

REGULAR MEETING MAYOR AND CITY COUNCIL January 14, 2021

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

Council President Johnston recognized the passing of former City employee Ann Leonetti.

Mayor Glasser sent his thoughts and prayers to the Leonetti Family. He recalled when he first became Mayor; he was impressed with her one- of- a -kind smile and comforting way. He sent his condolences to her family.

Roll call was recorded as follows:

Present: Bruno, Dill, Ferreri, McCarrie, McGuigan, Owen, Johnston

Also Present: Mayor Glasser, City Administrator Frost, Deputy City Clerk Heath, City Solicitor Thomas Smith, Engineer Greg Schneider

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 and on the City's website, somerspointgov.org. The meeting was held via ZOOM platform due to the pandemic of COVID-19. Council President Johnston announced the instructions for joining the meeting electronically.

Communications:

None

Mayor's Report:

Mayor Glasser thanked everyone that was involved with the Holiday Parade. Under the current circumstances, with the COVID19 Pandemic, it was great everyone was able to get out and enjoy the parade. He thanked both Fire Departments for their participation. Mayor Glasser also thanked everyone who put up holiday lights and decorations this year. He mentioned it gave people a sense of hope for the New Year and believes it was great community event. Lastly, Mayor Glasser informed that Atlantic City Electric has are offering payment services support for anyone having difficulties with their energy bills. Mayor Glasser shared that the information is available at atlanticityelectric.com or by calling 1-800-642-3780.

REGULAR MEETING MAYOR AND CITY COUNCIL January 14, 2021

Administrator's Report:

City Administrator Frost stated he looks forward to working with City Council and believes there is a good momentum moving into the new year.

Solicitors Report:

Solicitor Smith welcomed the newly elected Council Members and invited them to give him a call anytime.

Committee Reports:

Council Member Dill stated the Steering Committee has sent a letter to Wawa regarding installing charging stations for electric vehicles. He informed the City has a grant for electric charging stations, and the Committee is considering locations to install them such as the Gateway Theatre parking lot, the Mansion parking lot or as an alternate, the parking lot at City Hall. Council Member Dill mentioned the COVID19 Relief Bill that is being worked on at the State and should be released in the next few weeks. This Bill could include businesses, non-profits and Chambers of Commerce to be able to apply. Council Member Dill also discussed the striping of the bike path on Somers Point Mays Landing Road. The County would like to enter into an Agreement requiring the County to do the initial striping, and the City to maintain it. Council Member Dill reported there is a preconstruction meeting regarding the long-awaited Route 9 sidewalks scheduled for 1/22/21 at 10AM to meet with the contractor to begin to get the project. Council Member Dill stated he is hopeful to see the Resolution approved for the West Atlantic Avenue project on the upcoming agenda.

Approval of Minutes:

On the motion of Council Member Owen, seconded of Council Member Ferreri and carried to approve the Regular Meeting Minutes of 12/23/20, and Reorganization Meeting Minutes of 1/1/21 were approved. Council Member Dill recused from voting on the 12/23/20 minutes and Council Members Ferreri, McCarrie and Bruno voted as to content only.

Ordinances:

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

Ordinance No. 1 of 2021

Introduction/First Reading

M/S- Owen/McCarrie

The ordinance was adopted unanimously by a roll call vote of those present.

ORDINANCE NO. 1 of 2021

**AN ORDINANCE AMENDING ORDINANCE NO. 1 OF 2019,
AN ORDINANCE OF THE CITY OF SOMERS POINT,
COUNTY OF ATLANTIC, NEW JERSEY, ESTABLISHING
THE RATES, FEES, RENTS AND OTHER CHARGES OF
THE CITY OF SOMERS POINT SEWER UTILITY.**

BE IT ORDAINED by the City Council of the City of Somers Point, that, in accordance with the Municipal and County Sewerage Act, N.J.S.A. 40A:26-A-1 et seq., Section 1 of Ordinance No. 1 of 2019 is hereby amended, and the following schedule of rates, fees, rents and other charges is hereby implemented:

**Rates and Charges
of the
City of Somers Point Sewer Utility**

SECTION 1.

