FD, and Galloway EMS for their engaging presence at Creekfest.

Councilwoman Parker – Community Affairs: Met earlier tonight. Discussed the Halloween Parade, that was previously mentioned. Unfortunately, due to date conflicts, they are unable to have their Halloween Movie in the Park/Costume Contest this year. They will discuss the event next year. Discussed a potential Turkey Drive for those in need, and possibly coordinating with Shoprite, churches, and schools. Also discussed a potential date for the December Holiday Tree Lighting and getting businesses involved with the event. Will be reaching out to businesses in the near future. Reviewed Creekfest. They met some challenges due to the unexpected high tides, but adjustments were made. It turned out to be a lovely day. Thanked those in the Creekfest Committee and all the volunteers. Thanked the ACUA for providing trash and recycling cans, the Green Team for their kid activities, Public Works for their services, and the Absecon Police Dept. for all their help the day-of and during the months of preparation. Lastly commended the 9/11 Committee for their beautiful 9/11 Ceremonies. Noted that the Committee makes effort to not let the event become political. Apologized to those in attendance who were confronted by the Mayor about political yard signs. Emphasized that this event is to respect those who lost their lives at 9/11. They will next meet on November 7th at 5:30PM.

E. Dennis – City Engineer: Provided updates on some projects. A number of projects are in construction. Thanked the public for their patience. For the Calderon Ave. Project, the crew has been out finishing the road grating. They are scheduled to begin paving next week. They will have to come back in about a month to repave New Jersey Ave. New Jersey Ave. is a County Road and the County is making the City wait an additional month for the pipework to settle. The Tennis Courts are still in a holding period. They are paved but must settle before painting is started.

Council President Pro-Tem DeRose: Asked for a timeframe.

E. Dennis: Within a few weeks. The contractor has been at the courts conducting crack repairs during the holding period. The Woodcrest Avenue and Chelsea Road Project is out to bid. The bid opening will be October 9th. Followed up on discussion from the last Council Meeting. Got in touch with NJDOT and listed out the items that are unresolved. They apologized for the delay and said they would get back to them soon about some of the items. Had a very productive conference call with the County Engineer's Office about the Shore Road Project. They have been in a holding pattern due to Right-of-Way acquisition. It seems like the County will allow the City to go out to bid with the temporary access agreements they've been collecting. Still need the County to sign off on their final plans. The County assured him they would make extra effort to get the plans reviewed. They will continue to stay in contact so that they can get the project out to bid. Construction has begun on Crestview Avenue. There have been a couple hiccups with drainage work. The easement work is completed, as is pipework going out to the street. They are scheduled to begin concrete work next week. An inspector will be present so if there are any concerns, he may be contacted. Lastly, the Streetscape Project on New Jersey Avenue has had progress. Lighting foundations have been installed. The electric company should be scheduling their work soon.

Councilman DeRose: Asked when to expect work at "the corner."

E. Dennis: Does not yet have an answer.

Councilman Marrone: Witnessed surveyors at the corner during the prior week.

Mayor Kim Horton: At the last Planning Board meeting, met with officials from Wawa who shared information about the new establishment expected. City professionals looked over their plans, which only required minor adjustments. The Wawa officials indicated that construction would begin soon after the minor adjustments are rectified. They are confident that they will be opening late spring of 2025. On Sept. 26 the Senior Board met to discuss grant opportunities. They will partner with the GEHRSD for intergenerational activities. With Councilwoman Cain and Brendan Santangelo,

recently met with Matt DeNafo to tour the facility and discuss the steps that the ACUA is taking to mitigate the landfill odor.

PUBLIC PORTION

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

Greg Seher – 625 Yarmouth Avenue: In reference to the previous conversation about the police, public safety and tax increases, stated that all public services cost money. That money comes from the tax base. When services need to be increased or when costs increase, taxes must increase. Or, the other option is to cut or lax on services. While no one wants tax increases, it is imperative to have adequate public safety. No elected official has been trying to hide the fact that public safety costs money. The way for constituents to expressed their dissatisfaction with a Councilperson's decisions is to vote them out of office. To simplify, things cost money, police cost money, the community wants police, it's going to cost more money. Offered respect to Council for making the tough, but necessary decisions.

