



CITY OF ABSECON
Municipal Complex
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Absecon, New Jersey 08201

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CITY COUNCIL
REGULAR MEETING
SEPTEMBER 5TH, 2024
MINUTES

FLAG SALUTE – Mayor Horton

ROLL CALL

PRESENT: Councilmembers Sandy Cain, Alex Clark, Steve Light, Tommy Marrone, Christine Parker, and Council President Nick LaRotonda

ABSENT: Councilman Richard DeRose

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

2024 ORDINANCES FOR INTRODUCTION

17 Amending the Code of the City of Absecon, Chapter 114 – Alarm Systems.

Motioned for the first reading of Ordinance #17-2024: Councilman Light; Seconded: Councilman Marrone

Chief Laughlin: Explained that the amendment removed language that no longer applied. When there was a Communications Supervisor, they would make recommendations to either fix or get rid of the system itself, however, now, he rather continue enforcing the false alarms. There are businesses which the Police have been to about 30 times for bad alarm systems. They have contacted corporate and the owners of the businesses, but the issue continues to persist. This Ordinance change adjusts the fines.

Roll Call: Cain – Yes; Clark – Yes; DeRose – Absent; Light – Yes; Marrone – Yes; Parker – 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 September 19th, 2024.

2024 RESOLUTIONS – CONSENT AGENDA

124 Permitting a Charitable Organization to solicit funds, namely the Absecon- Galloway Rotary Club.

125 Authorizing a refund of overpayments of taxes for the 3rd Quarter of 2024 on the listed properties.

126 Authorizing a refund of an overpayment of taxes for 2024-2025 on the listed property.

127 Appointing a part-time regular Crossing Guard namely, Cynthia Mason.

128 Authorizing the execution of an agreement between the City and AtlantiCare Medical Center to establish joint participation in the ARRIVE Together Program.

Chief Laughlin: The ARRIVE (Alternative Responses to Reduce Instances of Violence and Escalation) Together Program pairs health professionals with the Police when responding to mental health emergencies. ARRIVE will lead to safer outcomes for those most vulnerable residents, help increase the utilization of mental health resources, and strengthen trust between law enforcement and members of the community. The ARRIVE Program was put together by AtlantiCare. Its pilot program started in 2001 in Cumberland County. Since then, the Attorney General has expanded the program to several other counties, this being the first in Atlantic County. The Atlantic County municipalities invited to participate in the Program include Absecon, Atlantic City, Galloway, Pleasantville, and EHT. AtlantiCare will have health professionals in the City on a daily basis, who will partner with Police when needed.

129 Approving the insertion of a Special Item of Revenue into the 2024 Municipal Budget to allow for the receipt of \$4,200.00 from the State of New Jersey Highway Traffic Safety.

PUBLIC PORTION – (Agenda items only)

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

No Discussion

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

CONSENT AGENDA VOTE

Motioned to move Consent Agenda: Councilman Light; Seconded: Councilman Marrone
Roll Call: Cain – Yes; Clark – Yes; DeRose – Absent; Light – Yes; Marrone – Yes; Parker – Yes; LaRotonda – Yes

APPROVAL OF BILL LIST – \$ 2,679,241.07

Motioned to accept: Councilman Marrone; Seconded: Councilman Clark
Roll Call: Cain – Yes; Clark – Yes; DeRose – Absent; Light – Yes; Marrone – Yes; Parker – Yes; LaRotonda – Yes

APPROVAL OF MINUTES

Regular Meeting Minutes – 8/1/2024

Motioned to accept: Councilman DeRose; Seconded: Councilman Marrone

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

REPORTS

Councilwoman Parker – Parks & Playgrounds: Met on August 20th. Discussed several topics. The installation of the Community Garden Fencing has been completed. The Eagle Scout's solar charging station is also completed and was displayed on National Night Out. Discussed replacing the nets at the baseball field in time for Fall Ball and installing a second basketball net at the Blue Devil's parking lot. The Concerts in the Park series was a success, with only 2 being canceled due to weather. A port-a-potty situation related to the Concerts in the Park was remedied. The Blue Devil's upcoming season begins Saturday in Ventnor. Invited people to attend Holy Spirit's upcoming football game to cheer on the halftime show. Will meet again on September 17th.

