

**CITY OF SEA ISLE CITY, NEW JERSEY  
CITY COUNCIL MEETING MINUTES  
TUESDAY, JANUARY 22, 2013 – 10:00 AM  
COUNCIL CHAMBERS  
SEA ISLE CITY PUBLIC SCHOOL**

**ATTENDANCE:** Mr. Divney, Mr. Edwardi, Mr. McHale, Ms. Tighe and Mr. Kehner. Also attending was Administrator Mr. Savastano, Solicitor Mr. Baldini and City Engineer Mr. Previti.

Council President Kehner called the meeting to order and asked everyone to rise for the flag salute and prayer. He then announced that the meeting had been advertised in accordance with P. L. 1975, Chapter 231.

Mr. Kehner then asked for a motion to adopt the minutes of the 1-8-13 Regular Meeting. Motion moved by Mr. McHale and seconded by Mr. Edwardi. All ayes followed.

**REPORTS-Mayor and Administrator:** Mayor Desiderio provided the “State of the City” and presented the Council a budget with a 1.9 cent tax increase; an amount affected by Super Storm Sandy, debt service and for the first time since 2007 a lift of the full time hiring freeze for non-public safety positions. He added that the full time workforce in 2007 was 116 and today it is 94; also in 2009 the available surplus of \$800,000 but this budget starts with a surplus of \$3.3 million. He went on to announce that the plan is to review and sell unneeded properties this year. The Mayor also announced that there will be no rate increase recommended at this time in water and sewer.

**REPORTS-Council:** Mr. Divney reported that the City, Chamber and Revitalization have rolled out the “Summer 2013 – We’re Ready Campaign” designed to let vacationers know that the City and all of Cape May County has recovered from Super Storm Sandy.

Mr. Kehner read a letter from the parents of Tracy Hottenstein. (Attached to these minutes)

Mr. Kehner next announced that the Council will hold a budget workshop on 1/24/13 at 9:00 am.

**ORDINANCES-Introduction and First Reading:**

Mr. Kehner asked for a motion to introduce Ordinance 1536 on first reading. Motion moved by Mr. Divney and seconded by Mr. McHale. All ayes followed. The clerk read the ordinance by title: **1536 – An Ordinance to Amend Chapter 7, Section 7-20.2 “Schedule A” of the Revised General Ordinances of Sea Isle City Entitled “Traffic” Pertaining to the Designation of a Handicap Parking Space.**

Mr. Kehner then asked for a motion to adopt ordinance 1536 on first reading and publish according to law. Motion moved by Ms. Tighe and seconded by Mr. Divney. All ayes followed. Mr. Kehner announced second reading and public hearing will be 2-13-2013 at 10:00 am.

**ORDINANCES-Second Reading and Public Hearing:**

Mr. Kehner asked for a motion to take up Ordinance 1534 for second reading and public hearing. Motion moved by Mr. McHale and seconded by Mr. Divney. All ayes followed. The clerk read the ordinance by title: **1534 – An Ordinance to Amend Chapter 6, Section 4.4 of the Revised General Ordinances of the City of Sea Isle City Entitled “Outdoor Sales; Hours” to Define and Regulate Fully Enclosed Area.** Mr. Baldini explained that this will change the definition of the structure from temporary to permanent and will require vestibules be installed between the inside of the licensed building and the outside bar if it plans to remain open past 11:00 pm. In addition, the ordinance limits the square footage of the outside bar in that it cannot be more than 50% of the inside.

**PUBLIC COMMENT:**

**Phyllis Evans-15 43<sup>rd</sup> St:** asked several questions regarding the process of the ordinance, i.e. when it will be law and how enforced and Mr. Baldini responded.

Mr. Kehner then asked for a motion to adopt ordinance 1534 on second reading. Motion moved by Mr. Divney and seconded by Mr. Edwardi. All ayes followed.

**CITIZEN COMMENT-Resolutions on Consent Agenda:**

**Steve Hansbury-5712 Central Ave:** Asked when the work will be done in resolution #15 and was told by Mr. Previti in the spring.

**John Fee-220 43<sup>rd</sup> St:** Asked about #11 and was told it replaces the equipment at the skate park.

**RESOLUTION – Consent Agenda:**

**006** – Authorizing the Approval of Vouchers

**007** – Authorizing Cancelled Checks – Municipal Court

**008** – Accepting the Recommendation of the Tourism Commission and Department of Community Services to Enter Into Agreement with Certain Vendors for Advertising, Commercials and Promotional Media for the Year 2013

**009** – Authorizing A Non-Fair and Open Professional Services Contract with Center Stage Entertainment *{Not To Exceed \$91,350.00}*

**010** – Authorizing Participation in State Approved Contracts

**011** – Approving the Design and Reconstruction of the New Skate Park

**012** – Authorizing Award of State Contract to Spohn Ranch for Skate Park Elements *{\$139,866.07}*

- 013** – Authorizing Advertisement of Bids: printed matter, printed sports clothing, ice cream franchise 2013/2014, W & S pipes and fittings; maintenance/repair water treatment plant and kayak franchise 2013/2014
- 014** – Authorizing Approval of Bingo Application – Boy Scouts
- 015** – Authorizing Award of Contract for Resurfacing of Central Avenue, 49<sup>th</sup> Street to West Jersey Avenue (\$297,719.00)
- 016** – Authorizing the Extension of Shared Services Agreement for Animal Control Services (3 months)
- 017** – Authorizing Interconnection Agreement Between the City of Sea Isle City and New Jersey American Water Company

Mr. Kehner asked for a motion to adopt the resolutions on the consent agenda #006 to #017. Motion moved by Ms. Tighe and seconded by Mr. Edwardi. All ayes followed.

