

CITY OF PORT REPUBLIC
6:30 p.m. AUGUST 20, 2013
REGULAR CITY COUNCIL MEETING

Adequate notice of this meeting was given as required by the Open Public Meetings Act. On the motion of Council President Rummler, seconded by Councilmember Bugdon, and carried to close the workshop portion of the meeting.

COUNCILMEMBERS PRESENT: Donna Riegel, Doris Bugdon, John Adams, Kevin Wessler, Craig Rummler, Charles Endicott

COUNCILMEMBERS ABSENT: Roger Giberson

MAYOR: Gary B. Giberson

ACTING MUNICIPAL CLERK: Kimberly A. Campellone

ATTORNEY: Kimberly Procopio, Esq.

Council President Craig Rummler called the meeting to order and lead the flag salute. This is to advise the general public and to instruct that it be recorded in the minutes, in compliance with Chapter 231 of the Public Laws of 1975, entitled the "Open Public Meetings Act". The Municipal Clerk of the City of Port Republic posted at City Hall, 143 Main Street, Port Republic and mailed and/or faxed to the Atlantic City Press and the Mainland Journal, a meeting notice setting for the time, date and locations of this meeting.

MOTION TO APPROVE JULY 9, 2013 CITY COUNCIL MEETING MINUTES

On the motion of Councilmember Bugdon, seconded of Councilmember Riegel and carried.

YES: Adams, Rummler, Bugdon, Riegel, Wessler, Endicott

NO:

ABSENT: Giberson

ABSTAIN:

MOTION TO APPROVE JULY 9, 2013 EXECUTIVE SESSION MEETING MINUTES

On the motion of Councilmember Bugdon, seconded of Councilmember Riegel and carried.

YES: Adams, Rummler, Bugdon, Riegel, Wessler, Endicott

NO:

ABSENT: Giberson.

ABSTAIN:

MOTION TO APPROVE AUGUST 2013 BILL LIST

On the motion of Councilmember Riegel, seconded of Councilmember Wessler and carried.

YES: Adams, Rummler, Bugdon, Riegel, Wessler, Endicott

NO:

ABSENT: Giberson

ABSTAIN: Bugdon 13-00293 13-00344, 13-00343

MOTION TO PAY ALL SIGNED BILLS

On the motion of Councilmember Riegel, seconded of Councilmember Wessler and carried.

YES: Adams (Exception 13-00334), Rummler, Bugdon, Riegel (Exception 13-00334), Wessler, Endicott (Exception 13-00334)

NO:

ABSENT: Giberson

ABSTAIN: Bugdon 13-00293 13-00344, 13-00343

Police/Emergency Management:

Mayor Giberson and Gina Simon continue to work on the Hazard Mitigation Plan with Egg Harbor City, Buena Vista and Somers Point. Additionally the county emergency management is currently revising its shelter plans.

Mayor Giberson would like to look into appointing a constable to aid in the vandalism (discussion to continue under new business).

Administrative/Personnel:

Nothing new to report.

Public Works:

The public works department continues to accomplish their tasks. James Milton and Daniel Giberson have recently attended a meeting at the ACUA regarding recycling. In addition a large amount of top soil has been dumped in at the transfer station from the work done at the substation with the possibility to use at the new city hall and residents. Furthermore, Atlantic City Electric will be installing two street lights at the gate.

Recreation:

Beach was closed several days in July. There were six parties in the pavilion including the Army Reserve and Galloway EMS. There are several parties scheduled in August as well including the Port Republic Volunteer Fireman's BBQ.

United Soccer will not be using the field this year. Therefore the baseball teams that have been using fields over the spring and summer will continue to utilize the fields in the fall.

The clean team will finish up Friday, August 30, 2013.

Fire and Ambulance:

President Rummler commended and thanked the Port Republic Fire Department on their response to the fire on Old New York Rd.

Councilman Wessler reminded everyone to call the fire department first before trying to put the fire out yourself. Additionally, the fire department received two other calls, one from Oceanville and another from Bayview.

Kimberly Procopio will bring a sample resolution to the next meeting for the recapture of monies associated with emergencies; such as, the instance with the foam used on the fire at Old New York Rd. This would allow the City to bill the insurance companies for expense of the foam used during the fire.

Board of School Estimates:

The 2013-2014 enrollment is, grade K -18, grade 1-15, grade 2-14, grade 3-12, grade 4-18, grade 5-7, grade 6-15, grade 7-21, grade 8-8 for a total of 128. As a result there may be the need to look into having more school buses. This would be a positive, since keeping the numbers up helps with state aid. Also the next school board meeting is August 21, 2013 at 4pm.

