

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 11, 2018**

Meeting called to order at 7:00 p.m. by President McGuigan with a salute to the flag.

Roll call was recorded as follows:

Present: Dill, Gerety, D' Adamo, Meischker, Tapp, Toto, McGuigan

Also Present: Mayor Glasser, Administrator Swain, Municipal Clerk Samuelsen, Attorney Lafferty

Absent: None

Open Public Meetings Act:

Pursuant to the Open Public Meetings Act, adequate notice of this meeting has been provided. Agenda for this meeting has been provided to two local newspapers and posted in the City Clerk's Office.

Communications:

None

Mayor's Report:

Mayor Glasser praised the Department of Public Works on a great job of removing the snow from the roads. Additionally, he thanked the Police Department and Office of Emergency Management for all their work during the snow event. Mayor Glasser encouraged everyone to meet at Gregory's this Saturday at 1:00 p.m. for the annual Patcong Creek Foundation.

Administrator's Report:

Council President McGuigan mentioned he would like to begin budget meetings. City Administrator Swain reviewed the deadlines of the required State financial documents.

Committee Reports:

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Regarding the Economic Development Advisory Commission, Councilman Meischker handed out reports for the year ending 2017 regarding Suasion Communications Group’s service that listed various information including press releases, media places and the ad values.

Councilman Toto reported the Green Thumb Garden Club is hosting a fundraiser trip to the Philadelphia Flower Show on 3/8/18 for \$65.00 per person. Additionally, he mentioned that Veterans can download the form for their tax credit on the DMAVA website, and also they may receive assistance in processing the form from the State treasury office in Northfield.

Approval of Minutes:

None

Ordinances:

None

Public Portion on Resolutions:

Councilman Gerety motioned, seconded by Councilman Tapp and carried to waive the 48 hour rule to add Resolution Numbers 38 and 39 of 2018.

Meeting was opened to the public regarding the Resolutions on the agenda, and hearing no comments, duly closed.

Consent Agenda:

None

RESOLUTIONS:

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Resolution No. 36

M/S – Toto/Dill

The resolution was adopted by a unanimous vote of those present.

No. 36 of 2018

**A Resolution Approving and Ratifying the Terms of a Real Property Tax Appeal
Settlement Between the City of Somers Point and Harbour Cove Marina, LLC
For Property Designated as Block 1211 / Lot 2**

SPONSORED BY: Council President McGuigan

Whereas, there have been pending before the New Jersey Tax Court a series of real estate tax appeals filed against the City as Defendant by Harbour Cove Marina, LLC as Plaintiff, for tax years 2009 through 2013; and

Whereas, a stipulation of settlement was prepared and executed by the parties in April of 2014; and

Whereas, subsequent thereto a dispute arose between the parties concerning the terms of the settlement; and

Whereas, a motion was filed by Plaintiff to set aside the settlement and proceed to trial on the subject appeals; and

Whereas, an order had been entered by the Tax Court precluding the City Tax Collector from holding a real estate tax sale; and

Whereas, motion was filed on behalf of the City to vacate that prior order, to authorize the Tax Collector to proceed with a property tax sale and to dismiss Plaintiff's motion to set aside the prior Settlement; and

Whereas, negotiations have been held between the parties and court hearings have been held before Judge Michael J. Gilmore on December 14, December 19, and December 22, 2017; and

Whereas, the settlement terms were reviewed with the City Tax Collector, City Administrator and with City Council during an Executive Sessions held on November 20 and December 14, 2017; and

Whereas, an Order embodying the terms of the settlement was issued by the Tax Court on December 22, 2017 subject to formal approval by Council Resolution on January 11, 2018.

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Now, therefore, it is hereby Resolved by the City Council of the City of Somers Point that the following terms of settlement set forth in the December 22, 2017 Order of the Tax Court are hereby approved and ratified:

- 1) The Plaintiff's Motion to set aside the prior settlement, vacate the judgments entered, enjoin any property tax sale proceeding and to proceed to trial on the 2009-2013 tax appeals will be dismissed with prejudice;
- 2) The payment to the City by Plaintiff in the amount of Four Hundred Thousand Dollars made on December 22, 2017 is accepted in full satisfaction of any and all outstanding property taxes, interest, penalties and any other charges associated with tax assessments on the subject property due through December 31, 2017;
- 3) Any interest and late fee penalties in excess of Four Hundred Thousand Dollars is waived;
- 4) The 2017 property assessment in the aggregate amount of \$3,250,000 (\$1,975,000 Land and \$1,275,000 Improvements) upon the Plaintiff's property (Block 1211 / Lot 2) with an address of 520 Bay Avenue is affirmed;
- 5) No refunds, credits or other payments are to be made by the City to Plaintiff;
- 6) The Order precluding the City Tax Collector from conducting a property tax sale is vacated; and
- 7) The property tax sale which was postponed from December 22, 2017 shall be cancelled.

Resolution No. 37

M/S – Toto/Dill

The resolution was adopted by a unanimous vote of those present.

