

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

Meeting called to order at 7:00 p.m. by President Johnston with a salute to the flag. Roll call was recorded as follows:

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

Also Present: Mayor Glasser, Administrator Frost, Confidential Assistant to the City Clerk Julianne Cannuscio, 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 held a moment of silence for the victims of the conflict in the Middle East.

On the motion of Council Member Dill, seconded of Council Member Bruno and carried to approve a 48-hour waiver to consider Resolution No. 228 of 2023 and Resolution No. 229 of 2023.

Communications:

None

Mayor’s Report:

Mayor Glasser started by thanking all the businesses in the City for their community centered events. He announced that Horsepower by the Bay will take place at Bay Avenue and Harbor Lane on October 21, 2023, from 10:00 a.m. to 2:00 p.m., followed by Trunk or Treat from 4:00 p.m. to 6:00 p.m. Next, he stated that according to Police Chief Somers, Trick or Treat will run from 6:00 to 8:00 p.m. Furthermore, he mentioned that on October 11, 2023, both Fire Companies held open houses for the community, and they will be visiting the schools this week. Mayor Glasser confirmed that the Veterans Day Service will take place on November 11, 2023, at 11:00 a.m. at Patriot’s Park. Lastly, he revealed that he and Council President Johnston attended the groundbreaking ceremony for the new National Aerospace Research and Technology Park, in Egg Harbor Township.

REGULAR MEETING MAYOR AND CITY COUNCIL October 12, 2023

Administrator's Report:

City Administrator Frost reported that the City has been contacted by an attorney for Solar Landscape, which is a solar company that will be installing solar panels at 319 Bethel Road, as an acknowledgement that the City has been made aware of the project.

Solicitors Report:

Solicitor Smith informed City Council that Ordinance No. 25 of 2023 and Resolution No. 226 of 2023 should be read in conjunction as they both stem from a complaint resulting from an accident.

Engineers Report:

Engineer Schneider notified City Council of Resolution No. 224 of 2023 and Resolution No. 225 of 2023. He stated that the contract was awarded for the reconstruction of Exton Road, Colwick Drive, Devon Road, and Bala Drive and that the bid came in below budget in addition to the \$500,000.00 grant awarded for this project. Next, he mentioned that the bid received for the Ocean Avenue Phase 1 Project also came close to budget and the City received a \$350,000.00 grant from the Department of Transportation for that project.

Committee Reports:

Recreation Director, Doug Shallcross, detailed the successes of all the summer events. Next, he discussed upcoming events, such as, the City-Wide Yard Sale on October 14th and 15th; Horsepower by the Bay on October 21st from 10:00 a.m. to 2:00 p.m.; Trunk or Treat on October 21st from 4:00 p.m. to 6:00 p.m.; Tales of the Jersey Devil event on October 24th hosted by the Patriots of Somers Mansion; and from November 2nd through the 4th of 2023, South Jersey Jaz will be holding their Jazz at the Point Fall Festival. Furthermore, he noted that they are in the process of planning the Christmas Parade. Additionally, he mentioned that the Arts Commission has been running poetry classes at the Senior Center on the second Thursday of each month and they will be having a photography class on November 4th, 11th, and 18th of 2023. Lastly, he discussed the success of the Somers Point Police Athletic-Activities League (PAL).

Council Member Bruno attended the Garden Club, where they had a speaker from the Funny Farm Rescue and Sanctuary. She mentioned that the Garden Club has been taking care of the gardens at the four corners, the library, and the Somers Mansion. She indicated that their next meeting will be on November 4, 2023, at 7:00 p.m. at the Senior Center, where they will have FBI Agents talk about cyber fraud.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

Approval of Minutes:

On the motion of Council Member Bruno, seconded of Council Member McGuigan and carried to approve the Regular Meeting Minutes of 9/28/2023.