Community Affairs: Met earlier that night. A great time at National Night Out was had by all, especially Councilman DeRose who was in the dunk tank. Commended the Police Department for putting together such a fantastic and flawless event. Discussed potential dates for the upcoming Halloween Movie in the Park and the possibility of a costume contest before the movie is featured. Also discussed Creekfest which will be on September 21st from 1pm to 8pm. There will be jitney shuttles at the Wagon Wheel, 14 food trucks, beer and wine, and children activities sponsored by the Green Team. They are still looking for volunteers. Anyone interested in volunteering may reach out to Councilwoman Parker via email. A representative from the Absecon Vet came to that night's Community Affairs Meeting to announce they are hosting their 4th Annual Bark in the Park event at the 4-H Fairgrounds on September 14th from 10am to 5pm. The event is a fundraiser for the legacy which helps with emergency vet services for those who cannot afford them. The 9/11 Ceremony will be held on Wednesday, September 11th at 6:30pm at the Memorial on Mill Rd.

Public Safety: Have not met since last Council Meeting. Next meeting will be September 16th at 6pm. Thanked the Police Dept., again, for their hard work for National Night Out. Announced that there was a recent Coffee with a Cop event. Shared that the Police have been very helpful in regard to Creekfest, which she greatly appreciates. The Absecon Fire Department will be helping the American Legion with a 50/50 raffle at Creekfest. The Galloway Ambulance Service will also be at Creekfest, for which she is also grateful. Thanked the Police Dept. for their dedication to community events, despite being down officers.

Chief Laughlin – Police: Announced that Absecon is in dire need of Crossing Guards. Asked for the message to be spread throughout the community. In the meantime, numerous Police Officers will be filling in the roles. Emphasized the need for child safety to and from school. Asked any interested persons to please contact Lt. Rich Huenke at the Police Dept. Announced that it was the first day of school. Reminded parents and guardians to give themselves enough time in the morning to travel to school at a safe speed. Yesterday, the PD did an Aggressive Driving Detail on the White Horse Pike. Will have another detail on the 10th. During a stop in yesterday's detail, officers got into a foot pursuit and were able to apprehend the suspect who had a gun. Unfortunately, one of our Officers was injured and had surgery this morning, but they are doing quite well now and expected to heal and return back to work. Reminded the public that the 9/11 Memorial Ceremony will be next week. On 9/19, the PD will be participating in Shoprite's Help Bag Hunger Day. In regard to the nice news article recently written about the himself, thanked everyone who reached out to him to express their appreciation.

Council President LaRotonda: Expressed well wishes for the injured officer. Commended Chief Laughlin for always going above and beyond for the residents.

Councilwoman Cain – Economic Development: Had a meeting last night, attended by she and Councilman Marrone. At the meeting, an owner of a local business came to discuss potentially

turning his office building (4 units) into 1-bedroom senior apartments (12-16 units). Discussed the best course of action possible, in regard to obtaining Zoning approval. Spoke with Bill Blaney about the matter. Believes the transition would be a win-win for the city, in that it would help seniors looking to lease smaller housing. B. Blaney provided some ideas to discuss with the business owner. Claimed that the business owner wants to invest in cleaning up the building, however, is reluctant without Zoning approval for the change, considering he's lost money from the property in recent years. Stated that it would be good to have more senior housing in the city. Will contact the businessman and discuss the matter more thoroughly with Councilman Marrone. The Atlantic County Economic Alliance will join them on September 19th at the Finance Committee meeting for a presentation, before the next Council Meeting. Next meeting will be October 2nd at 6PM in City Hall.

Councilman Clark: Asked Councilwoman Cain to inform the public as to why the Zoning Board twice rejected the businessman's request.

Councilwoman Cain: Does not know exactly. According to the minutes, he was told to put a gas station or dollar store there instead. In order to become an apartment building, the zoning of the area may need to be changed. Mentioned that certain assisted-living facilities fall under commercial zoning. Reiterated that she personally supports the endeavor and sees no issue.

Councilman Clark: Thought the applicant would have explained exactly why his request was rejected by the Zoning Board.

Council President LaRotonda: Clarified that the decision is ultimately the Zoning Board's, and that City Council has no jurisdiction over Zoning Board approvals. While Council may voice their opinion and give advice, the members of the Zoning Board are appointed and Council must respect their decisions.

