



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

SEPTEMBER 1st 2022 5:30 PM

MINUTES

FLAG SALUTE

MOMENT OF SILENCE: In honor of several members of the Absecon community who made significant contributions to the city.

- Archie Reinaldo – Army Veteran, and former Commander of the Absecon American Legion Post #28, who often helped run the Concerts in the Park.
- Joann Elco – Member of the Mental Health Association of Atlantic County Association and AtlantiCare Behavioral Health, Absecon Community Affairs Committee, Absecon Historical Society, Absecon Business & Commercial Development (ABCD), and was a founding member of the Absecon 9/11 Committee.
- Bobby Schultz – The City's friendly mailman, a Navy Veteran who, upon retirement, worked for the City of Absecon as its Recycling Coordinator. Was a member of the Absecon Jaycees and American Legion, and throughout his lifetime proudly donated 40 gallons of blood to the American Red Cross.

ROLL CALL

PRESENT: Councilmembers Butch Burroughs, Sandy Cain, Caleb Cavileer, Nick LaRotonda, Donna Poley, and Council President Betty Howell

ABSENT: Councilman Steve Light

ALSO PRESENT: Mayor Kim Horton, City Administrator/CFO Jessica Thompson, City Engineer Ed Dennis, City Solicitor William "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

2022 RESOLUTIONS

- 118 Appointing a SLEO Officer, namely Ryan Thompson.

Motioned to move Resolution #118-2022: Councilman LaRotonda; Seconded: Councilwoman Cain
Roll Call: Burroughs – Yes; Cain – Yes; Cavileer – Yes; LaRotonda – Yes; Light – Absent; Poley – Yes; Howell – Yes

OATH OF OFFICE – POLICE

Chief Laughlin: Provided a brief bio for newly hired SLEO Officer.

SLEO Officer Ryan Thompson

Ryan Thompson, of Forked River, earned his Associates Degree in Social Sciences from Ocean County College. He attended the Ocean County Police Academy and worked as a Class II Officer in Seaside Park before joining the Absecon Police Dept. He is currently in the Police's Field Training Program (FTP) which he will complete in 12 weeks. Afterwards Thompson will help in patrol, monitor the Boat Ramp, attend the sports games, etc. For his swearing in, he is joined by his friends, siblings, parents, and girlfriend. His father, Dan, will be holding the bible.

FIRE DEPARTMENT UPDATE – Deputy Chief Jeff Ciccone: Informed the public that the Absecon Volunteer Fire Dept. was recently awarded two grants. One grant provides the Absecon Fire Dept. about \$19,000 with a 5% match for hoses, various nozzles, etc. The other is a regional grant awarded to the Absecon Fire Dept. along with Bargaintown and Cardiff. This grant provides the Absecon Fire Dept. a share of \$155,000 with a 10% match for more modern and technologically advanced air packs. The air packs the Fire Dept. currently have are in short supply and are soon to expire. The Fire Dept. is usually awarded something each year; however, this specific grant is a huge acquisition, and will keep the Fire Fighters safe.

2022 ORDINANCES FOR INTRODUCTION

- 15** Amending the Code of the City of Absecon, Chapter 330 – Vehicles and Traffic, to designate a Multi-Way Stop intersection at New York Avenue and Elberon Avenue.

Motioned for a first reading: Councilwoman Poley; Seconded: Councilwoman Cain

Councilwoman Poley: The City prioritizes the safety of its families and children. It was discussed, in connection to the New York Road project, the possibility of creating a 3-way stop at the intersection of Elberon Ave., and New York Ave., and also at the intersection of New York Ave. and 15th St. Because there is significant traffic (walking, scooters, bikes, etc.) in the area and the project is progressing a bit slower than anticipated, Councilwoman Poley reached out to City Engineer Ed Dennis and they decided, for the safety of the community and especially the children, to move up construction for the stop at the intersection of Elberon Ave. and New York Ave.