Ordinances:

Ordinance No. 24 of 2023

(First Reading/Introduction)

M/S- Dill/McCarrie

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

NO. 24 of 2023

**AN ORDINANCE CREATING AND ADOPTING A NEW CHAPTER
215, “PUBLIC CONSUMPTION OF CANNABIS, MARIJUANA AND
HASHISH” OF THE SOMERS POINT MUNICIPAL CODE**

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalized the recreational use of cannabis by adults 21 years of age or older; and

WHEREAS, City Council recognizes that second hand smoke from cannabis use can be both a nuisance and health hazard to the general public; and

WHEREAS, City Council recognizes the importance of protecting its residents of and visitors to the City of Somers Point from the nuisance and health hazards of second-hand cannabis smoke; and

WHEREAS, City Council recognizes the inherently dangerous behavior of consuming cannabis around non-users; and

WHEREAS, for purposes of the public health, safety and welfare, City Council hereby wishes to prohibit the non-consensual exposure to non-users by cannabis use by others.

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:

SECTION 1:

Chapter 215 of the Code of the City of Somers Point, identified as “Public Consumption of Cannabis, Marijuana, and Hashish,” is hereby created and adopted with the following sections:

§215-1. City Policy, Prohibition of Public Consumption of Cannabis, Marijuana, and Hashish.

The purpose of §215-1 through §215-4 of this Chapter is to regulate conduct in Public Places affecting the public health, safety and general welfare by protecting residents of and visitors to the City of Somers Point from the nuisance and health hazards of second hand cannabis smoke, and to provide for the public health, safety and welfare by discouraging the inherently dangerous behavior of consuming

REGULAR MEETING MAYOR AND CITY COUNCIL October 12, 2023

cannabis around non-users; by protecting the public from nonconsensual exposure to secondhand cannabis smoke and cannabis-related litter and pollution, and, by affirming the family-friendly atmosphere of public areas in the City of Somers Point.

In addition, it is intended to provide an enforcement mechanism for complaints made by private and commercial property owners, tenants, business operators, and their representatives to preclude cannabis consumption on their property, premises, or place of business.

§215-2. Definitions.

CANNABIS

All parts of the plant Cannabis sativa L., the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds. "Cannabis" does not include: medical cannabis dispensed and administered to registered qualifying patients by qualified personnel in either public or non-public schools; the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant; any other compound, manufacture, salt derivative mixture, or preparation of mature stalks, fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

HASHISH

The resin extracted from any part of the plant Cannabis sativa L. and any compound, manufacture, salt, derivative, mixture, or preparation of such resin.

MARIJUANA

All parts of the plant Cannabis sativa L., the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds. "Marijuana" does not include: the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant; any other compound, manufacture, salt derivative mixture, or preparation of mature stalks, fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

§215-3. Restrictions on Public Consumption of Cannabis, Marijuana, and Hashish.

It is unlawful for any person to smoke or otherwise use, ingest or consume Cannabis, Marijuana, and/or Hashish in any City building and adjacent grounds and parking lots, as well as on the following public property: Public Open Space, Playgrounds, Parks, Piers, Beaches, Public Right-of-Way, Athletic and Recreational Areas, Parking Lots, as well as the area of any scheduled public event.

Smoking or otherwise using or consuming Cannabis, Marijuana, or Hashish while on private property without the permission of the owner, tenant, business operator or their representatives shall constitute public consumption and is hereby prohibited.

§215-4. Violations and penalties.

Any such person who shall violate or fail to comply with the provisions of this chapter shall upon conviction, be subject to a minimum fine of \$250 or a maximum of \$1,500 or by imprisonment for a term not exceeding 90 days or by a period of community service not exceeding 90 days as well as such penalties as may otherwise be provided by law.

SECTION 2:

Should any section, clause, sentence, phrase or provision or any item in any schedule of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 3:

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

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

Ordinance No. 25 of 2023
(First Reading/Introduction)
M/S- Owen/Bruno

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

Council Member McGuigan asked for clarification on how the Public Safety Committee arrived at this solution.

Council President Johnston explained that the Public Safety Committee, along with Police Chief Somers and City Engineer Schneider met and discussed various ideas but ultimately decided that this was the best option as far as slowing down traffic and preventing future accidents.