1. The minimum charge per equivalent domestic unit shall be \$383.00 annually.
2. The annual unit sewer charge based on the type of property served shall be as follows:
 - (a) Private dwellings, condominium units and cooperative units basic charge \$383.00
 - (b) Structures with apartments - each apartment \$383.00
 - (c) Hotels, rooming houses and private dwellings with rented rooms –
basic charge \$383.00
plus each rented room \$276.00
 - (d) Motels - each standard rental unit \$276.00
- each efficiency rental unit. \$383.00
 - (e) Small Businesses/Professional Office/Professional Condo Office –
Minimum one charge for each office \$383.00
Additional charges based on water consumption \$383.00

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

- (f) Trailer parks - each trailer \$383.00
- (g) Service stations and garages \$383.00
- (h) Service stations and garages with washing facilities \$760.00
- (i) Pumpout facilities for marinas \$383.00
- (j) Churches \$383.00
- (k) Public buildings \$760.00
- (l) The service charge for the use of services of the sewerage system for the persons who are hereinafter designated, shall be and the same is hereby fixed and determined as follows: The calculation of the said service charge shall be based and computed on the consumption of water on or in connection with the real property of such persons, which water consumption shall be determined by the reading of the water use meter used in connection with the real property of such person during the highest three (3) month period of such water used during any given billing year; such water use thus determined shall then be divided by a factor of twenty-seven thousand (27,000) and the quotient shall then be rounded upwards to the next highest whole number; the said quotient shall then be multiplied by a factor of \$383.00, and the resulting product, which shall be expressed in terms of dollars, shall be the annual sewerage charge for such persons.

The persons referred to in this section are the following: self service laundries, schools, restaurants, diners, bars, taverns, nursing homes, hospitals, bowling alleys, theatres, shopping centers, barber shops and beauty parlors. Large business establishments or industrial plants and other commercial establishments not herein specifically mentioned.

- (m) Any building, institution, commercial or industrial establishment discharging wastes other than domestic sewage will pay a premium charge for the waste. If the waste discharged into the sewer system by industrial users is stronger than allowed by the rules and regulations, the user shall pay a premium charge for the extra strength waste applied as a factor against the annual charge in category. The premium charge shall be based on the following formula for determination of the multiplication factor.

Factor= $53.0\% + 19\%(\text{BOD in ppm}^*) + 22\% (\text{ss in ppm}^*) + 6\%(\text{chlorine demand in ppm}^*)$

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

300 350 5

*Where these figures are less than 300 ppm in BOD or 350 ppm in suspended solids or 5ppm in chlorine demand, the value in the parentheses () shall be equal to "1".

The industrial user will be required to submit a report at least once monthly indicating the strength of sewage entering the Utility's system. The report shall be from an independent laboratory approved by the Utility. For billing purposes during any one year, the Utility will take the average of the samples submitted for use in determining the strength factor. If no reports are submitted to the Utility then the Utility reserves the right to obtain representative samples and use the results obtained from the samples to determine the factor for billing purposes. The cost of any tests required to be performed by the Utility will be added to the user's charges.

All other provisions relating to industrial wastes will be found in the Rules and Regulations of the Utility.

- (n) Notwithstanding anything to the contrary in this section, the minimum service charge to be paid with respect to any type of property shall be\$383.00

SECTION 2:

All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

SECTION 3:

This Ordinance shall take effect after final passage, adoption and publication according to law.

Ordinance No. 2 of 2021
Introduction/First Reading
M/S- Owen/McCarrie

The ordinance was adopted by a roll call vote of those present with Council Member Dill recusing and Council Member McGuigan voting no.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

Council Member McGuigan expressed his strong opposition to this Ordinance. Council President Johnston stated this Ordinance change will give the City control over any issues involved with Short Term Rentals.

ORDINANCE NO. 2 of 2021

**An Ordinance Amending and Supplementing the Somers Point
Municipal Code Chapter 169, Littering and Property Maintenance;
Article V, Registration and Inspection of Certain Rental Units,
Apartments and Dwelling Units.**

WHEREAS, N.J.S.A. 40:52-1 authorizes a Municipality, by Ordinance, to license and regulate the rental of real property for a term less than 175 consecutive days for residential purposes by a person having a permanent place of residence elsewhere; and

WHEREAS, the City Council of the City of Somers Point recognizes that there exists a growing business for short-term residential rentals available on the internet which certain Somers Point residential property owners are availing themselves to; and

WHEREAS, the City Council of the City of Somers Point believes that it is important for purposes of health and safety to license and regulate this new form of business; and

WHEREAS, Chapter 169, Article V of the City's Code currently contains ordinances which provide oversight and control of the residential rental units in the City; and

WHEREAS, the City Council is desirous of amending and supplementing these ordinances so as to recognize, and to provide oversight of this growing business.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Somers Point, County of Atlantic, and State of New Jersey as follows:

The Somers Point Municipal Code Chapter 169, Littering and Property Maintenance; Article V, Registration and Inspection of Certain Rental Units, Apartments and Dwelling Units, is hereby amended and supplemented to add the following in the Sections denoted herein:

Section 169-46. Definitions.

Short-Term Rental

Any rental unit rented for a term less than 175 consecutive days for residential purposes by a person having a permanent place of residence elsewhere.