E. Dennis: The stop at Elberon Ave. and New York Ave., where the bike and walking path meet the street, will be a 3-way stop. The Road Program contractor will do the striping and the signs sometime in the next few months.

Roll Call: Burroughs – Yes; Cain – Yes; Cavileer – Yes; LaRotonda – Yes; Light – Absent; Poley – Yes; Howell – Yes

This Ordinance will be posted, laid over, and published according to law. A Public Hearing, second, and final reading will be held on September 15th, 2022.

2022 ORDINANCES FOR ADOPTION

Motioned for the second reading of Ordinance #12-2022: Councilman Cavileer; Seconded: Councilman Burroughs

Roll Call: Burroughs – Yes; Cain – Yes; Cavileer – Yes; LaRotonda – Yes; Light – Absent; Poley – Yes; Howell – Yes

- 12** Approving a storm sewer easement for 802 Highland Blvd. (Blk 42, Lot 1) and ratifying and authorizing the execution of all documents necessary to implement said easement.

Motioned to open the meeting to the public for comment or discussion of Ordinance #12-2022: Councilman LaRotonda; Seconded: Councilwoman Poley; All in Favor, None Opposed

E. Dennis: In relation to the New York Avenue Sub-Division project, the City has needed to confer with a few private property owners in regard to some needed easements. The easement in this Ordinance is for some drainage lines that need to be installed as part of the Sub-Division project. It will allow the City to tie the sub-division drainage into the drainage system on Highland Blvd.

Motioned to close the public portion: Councilman LaRotonda; Seconded: Councilman Cavileer
All in Favor, None Opposed

Motioned for the final reading and adoption of Ordinance #12-2022: Councilwoman Cain; Seconded: Councilman LaRotonda

Roll Call: Burroughs – Yes; Cain – Yes; Cavileer – Yes; LaRotonda – Yes; Light – Absent; Poley – Yes; Howell – Yes

Ordinance #12-2022 has been heard and is finally approved.

CONSENT AGENDA

- 119** Authorizing the institution of *in rem* tax foreclosures as set forth in certified Tax Foreclosure List.

J. Thompson: This list was provided by the City Tax Collector and includes several municipal liens to start the foreclosure process. Starting the process will either encourage the redemption or begin the eventual resale which will provide revenue to the City.

- 120** Accepting the 2021 Municipal Audit.

J. Thompson: The Municipal Audit for the year 2021 has been finalized and, as usual, there were no findings. The results of the 2021 Municipal Audit, along with the Administrator's Management Report, show the City's ability to maintain and grow City services without raising taxes, just as it's been for many years. The information also highlights an increase in the City's Assessed Valuation and excellent tax collection rate of 99.18%.

- 121** Authorizing Municipal Support for Roman Brother's Cannabis to receive a Class I Cannabis Cultivator License from the New Jersey Cannabis Regulatory Commission to operate within the City of Absecon.

J. Thompson: This will be the second Cannabis Cultivation License approved by the Board.

PUBLIC PORTION – (Agenda items only)

Motioned to open to the public: Councilwoman Poley; Seconded: Councilman Cavileer
All in Favor, None Opposed

(No Discussion)

Motion to close public: Councilman LaRotonda; Seconded: Councilwoman Cain
All in Favor, None Opposed

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 Howell read Resolutions #119-121 by title.

Motioned to move the Consent Agenda: Councilman LaRotonda; Seconded: Councilman Cavileer
Roll Call: Burroughs – Yes; Cain – Yes; Cavileer – Yes; LaRotonda – Yes; Light – Absent; Poley – Yes; Howell – Yes

APPROVAL OF BILL LIST – \$ 1,949,120.43

Motioned to accept: Councilman Cavileer; Seconded: Councilwoman Cain
Roll Call: Burroughs – Yes; Cain – Yes; Cavileer – Yes; LaRotonda – Yes; Light – Absent; Poley – Yes; Howell – Yes