No. 25 of 2023

An Ordinance Amending and Supplementing the Somers Point Municipal Code Chapter 250 Vehicles and Traffic, Article I General Provisions, Section 250-31 Schedule VII: Through Streets; and Section 250-32 Schedule VIII: Stop Intersections

WHEREAS, there has been an increase vehicular traffic in the City of Somers Point in recent years, which has made some of its primary arteries, such as New and Shore Road, more congested; and

WHEREAS, as a result of same, traffic patterns have shifted with people attempting to find an easier and faster way around the City; and

WHEREAS, Bay Avenue is one of the roadways in the City which has seen an increase vehicular traffic as a result of the shifting of traffic patterns within the City; and

WHEREAS, the speed limit on Bay Avenue between Maryland Avenue and Ocean Avenue is 25 miles per hour; and

WHEREAS, the aforesaid portion of Bay Avenue is an area of approximately nine (9) blocks, which has no stop signs to act as a calming effect on traffic; and

WHEREAS, as a result of a review of Bay Avenue traffic patterns by the City's Engineer, Gregory Schneider, and in conjunction with input of the Police Chief, Rober Somers, it was determined that the placement of a three-way stop on Bay Avenue at its intersection with Dawes Avenue, would aid as a calming measure for vehicular traffic on this portion of Bay Avenue; and

WHEREAS, City Council, for purposes of public safety, is desirous to make the aforesaid intersection a three-way stop intersection; and

WHEREAS, it is necessary to amend and supplement Chapter 250 of the Code of the City of Somers Point in order to implement such a three-way stop at the intersection of Bay and Dawes Avenues.

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:

Chapter 250 Vehicles and Traffic, Article I General Provisions, Section 250-31 Schedule VII: Through Streets, of the Code of the City of Somers Point is hereby amended to reflect that the "limits" of Bay Avenue shall read as follows: "Between Maryland Avenue and Dawes Avenue;" and then, "Between Dawes Avenue and Ocean Avenue."

SECTION 2:

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

Chapter 250 Vehicles and Traffic, Article I General Provisions, Section 250-32 Schedule VIII: Stop Intersections, of the Code of the City of Somers Point is hereby amended to identify the intersection of Bay Avenue and Dawes Avenue as a stop intersection, with a stop sign on Bay Avenue (both sides at intersection with Dawes Avenue); Dawes Avenue (at its intersection with Bay Avenue).

SECTION 3:

All other provisions of Chapter 250 shall remain in full force and effect and shall apply to this amendment upon the effective date of this Ordinance.

SECTION 4:

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 5:

Should any section, clause, sentence, phrase or provision or any item in any schedule of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 6:

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

Resolutions:

Public Portion Resolutions:

Council President Johnston duly opened the meeting to the public.

Maureen Gibson of Somers Point, asked for the timeframe of Resolution No. 225 of 2023.

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

Resolution No. 220 of 2023

M/S- Dill/McCarrie

This resolution was adopted by unanimous vote of those present.

No. 220 of 2023

**Subject: Approving Amendment 1 to a Redevelopment Agreement Dated May 6, 2022
Between the City of Somers Point and Sunset Ave Development LLC**

Introduced By: Council President Johnston

REGULAR MEETING MAYOR AND CITY COUNCIL October 12, 2023

Whereas, by Resolution 98 of 2022 the Somers Point City Council authorized the execution and delivery of a Redevelopment Agreement between the City and Sunset Ave Development LLC, as the designated Redeveloper for the redevelopment of block 1214, Lots 9, 10, 11, 12, and 16 as designated on the official Tax Map of the City of Somers Point and having current street addresses of 542, 538, 532; and 528 Shore Road and 536 Sunset Avenue, to be developed in the manner set forth in a certain "Redevelopment Plan – Sunset Avenue" dated October 25, 2021, adopted by Ordinance No. 14 of 2021 on December 16, 2021, and in compliance with Preliminary and Final Major Site Plan Decision and Resolution adopted by the Somers Point Planning Board by Resolution PB-7-2022 on July 20, 2022, as amended by Decision and Resolution PB-8-22 adopted on December 21, 2022; and

