



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

JUNE 20TH, 2024

REGULAR MEETING - 6:30 PM

AGENDA

FLAG SALUTE

ROLL CALL

PRESIDENT'S STATEMENT ON THE SUNSHINE LAW

NOTIFICATION THAT THIS MEETING IS ELECTRONICALLY RECORDED

REGULAR MEETING AGENDA

2024 ORDINANCES FOR ADOPTION

- 14** Amending Section 250-23 of the Code of the City of Absecon, granting a discounted price to Active Duty, Reserve, National Guard and Veteran Members of the United States Armed Forces for Seasonal Permits required to use the Faunce Landing Boat Ramp.
- 15** Amending the Code of the City Absecon creating Chapter 323 – Tree Removal and Replacement.

CONSENT AGENDA

- 107** Appointing a Full Time Patrol Officer, namely Gregory O'Connell.
- 108** Authorizing the submission of a grant application and the execution of a grant construction with the New Jersey Department of Transportation for the reconstruction of Delaware Ave. (Priority 1).
- 109** Authorizing the submission of a grant application and the execution of a grant contract with the New Jersey Department of Transportation for the Pedestrian Crosswalk Safety Improvements.

APPROVAL OF BILL LIST - \$

APPROVAL OF MINUTES

Closed Session as to form and content only – 4/18/24
Regular Meeting Minutes – 5/16/2024
Regular Meeting Minutes – 6/6/2024

REPORTS Council Committees
Administrator/CFO
Engineer
Clerk
Mayor

PUBLIC PORTION

CLOSED SESSION - #110-2024 – Contract Negotiations

ADJOURNMENT

CITY OF ABSECON

ORDINANCE 14-2024

AN ORDINANCE AMENDING SECTION 250-23 OF THE CODE OF THE CITY OF ABSECON GRANTING A DISCOUNTED PRICE TO ACTIVE DUTY, RESERVE, NATIONAL GUARD AND VETERAN MEMBERS OF THE UNITED STATES ARMED FORCES FOR SEASONAL PERMITS REQUIRED TO USE THE FAUNCE LANDING BOAT RAMP

WHEREAS, a fee is charged to individuals seeking to obtain a permit to use the Faunce Landing Boat ramp; and

WHEREAS, the Council of the City of Absecon is desirous of granting a discount to Active Duty or Reserve members of the United States Armed forces or the National Guard members who purchase such permits;

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

Section 1 - Section 250-23 B(5) of the Code of the City of Absecon shall be amended to read as follows:

- 5) Any person in possession of a valid State of New Jersey resident fishing, hunting, trapping or all-around sportsmen license or any Active Duty, Reserve, or Veteran of the United States Armed Forces and/or National Guard may purchase a seasonal permit for \$25.00. There shall be no discount for daily or weekly permits. Only Veterans who can exhibit a New Jersey driver's license which contains a veteran designation or a copy of Defense Department form 214 (discharge certificate) or Active Duty or Reserve members of the United States Armed forces or the National Guard members who display appropriate service branch issued identification will be eligible for this discount.

Section 2 - This Ordinance must be forwarded to the State of New Jersey Department of Environmental Protection for approval prior to final adoption.

Section 3 - This Ordinance shall take effect upon final passage and publication pursuant to law

Section 4 - This ordinance repeals any prior Ordinance or enactment, or portion thereof, contrary to this Ordinance.

Section 5 - To the extent that any section, portion or term of this Ordinance is ruled unenforceable or otherwise contrary to law by a Court or other body of competent jurisdiction said section, portion or term of this Ordinance shall be severable and the remaining portions of this Ordinance shall remain in full force and effect.

DATED: June 20th, 2024

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 May 16th, 2024. Laid over and advertised for public hearing and final adoption after approval from the N.J. Division of Fish and Wildlife.

CITY OF ABSECON

ORDINANCE 15-2024

AN ORDINANCE AMENDING THE CODE OF THE CITY OF ABSECON CREATING CHAPTER 323 TREE REMOVAL AND REPLACEMENT

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Absecon, County of Atlantic, State of New Jersey, that Chapter 323 – Tree Removal and Replacement is created as follows:

§323 1. Purpose:

An ordinance to establish requirements for tree removal and replacement in the City of Absecon to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

§323-2. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

- A. "Diameter at Breast Height (DBH)" means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.
- B. "Hazard Tree" means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.
 - 1. Has an infectious disease or insect infestation;
 - 2. Is dead or dying;
 - 3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
 - 4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
 - 5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).