APPROVAL OF MINUTES

Regular Meeting Minutes – 8/4/2022

Motioned to accept: Councilwoman Cain; Seconded: Councilman Cavileer
Roll Call: Burroughs – Yes; Cain – Yes; Cavileer – Yes; LaRotonda – Yes; Light – Absent; Poley – Yes; Howell – Yes

REPORTS

Councilwoman Poley – Community Affairs Committee: Met earlier that day. Absecon's 21st 9/11 Remembrance will be on September 11th at 1PM located at the 9/11 Memorial in Heritage Park. There will be a quick ceremony, public encouraged to stop by and show their respects. Creekfest will be on Sunday September 18th at Faunce Landing. There will be 15 food trucks, 4 bands playing, a beer garden and wine. Parking will be available at the Public Works building and a Jitney will transport attendees to and from Faunce Landing free of charge. The event starts at 2PM and finishes at 9PM. The public is encouraged to come out and join the City for what is anticipated to be a great event. Movie in the Park at Heritage Park October 5th and will be playing the movie Hocus Pocus. More information regarding the Movie in the Park will be available in the near future. On October 15th, the City will have one of their annual fall cleanups. Residents are welcome to come to City Hall and to use the paper shredders available and are also encouraged to come down to City Hall to get grabbers and join in on the community cleanup. Community Affairs has a lot of events coming and Councilwoman Poley asked residents to please look at the Community Affairs Facebook to keep up to date with all the happenings. If there are any businesses or organizations having an upcoming local event, please let Community Affairs know so they can make sure to advertise it on the Absecon Community Affairs Facebook page.

Council President Howell: Announced to all Creekfest volunteers that there will be a meeting on Wednesday, September 14th at 6PM in the Council Chambers.

Councilwoman Cain – Public Safety Committee: There was a meeting on Tuesday, August 30th, at Emergency Management Coordinator Jim Eberwine's request, the Police Dept., Ambulance Squad, Fire Dept., Public Works Dept., several Council members, J. Thompson, and Construction/Zoning Official Mike O'Hagan. J. Eberwine gave a very interesting and informative report about the weather, possible hurricanes, and Emergency Management. Municipalities are supposed to meet with their Emergency Management Coordinator at least once every three months, but apparently there is an increasing number of nearby municipalities struggling to keep their Emergency Management Coordinator on board and/or fill their Emergency Management position vacancies. With this in mind, Absecon is extremely lucky to have J. Eberwine, who is nationally recognized for his knowledge about weather, as the head of Absecon Emergency Management. There will be another Emergency Management meeting by the end of the year, but if there is an emergency before then, an Emergency Operations Center (EOC) will be set up at City Hall around the Police side. In the case of an emergency, there will be at least two people on duty there at all times working 4-hour to 8-hour shifts. FEMA forms will also be there to make it much easier for residents to complete and submit their paperwork. Expressed her happiness that Deputy Fire Chief Ciccone came to the meeting to share information about their recently awarded grants. Indicated there was a possibility that the Fire Dept. may be awarded more grant money in the near future. Advised that the purchase orders for the long-awaited new police cars were just signed.

Chief Laughlin: Last year, after the City ordered the two police cars being discussed, the Police Dept. was told that they would not be receiving the two new vehicles. However, both cars were finally delivered within the last two weeks. The Police Dept. wanted to order another car again with this year's budget, but were denied so never even sent out an order for this year. So, with the two additional cars, while still exploring other avenues to continue proper and cost-effective maintenance of their fleet, they are in a better position than before.

Just as the City has had issues with the speeders in the area, the City is also having issues with people riding electric scooters. Unfortunately, shortly after the last Council Meeting, there was an accident involving two juveniles on electric scooters. The Police Dept. has decided that Lt. Huenke will create a safety class through LEAD for children at school. The Police Dept. already teaches a bicycle safety course, so they are adding an electric scooter safety course. Emphasized that electric scooter safety most importantly comes down to the need for parents to educate their children on proper safety precautions when they buy them electric scooters. There are a lot of electric scooters out there and the children are not abiding by any of the traffic safety laws. It's the responsibility of the parents, when you purchase this heavy machinery for your children, to educate them and remind them that, just like when riding a motorized bicycle, they are required to abide by all the same laws, such as crossing the streets and stopping at stop signs. This is the second electric scooter accident this year, and it's been fortunate that nobody has seriously injured yet.

