

CITY OF PORT REPUBLIC
6:30 p.m. OCTOBER 9, 2018
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 Bugdon, seconded by Councilmember Wessler and carried to close the workshop portion of the meeting.

COUNCILMEMBERS PRESENT: Steven Allgeyer, Doris Bugdon, Roger Giberson, Stanley Kozlowski, Thomas Kurtz, Kevin Wessler

COUNCILMEMBERS ABSENT: Donna Riegel

MAYOR: Gary Giberson

MUNICIPAL CLERK: Kimberly A. Campellone, RMC

ATTORNEY: Ray Went, Esq.

Council President Doris Bugdon 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 Current Newspaper, a meeting notice setting for the time, date and locations of this meeting.

MOTION TO APPROVE SEPTEMBER 11, 2018 CITY COUNCIL MEETING MINUTES

On the motion of Councilmember Kozlowski, seconded of Councilmember Allgeyer and carried.

YES: Allgeyer, Bugdon, Giberson, Kozlowski, Kurtz, Wessler

NO:

ABSENT: Riegel

ABSTAIN:

MOTION TO APPROVE SEPTEMBER 11, 2018 EXECUTIVE MINUTES

On the motion of Councilmember Allgeyer, seconded of Councilmember Kozlowski and carried.

YES: Allgeyer, Bugdon, Giberson, Kozlowski, Kurtz, Riegel, Wessler

NO:

ABSENT: Riegel

ABSTAIN:

MOTION TO APPROVE OCTOBER 2018 BILL LIST

On the motion of Councilmember Kozlowski, seconded of Councilmember Allgeyer and carried.

YES: Bugdon, Giberson, Kozlowski, Kurtz, Wessler

NO:

ABSENT: Riegel

ABSTAIN:

MOTION TO PAY ALL SIGNED BILLS

On the motion of Councilmember Allgeyer seconded of Councilmember Kozlowski and carried.

YES: Bugdon, Giberson, Kozlowski, Kurtz, Wessler

NO:

ABSENT: Riegel

ABSTAIN:

Presentation OceanFirst Bank

Ocean First Bank was requested to speak with City Council in regards to the change in regulations that require additional information for authorized signers of their accounts. They gave the following presentation:

As an authorized signer, there are minimum identification requirements that the bank must obtain. As regulations change and members change, it is their task to obtain this information, such as: name, title, date of birth, social security and an unexpired form of identification. In addition, if you are in cash management system as an authorized user who can make transfers you may be asked for your mother's maiden name or something else. If you are only an authorized signer, they must obtain a minimum amount of identifying information. Even though it is not technically your money, you have control over it. A lot of things have changed with bank secrecy, BSA, money laundering; there are different protocols they need to follow. It may seem to be an invasion of privacy, but that is where we are today. It is really good practice for the Council to have all this information on file with the bank.

Mayor Giberson stated that all checks that go out of City Hall are to be signed by him first. Council President Bugdon reiterated that the Mayor signs all checks first, unless he is not in.

Council President Bugdon thanked the bank representatives for explaining to Council their rules and regulations.

Presentation Cape Atlantic Conservation District – Storm Water Management-Interlocal Service Agreement – Storm Water Facility Inspections

Mr. Gallletta and Michael Kent from Cape Atlantic Conservation District explained they have a new service they would like to offer that would help to meet the City's storm water regulation program that is needed to be done through the DEP. We are required to talk annually about our basins and our storm water facilities. Mr. Galetta explained to Council that part of what they would be doing is stepping in to look at the storm water management systems: basins, recharge systems and alike (constructed even before the regulations were revised). It is a requirement that we need to submit an annual report, done internally, filed with the DEP. The DEP is the overseers to see it is done. They do

not actually come down and do the service. The Conversation District would like to provide this service for the City.

Mike Kent explained that starting back in 1986 they, as a district, have a database with about 1,000 basins within Atlantic and Cape May County. About a month ago he met with Kimberly and he thinks they came up with about 8 or 10 basins in their database for Port Republic. In July of 2018 he had sent a letter out that explains the program and what they offer. They can go out to our basins and can do the reporting that is required by the DEP. Mike went over the sample report which was provided to the members of Council. The City will be provided with a hard copy and a digital copy. This report will meet the requirements for the DEP. They would like to provide this service to the City. They charge \$250 per basin to do the inspection and provide the report. If a basin has a problem and we want them to go out and reinspect, that would be \$90/hour. The Agreement is annual, and a copy of their inter-local agreement was provided to be reviewed by the City's Attorney, if interested.

