

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

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

Roll call was recorded as follows:

Present: Haberkorn, Owen, DePamphilis, McCarrie, McGuigan, Dill, Johnston

Also Present: Mayor Tapp, Administrator Frost, City Clerk Samuelson, City Solicitor Smith, and City Engineer Schneider

Open Public Meetings Act:

Pursuant to the Open Public Meetings Act, adequate notice of this meeting has been provided to two local newspapers. The agenda has been posted at City Hall and on the City's website, somerspointgov.org.

Council President Johnston asked for a motion to add Resolution No. 61 of 2024 to the agenda. On the motion of Council Member Dill, seconded of Council Member McCarrie and carried to approve the addition of Resolution No. 61 of 2024.

Communications:

None

Mayor's Report:

Mayor Tapp gave an update on the issue of abandoned shopping carts and informed everyone that the Somers Point Police Athletic-Activities League will be running an instructional basketball program from January 28th to March 10th.

Committee Reports:

Economic Development Advisory Commission Chairman, Chuck Westcott, gave City Council a detailed update on what EDAC has accomplished the past year and their goals for the future, which

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

includes their continuation and expansion of marketing and working with the Atlantic County Economic Alliance.

Council Member Dill thanked all of the EDAC members for their dedication.

Approval of Minutes:

On the motion of Council Member Dill, seconded of Council Member McCarrie and carried to approve, the Reorganization Meeting Minutes of 01/05/2024.

Ordinances:

Ordinance No. 1 of 2024

M/S- Dill/McCarrie

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

(Second Reading/Public Hearing/Adoption)

Council President Johnston duly opened the meeting to the public.

Hearing nothing from the public, the public hearing was duly closed.

No. 1 of 2024

An Ordinance Amending Ordinance No. 1 of 2023, 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 \$386.00 annually.
2. The annual unit sewer charge based on the type of property served shall be as follows:

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

- (a) Private dwellings, condominium units and cooperative units basic charge \$386.00
- (b) Structures with apartments - each apartment \$386.00
- (c) Hotels, rooming houses and private dwellings with rented rooms – basic charge \$386.00
plus each rented room \$283.00

- (d) Motels - each standard rental unit \$283.00
- each efficiency rental unit. \$386.00
- (e) Small Businesses/Professional Office/Professional Condo Office – Minimum one charge for each office \$386.00
Additional charges based on water consumption \$386.00
- (f) Trailer parks - each trailer \$386.00
- (g) Service stations and garages \$386.00
- (h) Service stations and garages with washing facilities \$770.00
- (i) Pumpout facilities for marinas \$386.00
- (j) Churches \$386.00
- (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 \$386.00, 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

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

against the annual charge in category. The premium charge shall be based on the following formula for determination of the multiplication factor.
Factor= $53.0\% + 19\%(\text{BOD in ppm}^*) + 22\%(\text{ss in ppm}^*) + 6\%(\text{chlorine demand in ppm}^*)$

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\$386.00

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 2024

M/S- Owen/McCarrie

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

(First Reading/Introduction)

No. 2 of 2024

AN ORDINANCE VACATING A PORTION OF WEST MARYLAND AVENUE IN THE CITY OF SOMERS POINT, COUNTY OF ATLANTIC, STATE OF NEW JERSEY

REGULAR MEETING MAYOR AND CITY COUNCIL January 25, 2024

WHEREAS West Maryland, LLC, a limited liability corporation registered to do business in the State of New Jersey, and having a business's address of 111 E. 9th Street, 3rd Floor, Ocean City, NJ 08226 (the “Developer”) proposes to construct a 10,614 square foot Contractor's Warehouse and related site improvements (the “Project”) on property designated as Block 914, Lot 1 as shown situated on West Maryland Avenue as shown on the official Tax Map of the City of Somers Point, but with no specific street address; and

WHEREAS on October 13, 2023, Counsel for the Developer appeared before the Somers Point City during a public meeting to present a Project Concept plan, discuss the proposed development of the Project, and the need to have an unimproved portion of West Maryland Avenue paper street vacated in order to construct the Project as planned; and

WHEREAS the Developer applied to the Somers Point Zoning Board of Adjustment requesting a use variance to construct the Project; and