Council President Howell: Asked what the rules governing electric scooters were and if that included requiring riders to wear helmets.

Chief Laughlin: Yes, they must wear helmets. Unfortunately, kids don't usually wear helmets when riding their electric scooters or when riding their bikes to school. This past spring, the Police Dept. visited the Absecon schools to award Dairy Queen and Rita's Water Ice vouchers to kids wearing their helmets, they only ended up giving out very few prizes. Although the other kids wanted the vouchers, when the Police Officers told them they need to wear their helmets, the kids chose to forgo the vouchers. A child's behavior reflects their parents. Asked parents, again, to take their responsibility and this information into consideration when allowing their children to ride electric scooters. It's crucial for these kids to follow all the safety laws.

Council President Howell: Asked if the electric scooters are supposed to be on the street or the sidewalk.

Chief Laughlin: Urged electric scooter riders to stay off the street where ever possible, but be alert and cautious of pedestrians walking on the sidewalk. There is a large residential area near City Hall and Heritage Park that has relatively light vehicle traffic, but unfortunately that is where one of the scooter accidents occurred. Wants, at all costs, to avoid a potential tragedy that the community would never recover from and force the City to consider a possible ban on electric scooters.

Council President Howell: Asked for an update on the dirt bike situation.

Chief Laughlin: The City has not possessed any dirt bikes and there have been less sightings on Route 30 and major highways. But since the City's action, several neighboring municipalities have followed their lead and passed the same Ordinance. In reference to the idea of possibly imposing a penalty for improper electric scooter use, admitted that the Police are very limited in recourses of enforcement due to the new state juvenile laws. So, the children don't receive the summons, the parents do, and that has resulted in a lot of backlash.

Public Comment: Expressed concern and frustration with people in the community riding their motorized bikes in a risky and dangerous manner.

Chief Laughlin: Reiterated that, if the rider is a juvenile, the Police Dept. is very limited in how they can enforce the laws. If the rider is an adult, police officers have the ability to take stronger and more direct action, but only if they are in the right time and place to come across it. It's also important to remember that the Police cannot chase the perpetrator if they ride away.

Councilman Cavileer: Asked for an update on the Pro-Phoenix System.

Chief Laughlin: Affirmed that Pro-Phoenix is up and running. It's a completely different system so everyone is learning how to use it. Suspects that once everyone adjusts to the new system it will be a major improvement from before. Pro-Phoenix is a state-of-the-art information sharing system. All but two municipalities in the county use Pro-Phoenix, so when crimes occur throughout the region, all participating Police Departments have the ability to info share those crimes which helps the officers solve those cases. Pro-Phoenix is very complex and sophisticated, so although it's a learning process, it will have a positive impact. Captain Mazer and Sergeant O'Connell have been instrumental in the new system's implementation in respect to matters of law enforcement, while Jenn Harvey has been instrumental in respect to matters of IT.

Councilwoman Poley: Asked if it would possibly be beneficial for the Police Dept. to have an event for residents to learn what the exact laws are regarding the motorized scooters and bikes.

Chief Laughlin: Indicated that the Police Dept. was considering doing an informational event on Back to School Night.

Mayor Horton: Suggested Chief Laughlin reach out to Absecon Public Schools Superintendent Dr. Dooley to discuss possibly designating a time during Back to School Night for the Police to have an information session for the parents regarding this issue.

