



CITY OF ABSECON
Municipal Complex
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CITY COUNCIL

SEPTEMBER 19, 2019

REGULAR MEETING MINUTES

The meeting was called to order by Council President Bennett at 7:00 p.m.

FLAG SALUTE

INVOCATION – Rev. LaTasha Milton, Asbury UMC, Atlantic City

ROLL CALL

Present: Cain, Howell; Light, Phillips, Seher, Bennett

Absent: Cavileer, Mayor

Also present: Fred Scerni, Jessica Thompson, Carie Crone

STATEMENT OF THE SUNSHINE LAW

NOTIFICATION THAT THIS MEETING IS ELECTRONICALLY RECORDED – Keith Bennett

REGULAR MEETING

2019 ORDINANCES FOR ADOPTION

- 12** Ordinance amending the Code of the City of Absecon to add a New Chapter to prohibit short term (30 days or less) Residential Rentals and repealing all Ordinances heretofore adopted, the provisions of which are inconsistent herewith.

Keith – this is basically to address Air BNB's, so that residential areas don't become too inundated with short term rentals, which have been found to be a problem.

Chris – asked which committee this went to.

Jessica –it didn't; we discussed it at the agenda meeting

Chris – which council members and/or staff thoroughly reviewed this to make sure it's the right thing for us? He knows that using someone else's ordinance is okay, but he wants to know if it's good for Absecon.

Keith – he has not reviewed it thoroughly. It was discussed at the agenda meeting and he doesn't know if Mr. Scerni has reviewed it yet.

Fred – he has reviewed and he knows Linwood has adopted it and he has not heard of any challenges to it. The concept is new and has not been challenged, but because it is new, he can't predict what the result would be if someone did challenge it. You are prohibiting a use and there is no case law.

Chris – what made us decide that we needed to do this? Where did the issues or complaints come from?

Jessica – she's heard there have been some complaints. The Construction Official and Code Enforcement office brought it to her attention.

Frank – questioned if there is a limit to the number of people in a dwelling and is there any noticing done to let people know that this type of use will be used in their area.

Fred – this is for residential homes or areas so there are no noticing requirements with the conduct that this ordinance seeks to limit. There is no type of registration for this type of use. That's why this ordinance is being introduced. If every rental has to be for 30 days or more, the likelihood of the kinds of activities that you are describing, goes away.

Motion for introduction – Councilman Light – second – Councilman Seher

ROLL CALL: Cain, yes; Howell, yes; Light, yes; Phillips, no; Seher, yes; Bennett, yes

2019 RESOLUTIONS

- 135** Authorizing a refund of overpayment of taxes for the 3rd Quarter of 2019 on the listed properties.

PUBLIC PORTION (Agenda items only)

Motion to open to the public – Councilwoman Howell – second – Councilman Phillips

All were in favor.

Michael Reilly -444 4th Street – asked how this new ordinance regarding air bnb's effect the existing Pitney House in the city.

Keith – this wouldn't affect them or the hotels

Motion to close public – Councilman Phillips – second – Councilman Light

All were in favor.

CONSENT AGENDA

Resolutions 135 was read again for approval.

Motion to approve consent agenda – Councilman Phillips - second – Councilman Light

ROLL CALL: Cain yes; Howell, yes; Light, yes; Phillips, yes; Seher, yes; Bennett, yes

APPROVAL OF BILL LIST - \$1,534,134.44

Motion to accept the bill list – Councilman Seher – second – Councilwoman Cain

ROLL CALL: Cain yes; Howell, yes; Light, yes; Phillips, yes; Seher, yes; Bennett, yes

APPROVAL OF MINUTES

Regular Meeting Minutes – 9/5/19

Closed Meeting Minutes – 9/5/19

Motion to approve – Councilman Phillips – second – Councilman Light

ROLL CALL: Cain yes; Howell, yes; Light, yes; Phillips, yes; Seher, yes; Bennett, yes

REPORTS

Frank – Public Safety – said a little about Mark Patten, a volunteer Absecon fireman who just passed away after a battle with cancer. Services are this coming Saturday.