WHEREAS the Zoning Board of Adjustment during a public meeting held on September 11, 2023 approved the requested use variance by Resolution ZB-11-2023 dated October 16, 2023, one condition of which approval being that the Somers Point City Council enact an ordinance vacating a portion of West Maryland Avenue; and

WHEREAS on November 29, 2023, Developer applied to the Somers Point Zoning Board of Adjustment requesting preliminary and final major site plan approval, which application is pending before that Board; and

WHEREAS, on December 20, 2023, Counsel for the Developer submitted a letter request to the Somers Point City Clerk formally requesting the Somers Point City Council to enact an ordinance vacating approximately 6.150.05 square feet of the unimproved paper street West Maryland Avenue, which request included copies of all of the applications and resolutions recited above; and

WHEREAS N.J.S.A. 40:67-1(b) authorizes Municipalities to vacate public streets in the public interest; and

WHEREAS, it has been determined by the Somers Point City Council as follows:

1. The portion of West Maryland Avenue described below is an unimproved "paper street" marked on a map or plat recorded with the City of Somers Point that shows the existence of a public right of way (the “Area to be Vacated”).
2. It has been confirmed by the City Engineer that the City of Somers Point does not hold title to that portion of the Area to be Vacated.
3. The Area to be Vacated has not been physically improved and will no longer be needed for public road purposes once the Project has been completed.
4. The said portion of the Area to be Vacated lends itself to higher and better use than for public road purposes and it is in the best interest of the general public and the City of Somers Point that any public easements, rights, and interests in and to same shall be vacated, released, and extinguished.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

5. That unimproved portion of West Maryland Avenue west of the Area to be Vacated was previously vacated by Ordinance No. 23 of 1991 and the entire vacated portion was transferred to a predecessor in title to West Maryland, LLC, no portion having been retained by the City.

6. Block 1016 abutting West Maryland Avenue to the south is owned by the City of Somers Point and is used for recreational purposes and the City of Somers Point disclaims any interest in the Area to be Vacated.

7. The property abutting the north side of the portion of the Area to be Vacated to which the title to the right-of-way will revert upon vacation is owned by a single owner, West Maryland, LLC. **NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Somers Point, County of Atlantic and State of New Jersey as follows:

SECTION 1. A PUBLIC RIGHT OF WAY IS TO BE VACATED SUBJECT TO STATUTORY PRESERVATION OF EASEMENTS:

All public easements, rights and interests to the portion of the Area to be Vacated described below, are hereby vacated, released and extinguished except for all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," N.J.S.A. 48:5A-1 et seq., to maintain, repair and replace their existing facilities in, adjacent to, over and under the street, or any part thereof, to be vacated subject to the conditions described herein, all conditions herein, unless otherwise noted, shall be satisfied prior to said vacation being effective.

SECTION 2. DESCRIPTION OF THE AREA TO BE VACATED:

All that certain tract or parcel of land located in the City of Somers Point, County of Atlantic, and State of New Jersey, bounded and described as follows:

Beginning at an iron pin found in the Northeasterly sideline of West Maryland Avenue, 35' wide; said point being in the division line between Lot 1 and Lot 12, Block 914 and from said point running, thence;

- 1) S 33° 47' 25" W, 35.06' to a point in the Southwesterly sideline of West Maryland Avenue, thence;
- 2) N 53° 00' 23" W, 176.70' along the Southwesterly sideline of West Maryland Avenue to point in the
Northwesterly sideline of West Maryland Avenue, thence;
- 3) N 36° 59' 37" E, 35.00' to a point in the Northeasterly sideline of West Maryland Avenue, thence;
- 4) S 53° 00' 23" E, 174.73' along the Northeasterly sideline of West Maryland Avenue to the Point and Place of Beginning.

Containing 6,150.05 Sq. Ft. (0.14 Acres)

Being known as the "Area of West Maryland Avenue to be Vacated" as shown on "Street Vacation Plan" (V201) prepared by The Hyland Group and dated October 27, 2023.

The above-described property is subject to the rights and restrictions of easements, if any, being within and/or crossing the bounds as described above.