Section 169-47. Registration required; registration certificate; license.

C. Information to be provided in the registration certificate:

...

(13) For all short-term rentals the requirements of Subsection C(8), paragraphs (c), (d) and (i), need not be provided at the time of said registration. However, this information is to be obtained, recorded and maintained in ledger form by said Landlord and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

supplied to the Code Enforcement Officer of the City of Somers Point, or his/her designee, either upon demand or at the time of the annual inspection of said rental unit as set forth in Subsection B of Section 169-48. The applicant shall also provide on the registration form the maximum number of occupants that will be renting, occupying and/or staying at the property at any one time.

...

G. All short-term rentals, as operating businesses, are also required to obtain a mercantile license as set forth in Chapter 174 of this Code, and in order to maintain said license may not be rented or leased out for a time period of less than two nights.

Section 169-48. Certificate of Occupancy; inspection; fees.

B. (The following language shall be added at the end of this paragraph): For short-term rentals, the aforesaid inspection is not required for changes in occupancy and/or tenancy, but an inspection by the aforementioned representative of the City for the property is required to occur once a year, and shall occur within fifteen (15) days of the application for the property's mercantile license. Failure to have such an inspection conducted shall result in the immediate suspension of the right to lease the premises. The landlord of a short-term rental shall conduct quarterly self-inspection of the property for health and safety purposes using a form issued by the City's Code Enforcement Officer of the City of Somers Point, or his or her authorized designee, which completed forms shall be maintained and kept with the ledger referenced in Subsection C(13) of Section 169-47 of the within Article, and shall be provided to said designated official at the time of the inspection.

Section 169-50. Fees; exceptions.

(The following language shall be added as the last sentence in the first full paragraph): No owner or landlord of a short-term rental shall be required to pay a registration fee as long as they can demonstrate at the time of registration that they hold a current, valid mercantile license for the short-term rental business conducted at the property.

Section 169-51. Occupancy prohibitions.

F. (The following language shall be added at the end of the sentence in this Subsection): In the case of a short-term rental, the 29-day exception referenced herein is not allowed.

BE IT FURTHER ORDAINED that should any section, clause, sentence, phrase, provision in these amendments to ordinances be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remain portions of these ordinances.

This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

Ordinance No. 3 of 2021
Introduction/First Reading
M/S- Ferreri/Owen

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

The ordinance was adopted by a roll call vote of those present with Council Member McGuigan voting no.

Council Member McGuigan compared the fee to that of other Municipalities. Solicitor Smith stated the proposed fee is consistent with the other mercantile fees in the City. City Council and Solicitor Smith discussed mercantile license fees.

**ORDINANCE NO. 3 of 2021
An Ordinance Amending and Supplementing the Somers Point
Municipal Code Chapter 174, Mercantile Licenses; Section 174-4, Fees.**

WHEREAS, N.J.S.A. 40:52-1 authorizes a Municipality, by Ordinance, to license and regulate the rental of real property for a term less than 175 consecutive days for residential purposes by a person having a permanent place of residence elsewhere; and

WHEREAS, in recognition of the growing business of short-term, residential rentals in the City of Somers Point, City Council has amended Chapter 169, Article V, of the Somers Point Municipal Code, which deals with the registration and inspection of certain rental units, apartments and dwelling units so as to impose safety and health requirements and regulations on such business operations; and

WHEREAS, the City Code currently does not reflect a mercantile fee to be imposed upon such business of operations for short-term, residential rentals; and

WHEREAS, the City Council of the City of Somers Point is desirous to set such a mercantile fee so as to offset, in part, the cost of implementing the associated health and safety requirements and regulations imposed by its amendment to Chapter 169, Article V, of the Somers Point Municipal Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Somers Point, County of Atlantic, and State of New Jersey that the Somers Point Municipal Code Chapter 174, Mercantile Licenses; Section 174-4, Fees, is hereby amended and supplemented to add the following:

<u>Type of License</u>	<u>Fee</u>
Short Term Rental (Residential Rentals For Less Than 175 Days)	\$100

This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

Resolutions:

Deputy Clerk Heath read by title only the list of resolutions.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

The meeting was duly opened to the public.

Patricia Pierson of Marks Road asked for more information regarding Resolution No. 43, and the hospital donation. Council President Johnston discussed the resolution.

Greg Sykora of 2 Horter Lane inquired regarding Resolution No. 42. City Administrator Frost explained this resolution will allow the City to go out to bid and receive estimates to install a solar canopy on Defeo Lane. Patricia Pierson requested additional information. City Council discussed the benefits of a solar canopy in the City of Somers Point.

Hearing nothing further from the public, this portion was duly closed.

Resolution No. 35 of 2021

M/S- Owen/Dill

The resolution was adopted by unanimous vote of those present.

