

**CITY COUNCIL MEETING MINUTES
THURSDAY, MAY 12, 2022 - 6:00 P.M.
CITY HALL COUNCIL CHAMBERS**

ATTENDANCE: Ms. Bergman, Mr. Crowley (6:40 p.m.), Mr. Hartzell, Mr. Levchuk, Mr. Madden (6:07 p.m.), Mr. Rotondi and Mr. Barr. Present also was Mayor Gillian, Business Administrator, Mr. Savastano, and Solicitor, Ms. McCrosson.

Council President Mr. Barr called the meeting to order and asked everyone to rise for the flag salute and prayer. Mr. Hartzell led the prayer. Mr. Barr announced that adequate notice of this meeting has been given pursuant to Public Law 1975, Chapter 231.

REPORTS – MAYOR & ADMINISTRATION:

Solicitor; Ms. McCrosson asked that Resolution No. 12 be removed from the consent agenda for further review.

CITIZEN COMMENT:

Kathy Hogan – 612 Wesley Ave – expressed her thoughts and concerns about the lifeguard salaries and mentioned that Stone Harbor and Avalon pay \$20.00 an hour. She thinks that Ocean City needs to pay more and keep the guards from going to work elsewhere.

Rory Thomas – 3037 Central Ave – explained why he is requesting an encroachment on his property and also stated that Jessica Fenton has been extremely helpful and professional during the process. (Resolution No. 22)

Donna Moore – 21 Ocean Ave – spoke about Resolution No. 13 and emphasized the importance of protecting natural resources and having eco-friendly lands. She also requested that Resolutions 23 and 24 be pulled. She is not in favor of allowing encroachments.

John Walton – 846 3rd Street – invited everyone to attend the Business Persons Plunge on Friday, May 27th at 11:30 a.m. on the 9th Street Beach to “Unlock the Ocean” for the 2022 summer season. Registration can be done online at www.ocnj.us/bizplunge.

REPORTS – CITY COUNCIL:

Ms. Bergman provided a report on the Tourism Commission meeting.

APPROVAL OF MINUTES:

Mr. Barr asked for a motion to adopt the regular city council meeting minutes of Thursday, April 21, 2022. Motion made by Mr. Madden, seconded by Mr. Crowley. All ayes followed.

RESOLUTION – NON – CONSENT:

22-58-361 - #1 - A Resolution Authorizing a Closed Session for the Purpose of Discussing Anticipated Litigation and Contract Negotiations (Contracts for Municipal Solid Waste Services, Collection/Disposal of Recycling Materials and Recycling & Solid Waste Containerized Services) and for the Purpose of Discussing Contract Negotiations for City Contract #22-14, Jitney Services

Mr. Barr asked for a motion to adopt Resolution No. 1. Motion moved by Mr. Hartzell, seconded by Mr. Levchuk. All ayes followed.

ORDINANCE: INTRODUCTION & FIRST READING:

Mr. Barr asked for a motion to take up Ordinance No. 22-08 on first reading and introduction. Motion moved by Mr. Madden, seconded by Mr. Rotondi. All ayes followed. The clerk read the ordinance by title. **Ordinance No. 22-08 - An Ordinance Amending a Portion of Ordinance 87-17, Chapter VII, Traffic, of the Revised General Ordinances of the City of Ocean City to Reflect Changes**

Solicitor, Ms. McCrosson provided an explanation on the ordinance. Mr. Barr asked for a motion to adopt Ordinance No. 22-08 on first reading. Motion moved by Ms. Bergman, seconded by Mr. Rotondi. All ayes followed. Mr. Barr announced that second reading and public hearing is scheduled for Thursday, May 26, 2022 and will be published according to law.

ORDINANCE: SECOND READING & PUBLIC HEARING:

Mr. Barr asked for a motion to take up Ordinance No. 22-06 on second reading. Motion moved by Mr. Madden, seconded by Ms. Bergman. All ayes followed. The clerk read the ordinance by title. **Ordinance No. 22-06 – An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank per (N.J.S.A. 40A:4-45.14) for Calendar Year 2022**

CFO, Mr. Donato provided an explanation on the ordinance. There was some discussion and Mr. Barr opened the meeting up for public comment on the ordinance. No one wished to speak so Mr. Barr closed the public comment portion of the meeting on Ordinance No. 22-06. Mr. Barr asked for a motion to adopt Ordinance No. 22-06 on second reading. Motion moved by Ms. Bergman, seconded by Mr. Rotondi. All ayes followed.

RESOLUTION – NON – CONSENT:

A Resolution Adopting the 2022 Local Municipal Budget

CFO, Mr. Donato provided an explanation and Mr. Barr then opened the meeting up for public comment. No one wished to speak so Mr. Barr closed the public comment portion of the meeting. Mr. Donato further explained that due to the result of the closed session, contract negotiations are being worked on with the trash and recycling company. He recommended that the adoption of the budget be tabled until May 26, 2022 so that council can digest any impacts to the budget.

Mr. Barr asked for a motion to table the adoption of the 2022 Local Municipal Budget. Motion moved by Mr. Madden, seconded by Ms. Bergman. All ayes followed.

RESOLUTION – NON – CONSENT:

22-58-381 - #23 - A Resolution Authorizing the Execution of a Revocable License for Retaining Wall Encroachment for Placement of Retaining Walls within the City Unimproved Alley Right-of-Way Adjacent to the Property Located at 3845-47 Central Avenue, Lot 1, Block 3801

Mr. Hartzell asked for Resolution No. 23 to be pulled from the consent agenda so that he could have time to go and look at the property. Mr. Barr opened the meeting up for public comment on Resolution No. 23 and no one wished to speak. Mr. Barr asked for a motion to adopt Resolution No. 23. Motion made by Mr. Madden, seconded by Mr. Crowley. All ayes followed with the exception of Mr. Hartzell who abstained.