SECTION 3. STATUTORY PUBLICATION AND NOTICE:

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

A. The City Clerk is directed to publish notice of the introduction of this Ordinance pursuant to N.J.S.A. 40:49-2; provided, however, that notice as to such introduction and the time and place when and where the Ordinance will be further considered for public hearing and final passage, shall be made, pursuant to N.J.S.A. 40:49-6, at least ten (10) days prior to the public hearing and adoption hereof.

B. At least seven (7) days prior to the time affixed for the consideration of this Ordinance for final passage, a copy thereof, together with a notice of the introduction thereof at a time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance insofar as has been ascertained by the City Tax Assessor. Said notices shall be made by certified mail / RRR by the City Clerk to the record owner of:

Block 914, Lot 1
West Maryland, LLC
111 E. 9th Street, 3rd Floor.
Ocean City, NJ 08226

And to:

Atlantic City Electric Real Estate Development
5100 Harding Highway, Suite 399
Mays Landing, NJ 08330-9902
Public Service Electric and Gas Company
Manager- Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102

C. Within sixty (60) days after adoption of this ordinance, the City Clerk is authorized and directed to cause a certified copy of this ordinance to be filed with the office of the Atlantic County Register of Deeds and to the City Tax Assessor.

SECTION 4. FEES AND COSTS TO BE PAID BY BENEFICIAL OWNER

All fees and costs associated with preparation and publication of this ordinance shall be paid by the owner of Block 914, Lot 1. All such fees, costs, and expenses shall be payable from an escrow account deposited with the Somers Point Chief Financial Officer.

SECTION 5. REPEALER CLAUSE.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

Resolutions:

Public Portion Resolutions:

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

Council President Johnston duly opened the meeting to the public.

Staci Endicott, Somers Point Board of Education President, expressed her appreciation for Resolution No. 59 of 2024.

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

Resolution No. 54 of 2024

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

Council Member McGuigan asked Solicitor Smith if he should refrain from voting. Solicitor Smith indicated that there would be no conflict with Council Member McGuigan voting because this resolution is pertaining to dispatchers only.

No. 54 of 2024

Subject: Resolution Amending the Agreement between the City of Somers Point and the New Jersey State Policemen’s Benevolent Association Inc, Mainland Local #77 (Somers Point Patrol Officer’s and Dispatchers)

Proposed By: Mayor Dennis Tapp
Introduced By: Council President Johnston

WHEREAS, the City of Somers Point and the Mainland PBA, Local 77, Somers Point Patrol Officer’s and Dispatchers are parties to a Collective Bargaining Agreement (“Agreement”) which term was set from January 1st, 2022 through December 31st, 2024; and

WHEREAS, the City of Somers Point and the Mainland PBA, Local 77, Somers Point Patrol Officer’s and Dispatchers negotiated and agreed to a Memorandum of Agreement which was approved by Resolution 220 of 2021; and

WHEREAS, due to an emergent staffing situation in the Police Department Dispatch, it has been recommended by the Police Chief in conjunction with the Mainland PBA, Local 77, Somers Point Patrol Officer’s and Dispatchers to amend Section 11.2.3 of the agreement to allow for a forty-two (42) hour work week for Dispatchers only; and

WHEREAS, the agreement between the City of Somers Point and the Mainland PBA, Local 77, Somers Point Patrol Officer’s and Dispatchers Section 11.2.3 of the agreement pertaining to the Police Officer’s terms and conditions shall remain unchanged; and

WHEREAS, the Police Chief’s recommendation has been reviewed by the City’s Budget Committee, Business Administrator, and CFO; all parties concur that it is in the interest of the City’s health, safety, and well being to allow for this amendment to be incorporated into the agreement between the City of Somers Point and the Mainland PBA, Local 77, Somers Point Patrol Officer’s and Dispatchers; and

WHEREAS, the recommended amendment to the agreement between the City of Somers Point and the New Jersey State Policemen’s Benevolent Association Inc, Mainland

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

Local #77 (Somers Point Patrol Officer's and Dispatchers) is hereby agreed to by this governing body attached hereto in draft form and made a part hereof this resolution.

