



CITY OF ABSECON
Municipal Complex
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CITY COUNCIL

APRIL 21, 2022

REGULAR MEETING - 5:30 PM

MINUTES

The meeting was called to order by Council President, Betty Howell.

FLAG SALUTE – Mayor

ROLL CALL: Burroughs, Cain, Cavileer, LaRotonda, Light, Poley, Howell

ALSO PRESENT: Mayor Horton, Jessica Thompson, Bill Blaney, Carie Crone, Eddie Dennis

STATEMENT OF THE SUNSHINE LAW

NOTIFICATION THAT THIS MEETING IS ELECTRONICALLY RECORDED

REGULAR MEETING AGENDA

2022 ORDINANCES FOR INTRODUCTION

- 06** Amending the Code of the City of Absecon, Chapter 118 – Alcoholic Beverage Control, Section 16 – Hours.

Motion for second reading – Councilman Light – second – Councilwoman Poley

Nick – asked that this be tabled and allow for further discussion with our local business owners and council to come to a compromise. He is against 24 hours, but would like to see us having a working relationship with our business owners and come to some sort of compromise.

Steve – has received several calls from future business owners in regards to the hours and possibly expanding our time frame allowing them to stay open later. He said he would hear their concerns.

Nick – that's what he thinks as well

Donna – she took an oath to protect the city and she doesn't like the 24-hour rule, but maybe we could compromise, but what is the difference between two and four a.m.

Nick – agrees with her, but would like to have direct input from the business owners.

Motion to table – Councilman LaRotonda – second – Councilwoman Poley

Sandy – questioned why this didn't come up sooner and a committee be appointed prior to this.

Roll Call: Burroughs, yes; Cain, no; Cavileer, no; LaRotonda, yes; Light, yes; Poley, yes; Howell, Yes

- 07** Amending Ordinance #03-2022 – Amending the Code of the City of Absecon to repeal Chapter 195 and to adopt a New Chapter 195 – amending language changes, along with other minor language changes and establishing a fee.

Motion to introduce – Councilman Light – second – Councilman LaRotonda

Jessica – we had approved this flood ordinance, but the state has made some changes, so it's getting amended. There will be a fee of \$50.00.

Roll Call: Burroughs, yes; Cain, yes; Cavileer, yes; LaRotonda, yes; Light, yes; Poley, yes; Howell, Yes

2022 ORDINANCES FOR ADOPTION

- 05** Bond Ordinance providing for various 2022 Capital Acquisitions and improvements by and in the City, appropriating \$1,755,000 therefor and authorizing the issuance of \$1,363,250 Bonds or Notes to finance part of the cost thereof.

Motion for second reading – Councilman Cavileer – second – Councilman LaRotonda

Roll Call: Burroughs, yes; Cain, yes; Cavileer, yes; LaRotonda, yes; Light, yes; Poley, yes; Howell, Yes

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

All were in favor.

Motion to close public – Councilwoman Poley – second – Councilman LaRotonda

All were in favor.

Motion for final reading and adoption – Councilman Light – second – Councilman Cavileer

Roll Call: Burroughs, yes; Cain, yes; Cavileer, yes; LaRotonda, yes; Light, yes; Poley, yes; Howell, Yes

2022 RESOLUTIONS

Motion to add Res. #72 to the agenda was made by Councilman LaRotonda – second – Councilman Cavileer

Roll Call: Burroughs, yes; Cain, yes; Cavileer, yes; LaRotonda, yes; Light, yes; Poley, yes; Howell, Yes

Motion to add Res. #73 to the agenda was made by Councilman Cavileer – second – Councilman LaRotonda

Roll Call: Burroughs, yes; Cain, yes; Cavileer, yes; LaRotonda, yes; Light, yes; Poley, yes; Howell, Yes

69 Appointing a Special Law Enforcement Officer, Class II, namely Ryan Zacco.

70 Appointing a part-time Fire Official, namely Jeff Ciccone.

72 Authorizing the Sale of Certain City owned land – Block 260, Lot 1.01.

Jessica – we've had a couple of interested parties in this lot in the industrial section of town and we are going to hold an auction on May 12th at 10:00 a.m.