No. 37 of 2018 (corrected copy)

Subject: Authorizing the Electric Vehicle Charging Station Grants
Introduced By: Councilmen Dill, D'Adamo and Meischker

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the City of Somers Point strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

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WHEREAS, the City of Somers Point is participating in the Sustainable Jersey Program and the installation of electric vehicle charging stations is one of the encouraged actions; and

WHEREAS, the New Jersey Department of Environmental Protection is offering grants to deploy electric vehicle charging stations throughout the State; and

WHEREAS, cars and trucks account for about thirty percent of ozone-forming precursors in New Jersey's air and the State feels that it is critical that emissions from transportation be reduced to protect public health; and

WHEREAS, there are 10,000 electric vehicles on the road in New Jersey, with fewer than 1,000 charging stations, many of which are not accessible to the public; and

WHEREAS, the grants available include the "Pays to Plug In" electric vehicle program and a second program funded by a federal settlement with Volkswagen for emissions violations.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the City of Somers Point has determined that City of Somers Point should apply for the aforementioned grants.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to submit the aforementioned grant applications and any other necessary documents and agreements required in this regard on behalf of the City of Somers Point and that their signature constitutes acceptance and approval of the signed documents and agreements.

Resolution No. 38

M/S – Tapp/Dill

The resolution was adopted by a unanimous vote of those present.

No. 38 of 2018 (Amending Resolution No. 9 of 2018)

Subject: Zoning Board Appointments

Introduced by: Councilman Tapp

WHEREAS, a vacancy exists in the Alternate No. 1 position of the Zoning Board, said term expiring December 31, 2019; and

WHEREAS, Council wishes to appoint Guy Salani to the Alternate No. 1 position to fill a vacancy, said term expiring December 31, 2019.

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WHEREAS, Council wishes to appoint Mike Kedziora to the Alternate No. 2 position to fill a vacancy, said term expiring December 31, 2018.

WHEREAS, Council wishes to reappoint Shawn Rowan with a term expiring December 31, 2021; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, New Jersey that the Somers Point Zoning Board of Adjustment is constituted as follows

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, New Jersey that the Somers Point Zoning Board of Adjustment is constituted as follows:

| MEMBER | EXPIRATION OF TERM |
|----------------------------|---------------------------|
| David Robbins | Dec. 31, 2020 |
| Joseph Craddock | Dec. 31, 2020 |
| Shawn Rowan | Dec. 31, 2021 |
| Janice Johnston | Dec. 31, 2018 |
| Charles "Skip" Broomall | Dec. 31, 2018 |
| Tracy Campbell | Dec. 31, 2019 |
| Paul Huber | Dec. 31, 2019 |
| Alternates: | |
| Guy Salani – Alt. No. 1 | Dec. 31, 2019 |
| Mike Kedziora – Alt. No. 2 | Dec. 31, 2018 |

Resolution No. 39

M/S – Meischker/Dill

The resolution was adopted by a unanimous vote of those present.

No. 39 of 2018 (corrected copy)

**Resolution Appointing Members to the Economic Development
Advisory Commission to Fill Vacancy**

Introduced by: Councilman Dennis Tapp and Councilman Ron Meischker

WHEREAS, Ordinance No. 1 of 2006 authorized the establishment of an Economic Development Advisory Commission; and

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WHEREAS, Ordinances No. 31 of 2007 and Ordinance 5 of 2014 amended said Ordinance; and

WHEREAS, Somers Point City Council ratified in Chapter 20-3 of the City Code that the Economic Development Advisory Commission shall consist of not less than nine nor more than 12 regular members, all appointed by City Council, and all members shall have a term of office of three calendar years, or such lesser period of time as may be caused by the date of appointment, with terms expiring at 11:59 p.m., December 31 of each calendar year. Appointments shall be staggered such that not less than three appointments expire each year, and each year at least three members are to be appointed to full three-year terms.

WHEREAS, City Council wishes to reappoint Gregg Sykora and Mario Suarez with a term expiring December 31, 2020; and

WHEREAS, a vacancy exists on the Commission; and

WHEREAS, the City Council hereby appoints Anthony Guldin as a Regular Member to fill the vacancy for a term expiring December 31, 2018; and

NOW, THEREFORE, BE IT RESOLVED that the Economic Development Advisory Commission consists of the following members:

| <u>Regular Members</u> | <u>Expiration of Term</u> |
|-------------------------------------|---------------------------|
| Mary Jane Bolden | December 31, 2018 |
| Glenn Monroe | December 31, |
| 2020 | |
| Greg Sykora | December 31, 2020 |
| Mario Suarez | December 31, 2020 |
| Brenda Klock | December 31, 2019 |
| Sue Seckinger | December 31, 2019 |
| Ron Ralston | December 31, 2019 |
| Levi Fox | December 31, 2019 |
| Anthony Guldin | December 31, 2018 |
| | |
| <u>Advisory ExOfficio Member(s)</u> | <u>Expiration of Term</u> |
| Jann E. Mevoli | December 31, 2018 |
| Vacant | December 31, 2018 |

Old Business:

None

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New Business:

City Councilman Dill motioned to approve Jesse Morales' New Jersey Firemen's Association Membership Application that was seconded by Councilman Toto and carried.

Council President McGuigan shared a letter from the Ocean City Administrator requesting to resurface the flower beds to the south of the Rt. 52 bridge entrance in concrete and install bike racks contingent of NJDOT approvals, and Ocean City would cover all costs. The Governing Body concurred to allow Ocean City to install the bike racks.

Discussion of Bills:

Administrator Swain reported a bill list dated 1/9/18 in the amount of \$1,494,759.09 along with a record of payment of \$332.44 to replenish petty cash funds.

Public Portion

Public Portion was duly opened for comments. Hearing nothing from the public, accordingly the public portion was duly closed.

Payment of Bills

M/S – Tapp/Dill

The bill list was approved by a unanimous vote of those present. A complete list of bills is on file in the Office of the Municipal Clerk.

Adjournment

There being no further business to come before Council, the meeting was adjourned at 7:24 p.m.

Respectfully submitted,

Lucy R. Samuelson, RMC
Municipal Clerk
Approved: 2/8/18