- C. "Person" means any individual, resident, corporation, utility, company, partnership, firm, or association.
- D. "Planting strip" means the part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.
- E. "Resident" means an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.
- F. "Street Tree" means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.
- G. "Tree" means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.
- H. "Tree Caliper" means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.
- K. "Tree removal" means to kill or cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

§323-3. Regulated Activities:

A. Tree Replacement Requirements

1. Any person who removes one or more tree(s) with a DBH of 6" or more, unless exempt under §323-4, shall be subject to the Tree Replacement Requirements Table below.

Tree Replacement Requirements Table:

Category	Tree Removed (DBH)	Tree Replacement Criteria
1	DBH of 6" to 22.99"	Replant 1 tree with a minimum tree caliper of 1.5" for each tree removed
2	DBH of 23" or greater	Replant 2 trees with minimum tree calipers of 1.5" for each tree removed

2. Replacement tree(s) shall:

- a. Be planted within twelve (12) months of the date of removal of the original tree(s).
- b. Be monitored by the resident for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
- c. Shall not be planted in temporary containers or pots.

B. Replacement Alternatives:

1. If the City determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, the replacement tree(s) shall be planted at a separate location(s) approved by the City.

§323-4. Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the municipality by all persons claiming an exemption.

- A. Trees within the buildable area of a property, at or beyond the building setback line as defined in Chapter 224 Land Use and Development.
- B. Trees indicated to be removed on plans approved by the Absecon Planning Board or Absecon Zoning Board of Adjustment for any development application.
- C. Any trees removed as part of a municipal capital improvement project.
- D. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
- E. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the City
- F. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- G. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- H. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- I. Hazard trees may be removed with no replacement requirement.

- J. Residents who remove less than four (4) trees per acre within a five-year period. The number of trees removed is a rolling count across a five-year period. For example, if 3 trees are removed in July 2023, the count resets to zero in July 2028. However, if 1 tree is removed in July 2023 and another in July of 2025, the first tree will come off the count in July 2028 and the second in July 2030. The acreage for the count shall be the total acres of the resident's property. Trees removed that are otherwise exempt pursuant to one or more of the criteria above shall not be included in the count.

§ 323-5. Enforcement:

This chapter shall be enforced by the municipal official(s) designated by the City of Absecon during the course of ordinary enforcement duties.

§ 323-6. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this chapter shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall be punishable by a fine not exceeding \$500 per occurrence.

§ 233-7. Severability:

Each section, subsection, sentence, clause, and phrase of this chapter is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

§ 323-8. When Effective:

This chapter shall take effect upon its final passage and publication as required by law.

DATED: June 20th, 2024

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 June 6th, 2024.
Laid over and advertised for public hearing and final adoption on June 20th, 2024.

CITY OF ABSECON

RESOLUTION 107-2024

**A RESOLUTION APPOINTING
A FULL TIME PATROL OFFICER**

WHEREAS, there is a need to fill one vacancy for Full Time Patrol Officer in the Police Department of the City of Absecon; and

WHEREAS, Gregory J. O'Connell has indicated a willingness to serve as Full Time Patrol Officer of the Absecon City Police Department at an annual salary of \$50,200.00.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and with advice and consent of the Council of the City of Absecon, County of Atlantic, that Gregory J. O'Connell is hereby appointed as Full Time Patrol Officer in the Police Department of the City effective June 24th, 2024.

Dated: June 20th, 2024

**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 June 6th, 2024**

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

CITY OF ABSECON

RESOLUTION 108-2024

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION
AND THE EXECUTION OF A GRANT CONTRACT WITH THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE
RECONSTRUCTION OF DELAWARE AVENUE
(PRIORITY 1)**

WHEREAS, there is a need for roadway improvements on Delaware Avenue within the City of Absecon; and

WHEREAS, funds for roadway improvements are available to the City of Absecon under the New Jersey Department of Transportation Municipal Aid Program; and

WHEREAS, an application must be filed with the New Jersey Department of Transportation in order to be considered for said funding.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Absecon formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the firm of Remington & Vernick Engineers is hereby authorized to submit an electronic grant application identified as MA-2025-Reconstruction of Delaware Avenue-00132 to the New Jersey Department of Transportation on behalf of the City of Absecon.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Absecon and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Dated: June 20th, 2024

**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 June 20th, 2024**

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

CITY OF ABSECON

RESOLUTION 109-2024

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION
AND THE EXECUTION OF A GRANT CONTRACT WITH THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE
PEDESTRIAN CROSSWALK SAFETY IMPROVEMENTS**

WHEREAS, there is a need for traffic calming and pedestrian safety infrastructure improvements in various locations within the City of Absecon; and

WHEREAS, funds for traffic calming and pedestrian safety infrastructure improvements are available to the City of Absecon under the New Jersey Department of Transportation Safe Streets to Transit Program; and