Councilmember Giberson questioned how it works with private basins. Mike explained that as a State Agency they can go onto that property and do their inspections. Mr. Galetta explained that the City is responsible for the reporting and the oversight. We are not responsible for the maintenance, except for our own basins on our own land. If it is private property that is not performing the maintenance, we have the authority based on a report. They can go as far as going onto the property, making the repair and then charging the property owner as a tax lien. This is not ideal but can be done.

Councilmember Allgeyer asked how long the time period is for correcting issues. Mr. Galetta responded that the City can establish how this is handled. The report is done annually, but the City has the right to regulate the timeline.

Mr. Galetta responded that the DEP will come down at random to see if there are any problems. If there are, they will then want to know what you have done about it, and if you have done nothing, they will tell you what your need to be doing about it.

Attorney Went stated it is his understanding with his experience with DEP that it is almost a sliding scale. They might have set 90 day-120 day deadlines, you can receive more but they might press you to do it quicker depending on how bad the issue is. As a municipality, we can set deadlines to get people moving to ensure people are complying with DEP.

Councilmember Giberson stated that the City has been doing these for years and is questioning if Public Works has been doing this.. City Clerk Kimberly responded that they have for the past couple years and previous to them it was her. The DEP will come at random to inspect our reports.

Councilmember Giberson asked Bob Haviland (Planning Board Member) if any developments that were approved by the Planning Board have basins, did the City have

anything in about maintenance or having the right to any type of deed restriction. Mr. Haviland does not recall the Planning Board approving any basins within the last 10 years. Mayor Giberson stated that everything done through the Planning Board would be deed restricted through our Engineer and inspections would be done by our building inspection/code enforcement.

Mr. Galetta is hoping to make this process simpler for the City. They have been around for a long time and are not going anywhere. It will take a burden off the City, at a cost, but they think it is a competitive and reasonable price. We can then say, ok, once a year all we have to do is file the master, everything else is documented, we have it.

City Councilmembers thanked them for coming in.

Presentation Stuart Farrell – Coastal Management

Mr. Farrell had printed and provided City Council with color copies of the new preliminary storm flood maps that FEMA has done up and adopted as of October 5, 2017. The maps were fought over as almost everything was in the “v zone”. The NFIP has a program that they established in the 1990’s called the Community Rating Service (CRS). It is essentially a series of things that FEMA puts out and says if you do these things municipally, we will give you points for doing them. These points add up and they take you from a level of no discount for the community premiums for flood insurance, to as high as 40%. A town that has a river can even get higher than 40%. According to the FEMA data, April 2018, Port Republic is a 10 on this rating system. That means you get nothing off of your flood insurance policy, because Port Republic has no points. To get points you start by doing very simple things, such as getting the flood maps out to the citizens. This allows people to go online and type in their address to find out what flood zone they are in. This could be done at a municipal level. He is unsure what we have done, if anything. He has been working with other communities that have gone from a rating of 5 to a 4, which gives them 35% off everybody’s flood insurance premiums. Every point is a 5% discount.

Councilmember Giberson stated that if the coastal communities are able to get to a 4 or 5, we should be able to get a lot lower. He said that maps being distributed is mentioned, but what are the other steps. Mr. Farrell says there is a manual, CRS Coordinators Manual is available on fema.org and is downloadable, it goes through all the steps of who needs to do what to start the process. Mr. Farrell asked who the Emergency Management Coordinator, it is Mayor Giberson. He said he is one key person in this process. There can be meetings held at the schools with the parents. City Hall itself is in the flood zone. It is also within the limited wave zone.

Councilmember Giberson asked Council President if she is within a flood zone. She is, but she does not have to have flood insurance since her mortgage is paid off. Anyone with a mortgage has to have flood insurance. Mr. Farrell stated his is \$1,100.00 a year on Clarks Mill Street, and he came very close in 1997 to having water in his house.

Councilmember Giberson asked Mr. Farrell to forward information to Clerk Campellone. Mr. Farrell says he will send it to her.