Planning Board:

Planning board met on August 12, 2013 they are recommending a Sandy exception ordinance. However, a new homeowner land use law was passed stating that homeowner's can raise their homes without going through local zoning or planning boards. Therefore the need for the ordinance may be in question.

Code Enforcement:

A few neighbor issues are being taken care of.

Construction:

Sixteen inspections were completed. Permits were issued for three alterations; one zoning permit, one CO resale inspection; for a total of five.

Councilman Wessler expressed his concern that the Vekteris property is not properly fenced. Mayor Giberson stated that caution tape would suffice as a fence and it does perform the same function as a fence.

Senior Services:

Health aids continue to be distributed.

Finance:

No report.

Building:

The new city hall advisement will be August 26, 2013, the addendum will be September 10, 2013 and bid opening will be September 24, 2013. Special council meeting will be on September 24, 2013 at 6:30pm.

OPEN TO PUBLIC PORTION

On the motion of Councilmember Bugdon, seconded by Councilmember Wessler and carried.

Amy Nass, PTS President, 344 Old New York Rd., September 15, 2013 will be the Cardboard Boat Regatta; races start at 12:00 pm. September 8, 2013 at 2:00 pm will be a boat building clinic at the gazebo. She thanked Councilwoman Bugdon and Mayor Giberson for their help.

Bill Smallwood, Clarks Landing Rd, Half Iron Man will be September 7, 2013. Bill informed that the State troopers do not want to assist without an overtime detail. Mayor Giberson stated that he would reach out to the Sheriff department to see if additional officers would be available. The transfer station will be open with limited hours.

Anna Dabrowska, 137 Clarks Landing Road, stated that she has been experiencing someone ringing her doorbell, bang on door and other vandalism. Bill and Shirley Levins along with Jaime Ganiels have experienced similar occurrences. She stated that the State Police have done nothing to assist.

Roberta Valster 204 Sanford Lane, also stated that she has experienced similar occurrences. Kimberly Procopio suggested she contact the State Police and report a break in. Councilwoman Bugdon suggested a trail camera.

CLOSED TO THE FLOOR FOR TOPICS FOR PUBLIC PORTION:

Hearing nothing further from the public, Councilmember Bugdon moved, seconded of Councilmember Wessler and carried to close the public portion.

CORRESPONDENCE:

Letter dated July 23, 2013 FY 2014 Municipal Aid & Bikeway Program
Requesting Mill and Blakes Lane as alternate.

Letter dated July 29, 2013 Street Lighting (*Mayor Giberson*)
Complete/Acknowledged

Rabies Concerns from resident Arthur Snellbaker
Acknowledged

Letter dated August 1, 2013 from ACUA cost increase 1.51%
Acknowledged

Thank you letter from Galloway Twp. Ambulance Squad.
Letter acknowledged; the Galloway EMS was provided wrist bands so that they could utilize the beach. To show the City's appreciation they were not charged to use the recreation area.

Letter dated August 8, 2013 to resident Higgins concerning his water quality.

Acknowledged

Letter dated August 8, 2013 from South Jersey Gas regarding roadways.

Acknowledged

RESOLUTIONS:

61-2013 Granting Raffle License Port Republic PTS

On the motion of Councilmember Bugdon, seconded by Councilmember Wessler and carried.

YES: Rummler, Adams, Bugdon, Wessler, Riegel, Endicott

NO:

ABSENT: Giberson

ABSTAIN:

ORDINANCES:

05-2013 – Amending Chapter 160 Port Republic Land Use

First Reading/Intro

On the motion of Councilmember Bugdon, seconded by Councilmember Wessler and carried.

YES: Rummler, Adams, Bugdon, Wessler, Endicott

NO: Riegel

ABSENT: Giberson

ABSTAIN:

UNFINISHED BUSINESS:

Clarks Landing Road

President Rummler thanked Freeholder Richard Dase and Joseph Maher Director of Regional Planning and Economic Development for their help in resolving the issue of the closure of Clarks Landing Rd; thankfully the road will remain open with at least one lane open at all times with the exception of small window of closures which may be needed for the construction of the parkway overpass.

Closing of the Port Republic Old Landfill.

The meeting with the Pinelands and DEP was cancelled with no explanation. The City has been trying to get the landfill closed.

Resident complaining of vandalism every Friday night around 1:00 am

Discussed earlier

Per Mayor Giberson results of the county taking samples along the stream

Mayor Giberson requested that the County take samples of several streams which empty into the beach area. Mayor Giberson and Councilwoman Bugdon are concerned that adequate samples were not taken.