Whereas the Redevelopment Agreement, in Section 3.5 sets forth a Phasing Schedule which established the sequence of development relating to demolition of existing buildings, construction of six (6) new residential buildings on the Bay side of Sunset Avenue, construction of an overflow parking lot for the exclusive use of residents of the Bayview Court Apartments, and construction of six (6) new residential buildings on the parking lot side of Sunset Avenue; and

Whereas Section 3.5.3 contains a prohibition which prevents Redeveloper from operating and using the overflow parking lot until the first six residential units on the Bay side of Sunset Avenue shall have been deemed Substantially Complete; and

Whereas Section 2.1.2 of the Redevelopment Agreement obligated the Redeveloper to undertake with due diligence all necessary applications to obtain all required Governmental Approvals; and

Whereas, the Redeveloper experienced unexpected delays in obtaining the necessary Treatment Works Approval from the New Jersey Department of Environmental Protection approving the wastewater collection system improvements needed for construction of the residential units (the "NJDEP TWA Permit") which were submitted to NJDEP in May 2023, and were issued by NJDEP on September 5, 2023, which delay prevented the Redeveloper from strictly adhering to the Phasing Schedule; and

Whereas, Redeveloper has completed the overflow parking lot but has not been able to commence nor complete construction of the six residential units on the Bay side of Sunset Avenue as contemplated in the Phasing Schedule; and

Whereas, Redeveloper has applied for construction permits to enable the commencement of construction of all twelve (12) residential buildings on Sunset Avenue and is awaiting issuance of same to start vertical construction of said buildings; and

Whereas Redeveloper has requested relief from the mandated Phasing Schedule to permit the use and operation of the overflow parking lot prior to the Substantial Completion of the six residential units on the Bay side of Sunset Avenue; and

Whereas a recommendation has been made by the Chief of the Somers Point Fire Department to approve the request for reasons of public safety; and

Whereas the Redeveloper has completed all site work and has now received all Governmental Approvals and permits and approvals necessary to commence construction of the residential dwelling units upon issuance of the construction building permits which have been applied for; and

Whereas the Redeveloper represents that notwithstanding the delay, the Redeveloper shall comply with the Construction Schedule set forth in Exhibit "C" to the Redevelopment Agreement without necessity of any modification; and

Whereas the request for Amendment 1 has been reviewed by the governing body, the City Administrator, the City's Redevelopment planners, the City Engineer, and the City's attorneys.

Now therefore, for good cause shown it is hereby Resolved that:

1. Amendment 1 to the May 6, 2022 Redevelopment Agreement between the City of Somers Point and Sunset Ave Redeveloper LLC, substantially in the form attached hereto, is hereby approved.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

2. The Mayor is authorized to execute and deliver Amendment 1 to the May 6, 2022 Redevelopment Agreement.
3. The City Clerk and other City officials and professionals are authorized and directed to take any and all other action which may be necessary or desirable to effectuate the intent of this Resolution.

Resolution No. 221 of 2023

M/S- Dill/McCarrie

This resolution was adopted by unanimous vote of those present.

No. 221 of 2023

Subject: Authorizing purchase of Copy Machines, Printers and Document Lifecycle Equipment & Services through the ESCNJ Cooperative Pricing System contract from Konica Minolta Business Solutions, Inc, Contract Number #ESCNJ/AEPA-21C, 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 ESCNJ Cooperative Pricing System has acted as lead agency and awarded Contract #ESCNJ/AEPA-21C, Copy Machines, Printers and Document Lifecycle Equipment & Services with an Expiration Date of 02/28/2024; and

WHEREAS, the City's Police Department has a continued need to purchase Copy Machines, Printers and Document Lifecycle Equipment & Services and to utilize in the daily operations of the Police Department and City Hall; and