WHEREAS, an application must be filed with the New Jersey Department of Transportation in order to be considered for said funding.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Absecon formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the firm of Remington & Vernick Engineers is hereby authorized to submit an electronic grant application identified as SST-2025-Pedestrian Crosswalk Safety Improve-00035 to the New Jersey Department of Transportation on behalf of the City of Absecon.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Absecon and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Dated: June 20th, 2024

**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 June 20th, 2024**

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

CLERK'S MONTHLY REPORT

MAY, 2024

	MONTHLY RECEIPTS		YEAR TO DATE RECEIPTS
YARD SALE PERMITS	20.00		45.00
MARRIAGE LICENSES	112.00		420.00
DEATH CERTIFICATES	-		30.00
MARRIAGE LICENSE COPIES	60.00		675.00
DOMESTIC PART. LICENSE	-		-
DOMESTIC PART. COPIES	-		-
CEREMONY FEES	-		-
RAFFLE LICENSES	220.00		500.00
BIRTH CERTIFICATES	-		-
MERCANTILE LICENSES	2,825.00		12,550.00
CANNABIS LIC. APPL. FEE	-		-
EXCAVATION PERMITS	3,600.00		5,810.00
COPIES	-		760.00
TAXI LICENSES	-		-
LIQUOR LICENSES	100.00		100.00
PLANNING FEES	600.00		600.00
ZONING FEES	1,250.00		2,380.00
MISC			1,320.00
TOTAL	8,787.00		25,190.00
BOAT RAMP PERMITS	3,850.00		16,925.00
ANIMAL CONTROL	135.00		1,300.00
TOTAL CLERK'S OFFICE	12,772.00		43,415.00

June 11, 2024
03:19 PM

City of Absecon
Cash Receipts Totals from 05/01/24 to 05/31/24

Page No: 1

Range: Block: First to Last Range of Util Accounts: First to Last
Lot:
Qual:
Range of Codes: 001 to 910 Range of Years: First to 2025 Range of Periods: 1 to 12
Range of Batch Ids: First to Last Range of Dates: 05/01/24 to 05/31/24
Range of Sections: First to Last Name to Print: Bill To
Range of Spec Tax Codes: First to Last Print Ref Num: N Print Utility w/Block/Lot/Qual: N
Payment Type Includes: Tax: Y Sp Charges: Y Lien: Y Sp Assmnt: Y Sewer: Y
Voucher Agency: Y Animal: N Misc: Y
Payment Method Includes: Cash: Y Check: Y Credit: Y Voucher: N
Range of Installment Due Dates: First to Last
Print Only Miscellaneous w/Block/Lot/Qual: N Sort Miscellaneous Payments by Block/Lot/Qual/Utility Account: N
Print Only Miscellaneous w/Utility Id: N

Code	Description	Count	Arrears/Other	Principal	2023	2024	2025	Pnltly/Intr	Total
001	Property Taxes	2820	0.00	0.00	3,930,858.53	0.00	1,922.87	3,932,781.40	
038	Taxes - Subsequent	11	0.00	0.00	17,366.96	0.00	158.00	17,524.96	
	Tax Payments	2831	0.00	0.00	3,948,225.49	0.00	2,080.87	3,950,306.36	
035	OUTSIDE LIEN REDEMP	15	1,833.00	0.00	0.00	0.00	189.05	2,022.05	
036	OUTSIDE LIEN FEES	2	124.00	0.00	0.00	0.00	0.00	124.00	
	Lien Payments	17	1,957.00	0.00	0.00	0.00	189.05	2,146.05	
002	Sewer Rental	268	207.00	0.00	38,092.34	0.00	2,355.00	40,654.34	
037	Sewer - Subsequent	10	0.00	0.00	3,227.50	0.00	275.00	3,502.50	
	Sewer Payments	278	207.00	0.00	41,319.84	0.00	2,630.00	44,156.84	
015	Sewer Bad Check Fee	2	0.00	0.00	0.00	0.00	0.00	0.00	
017	Tax Bad Check Fee	3	60.00	0.00	0.00	0.00	0.00	60.00	
031	SEWER LATERAL	1	1,200.00	0.00	0.00	0.00	0.00	1,200.00	
	Misc Payments	6	1,260.00	0.00	0.00	0.00	0.00	1,260.00	
	Payments Total:	3132	3,424.00	0.00	3,989,545.33	0.00	4,899.92	3,997,869.25	
	Cash O/S Total:	0	0.00	0.00	0.00	0.00	0.00	0.00	
	NSF Reversals Total:	0	0.00	0.00	0.00	0.00	0.00	0.00	
	Total:	3132	3,424.00	0.00	3,989,545.33	0.00	4,899.92	3,997,869.25	