Old Garage correspondence from John D'Agostino

John D'Agostino recommends that the City obtain a certificate of insurance that upon the completion of the repairs an engineer will need to affirm that the building is safe to occupy.

Nick Lampe, Port Republic Fire Department President, stated that if they go through the process of getting an engineer they are looking for assurance that the City would turn over the property to the Fire Dept.

Kimberly Procopio stated that a resolution will be needed to be done to transfer the title to the Fire Dept. President Rummler suggested to Nick Lampe that they determine the cost of making the building safe and if the estimate satisfies the Fire Dept. the City would then do a resolution giving the Fire Dept. the building.

610 Bridge

Council President Rummler thanked Councilwoman Bugdon for the report submitted to Joseph Maher Director of Regional Planning and Economic Development. Additionally, Freeholder Richard Dase is working on resolving the issue. Councilman Wessler stated that the tanker task force was advised to avoid the bridge.

NEW BUSINESS:

Distribution of Topsoil for residents.

Discussed earlier.

Towing Issues

A resident's vehicle was mistakenly towed from his property as result of a call made by the City to the State Police. After reaching guidance from Kimberly Procopio it was determined that the City was liable for the fees resulting from the towing of the vehicle.

Comcast Municipal Consent (Open to the Public)

Mike Turner, Main St., Comcast did not provide service to his son's home after running a line and wanted to charge nearly \$7,000 in costs for an additional overhead line.

Constables

Kimberly Procopio advised that Irvington uses constables. The minimum is two and the maximum is 50. Additionally, the constable must be someone who resides with the municipality and a qualified voter in the municipality for at least three years prior to the appointment. Once appointed they can carry out their duties of constable anywhere in Atlantic County. Unless set differently, the City can appoint up to a three year term and charge the constable for holding of a license (up to \$50 a year). A constable must obtain and post a bond which would protect the City. The City should consider whether a constable exposes its workers' compensation policy. She also advised that a constable does not have the same powers as the State Police. In addition a constable is required to give a detailed report, if they miss two reports then they loss their powers as constable.

Councilman Charles Endicott

Councilman Endicott advised council that he has filed a motion to place his name on the ballot in November. Additionally he feels that due to the omission of his name not being on the ballot the City should bear some responsibility in the cost of filing the motion.

Council President Rummel stated that Councilman Endicott should bear full responsibility since he did not submit his letter of acceptance within the allowable timeframe. Councilwoman Bugdon further stated that as a person running for election, Councilman Endicott has responsibilities to deal with.

PROCLAMATION:

None

OPEN TO PUBLIC PORTION

On the motion of Councilmember Wessler, seconded by Councilmember Bugdon and carried.

Bob Haviland 316 English Creek Rd, reported that he has not heard much noise coming from the gravel mining site. Additionally, he asked if an agreement was made with Ole Hansen for some gravel to use for the new city hall. Mayor Giberson advised that he believed Councilman Giberson has reached out to Ole Hansen.

CLOSED TO THE FLOOR FOR TOPICS FOR PUBLIC PORTION:

Hearing nothing further from the public, Councilmember Bugdon moved, seconded of Councilmember Wessler and carried to close the public portion.

EXECUTIVE SESSION:

Open executive session on the motion of Councilmember Riegel, seconded by Councilmember Giberson and carried.

ES 08-2013 Authorization to Enter into Executive Session Regarding:

1. City Hall
2. Crown Castle

ADJOURN EXECUTIVE SESSION:

On the motion of Councilmember Bugdon seconded of Councilmember Riegel and carried to adjourn Executive Session.

OPEN TO PUBLIC PORTION

On the motion of Councilmember Bugdon, seconded by Councilmember Riegel and carried.

Councilwoman Riegel asked when requests from Comcast should be discussed. Kimberly Procopio advised that a series of steps must be taken before that could be discussed.

Councilman Adams asked when the City would have an agreement from Comcast to review. Kimberly Procopio advised that an agreement would not be available until City agrees to entertain a renewal. An agreement will be available before the City votes on the ordinance.

CLOSED TO THE FLOOR FOR TOPICS FOR PUBLIC PORTION:

Hearing nothing further from the public, Councilmember Wessler moved, seconded of Councilmember Bugdon and carried to close the public portion.

ADJOURNMENT

On the motion of Councilmember Bugdon, seconded of Councilmember Riegel and carried to adjourn at 9:10 p.m.

Respectfully submitted

Kimberly A. Campellone
Acting Municipal Clerk