

REGULAR MEETING
TUESDAY, AUGUST 8, 2023
6:30 P.M.

The Regular Meeting of the City Council of the City of Vineland was called to order by the President, Dr. Elizabeth A. Arthur.

The following members were present at roll call:

Councilman David Acosta
Councilman Paul F. Spinelli
Councilman Albert Vargas
President Dr. Elizabeth A. Arthur

Councilman Ronald J. Franceschini, Jr. was absent.

Also present were: Robert E. Dickenson, Jr., Business Administrator
Richard P. Tonetta, Esq., City Solicitor
H. James Neher, Director of Public Works

The President led the Pledge of Allegiance.

The Clerk stated Public Notice of this meeting, pursuant to the Open Public Meetings Act, has been given on December 13, 2022 by the City Clerk, in the following manner:

1. Posting written notice on the official bulletin board in the lobby of the City Hall;
2. Providing written notice to the offices of The Daily Journal and The Press of Atlantic City; and;
3. Filing written notice in the office of the City Clerk of the City of Vineland.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that the 2023 minutes of the Pre-Meeting Conference, and Regular meeting of July 25; and the Work Session of August 2, be approved as submitted.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk read the following: *Public Comment provides an opportunity for members of the public to inform the governing body about their views. The governing body prescribes to City Council's by-laws and the NJ Statutes on Open Public Meetings when engaging during public comment. As such, each individual shall have a 5 minute limit to comment; cannot yield time to another individual; may only approach the podium once during public comment for any one topic; vulgar/offensive language is prohibited; and City Council will not engage in dialogue with the public during this time. The governing body maintains model courtesy and respect and requires members of the public to do the same.*

The President asked if there was anyone in the audience who wished to be heard.

Gary Hampton. He explained that he is a 43-year resident and he is seeking assistance with noise, alcohol consumption and marijuana smoking at South Vineland (Anthony Campanella) Park. He stated that the police have not been responsive to his requests and has even experienced the police dispatcher hanging up on him. He alleged one-day permits have been issued, and he knows alcoholic beverages are not permitted in public parks. He suggested the installation of cameras to monitor the activities. Administrator Dickenson responded that this is the first time he is hearing of such a problem and that he will discuss it with the police.

Edward Roth. He reiterated his position that he favors the improvement of the former Avalon Tile & Carpet building by Gary Singh as an entertainment, food, and liquor facility. He reported a verbal agreement reached with Mr. Singh for weekday closings at 11 p.m. and midnight on weekends, including "last call" a half-hour prior to closing. His main point of concern is noise that may create a problem for his guests staying at the Holiday Inn Express, especially after they have had a few drinks and go into the parking lot.

There being no one further to be heard, the Clerk presented ORDINANCE NO. 2023-44, ORDINANCE AUTHORIZING THE ACQUISITION OF EASEMENTS NECESSARY TO REESTABLISH THE STORM WATER FLOW ACROSS/UNDER PROPERTIES TO THE SOUTH OF 141 SHERIDAN AVENUE, TO A CULVERT UNDER BURNS AVENUE AND AN UN-CODED TRIBUTARY FURTHER TO THE SOUTH, which was ready for a Public Hearing.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that ORDINANCE NO. 2023-44 be taken up for a Public Hearing and opened to the public for discussion.

The Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The President asked if there was anyone in the audience who wished to be heard on ORDINANCE NO. 2023-44.

There being no one to be heard, the President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that the Public Hearing on ORDINANCE NO. 2023-44 be closed.

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The Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that ORDINANCE NO. 2023-44 be taken up for second and final reading and adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk read ORDINANCE NO. 2023-44 by title and declared that with a vote of four yeas this ordinance is adopted.

The President directed the Clerk to submit ORDINANCE NO. 2023-44 to the Mayor for his approval or disapproval.

The Clerk presented ORDINANCE NO. 2023-45, which was ready for a First Reading.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that ORDINANCE NO. 2023-45 be taken up for the First Reading.

The Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk read ORDINANCE NO. 2023-45, AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE NO. 8, WHICH ESTABLISHED THE CLASSIFICATION AND COMPENSATION PLANS FOR THE CITY OF VINELAND (CHIEF EMERGENCY MEDICAL TECHNICIAN).