B. Blaney: The Zoning Board looks at whether the building is zoned for appropriate use.

Ed Dennis: Explained that he is the Zoning Board Engineer in addition to being the City Engineer. The applicant's request was for residential-use in a commercial zone. When applications come to the Zoning Board, there are very strict state criteria, and the Board must adhere to a very strict analysis of whether the application satisfies different criteria. The Board would vote against such a project is because the application is not in line with the specific criteria. Explained that the decision to approve or reject is not simply based on whether they think it's a good idea conceptually.

B. Blaney: If the presentation is not thorough enough, that could result in its rejection.

Councilwoman Cain: Hopes that the decision is not based on a single person. Asked whether an applicant could request a zoning change to redevelop the area.

E. Dennis: Explained that the applicant could appeal the Zoning Board decision or the City could change the Zoning (lengthy process, which is why they use variances instead).

Greg Seher – Zoning Board Vice Chair: Explained that the applicant has come before the Zoning Board twice. His most recent application was submitted in April and was developed based on the feedback given to him after his initial variance rejection. Identified the building in question as the large brown building located at 705 White Horse Pike. Acknowledged that while he cannot speak for every Board Member, provided a generally overview of Board discussions on the matter. The Building is currently in a Highway Commercial Zone. Noted that the Zoning Board sets precedent in their decision-making, and that it is, therefore, taken very seriously. There are several concerns for having a residential area in the Highway Commercial Zone that the Board deliberated upon. The more residential area, the less area for commercial-use in the city. Does not want to limit area for commercial-use. Also, the White Horse Pike is a very dangerous roadway, so there is concern about having people living at the building in question. The size of the units was also discussed. Reminded the public that they are welcome to attend the Zoning Board Meetings to weigh in. The Master Plan, which falls under the Planning Board, could potentially re-zone areas. The Council would then be the authority to give ultimate approval.

Councilman Clark: Emphasized the safety concerns of the matter. Commented that many pedestrians are hit by cars in the area.

Councilman Marrone: Thanked G. Seher for explaining the situation so clearly and thoroughly.

Reiterated that not much background was provided by the applicant at the Economic Development

Meeting.

Councilwoman Cain: Asked whether the applicant could apply for a variance.

E. Dennis: Explained that they did and that was what they were denied.

Councilman Cain: Has observed homes on Route 30 that are located closer to the road than the building in question. Maintains that the plans would be beneficial. Commented that the units would bring in ratables for the City, and the applicant would also be improving the curb appeal of the building. Wants to help, both, the applicant and the City.

G. Seher: Understands the applicant's plight. As conveyed by the applicant, offices have been hard to rent out, particularly since the pandemic. Reiterated the Boards concerns, especially about safety.

Councilwoman Cain: Will tell applicant to go back to this meeting so he can see what has been said. Indicated that he was going to come to the meeting, however, he did not because it was assumed that the matter would be sent to a Committee before Council discussed it.

G. Seher: Advised that this information had already been shared with him at Zoning Board Meetings.

Councilman Marrone – Public Works: Next meeting will be on September 9th at 5PM (postponed due to Labor Day.) Have not met since last Council Meeting. Announced that the potholes on New Jersey Ave. have been milled and paved.

Council President LaRotonda: A study on Pitney Road was conducted in conjunction with the County. E. Dennis has submitted the study to the County and the Engineers are now on it. They plan to get several remaining matters taken care of before they begin re-paving the road. The entire portion of Pitney Road will be paved this year. Some improvements will be completed before the paving process and others, during.

Councilman Clark – Finance: Have not met. Next meeting will be September 19th at 5:30PM.

Councilman Light – Parks & Playgrounds: Covered by Councilwoman Parker.

J. Thompson – CFO/Admin.: No report.

E. Dennis – City Engineer: Provided several updates. Confirmed that New Jersey Ave. has been milled and paved. The lighting portion of the job is a separate contract with Atlantic City Electric, so the lighting foundations are all constructed, but the light poles have yet to be installed. They will need to get the installation scheduled with the electric company. The project on Calderon Avenue is in progress, as the drainage work has been complete. They are currently working on the concrete. Reminded the public that the project was held up for a few months by the State due to permitting. Originally expected work to be completed by now. The next projects to be undertaken include the Tennis Courts Reconstruction Project (Current Status: Contractor is under contract and City is currently picking out colors; Soon to schedule start date) and the Crestview Avenue Sidewalk Project (scheduled to begin on September 9th). The Crestview Avenue Project will encompass tree clearing, drainage pipework, and then concrete. The workers on the project are working very closely with homeowners to ensure proper coordination.