No. 35 of 2021

Subject: Amending and Correcting Resolution No. 9 of 2021 Zoning Board
Appointments
Introduced by: Council President Johnston and Councilmembers Dill and McCarrie

WHEREAS, Council wishes to reappoint Joseph Craddock with a term expiring December 31, 2024; and

WHEREAS, Council wishes to reappoint Robert Marshall with a term expiring December 31, 2024; and

HEREAS, Council wishes to appoint John Helbig to the Alternate No 2 position with said 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

MEMBER	EXPIRATION OF TERM
Dennis Tapp	Dec. 31, 2023
Joseph Craddock	Dec. 31, 2024
Shawn Rowan	Dec. 31, 2021
Robert Gannon	Dec. 31, 2022
Robert Marshall	Dec. 31, 2024
Mike Kedziora	Dec. 31, 2023
Rex Granus	Dec. 31, 2022

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

Alternates:

Elizabeth Lawler (No. 1)

Dec. 31, 2022

John Helbig (No. 2)

Dec. 31, 2021

Resolution No. 36 of 2021

M/S- Dill/Ferreri

The resolution was adopted by unanimous vote of those present.

Council Member McGuigan questioned Solicitor Smith if the Resolution needs to be amended since there is no refund. Solicitor Smith stated the Resolution is acceptable as written.

No. 36 of 2021

Subject: A Resolution Authorizing the Cancellation and/or Refund of Taxes Pursuant to the Disabled Veterans Act (N.J.S.A. 54:4-3.30, et seq;L.1948, c.259 as amended) for Block 720, Lot 24, Also Known as 3 Northview Drive in the City of Somers Point

Introduced by: Council President Johnston

WHEREAS, Francis J. Dougherty, a Somers Point resident and owner of certain lands known as Block 720 Lot 24 (and more commonly known as 3 Northview Drive) qualifies as a disabled veteran under the Disabled Veterans’ Act.

WHEREAS, Francis J. Dougherty, by way of a letter issued by the Department of Veterans Affairs, was deemed to have a wartime service-connected disability with a 100% permanency rating; and

WHEREAS, Francis J. Dougherty, as a result of receipt of such letter, filed with the Tax Assessor’s Office of Somers Point on December 30, 2020, a claim for property tax exemption on the Dwelling of a Disabled Veteran pursuant to the terms of N.J.S.A 54:4-3.30, et seq; and

WHEREAS, the City’s Tax Assessor, Sean M. Gaskill, CTA, has determined that Francis J. Dougherty meets the requirements for tax exemption on the issues of disability, war time service, ownership, residency and citizenship for the aforesaid property as required under the Disabled Veteran’s Act (N.J.S.A 54:4-3.30, et seq), and has assigned an exempt status to the property with an effective date of December 30, 2020

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Somers Point that, to the extent that taxes have been paid on the aforesaid property of 3 Northview Drive, for the period post December 30, 2020, same shall be cancelled.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

Resolution No. 37 of 2021

M/S- Dill/Owen

The resolution was adopted by unanimous vote of those present.

No. 37 of 2021

Subject: Appointment of COAH Municipal Planner
Introduced by: Council President Johnston

WHEREAS, the City of Somers Point has identified a need for a Fair Housing Act Municipal Planner (COAH Municipal Planer) for the period commencing upon appointment and for a term not to exceed one year to assist the City in developing and presenting a Compliance Plan to the New Jersey Superior Court for approval and acceptance; and

WHEREAS, this contract is being awarded through a fair and open process pursuant to N.J.S. 19:44A-20.4 et. seq.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point as follows:

1. **MASER Consulting P.A.** be and hereby is appointed as COAH Municipal Planner for the City of Somers Point for the period January 1, 2021 through a term to end not later than December 31, 2021, inclusive.
2. This agreement is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because public bidding is not required for said service.
3. This appointment is not exclusive during the term of this contract, and that City Council reserves the right to award work of the exact or similar nature as the work described herein to any other qualified professional, at its sole discretion.
4. The Mayor is hereby authorized to execute an agreement with **MASER Consulting P.A.** in connection with these services, and, upon execution, the contract will be attached to this resolution and become a part hereof.
5. As indicated in the Division of Local Government Services Local Finance Notice 2006-7, because this is awarded through a fair and open process, further public notice per N.J.S.A. 40A:11.5 (6) is not required.

Resolution No. 38 of 2021

M/S-Dill/Owen

This resolution was adopted by unanimous vote of those present.

Council Member Dill thanked the City employees and First Responders for the how they have handled the COVID19 Pandemic this past year and for all the hard work they have done.