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that ORDINANCE NO. 2023-45 be passed for First Reading and that a Public Hearing be held on Tuesday, August 22, 2023 at 6:30 p.m.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented ORDINANCE NO. 2023-46, which was ready for a First Reading.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that ORDINANCE NO. 2023-46 be taken up for the First Reading.

The Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk read ORDINANCE NO. 2023-46, BOND ORDINANCE PROVIDING FOR THE DEMOLITION AND DISPOSAL OF A BUILDING IN AND BY THE CITY OF VINELAND, IN THE COUNTY OF CUMBERLAND, NEW JERSEY, APPROPRIATING \$950,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$902,500 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that ORDINANCE NO. 2023-46 be passed for First Reading and that a Public Hearing be held on Tuesday, August 22, 2023 at 6:30 p.m.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented ORDINANCE NO. 2023-47, which was ready for a First Reading.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that ORDINANCE NO. 2023-47 be taken up for the First Reading.

The Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk read ORDINANCE NO. 2023-47, ORDINANCE ADOPTING THE MUNICIPAL LANDFILL REDEVELOPMENT PLAN CONSISTENT WITH RESOLUTION 6581 OF THE PLANNING BOARD OF THE CITY OF VINELAND.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that ORDINANCE NO. 2023-47 be passed for First Reading and that a Public Hearing be held on Tuesday, August 22, 2023 at 6:30 p.m.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented ORDINANCE NO. 2023-48, which was ready for a First Reading.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that ORDINANCE NO. 2023-48 be taken up for the First Reading.

The Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk read ORDINANCE NO. 2023-48, ORDINANCE AMENDING ORDINANCE 2012-23, AS AMENDED, CHAPTER 643, SECTION 643-5 OF THE CODE OF THE CITY OF VINELAND ENTITLED TATTOOING AND BODY PIERCING, FEES AND REQUIREMENTS.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that ORDINANCE NO. 2023-48 be passed for First Reading and that a Public Hearing be held on Tuesday, August 22, 2023 at 6:30 p.m.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented ORDINANCE NO. 2023-49, which was ready for a First Reading.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that ORDINANCE NO. 2023-49 be taken up for the First Reading.

The Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk read ORDINANCE NO. 2023-49, ORDINANCE AMENDING ORDINANCE 2013-36, AS AMENDED, CHAPTER 563, SECTION 563-6 OF THE CODE OF THE CITY OF VINELAND ENTITLED RESTAURANTS, FEES; EXPIRATION OF LICENSES.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that ORDINANCE NO. 2023-49 be passed for First Reading and that a Public Hearing be held on Tuesday, August 22, 2023 at 6:30 p.m.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-365, A RESOLUTION APPROVING AN EMPLOYEE AGREEMENT WITH KELLY SORACCO, CHIEF EMERGENCY MEDICAL TECHNICIAN, FROM JANUARY 1, 2023 THROUGH DECEMBER 31, 2023.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-365 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-366, RESOLUTION REQUESTING THE APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR DONATIONS FOR SPECIAL EVENTS IN THE TRUST FUND IN ACCORDANCE WITH N.J.S.A. 40A:4-39.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-366 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-367, A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 2023-220, APPROVING ADVERTISEMENT FOR THE SALE OF CITY OWNED PROPERTY.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-367 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-368, RESOLUTION EXERCISING OPTION TO EXTEND CONTRACT C22-0137 FOR SUPPLYING AND DELIVERING VOC-COMPLIANT HIGH PERFORMANCE COLD PATCH.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-368 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-369, RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BY AND BETWEEN THE LAW FIRM OF WILENTZ, GOLDMAN & SPITZER, P.A., REDBANK, NEW JERSEY AND CO-COUNCIL KANNER AND WHITELEY, LLC, NEW ORLEANS, LOUISIANA AND THE CITY OF VINELAND TO LITIGATE CLAIMS AGAINST MANUFACTURERS OF PFAS FOR CHEMICAL CONTAMINATION IN THE CITY.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-369 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-370, A RESOLUTION AWARDED AN OPEN-END CONTRACT TO KENNEDY CONCRETE, INC., VINELAND, NJ FOR THE SUPPLY OF CONCRETE, IN AN AMOUNT NOT TO EXCEED \$125,000.00.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-370 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-371, A RESOLUTION AUTHORIZING A CONTRACT AWARD TO A STATE CONTRACT VENDOR, AXON ENTERPRISE, INC., SCOTTSDALE, AZ FOR THE PURCHASE OF BODY WORN CAMERAS, TASERS, DRONES, REDACTION SOFTWARE, MEMORY/STORAGE FOR BODY WORN CAMERA EVIDENCE AND ASSOCIATED SOFTWARE.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-371 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-372, A RESOLUTION AWARDDING A CONTRACT TO PERRYMAN'S EXCAVATING INC., MILMAY, NJ FOR THE DEMOLITION OF STRUCTURES LOCATED AT 1100 ELM ROAD (BLOCK 5502, LOT 60), IN THE AMOUNT OF \$56,500.00.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-372 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-373, A RESOLUTION PROVIDING FOR THE INSERTION IN THE CALENDAR YEAR 2023 BUDGET OF THE CITY OF VINELAND A SPECIAL ITEM OF REVENUE MADE AVAILABLE BY REVENUE REALIZED FROM NEW JERSEY ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NJACCHO) AGREEMENT IN THE AMOUNT OF \$464,044.00 (ADDITIONAL FUNDS) AND AN APPROPRIATION IN SAID BUDGET FOR LIKE SUM AND PURPOSE.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-373 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-374, A RESOLUTION AUTHORIZING THE TAX COLLECTOR OF THE CITY OF VINELAND TO EXTEND THE GRACE PERIOD FOR PAYMENT OF THIRD QUARTER 2023 TAX BILLS.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-374 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-375, A RESOLUTION AUTHORIZING THE CANCELLATION OF TAXES FOR CY 2022 & CY 2023 FOR THE REASON RECOMMENDED BY THE CITY OF VINELAND TAX COLLECTOR.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-375 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-376, A RESOLUTION APPROVING VINELAND REVOLVING LOAN FUNDS FOR SERGIO CAMPOS REALTY, LLC (OR ASSIGNS).