Total Cash: 57,076.23
Total Check: 3,841,630.69
Total Credit: 99,162.33

Sewer Overpayments 207.00
Total Overpayments 207.00

CITY OF ABSECON CITY
CONSTRUCTION OFFICE CODE ENFORCEMENT
MONTHLY REPORT

MAY 2024

	Month		Year to Date	
	# Permits	Fees	# Permits	Fees
Building Permits	13	\$ 1,740.00	64	\$ 21,035.00
Electrical Permits	18	\$ 2,219.00	101	\$ 13,862.00
Elevator Permits	0	\$ -	0	\$ -
Fire Permits	5	\$ 920.00	40	\$ 6,298.00
Plumbing Permits	8	\$ 520.00	77	\$ 7,101.00
Mechanical Permits	9	\$ 900.00	50	\$ 4,950.00
Certificates of Occupancy	1	\$ 150.00	8	\$ 1,050.00
DCA Fees	33	\$ 579.00	198	\$ 4,404.00
Contractor Licenses	0	\$ -	4	\$ 100.00
Zoning Permits	7	\$ 320.00	25	\$ 1,100.00
CCO Resales	15	\$ 1,085.00	67	\$ 4,985.00
Commercial CCO, Rental	1	\$ 75.00	5	\$ 1,040.00
Rental Inspections	9	\$ 900.00	46	\$ 4,600.00
Certificates of Compliance	4	\$ 200.00	4	\$ 200.00
Air B&B	2	\$ 1,000.00	4	\$ 2,000.00
Penalty			0	\$ -
Admin Fees			1	\$ 67.00

Total Fees	\$ 10,608.00	70,884.00
Total Paid Out	\$ 579.00	4,404.00
Total Net Fees	\$ 10,029.00	66,486.00
Total Construction Cost	\$ 310,978.00	\$ 3,061,941.00

Respectfully Submitted:


Kimberly Kollman / Technical Assistant

NJ AUTOMATED MUNICIPAL SYSTEM
MONTHLY CASHBOOK REPORT
ABSECON MUNICIPAL COURT
FOR THE MONTH OF MAY 2024

REPORT ID : TFC5337
RUN DATE : 06/02/2024
RUN TIME : 02:15

PART 4 - DISBURSEMENT CHECKS				CROSS-REF W/BANKSTMT
MAKE CHECK PAYABLE TO:	CHECK AMOUNT	ADDRESS	CHECK NUMBER	
2 - TREASURER, STATE OF NEW JERSEY RE: AUTOMATION FEE - AF ATS MODERNIZATION FUND - AM	\$366.00 \$548.50 \$914.50	AOC ATS SURCHARGE SECTION P.O. BOX 980 TRENTON, NJ 08625	DO NOT SEND CHECK- SENT VIA ACH	
3 - TREASURER, COUNTY OF <u>Atlantic</u> RE: TITLE 39 SPLIT & VIDEO SURCHARGE (VY)	\$5,447.75	COUNTY TREASURER	1811	
4 - TREASURER, CITY OF <u>Absecon</u> RE: TITLE 39 SPLIT, CRIMINAL FINES, COSTS, LOCAL PARKING, CONTEMPT, CRIMINAL BAIL FORFEITURE, ADDITIONAL PENALTIES, GENERAL FEES, UNREFUNDED OVERPAYMENTS, PUBLIC DEFENDER, PLAINTIFF COSTS, SPINAL MUNICIPAL, DWI SURCHARGE, UC CODE, VIDEO SURCHARGE (VM) & SANCTIONS	\$12,695.70	CITY OF <u>Absecon</u>	1812	
5 - TREASURER, CITY OF RE: PARKING OFFENSES ADJUDICATION ACT (\$2.00 FTA FEE - PA)	\$.00	CITY OF		
6 - TREASURER, STATE OF NEW JERSEY RE: VCCB, VAF, CF	\$275.00	VICTIMS OF CRIME COMPENSATION BOARD P.O. BOX 34090 NEWARK, NJ 07189-0090	DO NOT SEND CHECK- SENT VIA ACH	
7 - TREASURER, STATE OF NEW JERSEY RE: DEDR	\$50.00	GOVERNOR'S COUNCIL ON ALCOHOLISM/ DRUG ABUSE P.O. BOX 345 TRENTON, NJ 08625	DO NOT SEND CHECK- SENT VIA ACH	
8 - TREASURER, STATE OF NEW JERSEY RE: STATE LAB FEES - FLF (SL)	\$.00	GOVERNOR'S COUNCIL ON ALCOHOLISM/ DRUG ABUSE P.O. BOX 345 TRENTON, NJ 08625	DO NOT SEND CHECK- SENT VIA ACH	
9 - TREASURER, COUNTY OF RE: COUNTY LAB FEES - (CL)	\$.00	N/A		