73 Appointing a Part Time Regular Crossing Guard, namely Nina Contreras.

PUBLIC PORTION – (For Agenda items only)

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

All were in favor.

June Dutch – 120 Hobart Ave. – asked if when resolutions mention just a block and lot, if it could say the street name too, so people know where it is.

Chris Seher – 707 Chelsea Road – thanked council who voted to table the resolution tonight. Was disappointed it wasn't unanimous. A committee should have met with the business owners to discuss this with them.

Jim Falivene, owner of the Black Cat – originally this was brought up for a certain reason and problems with one business. The Hi Point has been a problem for a few years and it continued on. The ABC has conducted a hush hush investigation for about 16 months and has uncovered things and they have a right to take his license. Changing the ordinance wouldn't help anything. It's up to the business owner to operate the business properly. That one hasn't since the day he took over. Mike Scully ran it for 25 years with no problems running it for 24 hours and the new man comes in and he has nothing but problems. It shows it's the operator and not the building or the ordinance or the customers, but the owner who allows anything to happen. He and John don't allow things and we have hardly any problems. If he gets the opportunity to come back and open up, his problems might still be there, but just at an earlier time. It's not the ordinance, or the building or the liquor license, it's the owner. It's a huge responsibility to have a liquor license and to take care of your customers, obviously some of us can and that man couldn't and that's why he's in the position that he is in. Changing the ordinance has nothing to do with the problems at the bar. Atlantic County has a lot of 24-hour licenses.

Leo McLaughlin – 205 Pennsylvania Ave. – he's been at all the businesses and they are all run very well. Why should they suffer for one place that didn't operate correctly? This ordinance won't fix the problem, it's the operation of the business. He hopes that the ABC was in contact with our police department, since they can only do so much. These business owners shouldn't suffer any more after getting past what they went through with the Covid situation and they shouldn't be punished for what one person has done.

Patricia Rifici – 1102 Lavender Lane – her and her brother own Hang Time in Galloway and sometimes the clientele ping ponged back and forth. We are new to the game and still have a lot to learn and aren't as seasoned as Mr. Falivene or her dad. What it really comes down to is being

responsible for the liquor license. She locks her doors around 3:00 in the morning and she can count on one hand how many times she had to call the police for an unruly customer or someone being too drunk. It all comes down from management and your staff knowing when to serve and when not to serve. She personally thinks changing the hours won't do anything. In the week since it's been closed, she has seen some of that clientele and has not had any problems. She gets people who come in late and she was one of them in the past. She does not have any issues.

Don Purdy – Galloway Township – owns several businesses in the area and is good friends with two of the business owners here this evening and he has sat on the dias in Galloway and they had similar problems. It's the governing body that has the authorization to take control of a liquor license. There have been lots of problems in that location, but at the end of the day, changing rules and regulations for businesses that are operating correctly isn't the thing to do. They were going to take a liquor license away, but they did fix what they had to do and is still open today. We have over 25 licenses in Galloway Township. When you go to vote to renew it, it's up to you to hold them accountable. It doesn't have to wait until renewable time. Whoever does open this facility back up, hopefully it's a good operator like Mr. Skelly was. Don't hold it against these businesses. Even though they aren't open 24 hours, it brings down the value of a license.

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

CONSENT AGENDA

Consent Agenda: All matters listed under Consent Agenda, are considered to be routine by this 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 considered separately.