Attorney Went addressed Mr. Farrell in regards to his mentions of the barrier islands. He asked if those cities raising their base flood elevation the major factor why they're a 4 or a 3 and we are a 10. We are not tearing down houses everyday, all day long like on the islands. Mr. Farrell says that it has to do with what we have done to meet the criteria for each of the steps up the ladder. The points go up in magnitude, first 500 is a easy. In some of the coastal cities they have a CRS Coordinator. They have also obtained grants to assist them.

City Clerk Campellone asked if Mr. Farrell would like to volunteer to help out. Mr. Farrell says that volunteering is his specialty.

Councilmember Giberson says if we could get some information and get this thing started and take the easy steps to get it lowered, that would be great. Public information is an easy thing. Mr. Farrell will send the Coordinators Manual to get started.

City Council thanked Mr. Farrell for coming.

COMMITTEE REPORTS

Police/Emergency Management:

Mayor Giberson stated progress

Administrative/Personnel:

No report

Public Works:

Councilmember Wessler said they cleaned out the drain on Park Avenue. There is a pipe coming into it from the side they have no idea where it is coming from they are trying to figure it out. There is water coming out of so it must be coming from somewhere. The Public Work Department have been doing repairs to the trucks and probably sooner than later we will have to look into replacing the Ford with a 4-wheel drive trucks. If the GMC truck breaks down, we still have the plow. We need 2 plows. All break lines on the GMC have been replaced. Mayor Giberson agrees we should look further into this at budget time.

Recreation:

Council President Bugdon stated that Clerk Campellone heard back from the DEP this morning regarding the high ecoli counts and they are still working on it. Councilmember Giberson asked if there has been any more testing done recently. Clerk Campellone stated that they tested two weeks ago, from the storm drain all the way up to Pomona Avenue. The DEP reported that the ditch on Pomona Avenue is very high after a storm event. Mill Bridge Court is also very high. They will be doing more testing and data

collection, but they think it's that ditch going into the beach. We should know more information next week. Councilmember Giberson feels the issue will go away with the colder weather. Mayor Giberson feels it is an issue we should correct. Councilmember Giberson thinks the problem is raw sewage to have the kind of numbers that they have been reporting. Clerk Campellone explained that the DEP doesn't want to say, until they obtain more data. We cannot open Nacote Creek yet. If we open it to boaters, people will go in and we cannot risk that.

Councilmember Kozlowski questioned if we have equipment to throw a log out there or something similar to block off the boat ramp. Councilmember Wessler says we can also pull the dock out. Councilmember Wessler mentioned that if we have an ordinance in place and we put up signs. We have something to enforce and can ticket them. Councilmember Kozlowski agrees, but says it really comes down to be able to enforce it. Attorney Went says an ordinance is easy, it's enforcement. Attorney Went will get more details before the next meeting and hopefully have a draft ready. Councilmember Giberson says we really need a constable if we want these rules to be enforced.

Fire and Ambulance:

Chief John Yochim questioned how Council is making out with LOSAP for the Fire Department. Clerk Campellone stated it is being worked on. John had told the guys that they were trying to get extra radios, they were turned down for the grant. The fire company itself is going pretty good. The pole barn should be coming in the first week in December. John asked if he could get the price for the building permit fee so they could take care of that. Councilmember Wessler says he will ask that the City to refund the money. Council agreed that they can come up with something. John also mentioned that in two weeks they will be having their roast beef dinner. Councilmember Giberson suggested we do a robocall for the roast beef dinner for the Fire Department.

Board of School Estimates:

Mayor Giberson stated progress.

Planning Board:

Council President Bugdon spoke about correspondence that was received by the Planning Board in regard to a CAFRA Permit Application from the State, for the gravel pit in Galloway. There is a 30-day period to make comment. The property is not in Port, but we were notified as we are within 200 feet.

Councilmember Giberson questioned if we reached out to anyone regarding the gravel pit in Galloway. Clerk Campellone stated that that she had, and Matt Doran did come out and review the maps.

Code Enforcement/Construction: No report

Senior Services:

Council President Bugdon stated she had a number of requests and a couple more come back. She also wanted to mention that all residents should have received their homestead rebate application.