Chief Laughlin: Clarified that the Police Dept. is currently overwhelmed with firearm applications, new hires in the training program, several officers out for surgery, someone away on military, and only has two detectives operating in the Detective Bureau. In a couple months, once the Dept. is back up to staff, perhaps they could dedicate more time and build the education program, just as they'd done before for the fraud information session for the seniors, however it will not be able to happen in time for back to school. Their current focus is first educating the children, and maybe later this fall they can put something together where they can educate the parents

D. Poley: Has learned through personal experiencing that parents will not know what's not told to them. Suspects they don't understand or realize their kids are breaking the law with their motorized scooters and bikes. Asserted that parents need to be directly told there is an issue and what exactly it is.

Councilman Cavileer – Finance Committee: Scheduled to meet Thursday, September 15th at 4:30PM. On the topic of Creekfest, expressed thanks in advance to all those who have provided helpful contributions, including the Absecon Blue Devils football and cheerleading coaches, Mother Group of Absecon and Galloway, American Legion, all the great members of Community Affairs, and all the sponsoring businesses and organizations. The local organizations/businesses who have kindly donated money are helping make this event possible and so they will be featured on Creekfest t-shirts, flyers, and other publications.

- *Gold Sponsors:* Green Sky; OceanFirst Bank; Your CBD Store; Remington & Vernick Engineers
- *Silver Sponsors:* Bowman & Co.; Ditmire Motor Works; Glenn Insurance; Off the Charts
- *Bronze Sponsors:* Wilentz; Blaney, Donohue, & Weinberg; ACUA; Network Connectivity
- *Friends of Creekfest Sponsors:* Absecon Bay Sportsman Center; Absecon Building & Carpentry; Absecon Electric Motor Works; Absecon Shores Mobile Home Park; Allstate Insurance; Beau Ridge Photography; Connie's Cutting Cove; John Faranelli Electric; Eastburn Window Cleaning; Empire Inn & Suites; Gokul Farmers Market; The Granite & Marble Shop; Hairanjel Salon; Hometown Variety & Framing; Island Cleaners & Coin Laundry; The Jonathon Pitney House; Marrone Lawn Sprinklers; Off Shore Car Wash; D.F. Poley Construction; Purdy Mechanical; Superlodge; Carl Tripician Law Offices

In addition to those monetary donations, the City also has a nice partnership with White Horse Wine, and they are helping supply wine for the event. Expressed appreciation for the help the City has received from its employees at Public Works and City Hall, and especially for the Police, who will be at Creekfest to keep everyone safe. Everyone's help has made this event possible.

Council President Howell: All the money so graciously donated by the previously mentioned businesses, alone, has allowed the City to almost break even on the money spent for this year's Creekfest. The City hopes that, excluding the profits of beer, wine, and t-shirts, the event won't cost any taxpayer dollars. Then with the profits from beer, wine, and apparel, the City intends to make its own donations to organizations such as the Blue Devils, American Legion, Women's Club, Explorers, etc. for their help with the event. So ideally all the money put towards Creekfest will pay for the event, help our volunteer organizations, and helpfully be enough to start a fund for next year's Creekfest.

Councilman Burroughs – Public Works Committee: Last meeting was canceled due to multiple conflicts. Next meeting will be on Tuesday, September 20th.

Councilman LaRotonda – Economic Development Committee: Have not met since last Council Meeting. Their next meeting will be September 7th at 4:30PM. Welcomed the Roman Brothers who attended the Council Meeting. Their investment in Absecon is appreciated. Thanked all businesses in town who are kindly supporting Creekfest.

J. Thompson – City Administrator: The tax bill grace period has been extended to September 8th. So, if residents' taxes are paid before then, there will be no charge of interest, however, if not, the interest will be charged back to August 1st. The electronic Tax Sale will be coming up on Wednesday, September 21st. More information about the Tax Sale is available on the City's website.

E. Dennis – City Engineer: Provided several project updates. The Road Program will have its pre-construction meeting on Tuesday, September 6th. After that meeting the contractor will create the anticipated schedule and will give a report on the intended start date. Plans to meet with the County Engineer on Thursday to touch base with him on the progress of the Shore Road Project so that he may report back with a more definitive timeline on that project.