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-376 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-377, A RESOLUTION APPROVING CHARGE AGAINST VARIOUS LAND FOR LAND CLEARANCE AND AUTHORIZING SAID CHARGE TO BECOME A LIEN UPON SUCH LAND AND TO BE ADDED TO AND BECOME A PART OF THE TAXES TO BE ASSESSED AND LEVIED UPON SUCH LAND.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-377 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-378, A RESOLUTION APPROVING SURETY REDUCTION, RELEASE OR RENEWAL AS SUBMITTED BY THE CITY ENGINEER.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-378 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-379, A RESOLUTION PROVIDING AND AUTHORIZING THE PAYMENT OF BILLS AND DEMANDS AGAINST THE CITY OF VINELAND.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-379 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-380, A RESOLUTION AUTHORIZING THE ISSUANCE OF AMENDATORY SUPPLEMENTAL CHANGE ORDER NO. 3, TO CONTRACT NO. C22-0110 ISSUED TO WINZINGER INC, HAINESPORT, NJ, IN THE AMOUNT NOT TO EXCEED \$30,000.00.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-380 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The Clerk presented RESOLUTION NO. 2023-381, A RESOLUTION AUTHORIZING THE PERSON-TO-PERSON TRANSFER OF ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE NO. 0614-33-027-013 FROM DOUBLE D SALOON, INC. TO LEO ENTERTAINMENT, LLC, PRESENTLY AN UNSITED POCKET LICENSE, EFFECTIVE AUGUST 9, 2023.

The President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, that RESOLUTION NO. 2023-381 be adopted according to law.

The President asked if there was any discussion by Council members on this motion.

There being no discussion to be heard, the Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

The President asked if any Council members wished to be heard.

Councilman Spinelli announced that a Journey tribute band has a concert planned this weekend at Giampietro Park. The concert is free and no tickets are required. He also noted the VDID food truck festival scheduled on Landis Avenue at the end of the month. This event is also free, although attendees will have to pay for the food and drinks they order from the food trucks.

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There being no further comments to be heard, the President entertained a motion by Councilman Acosta, and seconded by Councilman Spinelli, to adjourn the meeting.

The Clerk called the roll: YEAS: Councilman Acosta
Councilman Spinelli
Councilman Vargas
President Arthur

Dr. Elizabeth A. Arthur
President

ATTEST:

Keith Petrosky, RMC
Municipal Clerk