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

1. Mayor Dennis Tapp is hereby authorized to sign off on the amendment on behalf of the City which will then be incorporated into the full, formal written agreement.
2. Once the formal written amendment is prepared and mutually agreed to by both parties, Mayor Dennis Tapp. is hereby authorized to sign the amendment between the City of Somers Point and the Mainland PBA, Local 77, Somers Point Patrol Officer's and Dispatchers on behalf of the City and a copy thereof will be attached hereto.

Resolution No. 55 of 2024

M/S- Owen/McCarrie

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

No. 55 of 2024

Subject: Authorizing Purchase of Situational Awareness Equip & Accessories Through the New Jersey Cooperative Purchasing Alliance # CK04 Contract from Gold Type Business Machines Inc, Contract Number #BC-BID-23-17, for the City of Somers Point

Introduced By: Council President Johnston

WHEREAS, the City of Somers Point is permitted to participate in national purchasing cooperatives according to N.J.S.A 52:34-6.2; and

WHEREAS, the New Jersey Cooperative Purchasing Alliance # CK04 Cooperative Pricing System has acted as lead agency and awarded Contract #BC-BID-23-17, Situational Awareness Equip & Accessories; and

WHEREAS, the Police Department has a need to purchase Situational Awareness Equip & Accessories to utilize in their operations; and

WHEREAS, the Police Chief, the City Council Budget/ Finance Committee, and City Administrator/ Purchasing Agent have reviewed the contract from New Jersey Cooperative Purchasing Alliance # CK04 of New Jersey #BC-BID-23-17, Situational Awareness Equip & Accessories, and have determined that the utilization of this contract is the most efficient economic solution to repair the City of Somers Point Police Department; and

WHEREAS, it is recommended that City Council approve the contracted services for use by the City of Somers Point Police Department.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Somers Point, New Jersey, that Situational Awareness Equip & Accessories be purchased from Gold Type Business Machines Inc. (351 Paterson Ave. East Rutherford, NJ 07073) in accordance with the New Jersey

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

Cooperative Purchasing Alliance # CK04 Cooperative Pricing System #BC-BID-23-17, Expiration Date of 11/15/2024, contract for use by the City of Somers Point as follows:

Item:

Total Amount of NEW JERSEY COOPERATIVE PURCHASING ALLIANCE # CK04 Cooperative Pricing System #BC-BID-23-17, Situational Awareness Equip & Accessories, from Gold Type Business Machines Inc

Year 1 through 5 (5 Year Total) Annual Expense

\$4,854.00

5 X \$4,854.00 =

\$24,272.00

Total Cost of City Project Over 5 Year Period:

\$

24,272.00

BE IT FURTHER RESOLVED that the City Administrator, acting in his capacity as Purchasing Agent, is hereby authorized to issue a purchase order in accordance with the NEW JERSEY COOPERATIVE PURCHASING ALLIANCE # CK04 Cooperative Pricing System #BC-BID-23-17, Situational Awareness Equip & Accessories, contract for use by the City of Somers Point.

Resolution No. 56 of 2024

M/S- Owen/McCarrie

This resolution was adopted by unanimous vote of those present.

No. 56 of 2024

Subject: Authorizing purchase of Public Administration Software through the Sourcwell (formerly NJPA) National Purchasing Program contract from Brightly Software, Contract Number #090320-SDI, for the Somers Point Sewer Department

Introduced By: Council President Johnston

WHEREAS, the City of Somers Point is permitted to participate in national purchasing cooperatives according to N.J.S.A 52:34-6.2; and

WHEREAS, the Sourcwell (formerly NJPA) National Purchasing Program has acted as lead agency and awarded Contract # 090320-SDI, Public Administration Software with an Expiration Date of 11/02/2024; and

WHEREAS, the City's Sewer Department has a continued need to purchase Public Administration Software to utilize for maintenance scheduling, asset reporting, best practice guidance, and various other applications; and

WHEREAS, the City of Somers Point previously approved this purchase for an amount of \$8,652.04 per Resolution 183 of 2023 however due to pricing adjustments, the updated pricing is \$8,993.57 and

WHEREAS, Sewer Operator Steve Hornig, the City Council Finance Committee, and City Administrator/Purchasing Agent Jason Frost have reviewed the contract from Sourcwell #090320-SDI,

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

Public Administration Software, and have determined that the acquisition of the software is the functional economic solution to continually evaluate the performance of the City of Somers Point’s Sewer Assets; and