Alex Perri – 620 Yarmouth Avenue: Admitted that he was one of the people who reached out to Council President Pro-Tem DeRose about a public safety matter. Discussed the importance of driving with lights on. Emphasized the importance of visibility. Has since seen an increase of Officers driving with lights on. Thanked E. Dennis for reaching out to him so that he can meet with one of E. Dennis engineers to discuss Phase II of Crestview Avenue Project (i.e. tree plantings). Appreciates that they included him in the processes.

Harry Hartman – 632 Woodland Avenue: Asked when he will see the police contract.

B. Blaney: Believes the contract is completed and just needs to be signed.

Council President Pro-Tem DeRose: Declared that the hold-up was not on account of Absecon.

H. Hartman: Mentioned that the contract information should be available on PERC.

Council President Pro-Tem DeRose: Assured him that it will be.

H. Hartman: Wants to compare the old contract to the new one, but is unable to because he is not allowed access to the new one.

Council President Pro-Tem DeRose: Assured H. Hartman that his request is not being denied. It is not a matter of being "allowed."

B. Blaney: The MOU, which has been provided to H. Hartman, shows the changes.

H. Hartman: Denied that fact. Claimed only the critical points were included.

B. Blaney: Those are the only changes authorized, so it has to be all changes.

H. Hartman: Wants to read the contract line by line. Wording has the ability to change meanings.

Council President Pro-Tem DeRose: Reiterated that H. Hartman has never been denied access, rather, the documentation he seeks is simply not in the City's possession. Promised that as soon as he gets the contract, he will share it with H. Hartman.

H. Hartman: Questions why the City hasn't demanded the contract from the PBA.

B. Blaney: Explained that another attorney from his firm is working on the contract, but she has provided the MOU, which shares the changes. She has been working with the PBA's attorney, whom no one has control over.

H. Hartman: Has seen the other City contracts on PERC.

B. Blaney: Shared that he negotiated those. Assured H. Hartman that he will reach out to the attorney after this meeting to discuss the matter with her.

Council President Pro-Tem DeRose: Promised to provide H. Hartman the contract once the City gains its possession.

H. Hartman: Last year the New York Avenue Project seemed to progress. However, in January there was a legal issue which delayed the project. There has not been any progress since the legal issue was resolved. Expected a committee to be formed and for the project to move ahead.

Commented that the \$800K initially planned for New York Avenue was used for other matters. Wants to know what is happening with the New York Avenue Development Project.

Councilman Clark: Confirmed that the money was re-allocated because interest rates were so high because it was not feasible.

E. Dennis: The money went to the Road Program.

Councilman Marrone: Explained that there was a New York Avenue Committee (included himself, Councilmembers Cain and Light, and Bob Preston) who met with J. Thompson and experts. They gave an estimate of what they could sell the lots for, and ultimately it was decided that the development would not be cost-effective.

H. Hartman: Asked whether the Committee had to report back to anyone.

E. Dennis: Shared with H. Hartman that the legal incident he referred to was a Closed Session topic of discussion. They discussed the situation several times in Closed Session.

C. Crone: Closed Session minutes do not become available until the matter is settled.

B. Blaney: Confirmed. They must be reviewed and authorized for release.

H. Hartman: Referenced the minutes where J. Thompson states that \$800K is allocated for the development, however it would likely cost more due to infrastructure. Warned that he will likely request Closed Session minutes.

B. Blaney: If H. Hartman requests them, he will review the minutes and decide whether they may be released. Shared that he texted the attorney working on the police contract and she indicated that the City should have the contract, so will get that to him ASAP.

Council President Pro-Tem DeRose: When J. Thompson returns, her first order of business will be to ensure H. Hartman gets a copy of the contract.

H. Hartman: J. Thompson already knows that.

B. Blaney: According to the attorney, the contract is here at the City and signed. Was provided a screenshot of the signatures.

Motioned to close to the public: Councilman Clark; Seconded: Councilwoman Parker
All in Favor, None Opposed.

ADJOURNMENT

Motioned to adjourn: Councilman Clark; Seconded: Councilman Marrone
All in Favor, None Opposed.

Respectfully submitted,



Carie A. Crone, City Clerk

Approved: 10-18-24