No. 38 of 2021

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

**Subject: Extending the COVID19 Employee
Absence Policy**

Introduced By: Mayor Glasser, Councilman Dill and Council President Johnston

WHEREAS, it is recognized that, among many reasons, the health of the City's employees is imperative to the continuance of our local government's operations and ability to provide services for the residents of Somers Point; and

WHEREAS, in response to the continuing COVID-19 Pandemic the City Council of the City of Somers Point deems it necessary to extend the policy adopted in Resolution 86 of 2020 concerning employee absences.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point as follows:

1. The COVID-19 Employee Absence Policy attached hereto and made a part hereof is hereby extended on a temporary basis for as long as is necessary in response to the current health crisis, but not later than December 31st, 2021, unless further extended by City Council. This extension shall be retroactive as of January 1st, 2021.

2. The City Administrator is hereby authorized and directed to implement this policy in a practical manner and adjust the policy as may be necessary due to evolving nature of this crisis.

Resolution No. 39 of 2021

M/S- Owen/Ferreri

This resolution was adopted by unanimous vote of those present.

No. 39 of 2021

**Subject: Resolution of Local Governing Body Authorizing the Historic
Preservation Fund Grant from the New Jersey Historic Preservation
Office**

Introduced by: Council Members Bruno, Ferreri and Owen

WHEREAS, the Certified Local Government (CLG) program offers municipalities the opportunity to participate more directly in state and federal historic preservation programs; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

WHEREAS, participation in the Certified Local Government program requires that a municipality have a historic preservation ordinance and a historic preservation commission conforming to the specifications of both the Municipal Land Use Law and the National Park Service approved New Jersey Certified Local Government Guidelines; and

WHEREAS, as a Certified Local Government, the City of Somers Point is eligible to apply for Historic Preservation Fund (HPF) grants for a variety of local preservation activities; and

WHEREAS, Historic Preservation Fund grants can be used to cover the areas of survey, registration, planning and education.

WHEREAS, the Governing Body of the City of Somers Point desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of no more than \$30,000 to develop plans and specifications for enhancements to Somers Mansion; and

WHEREAS, no local match is required for these grant funds;

THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Somers Point, State of New Jersey, resolves that Jack Glasser or the successor to the title of Mayor to authorized to make an application for this grant; and

BE IT FURTHER RESOLVED, that if the grant is awarded to the City, the Mayor and Clerk are authorized to execute a grant agreement with the State for a grant in an amount not less than \$9,000 and not more than \$30,000 and to execute amendments thereto.

BE IT FURTHER RESOLVED, that the City of Somers Point agrees to comply with all applicable federal, State, and municipal laws, rules and regulations in its performance pursuant to the agreement.

Resolution No. 40 of 2021

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

Council Member Dill stated that this is a renewal of a service from last year, which has been a satisfactory relationship. Council Member McGuigan stated that the relationship has been excellent, and he is very glad this has been renewed.

Council Member McCarrie concurred with the other Council Members and mentioned this gives the City the opportunity to look at other areas where shared services may be helpful.

Council President Johnston concurred with the Council Members statements.

No. 40 of 2021

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

Subject: Resolution Authorizing the City of Somers Point to Enter into a Shared Services Agreement with the Township of Galloway for the Purposes of Sharing Tax Assessor Services

Introduced by: Council President Johnston

WHEREAS, the "Uniform Shared Services and Consolidation Act," N.J.S.A. 40A:65-1 et seq. ("Act"), allows any local unit to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units; and

WHEREAS, N.J.S.A. 40A:65-5 requires the adoption of a resolution by the local units in order to authorize the execution of a shared services agreement; and

WHEREAS, the City of Somers Point ("City") and the Township of Galloway ("Township") have determined it to be in the mutual interest of each governing body to share tax assessor services; and

WHEREAS, the City wishes to enter into a shared services agreement ("SSA") with the Township for the purpose of setting forth the terms, conditions, and obligations of each party regarding tax assessor services, which will benefit both the City and the Township by increasing the efficiency and decreasing costs of those services; and

WHEREAS, the City and the Township had previously negotiated the terms of the past SSA and the City Administrator and Conflict Solicitor have recommended that City Council adopt a comparable SSA as the same has been drafted.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, County of Atlantic, State of New Jersey, as follows:

1. The Mayor shall be and is hereby authorized to execute the Shared Services Agreement with the Township of Galloway for Tax Assessor Services named Assessor Sean Gaskill, substantially in the form attached hereto and subject to such modifications as required and authorized by the City Administrator and Solicitor.
2. A copy of the SSA shall be filed with the Division of Local Government Services, Department of Community Affairs, in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-4(b).
3. The SSA shall take effect upon the adoption of appropriate resolutions by both parties thereto, and execution of agreements authorized thereunder, N.J.S.A. 40A:65-5(c).