Mayor Horton: Asked for updates on the Shore Road Project.

E. Dennis: Does not have any significant updates. Currently waiting on 3 property owners to sign access forms. Currently working the County. A large hang-up remains the Right of Way, but they have come up with a strategy of how to move forward on that holdup. The plans have been ready to go out to bid for, not months, but, years. Will be discussing the situation with the Public Works Committee at their next meeting. Hopes to have a positive update in the near future. Understands the frustration.

City Clerk: Monthly Report – July 2024

- Municipal Court: \$14,848.65

- Tax Office: \$2,037,143.35
- Construction Office: \$17,931
- Municipal Clerk's Office: \$6,979

Mayor Kim Horton: Commended the Police, and particularly the injured Officer, on the outstanding work they did the other day to apprehend the suspect carrying a handgun and wanted for numerous outstanding warrants. Contacted the injured officer and offered any assistance that she may provide. Also spoke with his family. Praised Absecon's Police force. Thanked Chief Laughlin and his Police Dept. for always doing an exceptional job keeping their residents safe. Acknowledged teachers and students return to school this week. As a former school teacher, noted the excitement during this time of year. Described the joys experienced while working with students in the school system. Cautioned the public to be mindful of students traveling to and from school. As a member of the Senior Center Board, announced that their next meeting will be on October 10th at the Methodist Church.

PUBLIC PORTION

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

Josiah Andrews – 27 School Street: Has an issue regarding the cemeteries. Walks with his dog and son through the privately-owned cemeteries. Had an encounter with an individual who claims he has permission from the landowner to walk his unleashed dogs in the unfenced cemetery. Wants to prevent any incident occurring with the individual or his unleashed dogs. Previously spoke with Councilman DeRose about the matter, and the advice he provided was to call the Police. Has since made numerous calls to the police (for which the individual confronted him over), to no avail. Asked what is the best course of action for him to take or whether there is an ordinance of some kind that would prevent this individual from unleashing his dogs in the cemetery. Commented that there are 3 childcare facilities in the area. Suggested that the unleashed dogs are a danger to the children's safety.

Council President LaRotonda: Asked J. Andrews whether he spoke to the church about the issue.
J. Andrews: No, because, based on conversation, it seemed like the cemetery was owned by a 3rd party.

B. Blaney: Explained that cemeteries are usually owned by a Trust. Offered to check tax records to see who owned the property and possibly reach out to them to discuss the issue.

J. Andrews: Asserted that he has no problem with unleashed dogs on private property, but the property in question is not fenced in. Concerned about safety while walking on the sidewalk with his dog and son.

Councilwoman Cain: Asked whether the dogs were aggressive.

J. Andrews: There was an encounter where the dogs ran off their porch and across the street while he was walking. Clarified that while nothing occurred, he is still concerned.

Councilman Clark: Asked whether dogs were allowed to be off-leashed in the city.

J. Andrews: Explained that the individual possesses a leash which he uses to walk the dogs from his house to the cemetery.

B. Blaney: The first course of action is to find out whether he actually has permission from the owner. Indicated that the City could find out that information for him. Doubts that this individual has actually obtained permission. Another alternative is to have a fencing requirement, but that would impact not just this cemetery.

Councilwoman Cain: Has observed people allowing their dogs to run unleashed down at Franklin field, although it's not allowed.

B. Blaney: If the City discovers there is no permission granted, they will have issue with it.

Chief Laughlin: Offered to speak with J. Andrews after the meeting.

Greg Seher – 625 Yarmouth Avenue: Stated that the City, via Resolution, allows organizations to conduct Coin Drops. Suggests that the City require similar action for panhandlers. In this case, if a panhandler has not obtained permission, they may receive a ticket or some sort of citation.
Council President LaRotonda: Most panhandling in the city occurs on the White Horse Pike, which is a County road. Therefore, the City would need County approval after municipal approval.
Emphasized the safety issue.

Chief Laughlin: Informed G. Seher that the Police Dept. have issued citations to panhandlers who impede traffic and enter the roadway, as they are a danger to safety and in violation. They cannot penalize someone for standing at the side of the roadway.

B. Blaney: The situation is based on Case Law allowing free speech and ensuring other Constitutional protections.

Chief Laughlin: Pointed out that panhandlers continue to be present because people continue providing them money.

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

ADJOURNMENT

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

Respectfully submitted,


Carie A. Crone, City Clerk

Approved: 9-19-24