WHEREAS, it is recommended that City Council approve the acquisition of this software for the Sewer Department’s use throughout the City.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Somers Point, New Jersey, that Public Administration Software be purchased from Brightly Software in accordance with the Sourcewell #090320-SDI, Public Administration Software, contract for use by the Sewer Department as follows:

Item:

Total Amount of Sourcewell #090320-SDI, Public Administration Software from Brightly Software	\$
8,993.57	

BE IT FURTHER RESOLVED that the City Administrator, acting in his capacity as Purchasing Agent, is hereby authorized to issue a purchase order in the total amount of \$8,652.04 in accordance with the Sourcewell #090320-SDI, Public Administration Software, contract for use by the Sewer Department.

Resolution No. 57 of 2024

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

No. 57 of 2024

Subject: Authorizing purchase of One (1) Toro Workman MDX Utility Vehicle through the Educational Services Commission of New Jersey (ESCNJ) National Cooperative Purchasing Program for Contract #22/23-12, Grounds Maintenance Equipment, for the Somers Point Public Works Department

Introduced By: Council President Johnston

WHEREAS, the City of Somers Point is permitted to participate in national purchasing cooperatives according to N.J.S.A 52:34-6.2; and

WHEREAS, the Educational Services Commission of New Jersey has acted as lead agency and awarded Contract Number #22/23-12, Grounds Maintenance Equipment; and

WHEREAS, the City’s Public Works Department has a multiple pieces of Utility Equipment which are becoming increasingly cost prohibitive to maintain; and

WHEREAS, the City of Somers Point previously approved this purchase for an amount of \$20,182.78 per Resolution 210 of 2023 however due to pricing adjustments, the updated pricing is \$20,909.14; and

WHEREAS, Superintendent of Public Works Guy Martin, the City Council Finance Committee, and City Administrator/Purchasing Agent Jason Frost have reviewed the contract from Educational Services Commission of New Jersey Contract Number #22/23-12 , Grounds Maintenance Equipment, and have determined that the acquisition of one (1) Toro Workman MDX Utility Vehicle is the functional economic solution to replace the City of Somers Point’s aging Utility Equipment; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

WHEREAS, it is recommended that City Council approve the acquisition of one (1) Toro Workman MDX Utility Vehicle for the Public Works Department's for use throughout the City.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Somers Point, New Jersey, one (1) Toro Workman MDX Utility Vehicle purchased from Turf Equipment and Supply Company, 33180 Dupont Blvd. Frankford, DE 19945 in accordance with the Educational Services Commission of New Jersey contract term for Contract Number #22/23-12 , Grounds Maintenance Equipment, contract for use by the Public Works Department as follows:

Toro Workman MDX Utility Vehicle as follows:

Description

- 14 HP engine
- 1,650 lb total capacity, 4 wheel brakes
- MVP Filter Kit
- Electric dump bed
- Rahn Ballfield Groomer with lift
- Double walled heavy duty plastic bed
- Two-year/1500 hour warranty

Subtotal:..... \$20,909.14

*Total Amount of Educational Services Commission of New Jersey Contract Number #22/23-12 , Grounds Maintenance Equipment.

Resolution No. 58 of 2024

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

Council President Johnston clarified that as soon as they had all of the instructions and information, there would be a press release for those interested in obtaining a boat pass.

No. 58 of 2024

Subject: A Resolution Authorizing the Implementation of Fees for the Use of the Boat Ramps Located at the Route 52 Bridge and John F. Kennedy Park

Introduced by: Council Members McGuigan, McCarrie and Owen

WHEREAS, the City of Somers Point ("City") owns and maintains two (2) boat ramps in the City, one at the Route 52 Bridge and one at John F. Kennedy Park; and

WHEREAS, said properties are under the authority of the City's Board of Recreation Commissioners ("Rec Board") pursuant to N.J.S.A. 40:12-6; and

WHEREAS, the City has in the past been authorized by the Rec Board to charge for the use of the City's boat ramps; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

WHEREAS, for the year 2024, the Rec Board has authorized the City to again charge for the use of the City's two boat ramps; and

WHEREAS, City Council now wishes to set fees for the use of said boat ramps for the year 2024; and

WHEREAS, these rates are subject to amendment at the discretion of the Governing Body and/or Business Administration Office.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Somers Point that fees for the public use of the City's boat ramps located at the Route 52 Bridge and John F. Kennedy Park are to be as follows:

1. Daily Rate - \$ 10.00
2. Monthly Rate - \$ 35.00
3. Annual Rate - \$150.00

A Discount is available for Seniors and/ or Veterans as it pertains to annual passes only until March 31st 2024. The rate for Seniors and/ or Veterans during this time shall be \$75.00.