Resolution No. 41 of 2021

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

Council Member Dill asked City Administrator Frost to explain how this program works, and the need for it in the City. Administrator Frost explained this card will be similar to a debit card and will only be used for emergency purchases or for companies that only allow payment via debit or procurement cards. He informed that there will be authorized users that would only have access to the card.

No. 41 of 2021

Subject: Establishing Policies and Procedures for the Use of Procurement Cards and Authorizing the Execution of a Procurement Card Agreement with a Financial Institution and Other Documentation as Required to Implement a Procurement Card Program for the City of Somers Point

Introduced By: Council Members McGuigan and Dill and Council President Johnston

WHEREAS, the Qualified Purchasing Agent has recommended that procurement cards be utilized where appropriate for purchases of and/or for the City of Somers Point; and

WHEREAS, the use of procurement cards can be a highly beneficial tool for local governments looking to further utilize e-commerce and strengthen their purchasing controls; and

WHEREAS, the rules adopted by the Local Finance Board governing the use of procurement cards are set forth in N.J.A.C. 5:30-9A; and

WHEREAS, the law, N.J.S.A . 40A:5-16(c) establishes the specific circumstances when procurement cards can be used; and

WHEREAS, the Chief Finance Officer agree with the City Administrator and Qualified Purchasing Agent's recommendation.

WHEREAS, the Mayor and City Council find that a procurement card program would be beneficial to the City and wish to authorize their use and establish policy and procedures for their use as required by law; and

WHEREAS, the Mayor and Council also wish to authorize the Qualified Purchasing Agent to execute a Procurement Card Contract with a Financial Institution, and other documentation as required to implement a procurement card program for the City of Somers Point.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the City of Somers Point hereby adopts the following policies and procedures for the use of procurement cards for purchases of and/or for the City of Somers Point and that the policies and procedures for the use of procurement cards as stated herein shall be included in the Somers Point City Purchasing Manual:

PROCUREMENT CARDS

A. How Procurement Cards Can Be Used

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

1. P-Cards can be utilized for tangible supplies or non-tangible items under the following conditions:
 - a. When payment to vendors is required in advance of the delivery of certain materials or services that cannot be obtained from any other source at comparable prices. (N.J.S.A. 40A:5-16(c)(1))
 - i. Advance payment is required by the vendor
 - ii. Comparable pricing is not otherwise obtainable for such goods or services to be available at the time and place required
 111. The QPA, CFO or City Administrator has approved such item for purchase from a particular vendor
 - b. When ordering, billing and payment transactions for goods and services are made through a computerized electronic transaction (N.J.S.A. 40A:5-16(c)(2))
 - i. An order is placed from computer to computer, such as on the Internet or similar computer network
 11. Vendor requires immediate payment
 - iii. The Qualified Purchasing Agent (QPA) has approved such item for purchase from a particular vendor.
 - c. When certification is not obtainable (N.J.S.A. 40A:5-16(c)(3))
 1. Certification is not readily obtainable by the contracting unit; but such exceptions shall not include reimbursement of employee expenses or payment for personal services
 2. Transactions cannot exceed the amount designated and authorized.
 3. P-Cards cannot be used for the purchase of items or services of a personal nature for employees, volunteers or officials.

B. Procurement Card Program Oversight

1. The Qualified Purchasing Agent (QPA) shall serve in the capacity of program manager if one is so employed and appointed as QPA by the City. If the City has not appointed a Qualified Purchasing Agent, the Chief Finance Officer (CFO) shall serve in the capacity of program manager. The program manager shall be responsible for day-to-day oversight and management of supervisory review of procurement card usage. Supervisory review means confirming the propriety and accuracy of P-Card usage by all authorized users.
2. The role of a program manager in overseeing the P-Card program does not exempt that individual from accountability to those above them in the organization.
3. Should the program manager not hold a QPA certification, the maximum threshold on P-Card transactions shall not exceed 15% of the City's bid threshold.