Chief DeRitis – yesterday we had to close E. Wyoming Avenue for a large tree that fell. It happened at noon and by 6:30 p.m. it was cleaned up.

He attended a meeting at AC Electric and they will be doing a lot of work on Rt. 30 replacing the poles by helicopter. Pleasantville will have two officers there and we will have one. The overpass will have to be closed for some of the time. The project should run from October 1st to April 1st – 7 days a week – 10 hours a day.

Frank – tower 8 is back in service at the cost of \$12,000. It's getting old and the tires will be the next thing to be replaced. They did receive a grant in the amount of \$12,400 and that money is earmarked for a fit test machine that tests their machines. He spoke to Barry and 4 interns have been hired part time bringing their members to 25. They received an insurance renewal and it went up \$5,000, but they are hoping it's a mistake. They got a contract extended until the end of the year, but will have to bid again for it then. They are working with two collection agencies for outstanding bills in the amount of \$76,000.00

Steve – he was very proud at the 9/11 memorial that was held

Betty – Economic Development – ABCD is having their social on 9/23 at Rifici's and the transit village will be discussed. She thanked the 9/11 committee who put on the memorial. Her next meeting is 10/3 at 6:30 p.m.

Steve - Parks and Playgrounds – the badges for the coaches is being managed. Veteran's Park is being readied for Veteran's Day. They will possibly meet with the school board for some possible enhancements to a field at the school for the lacrosse team. The concerts in the park had a great season. His next meeting is 10/15.

Keith - 9/28 is the Blue Devils home opener day. Monday, 9/30 @ 5:00 p.m. is the annual powder puff game, which is a fundraiser for the cancer fund.

Chris – Finance – they met earlier and they spent most of the time getting educated by the Superintendent of the Greater Egg Harbor Regional HS, John Keenan. They talked numbers and the expansion of ACIT which affects them. They send about 25% of students to ACIT and we send about 8%. There will be a meeting with all the superintendents and the County on October 1st to discuss the financial impact of all the towns sending kids to ACIT. ACIT is supposed to be receiving funding to expand their campus from 1700 students to 2200. If you don't apply as an 8th grader to go there, then you won't be able to go. Greater Egg Harbor Regional HS has established a program where someone could end up with an Associate's Degree when they graduate from high school. You have to pay, but it's about half the cost of the regular fee.

Sandy – Community Affairs – announced some upcoming events in town. Her next meeting is 10/3 at 6:00 p.m.

Jessica – she reported that the bill list tonight had the bills from the Planning Board professionals for the city's application for the minor subdivision and site plan of the American Legion lot and the courtesy firehouse review totaling \$9,862.00; \$6,762.00 was for the subdivision and \$3,100.00 for the courtesy firehouse review. Andy Previti's were \$3719.00 and Rob Reid's were \$2,722.00; Mike Fitzgerald's were \$3,185.00 and Al Litwornia was \$236.00. In addition to that, our city engineer and solicitor were required to put in additional hours over and above what we anticipated to react to all the

extra and duplicated work that had to be done for another \$5,000.00.

Jen Harvey, the communication director was able to work with Pleasantville, who has transferred their dispatch center to EHT, to purchase their fairly new radio system for our use. It's five years old, but it's the most up to date models available and in excellent shape. A new system would cost \$110,000, but we got this for \$11,000 and about \$3,500 for installation and software. She also worked with the company that does our phone lines and they made it more efficient by changing circuits and removing unnecessary connections and it actually came with a cost savings of \$20,000 annually. Absecon is on par or better than average with our insurance claims. We should receive dividends of \$62,000 next year and we usually put that towards the next year's premium. The Annual Best Practice inventory survey was received from the State and it was completed and our score was 43.5 this year and you need a 30 or higher to not lose any aid.