Building:

Council President Bugdon questioned Councilmember Wessler and Councilmember Giberson in regard to the building and the septic system. Councilmember Wessler has contacted Matt Doran and asked him for a plumbing engineer. Matt says he can do it and would be glad to do it for us. However, he says since the building is so new that Pedersen the Architect should do that for us. Councilmember Wessler contacted Pedersen and he is supposed to give us a plan by the end of this week. After the plan is received, Matt will come in and shoot the drains. We can then look into having this done. Councilmember Giberson stated this will not be an easy or a cheap task. It will also be very disruptive to a point. Mayor Giberson asked if one bathroom at a time can be done; it cannot.

OPEN TO PUBLIC PORTION

On the motion of Councilmember Allgeyer seconded by Councilmember Kozlowski and carried to open public portion.

Joe Martin, 5 Mill Street – there are no speed limit signs from Main Street to Riverside. From Riverside to Main Street there is one, but it is at the dam and when you are coming down it is hard to see. It could be part of the problem with speeders on that strip. Council President Bugdon stated they will have Public Works put up a 25 MPH sign. Mr. Martin had made a few copies of speed limit signs with the radar on them that can give you your speed. They make one under \$3,000 where you can shut off “your speed” and it will download the vehicle speeds going by. Council President Bugdon asked if we could borrow the County’s. Mayor Giberson said he would ask. Councilmember Wessler does not think that would work since they are large, like a trailer. Mayor Giberson said he will look into his budget and report next meeting

Bob Haviland, 16 English Creek Road – relative to the pollution problem, probably 20 years ago when Clarence was handling Public Works, they had constructed the environmental park which initially had tide water flowing in and out in front of the church. Somewhere along the line, the DEP got involved and said that they could not have the water flowing in and out. It was then dammed up. He thinks that the pipe Councilmember Wessler mentioned earlier in the meeting may be part of that issue. This may be part of the pollution probable that should be looked into. Councilmember Wessler responded that we are looking into it. However, he does not think that the pipe is one in the same. Council President Bugdon states that we are going to close that whole thing off due to dog waste being left behind. Councilmember Wessler is in favor of closing off Park Avenue to dogs until we see what is going on. Bob’s concern is with the standing water. Mayor Giberson asked the solicitor for an ordinance for no dogs for Park Avenue.

Bill Smallwood – thinks that when the pavilion was built, Jim and Wayne put in a type of drainage system over where the gutters go down in the downspouts. He doesn't know if it would make it down to the catch basin, but he knows there is something in there so there isn't flooding. Mayor Giberson remembers as well.

Councilmember Allgeyer had someone approach him about the lights out on Main Street. Clerk Campellone said they can go online or call into City Hall and she will take care of it.

Councilmember Giberson asked if a call could be made regarding the school bus that dropped kids off at the Port Store around 4:30/4:45 pm. The bus proceeding to go down Clarks Landing Road and across the bridge. Clerk Campellone said she would take care of it.

CLOSED TO THE FLOOR FOR TOPICS FOR PUBLIC PORTION:

Hearing nothing more from the public, Councilmember Allgeyer moved, seconded of Councilmember Kozlowski and carried to close the public portion.

CORRESPONDENCE:

None

RESOLUTIONS:

63-2018 Appointment of Deputy Emergency Management Coordinator namely Stanley Kozlowski

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

YES: Allgeyer, Bugdon, Giberson, Kurtz, Wessler

NO:

ABSENT: Riegel

ABSTAIN: Kozlowski

64-2018 Appointment of Municipal Prosecutor namely William Reynolds

On the motion of Councilmember Giberson, seconded of Councilmember Allgeyer and carried.

YES: Allgeyer, Bugdon, Giberson, Kozlowski, Kurtz, Wessler

NO:

ABSENT: Riegel

ABSTAIN:

ORDINANCES:

None

UNFINISHED BUSINESS:

Port Beach Closures

NEW BUSINESS:

None

PROCLAMATIONS:

None

OPEN TO PUBLIC PORTION

On the motion of Councilmember Allgeyer seconded by Councilmember Giberson and carried.

CLOSED TO THE FLOOR FOR TOPICS FOR PUBLIC PORTION:

Hearing nothing from the public, Councilmember Allgeyer moved, seconded of Councilmember Kozlowski and carried to close the public portion.

EXECUTIVE SESSION

ES 10-2018 Authorization to Enter into Executive Session Regarding

1. N/A

ADJOURNMENT

On the motion of Councilmember Wessler seconded of Council Kozlowski and carried to adjourn at 8:29 p.m.

Respectfully submitted,

Kimberly A. Campellone, RMC Municipal Clerk