REGULAR MEETING MAYOR AND CITY COUNCIL January 14, 2021

4. The program manager and CFO shall assure that internal controls are maintained concerning the integrity of vendor payments, accumulated costs for goods and services as well as other Local Public Contract Law requirements.
5. The City Administrator, CFO and program manager shall receive training in all aspects of the system.
6. The program manager will develop and administer a supervisory review process, identify and manage all risks associated with P-Card use; as well as engage in any other oversight or management duties required to ensure their proper utilization.
7. P-Cards must be issued in the name of a specific individual upon completion of the requisite training, and cannot be issued to personnel who are neither covered by a fidelity bond or a blanket honesty policy held by the local unit (or become ineligible for said coverage after being issued a P-Card). Violations of policies governing P-Card use shall result in appropriate remedial or disciplinary action.
8. P-Cards shall only be issued in the names of the program manager, CFO, and City Administrator. No other employee shall have a card issued in their name or authority to use the P-Card.
9. The program manager, CFO, and City Administrator shall sign an acknowledgement of Procurement card training and agreement to abide by policies and procedures for procurement card usage and said agreement shall be retained by the City in their personnel file.
10. The Program Manager shall also ensure that:
 - a. all cards have imprinted on them both the users' names and the name of the local unit
 - b. the merchant code is accurate
 - c. Sufficient funds are encumbered from the proper accounts to cover any charges the user is authorized to make.
 - d. Program participants are aware of the program and approved vendors with whom the cards may be utilized, dependent upon contracts awarded by the governing body.
 - e. When applicable and bids are advertised, the bid documents include that the payments may be made by procurement card so the local unit receives in their bid prices any discount for timely payments.

11. Users shall expeditiously provide all receipts to the program manager, who will compare receipts to the computer-generated usage report provided by the card company. Returned material must be reported to the Program Manager quickly to ensure either the charge is cancelled or the local unit receives proper credit.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

C. Nothing in this policy shall change regulations or requirements pursuant to Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)

BE IT FURTHER RESOLVED that the Qualified Purchasing Agent is hereby authorized to execute a Corporate Card Program Linking Authorization Contract with the State of New Jersey, and other documentation as required to implement a procurement card program for the City of Somers Point.

Resolution No. 42 of 2021

M/S- Ferreri/Owen

This resolution was adopted by unanimous vote of those present.

No. 42 of 2021

Subject: Resolution Pursuant to N.J.S.A. 40A:11-4.1 Authorizing the Use of Competitive Contracting for the Procurement of the Installation of a Solar Electric Canopy (Photovoltaic Or Pv) System Financed Through a Power Purchase Agreement

Introduced by: Councilman McGuigan

WHEREAS, the City of Somers Point (“City”) in consultation with the Somers Point Green Team recognizes the importance of utilizing sustainable energy sources by City operations; and

WHEREAS, the City desires to contract with a vendor to provide for the installation of solar electric (photovoltaic or PV) systems financed through a Power Purchase Agreement

WHEREAS, pursuant to N.J.S.A. 40A:11-4.1 et seq., the City may use competitive contracting for procurement of the operation, management or administration of other services; and

WHEREAS, N.J.S.A. 40A:11-4.1 et seq., permits the City Administrator to administer the process for the purchase pursuant to the rules governing the competitive contracting process; and

WHEREAS, under the competitive contracting process, the contract for the installation of a solar electric canopy system financed through a Power Purchase Agreement will be awarded to that entity submitting a proposal that, when evaluated, most successfully meets the stated criteria and, therefore, achieves the highest ranking, rather than based solely on the lowest price; and

WHEREAS, the City desires to conduct the bidding process for the aforesaid goods and services pursuant to the competitive contracting process as set forth by N.J.S.A. 40A:11-4.1 et seq.

NOW, THEREFORE, BE IT RESOLVED, by the City of Somers Point, in the County of Atlantic, State of New Jersey, that the City Administrator is hereby authorized to utilize and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

administer the competitive contracting process as set forth in N.J.S.A 40A:11-4.1 et seq., to procure the installation of a solar electric canopy (photovoltaic or PV) system financed through a Power Purchase Agreement, pursuant to the rules governing the competitive contracting process.

Resolution No. 43 of 2021

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

Council Member Dill thanked Council President Johnston and last year's committee for the difficult negotiating that was involved with obtaining this donation. He is hopeful the relationship with Shore Medical Center, and the City continues to be positive. Council Member Dill stated once the pandemic is behind us, he is optimistic to see more funding from the hospital and hopes the committee will continue to move forward.

Council President Johnston stated the relationship with the hospital has been very positive and receptive. The committee will continue to negotiate with them.

No. 43 of 2021

Subject: Resolution Acknowledging Anticipation of a Donation and Affirming and Ratifying Execution and Delivery of a Financial Donation Agreement Between Shore Memorial Hospital D/B/A Shore Medical Center and its Affiliates and the City of Somers Point to be Used by the City for the Purposes Specified

Sponsored by: Council President Johnston and Councilman Owen

WHEREAS, N.J.S.A. 40A:5-29 authorizes and empowers any local unit to accept bequests, legacies and gifts and donations and to utilize same for any use which is designated by the donor or is not inconsistent with the laws of this State and of the United States; and

WHEREAS, Shore Memorial Hospital (now doing business as Shore Medical Center) ("SMC") as a good corporate citizen had previously made annual donations to the City which had been either paid into the General Fund or dedicated to specific purposes; and

WHEREAS, SMC and City agreed to continue a similar arrangement during 2021; and

WHEREAS, SMC had proposed to contribute the sum of Fifty Thousand Dollars (\$50,000.00) to be paid into the general fund to be used for general expenses without any specific designation as to the use of the proceeds and an additional Forty Two Thousand Dollars (\$42,000.00) to be used towards the cost of the City's Emergency Medical Services contract with Egg Harbor Township; and

WHEREAS, on or before April 15th, 2021 SMC has committed to delivering to the City its check in the amount of Ninety Two Thousand Dollars (\$92,000.00) which shall be applied as hereinabove specified.