Betty read the resolutions again

Motion to move consent agenda – Councilman Light - second – Councilwoman Poley
ROLL CALL: Burroughs, yes; Cain, yes; Cavileer, yes; LaRotonda, yes; Light, yes; Poley, yes; Howell, yes

APPROVAL OF BILL LIST – \$1,395,590.59

Motion to accept: Councilman Cavileer - second – Councilman Burroughs
ROLL CALL: Burroughs, yes; Cain, yes; Cavileer, yes; LaRotonda, yes; Light, yes; Poley, yes; Howell, yes

APPROVAL OF MINUTES

Regular Meeting Minutes – 4/7/2022
Closed Session as to form and content only – 3/17/22
Motion to accept: – Councilman Light - second – Councilman Burroughs
ROLL CALL: Burroughs, yes; Cain, yes; Cavileer, yes; LaRotonda, yes; Light, yes; Poley, yes; Howell, yes

REPORTS

Steve Light – Parks & Playgrounds – there was a meeting on 4/19 and it was short. He thanked Jody Long for her many years of service. She is moving on to another community and they will be filling her spot. They spoke about the fields and the scheduling and the next meeting will be 5/17.

Donna Poley – Community Affairs – shredding is this coming Saturday and clean up day from 9 a.m. to 12 p.m. May 1st is the senior dinner; May 30 is the Memorial Day parade and Creek Fest will be held on 9/18 down at Faunce Landing. Her next meeting is May 7th.

Steve – on April 30th at 9:00 a.m. the Legion will be hosting a car show at Home Depot in Absecon

Sandy Cain – Public Safety – has not had another meeting since the last one. Next one is 5/2.

Caleb Cavileer – Finance – they met tonight and there is a resident who is considering a lien on a neighboring property and we were in favor of that. Explained there are some bills that are still being paid to the past city solicitor, but they are capped at \$5,000.

Butch Burroughs – Public Works – curbside leaf pickup started Monday and goes through May 6. The ballfield lights are in the process of being restored.

Nick Larotonda – Economic Development – yesterday there was the Economic Development seminar and it was a good turnout. The state discussed grant funding that is available to them and he hopes they will benefit from it.

MONTHLY REPORTS – Carie

Tax Collection - \$439,031.21

Construction Office - \$11,820.00

Municipal Clerk - \$8,366.00

Municipal Court - \$10,888.04

Mayor Horton – this past month Linda Weisbecker, former member of the library board and her were on a quest to find the appropriate way to commemorate the over 40 years that Barbara Wilson ran our library. They have ordered a sculpture that will be placed in the library garden, which she loved. Once it comes in, we will have a respectful ceremony and unveiling. She hoped everyone had a lovely holiday.

PUBLIC PORTION

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

Chris Seher – 707 Chelsea Road – inquired about leaf pickup and the hiring of Jeff. Asked what the budget is for Creek Fest and if tax payers' money is being used.

Jessica – there is no taxpayers dollars being spent. Only the original seed money and those monies were replenished and those funds will be used. There is \$23-24,000 money that has been held since the first event and the goal is to make it self-paying.

Chris – is there a volunteer handbook that is available for people to get.

Bill – you will need an OPRA request

Chris – in the paper it said that the county is reducing taxes this year and another article where Galloway is reducing taxes. He is still disappointed that ours couldn't be reduced. Asked if council would consider a resolution that would support not having sex education taught to our young children in our school system? He plans on going to a school board meeting as well.

Nick – agrees with Chris

Leo McLaughlin – is there any update on the Royal Farms construction?

Betty – our city engineer will be at our next meeting and he gives us all the updates. He meets with the owners of the property occasionally.

Leo – explained the recycling and how 95% of it ends in our dumps either as ash or full size. He ran an incinerator, one of four in NJ. He feels it's a waste of time and money. Where do we begin to fight this fight? You are spending a lot of money for recycling.

Steve – asked how many of the incinerator plants are trash to steam, where they can produce electricity?

Leo – they all are. He then explained the process of incinerators and how trash is burned. He feels we need to change the direction of how things are going.

Motion to close public – Councilman LaRotonda – second – Councilwoman Poley
All were in favor.

CLOSED SESSION - #71-2022

Bill Blaney – city solicitor – explained the reason to go into closed session is to discuss contract negotiations related to land sale and potential litigation. It is anticipated that no action will be taken when the session is over.

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

ADJOURNMENT

Motion to adjourn – Councilman Light – second – Councilwoman Poley
All were in favor.

Respectfully submitted,



Carie A. Crone, City Clerk

Approved: 5/5/22