RESOLUTIONS – CONSENT AGENDA:

22-58-362 - #2 - A Resolution Authorizing the Extension of City Contract #21-20, Vending Machine Services for the City of Ocean City & Members of the Ocean City Cooperative Pricing System (251COCCPS)

22-58-363 - #3 - A Resolution Authorizing the Award of City Contract #22-13, Spring 2022 Road & Drainage Improvements at Various Locations

22-58-364 - #4 - A Resolution Authorizing the Award of City Contract #22-14, Jitney/Trolley Transportation Services for the City of Ocean City

22-58-365 - #5 - A Resolution Authorizing Change Order #2, Final Acceptance & Final Payment to City Contract #19-34, City Hall Restroom Improvements

22-58-366 - #6 - A Resolution Authorizing Change Order #2 to City Contract #20-01, 2020-2022 Firework Shows for the City of Ocean City & #251COCCPS Members

22-58-367 - #7 - A Resolution Authorizing the City's Participation in New Jersey State Contract #T2989: Communications Wiring Services for the Private Fiber Optic Network Installation Project

22-58-368 - #8 - A Resolution Authorizing the City's Participation in the Omnia Partners-Public Sector Contract #R200701 for Managed Business/Operational Services & Solutions for the Department of Administration & Financial Management

22-58-369 - #9 - A Resolution Authorizing the Submission of HUD CDBG Substantial Amendment to the 2021 Annual Action Plan – TBD Infrastructure Project

22-58-370 - #10 - A Resolution Authorizing the Consent of Assignment for City Contract #20-19, Emergency Medical Billing Services from Cape Professional Billing D/B/A Cape Medical Billing to Administrative Advantage, LLC

Removed by Administration #12 - A Resolution Reinstating the Ocean City Sentinel as an Official Newspaper of the City of Ocean City

22-58-371 - #11 - A Resolution Authorizing and Adopting a Sustainable Land Use Pledge

22-58-372 - #12 - A Resolution Consenting to the Mayor's Reappointment of Lauren Cowden as a Member to the Ocean City Library Board of Trustees

22-58-373 - #15 - A Resolution Authorizing the Release of a Maintenance Guarantee for a Construction Project at 111 9th Street, Block 809.01, Lot (S) 1; Project # 18-006PBA

22-58-374 - #16 - A Resolution Authorizing the Release of a Maintenance Guarantee for a Construction Project at 2218 Wesley Avenue, Block 2201, Lot (S) 17; Project #18-025PBA

22-58-375 - #17 - A Resolution Authorizing the Release of a Maintenance Guarantee for a Construction Project at 914 Ocean Avenue, Block 902, Lot (S) 8; Project #18-033PBA

22-58-376 - #18 - A Resolution Authorizing the Release of a Maintenance Guarantee for a Construction Project at 12 Cardiff Road, Block 70.67, Lot (S) 2.03; Project #18-034IPBA

22-58-377 - #19 - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 719 10th Street and 943 Ocean Avenue, Block 901, Lot (S) 25 & 26; Project #14-014PSPF

22-58-378 - #20 - A Resolution Authorizing the Release of a Performance Guarantee for a Construction Project at 910 Ocean Avenue, Block 902, Lot 7; Project #20-018PBA

22-58-379 - #21 - A Resolution Approving Tax Overpayment Refund #22-10

22-58-380 - #22 - A Resolution Authorizing the Execution of a Revocable License for Fence Encroachment for Placement of a Fence within the City Right-of-Way Known as Central Avenue Adjacent to the Property Located at 3037 Central Avenue, Lot 1.04, Block 3001

22-58-382 - #24 - A Resolution Authorizing the Execution of a Revocable License to Permit Retaining Walls to Encroach onto the City-Owned Parcel Known as Lot 3, Block 4701.02 which is Adjacent to the Property Located at 504 St. Davids Place, Lot 2, Block 4701.02

22-58-383 - #25 - A Resolution Authorizing the Payment of Claims

Mr. Bar asked for a motion to adopt the consent agenda. Motion moved by Mr. Madden, seconded by Mr. Crowley. All ayes followed.

PENDING BUSINESS:

Mr. Hartzell informed everyone that he will not be in attendance at the May 26th council meeting.
Mr. Barr announced that he will have a 4th Ward meeting on Saturday, May 21st at 11:00 a.m. at the American Legion and all are welcome to attend.

NEW BUSINESS:

Mr. Hartzell congratulated the Mayor, Pete, Karen and Tony P on the election and wishes them well.
Mr. Crowley said congratulations to the Mayor, Pete, Karen and Tony P on the election and looks forward to working with them.
Mr. Barr congratulated the Mayor, Pete, Karen and Tony P on the election and looks forward to working with them.

CITIZEN COMMENT:

Dorie Good – 3946 Asbury Ave - asked about Resolution No.'s 23 & 24 and wanted to know if city council has gone to look at the properties. She also wanted to know if the fire department ever gets involved and inspects how close the properties are to each other.

Donna Moore – 21 Ocean Ave – asked and spoke about how much square footage gets to be used by private land and should the city be giving away the dunes.

Lloyd Hayes – 15 Caroline Lane – congratulated the Mayor and the elected council members. He said now that the election is over it is time to get back to work.

ADJOURN:

Mr. Barr asked for a motion to adjourn. Motion moved by Mr. Madden, seconded by Mr. Crowley. Meeting adjourned at 7:57 p.m.



Melissa Rasner, City Clerk