Now, therefore, it is hereby **RESOLVED** by this governing body that the actions taken, including the execution of an agreement between the City and Shore Memorial Hospital D/B/A

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

Shore Medical Center and its affiliates which memorializes the understanding between the parties is hereby approved, ratified and affirmed; and
It is further **RESOLVED** that the City agrees to accept the donations made by Shore Medical Center to the City for the purposes and uses intended.

Resolution No. 44 of 2021

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

No. 44 of 2021

**Subject: Authorizing Advertising Bids for FY 2020 & 2021 State Aid –
Reconstruction of West Atlantic Avenue**

Introduced By: Councilman Dill

WHEREAS, the governing Body of the City of Somers Point has determined that it is the best interest of the City to reconstruct West Atlantic Avenue from Ocean Avenue to Johnson Avenue; and

WHEREAS, the project includes the installation of ADA compliant handicap ramps, new sidewalk to connect to the bikepath, drainage improvements, and additional parking for the Dawes Avenue School; and

WHEREAS, this project is being funded in from FY 2020 & 2021 State Aid Grants in the amount of \$650,000;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the City Engineer is hereby authorized to prepare plans and specifications for the FY 2020 & 2021 State Aid – Reconstruction of West Atlantic Avenue; and

BE IT FURTHER RESOLVED that the City Clerk is authorized to advertise for bids in conformance with N.J.S.A. 40A:11-1 et seq., said bids to be received in the City Clerk’s office at a time established thereafter in accordance with the specifications and in conformance with N.J.S.A. 40A:11-1 et seq.

Old Business:

None

New Business:

REGULAR MEETING MAYOR AND CITY COUNCIL January 14, 2021

- City Council approved New Jersey State Firemen’s Association Application for Membership for Frederick W. Cottrell, Jr.
- City Council discussed restructuring the Recreation Commission to an Advisory Board. City Council agreed to begin this process.
- City Council approved moving forward to put out a Request for Proposal for marina services for the 2021 season.

Council Member McCarrie encouraged the Council and public to research the food they are feeding their pets as there are some foods that are dangerous if ingested.

Council Member Dill asked the Council for thoughts on entering into an agreement with Atlantic County regarding the striping of the bike path. City Council agreed to review an agreement.

Discussion of Bills:

Administrator Frost reported a Record of Payments dated 1/12/21 in the amount of \$225.77 and a Bill List dated 1/12/21 in the amount of \$2,925,910.77.

Public Portion:

The meeting was duly opened to the public.

Patricia Pierson of Marks Road recapped that in 2020 all City employees were not laid off or furloughed throughout the Pandemic. She also stated the City acquired three fire engines, six police cars and four replacement police officers. She recalled the City did not receive the \$250,000 donation from the hospital that was written into the 2020 budget and noted taxes were raised. Ms. Pierson stated several Council Members assisted her with issues she recently brought to their attention. Patricia Pierson expressed kudos to the Sewer Department for the recent assistance they provided. Ms. Pierson requested quarterly financial reports and recognized the struggle restaurants are experiencing during the Pandemic.

Greg Sykora of 2 Horter Avenue reported that Economic Development Advisory Commission has been working for the City of Somers Point to be designated as a Bike Friendly Community through the State of New Jersey. This designation would allow the City to apply for grants that could help the cost of striping and lining the bike path. Mr. Sykora discussed ways to obtain this designation and noted that EDAC will continue to work towards obtaining the designation for the City.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2021**

Hearing nothing further from the public, this portion was duly closed.

Payment of Bills:

M/S – Owen/Ferreri

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:

Council Member Dill stated all employees were paid their salaries for work they performed during the COVID19 Pandemic, but that does not necessarily mean they didn't suffer any type of financial hardship. He also mentioned the City Council last year and continuing this year has made every effort to cooperate and work with businesses to avoid any additional hardships.

There being no further business to come before City Council, Council Member Owen moved, Council Member Ferreri seconded and carried to adjourn the meeting at 8:25 p.m.

Respectfully submitted,

Lucy R. Samuelson, RMC
Municipal Clerk
Approved: 1/28/2021