WHEREAS, the Police Chief, the City Council Finance Committee, and City Administrator/Purchasing Agent Jason Frost have reviewed the contract from Educational Services Commission of New Jersey #ESCNJ/AEPA-21C, Copy Machines, Printers and Document Lifecycle Equipment & Services, and have determined that an acquisition is the most efficient economic solution to maintain and improve the City of Somers Point's Police Department and Municipal Operations document lifecycle equipment needs; and

WHEREAS, it is recommended that City Council approve the contracted services for use by the Police Department and throughout City Hall.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Somers Point, New Jersey, that Copy Machines, Printers and Document Lifecycle Equipment & Services be purchased from Konica Minolta Business Solutions, Inc (5 Chelton Way, Bldg. 15, Trenton, N.J. 08638) in accordance with the ESCNJ Cooperative Pricing System #ESCNJ/AEPA-21C, Expiration Date of 02/28/2024, contract for use by the City of Somers Point as follows:

Item:

Total Amount of ESCNJ Cooperative Pricing System #ESCNJ/AEPA-21C,
Copy Machines, Printers and Document Lifecycle Equipment & Services

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

from Konica Minolta Business Solutions, Inc \$ 31,418.00

**Ref 11731921 City of Somers Point*

Total Amount of ESCNJ Cooperative Pricing System #ESCNJ/AEPA-21C,
Copy Machines, Printers and Document Lifecycle Equipment & Services

from Konica Minolta Business Solutions, Inc \$ 30,212.00

**Ref 11731921 Somers Point Police Department*

Total Cost of City Projects: **\$ 61,630.00**

BE IT FURTHER RESOLVED that the City Administrator, acting in his capacity as Purchasing Agent, is hereby authorized to issue a purchase order in the total amount of \$61,630.00 in accordance with the ESCNJ Cooperative Pricing System #ESCNJ/AEPA-21C, Copy Machines, Printers and Document Lifecycle Equipment & Services, contract for use by the City of Somers Point.

Resolution No. 222 of 2023

M/S- Owen/Dill

This resolution was adopted by unanimous vote of those present.

No. 222 of 2023

Subject: Authorizing Purchase on State Contract Law Enforcement Firearms Equipment and Supplies

Introduced By: Council President Johnston

WHEREAS, the City of Somers Point may by resolution and without advertising for bids purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the City of Somers Point has identified a need to purchase a Speed Radar Trailer to replace the Department’s aging Speed Radar Trailer for use by the City’s Police Department; and

WHEREAS, the Police Chief has researched the equipment available and recommends the purchase of a new Speed Radar Trailer from All Traffic Solutions of 3100 Research Dr. State College, PA 16801, in accordance with State Contract # NJ: 17-FLEET-00776 with a Contract Expiration Date of 5/13/2024 and accompanying exhibits, which are attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point authorizes the following purchase from Tactical Public Safety:

<u>Item</u>	<u>Description</u>	<u>Amount</u>
1	Bundle Radar: Enforcement; SpeedAlert 24, ALPR ready, rear facing, ATS-5 Trailer, 940Ah, 160W Solar, BT, USB, Data Collection, Pictures, Reporting, Tamper/ Battery Alert & Premier Care Warranty, and ALPR	\$18,716.85
	Total	\$18,716.85

All Traffic Solutions, State Contract # NJ: 17-FLEET-00776

Contract Expires 05/13/2024

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

Resolution No. 223 of 2023

M/S- McCarrie/Bruno

This resolution was adopted by unanimous vote of those present.

No. 223 of 2023

Subject: Authorizing Purchase on State Contract Computer Equipment and Related Services

Introduced By: Council President Johnston

WHEREAS, the City of Somers Point may by resolution and without advertising for bids purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the City of Somers Point has identified a need to purchase Computer Equipment and Related Services for use by the City's Police Department; and

WHEREAS, the Police Chief has researched the equipment available and recommends the purchase of Computer Equipment and Related Services as provided by Dell Technologies of One Dell Way, Round Rock, TX 78682, in accordance with Dell, State Contract # 19-TELE-00656 : Contract Code WN23AGW/C000000005003 with a Contract Expiration Date of 10/31/2023 and accompanying exhibits, which are attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point authorizes the following purchase from Tactical Public Safety:

<u>Item</u>	<u>Description</u>	<u>Amount</u>
3	Precision 3660 Towers 13 th Gen Intel Core i9-13900K – 64GB	\$7,641.36
2	Precision 3660 Towers 13 th Gen Intel Core i9-13900K – 128GB	\$6,129.00
	Total	\$13,770.76

Dell, State Contract # 19-TELE-00656 : Contract Code WN23AGW/C000000005003

Contract Expires 10/31/2023

Resolution No. 224 of 2023

M/S- Owen/Dill

This resolution was adopted by unanimous vote of those present.

Council Member Owen revealed that he is looking forward to this project.

No. 224 of 2023

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

Subject: Awarding Bid for the FY 2022 Municipal Aid – Reconstruction of Ocean Avenue Phase I

Introduced By: Council Member Dill

WHEREAS, on October 11, 2023, the City of Somers Point received bids for the FY 2022 Municipal Aid – Reconstruction of Ocean Avenue Phase I; and

WHEREAS, South State, Inc., of Bridgeton, New Jersey was the lowest responsible bidder; and

WHEREAS, the City Engineer’s office has recommended that the City award the contract to South State, Inc., of Bridgeton, New Jersey in the amount of \$433,000.00; and

WHEREAS, the NJDOT Local Aid Office must also concur with this resolution awarding a contract to South State, Inc., of Bridgeton, New Jersey in the amount of \$433,000.00.

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

- 1.) The Contract for the FY 2023 Municipal Aid – Reconstruction of Ocean Avenue Phase I is hereby awarded to South State, Inc., of Bridgeton, New Jersey, in the amount of \$433,000.00.
- 2.) The Mayor and City Clerk are hereby authorized and directed to enter into a formal contract with South State, Inc., of Bridgeton, New Jersey signing on behalf of the City.
- 3.) The Mayor and City Clerk are hereby authorized and directed to sign all necessary forms required by NJDOT.

Resolution No. 225 of 2023

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

Council President Johnston acknowledged that they are all looking forward to this project.

No. 225 of 2023

**Subject: Awarding Bid for the FY 2022 Local Aid Improvement Fund
 Reconstruction of Colwick Drive, Exton Road, Devon Road, and Bala Drive**

Introduced By: Council Member Dill

WHEREAS, on October 11, 2023, the City of Somers Point received bids for the FY 2022 Local Aid Improvement Fund – Reconstruction of Colwick Drive, Exton Road, Devon Road, and Bala Drive; and

WHEREAS, Command Co., Inc., of Egg Harbor City, New Jersey was the lowest responsible bidder; and

WHEREAS, the City Engineer’s office has recommended that the City award the contract to Command Co., Inc., of Egg Harbor City, New Jersey in the amount of \$1,069,371.50; and

WHEREAS, the NJDOT Local Aid Office must also concur with this resolution awarding a contract to Command Co., Inc., of Egg Harbor City, New Jersey in the amount of \$1,069,371.50.

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

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

- 1.) The Contract for the FY 2023 Municipal Aid – Reconstruction of Ocean Avenue Phase I is hereby awarded to Command Co., Inc., of Egg Harbor City, New Jersey in the amount of \$1,069,371.50.
- 2.) The Mayor and City Clerk are hereby authorized and directed to enter into a formal contract with Command Co., Inc., of Egg Harbor City, New Jersey signing on behalf of the City.
- 3.) The Mayor and City Clerk are hereby authorized and directed to sign all necessary forms required by NJDOT.