Resolution No. 59 of 2024

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

Council Members Haberkorn, McGuigan and Owen, Council President Johnston, and Mayor Tapp, thanked all the School Board Members for their commitment and community service.

No. 59 of 2024

Subject: School Board Recognition Month in New Jersey January 2024

Sponsored By: Council President Johnston and Council Member Haberkorn

WHEREAS, New Jersey's public schools serve approximately 1.4 million children from prekindergarten through 12th grade; and

WHEREAS, the direction of public education in New Jersey is charted locally by individual school boards, whose 5,000 members serve as advocates for public education as they work with administrators, teachers, parents and local residents; and

WHEREAS, Boards of education provide accountability to the public, they communicate the needs of the school district to the community, and they convey to school administrators the public's expectations for the school district; and

WHEREAS, School board members receive no remuneration for their services; a

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

WHEREAS, the Somers Point City Council is justly proud of the academic, athletic and social achievements of the students in our community; and

WHEREAS, the New Jersey School Boards Association has declared January 2024 to be School Board Recognition Month, a time when all residents can acknowledge the contributions made by our local school board members; and

WHEREAS, the current members of the Somers Point Board of Education,

Staci Endicott - Board President	Judson Moore
Heather Samuelson - Board Vice President	Alice Myers
John Conover	Karen Tomasello
Kathleen Dolton	Nicholas Wagner

Now, therefore, be it **RESOLVED**, That the Somers Point City Council does hereby commend the service of the Somers Point Board of Education and its members to our community and its children; and

Be it further **RESOLVED**, That the Somers Point City Council proclaims January 2024 as SCHOOL BOARD RECOGNITION MONTH in the City of Somers Point and urges all citizens to join in recognizing the dedication of local school board members, past and present, as we work together to advance educational opportunities for our children.

Resolution No. 60 of 2024

M/S- Owen/McCarrie

This resolution was adopted by unanimous vote of those present.

Newly appointed Poet Laureate, Sarah Fertsch expressed her gratitude and shared one of her poems.

No. 60 of 2024

Subject: Appointing Sarah Fertsch as Poet Laureate

Introduced by: Council Members McGuigan, Owen and Haberkorn

WHEREAS, the Somers Point City Council created the position of Poet Laureate of Somers Point by adopting Resolution No. 162 of 2014 and did request that the Somers Point Arts Commission to administer and oversee the process; and,

WHEREAS, a vacancy exists for the position of Poet Laureate of Somers Point; and,

WHEREAS, the Somers Point Arts Commission has solicited applicants, reviewed responses and interviewed a candidate; and,

WHEREAS, the Somers Point Arts Commission agrees that Sarah Fertsch meets the qualifications for Poet Laureate as listed in the application form; and,

WHEREAS, the Somers Point Arts Commission recommends to the City Council the appointment of Sarah Fertsch to the position of Poet Laureate of the City of Somers Point; and

WHEREAS, Sarah Fertsch has been recognized as a published poet, and

WHEREAS, Sarah Fertsch displays the enthusiasm, passion and creativity to promote poetry appreciation in the City of Somers Point through readings and presentations to the residents of Somers

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

Point and through workshops, connecting with organizations within the city and at public events representing the City of Somers Point; and

WHEREAS, Sarah Fertsch has agreed to the stipend budgeted by the Somers Point Arts Commission for the position of Poet Laureate from January 1, 2024 through December 31, 2025.

NOW, THEREFORE, BE IT RESOLVED that the Sarah Fertsch is hereby appointed by this governing body to serve as the Poet Laureate of the City of Somers Point from January 1, 2024 through December 31, 2025; and

BE IT FURTHER RESOLVED that, if the Poet Laureate fails to fulfill the above term or is removed from the position, the Arts Commission is authorized to accept applications for a replacement. The replacement will complete the remaining portion of the term if approved by City Council.