Public Comment: Expressed concern with the poor road conditions of Miami Ave. that are a consequence of recent construction conducted there.

E. Dennis: Informed the resident that the road of concern is actually a state road, but assured him that he would still reach out to the water company later that evening about the matter.

Mayor Horton: Spoke in kind memory of the members of the community previously mentioned who recently passed. Thanked the Bangladesh Association of Atlantic County for her second invitation to their annual festival held on August 23rd. It is the organization's goal to assimilate multicultural development and understanding. The Bangladeshi community was on full display, as the evening was full of music, crafters, and included designated time honoring the achievements of students in the Bangladeshi community. September 14th, Mayor Horton will be joining her fellow members of City Council and officers of the Absecon Police Dept. at the Absecon ShopRite, between 10AM-12PM, as they recognize National Hunger Action Month. In light of the new school years commencement, asked parents of the community to please provide their children love, honor, and respect so they may gift that also onto others. Asked teachers to instruct their students with enthusiasm and patience, for the next generation of leaders will challenge both efforts. Asked students to treat each other in the way they'd like to be treated, to be kind, and to remember that you are all important. The concerns at City Hall include the educational opportunities and safety of the community's children, but they look forward to another successful school year, no matter what the future may hold.

PUBLIC PORTION

Motioned to open to the public: Councilman LaRotonda; Seconded: Councilwoman Poley
All in Favor, None Opposed

Michael Reilly – 444 4th Street: Concerned about dilapidated properties and vacant lots in the City. Asked whether the City had an ordinance requiring the owners to maintain those lots, and if so are there any penalties specified.

Council President Howell: Has received phone calls from residents when they have suspected someone in the community abandoned their property. Once this information is brought to her attention, Council President Howell immediately gets in touch with the City's Code Enforcers who are always very quick to investigate the situation. Emphasized that property owners must maintain their property and be considerate of their neighbors.

M. Reilly: Provided a list of properties for Code Enforcement to check on, including: the rehabilitation center on the white horse pike, the Old Knight's Inn. Noted recent improvements to the former True Value Hardware Store.

Council President Howell: Informed M. Reilly that location is soon to be the location of one of the new cannabis stores. Predicted that within the next 6 months there will be a of noticeable changes for the better with many new businesses moving in. There will be a new brewery operating at the site of the former Howlett's Hardware, hopefully by January. Also, the old City Hall has been purchased, there has been significant construction recently at the old baseball fields, and the former CVS is turning into a Dollar General. It will be very good to have these new businesses and to clean up the area.

M. Reilly: Suggested that with all the new cannabis companies coming to town, perhaps the City could propose they buy some of the abandoned banks where they could operate a drive-thru service.

Council President Howell: The City is thrilled that these businesses have been purchasing and renovating already existing commercial buildings, rather than build entirely new structures on undeveloped land.

Mayor Horton: Mentioned how businesses, like Roman Brothers, came to town with well-developed plans.

Motioned to close public: Councilman LaRotonda; Seconded: Councilwoman Poley
All in Favor, None Opposed

CLOSED SESSION - #122-2022 – Possible Litigation

Bill Blaney: Declared that, 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 possible litigation on matters subject to attorney-client privilege, as well as to discuss updates for a potential real estate purchase. It is unlikely that there will be action taken after Closed Session or that the minutes of the meeting will be released any time soon.

Motioned to enter Closed Session: Councilman Cavileer; Seconded: Councilwoman Cain
All in Favor, None Opposed

(Closed Session)

Motioned to adjourn Closed Session and re-enter the meeting: Councilwoman Poley; Seconded: Councilwoman Cain
All in Favor, None Opposed

ADJOURNMENT

Motioned to adjourn: Councilman LaRotonda; Seconded: Councilwoman Cain
All in favor, no opposed

Respectfully submitted,



Carie A. Crone, City Clerk

Approved: 9-15-22