**PENDING BUSINESS:** Mr. Divney reported that there has been discussion about and agreement about the City taking ownership of the school. It has been agreed that the city will assume the debit of \$150,000 and agreed that if it is ever sold, the Board of Education would receive 25% of the proceeds. All council members were in agreement with the conditions. Mr. Divney asked that the City notify the School Board.

Mr. Baldini then address the Planning Boards response regarding Ordinance 1532. While the Board found it consistent with the master plan, it recommended the square footage for residential, mixed use be reduced from 1500 to 1300 as it feels 1500 could still produce 4 bedrooms and thus continue the parking issues. There was much discussion and in conclusion, the majority felt that 1500 would reduce density which is the goal. The Board also recommended consideration be given to gross floor area. Mr. Baldini explained that this would require decks, closets etc. be included in the square footage calculation. After much discussion, all agreed it would be better to adopt ordinance 1532 and consider more discussion regarding GFA definition.

Ordinance 1533 was also reviewed by the Planning Board and it found it consistent with the master plan. The Board did, however, indicate “shield from public view” in the commercial zone may be too ambiguous. The majority of the council agreed it was left general to allow developers to be creative. Discussion continued regarding the lifts counting as a parking space and in conclusion, all agreed it would count in the commercial zones, but not in residential. Mr. Baldini indicated the ordinance could be amended at second reading

**NEW BUSINESS:** Mr. Baldini, Mr. Previti and Construction Official Mr. Byrne next presented an overview of the proposed FEMA map and regulation changes. Mr. Baldini presented handouts and advised that the biggest change for Sea Isle is that the majority of the town will be rezoned from an A zone to a Costal A zone with V zone standards regarding height requirements and that the new regulations eliminate grandfathering. There was much discussion and concerns with the conclusion that the proposed maps must be fought and that Sea Isle join with other beach front communities to pool funds and hire professionals and also that a campaign begin to encourage residents to reach out and complain to the legislators. Mr. Divney suggested a template letter be drafted for residents to use. Mr. Baldini added that he has recommended that the city adopt an ordinance to allow building to the new Base Flood Elevation (BFE) standards if a homeowner wants to. Ms. Tighe expressed concern that the new height allowance is used for BFE and not an increase in square footage. All council members agreed to introduce the ordinance at the next meeting.

**CITIZEN COMMENT:**

**Dan Tumolo-7407 Pleasure Ave:** Asked if a homeowner is required to have flood insurance and Mr. Baldini responded it is not a law, however mortgage companies generally require it.

**Steve Hansbury-5712-Central Ave:** Asked if 2<sup>nd</sup> homeowners are treated differently and Mr. Baldini said yes. Mr. Hansbury questioned a side-by-side duplex with one a primary and the other a secondary homeowner and Mr. Baldini responded he did not know how that situation is handled.

**Joe McDevitt-25 66<sup>th</sup> St:** Suggested that the insurance premiums will increase and everyone will pay more and to that end, suggested the City delay capital projects until it is resolved. He then had concerns with delaying bond issues until 2019 as interest rates are low now. Mr. Divney responded that it was only a plan and if the market reflects changes, the City addresses it.

**John Fee-220 43<sup>rd</sup> St:** Suggested expanding the promenade to mitigate the impact of the V Zone. Mr. Previti responded that it would not comply with the NJ State Master Plan regarding shore protection.

**Ed Sturgis-2315 Landis Ave:** Stated he was waiting to get a building permit and asked when the proposed ordinance would be law and Mr. Baldini said mid-April.

**Tom Gleeson-132 51<sup>st</sup> St:** Asked if copies of the new maps were available and Mr. Byrne said yes, in his office and on line. He suggested the uncertainty could stall development for some time and that the removal of grandfathering is catastrophic.

**Tom McGinley-2134 Route 9 North, Ocean View:** As a volunteer for the marine mammal stranding center, he complained about the beach access in the North end and Mr. Savastano responding that the City is still working on beach access as they are not all safe.

**Dan Tumolo-7407 Pleasure Ave:** Asked that sample letters to the legislators regarding FEMA be available at City Hall.

Mr. Kehner asked for a motion to adjourn. Motion moved by Ms. Tighe and seconded by Mr. Edwardi. All ayes followed and the meeting adjourned at 12:12 pm.