Chris – requested it be sent to all of council members

Jessica – we need to update our cyber security plan with JIF and it needs to go into a written policy. She then read a letter regarding the census and next year everyone will get notification to complete a census and are confidential and are for statistical use only. She gave an update on Public Works since Caleb wasn't in attendance. We had the pre-bid for the firehouse construction and a few companies came to ask questions. We will open them on October 10th. The generator project should begin in mid to end of October. A preconstruction meeting for the road program is scheduled for late next week and that work should start soon thereafter. Public Works discussed amending an ordinance for placement of refuse containers by requiring that they be stored on the side or rear of the premises. Apparently, some residents leave them out by the curb and there have been complaints. It can't be enforced without proper wording, so it's a minor addition to the current ordinance. It might be ready for the next meeting.

Chris – he spoke to Ed about the demolition of the building we purchased and he saw we could actually see it begin next week.

Jessica – the P.O. was done today and the time frame said within 30 days, but it could start earlier. The firemen were in it already, but they will be told this information as well.

Steve – complimented our addition on the wall and how it is recording the meeting now. He got a big thank you from one of the residents on Elm and Caralena Court regarding the new lights installed on that street.

Jessica – the lighting on Ohio Avenue will be made brighter and another pole will be added on the opposite side of the street and hopefully that will do the trick. If not, we will consider something else.

MONTHLY REPORTS - Carie

Tax Collection - \$4,303,799.22

Construction Office - \$9,434.00

Municipal Clerk - \$3,765.00

Municipal Court - \$13,541.42

Keith – since the Mayor couldn't be in attendance, she asked him to read a proclamation for Knockout Opioid Abuse Day on Oct. 6, 2019.

PUBLIC PORTION

Motion to open to the public – Councilman Light - second – Councilwoman Cain

All were in favor.

Sandy Hickerson – 210 Upland Ave. – she wanted to follow up on the idea of Absecon becoming a non-sanctuary city. Have you been able to have any discussion yet or thoughts on the subject?

Keith – we made a committee and he asked them

Chris – the committee has not met formally. We were waiting for the County to retake up this issue. He heard the County has elected to permanently table the idea. He did reach out to one of the Freeholders and discussed it with him, but no one else. He thinks those elected officials have decided it was too controversial. He has read the Attorney General's Proclamation from November; has talked to the Chief of Police and some dialogue with Council. There's a lot to learn about it. He feels this is going to end up at the Supreme Court someday. For those reasons, he feels the County has backed off from their resolution. Until he gets a lot more information from the County, he doesn't have any issue to move forward on it.

Frank – he did some research as well, you can interpret it ten different ways on what the local police can and can't do and what we can do as a town. We can say we don't want to be a sanctuary city, but we can't lawfully uphold it. Our police officers can work with ICE though.

Betty – if a police officer makes an arrest, they can't call ICE and she has a problem with that.

Frank – that's correct in that they can't make a phone call to them and say they have someone. We all have a problem with that.

Keith – that's what we all were trained for and everyone has their own opinion. He's an officer and he will uphold the constitution of the USA.

Michael Reilly – 444 4th Street – asked how the transit village designation is proceeding. One of the primary requirements is to construct high density housing. How would that be accomplished?

Jessica – we are still in the works

Betty – the representative we hired will be a speaker at the ABCD meeting on Monday night and she invited him to come.

Keith – before anything gets done we will have a presentation from our consultant who is putting this together. Personally, he doesn't like the idea of high density housing.

Chris – our consultant was told it could be a two year process. His understanding is that we have to rezone the area near the train station to show High Density Residential as a permitted use.

Motion to close public portion – Councilman Seher – second – Councilwoman Cain
All were in favor.

ADJOURNMENT

Motion to adjourn – Councilman Phillips – second – Councilwoman Howell
All were in favor.

Respectfully submitted,


Carie A. Crone, City Clerk

Approved: 10/3/19