Resolution No. 61 of 2024

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

No. 61 of 2024

Subject: Authorizing Execution and Delivery of Amendment 2 to a Memorandum of Understanding Between the City of Somers Point and Avia NJ Mays Landing, LLC Extending the Negotiating Period

Introduced By: Council President Johnston

Whereas, on May 25, 2023, the Somers Point City Council adopted Resolution No. 122 of 2023 authorizing the execution and delivery of a Memorandum of Understanding between the CITY OF SOMERS POINT, a public body, corporate and politic (the “City”), and AVIA NJ MAYS LANDING, LLC, a limited liability company organized and existing under the law of the State of Delaware and registered to do business in the State of New Jersey, as owner of Block 2020 / Lot 3 and also designated AVIA NJ MAYS LANDING, LLC, as the Interim Conditional Redeveloper for a proposed redevelopment project (the “Redevelopment Project”) for the Redevelopment Property (Block 2020 / Lot 3); and

Whereas the City of Somers Point and Interim Conditional Redeveloper executed said Memorandum of Understanding on June 1, 2023 (the “MOU”), with the goal of exploring and ultimately adopting an appropriate redevelopment plan for the Redevelopment Property and entering into a Redevelopment Agreement regarding the Redevelopment Project on the Redevelopment Property; and

Whereas Section 2 of the MOU provided for a period of one hundred twenty (120) days commencing upon the Effective Date of the MOU (the “Negotiating Period”), in order to agree upon a mutually acceptable Redevelopment Plan and Redevelopment Agreement; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

Whereas by Resolution 197 of 2023 the Somers Point City Council approved the execution and delivery of Amendment 1 to the MOU extending the Negotiating Period from September 29, 2023, to February 1, 2024; and

Whereas, discussions have been ongoing between the Parties, there remain a few issues which must be further discussed and resolved, including the preparation of a draft Redevelopment Plan for which a conceptual site plan is being prepared; and

Whereas the Negotiating Period may be mutually extended by the Parties as contemplated by Section 5 of the MOU and Amendment 1; and

Whereas the Parties are desirous of continuing the negotiations.

Now, therefore, it is hereby Resolved that Section 2 of the MOU shall be amended to extend the Negotiating Period through July 1, 2024; and

It is further Resolved that the Mayor is authorized to execute and deliver Amendment 2 to the MOU in the form attached hereto; and

It is further Resolved that all other terms and conditions of the MOU shall remain in full force and effect.

Old Business:

None

New Business:

- City Council approved the Social Affair Permit for American Legion Clark Eliason Post 352 for an event on 5/5/2024 and 10/13/2024 from 11:00 am to 4:00 pm.
- City Council approved the Social Affair Permit for 609 Cornhole New Jersey, Inc., for an event on 4/12/2024, 4/13/2024 and 4/14/2024 from 5:00 pm to 11:59 pm.
- Council President Johnston asked City Council if they would like to participate in Atlantic City's St. Patrick's Day Parade on 3/9/24. City Council agreed and a Committee including Mayor Tapp, Council President Johnston, and Council Member McCarrie was formed.

Discussion of Bills:

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 25, 2024**

Administrator Frost reported a Bill List dated 1/23/2024 in the amount of \$1,808,264.50 and a Bill List dated 1/18/2024 in the amount of \$10,853.30.

Public Portion:

The meeting was duly opened to the public.

Maureen Helbig shared her appreciation for the Public Works Department for making sure the speed limit sign on Bay Avenue is visible.

Hearing nothing further from the public, the public hearing was duly closed.

Payment of Bills:

M/S – Owen/Haberkorn

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.

Comments from Governing Body:

Council Member Owen announced that on 1/26/24, from 6:00 to 9:00 pm, the Arts Commission will be hosting a photography exhibit at the Senior Center.

Adjournment:

There being no further business to come before City Council, Council Member Dill moved, Council Member Bruno seconded and carried to adjourn the meeting at 7:38 p.m.

Submitted by:

Lucy R. Samuelson, RMC
Municipal Clerk
Approved: 2/22/2024