Resolution No. 226 of 2023

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

No. 226 of 2023

Subject: A Resolution Declining a Request to Place a Guardrail at the Intersection of Bay Avenue and Ocean Avenue and Speed Bumps on Bay Avenue

Introduced by: Council President Johnston and Councilman Dill

WHEREAS, as a result of an auto accident which occurred on September 16, 2023, at the intersection of Bay and Ocean Avenues, a written request was made to the City for a guard rail at this intersection and speed humps on Bay Avenue; and

WHEREAS, in response to same, a Public Safety Committee meeting was held with the following individuals appearing: Council President Johnston, Councilman Dill, City Administrator Frost, City Engineer Schneider, and Police Chief Somers; and

WHEREAS, based on the recommendation of the City Engineer, it was determined that the placement of a guardrail at the intersection of the two streets, which forms a 90-degree angle, would not meet the requirements of the Federal Highway Administration; and

WHEREAS, instead of speed humps on Bay Avenue, it was determined that other vehicular traffic calming devices would be more appropriate, including a three-way stop intersection on Bay Avenue; and

WHEREAS, the aforesaid committee has recommended that the request of a guardrail at the intersection of Bay and Ocean Avenues, as well the request for speed humps on Bay Avenue be declined, and that other certain other measures of vehicular traffic calming be instituted; and

WHEREAS, City Council has reviewed the recommendations of the Public Safety Committee, as well as the attached correspondence from Greg Schneider, dated September 28, 2023, and determined that a change in design of the intersection of Bay and Ocean Avenues by placing a guardrail at this intersection would not be an appropriate public safety measure, and that for public safety reasons, other methods of traffic calming measures rather than speed humps on Bay Avenue can be implemented.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council that the City Council of the City of Somers Point that the request for a guardrail at the intersection of Bay and Ocean Avenues, as well that for speed humps on Bay Avenue are hereby declined.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

Resolution No. 227 of 2023

M/S- Dill/Bruno

This resolution was adopted by unanimous vote of those present.

No. 227 of 2023

Subject: Approving Proposals – Goods and Services 2023

Introduced By: Council President Johnston

WHEREAS, the City of Somers Point received proposals for various goods and services in accordance with the Fair and Open procedure of the New Jersey Pay-to-Play law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the following proposals, received on January 24th 2023, March 17th 2023, March 21st 2023, April 6th 2023, May 24th 2023, and June 16th 2023, October 10th 2023 approved, and that the City Administrator is hereby authorized to issue contracts to the following vendors for goods and services during the period of April 1st, 2023 to March 31st, 2024:

- a) **Alarm, Monitor, Networking and Ancillary Parts, Installation and Service**
Priority Protection Services LLC
- b) **Celling's, Flooring, Wall Covering and Partition Material, Materials and Installation and Services**
ERCO
- c) **Cellular Communications and Mobile Broadband Services**
Verizon
- d) **Concrete and Masonry Service**
Landberg Construction
- e) **City Hall Custodial Services**
Offshore Carpet Cleaning and Janitorial
- f) **Demolition Services**
American Demolition
- g) **Electrical Contractor Services**
Electric-Tech, Incorporation
Calvi Electric Company
Hughes Electric
- h) **Emergency Sewer Pumps and Equipment**
Municipal Maintenance Company
Godwin
- i) **Excavation and Pipe Installation and/or Replacement**
Seashore Associated Mechanical Incorporation
Ocean Construction
- j) **Flags Banners and Miscellaneous Display Items**
Display Sales
Metropolitan
- k) **Gate Equipment Maintenance and Operations**
Park Place Parking
- l) **Generator Parts and Service**
Genserve

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

- m) **Hardware Supplies**
 - Shore True Value
 - Lawson Products
 - Val-U Auto Parts
- n) **Heavy Duty Truck Mechanic Services**
 - Clegg's Garage Incorporation
- o) **Influent Grinders for Sewer Pump Stations**
 - Municipal Maintenance
 - Watermark Environmental Systems, Inc.
 - KRS Services
 - JWC Environmental
- p) **Information Technology and Networking Services**
 - INSC
 - All Covered
 - Mae Tro
- q) **Leaves and Brush Disposal Site**
 - Atlantic Blueberry Co Inc
- r) **Marketing Services**
 - Direct Development
 - Fuerza Strategy Group
 - Magnum Integrated Marketing
 - Performance Marketing
 - Suasion
- s) **Misc. Employee Uniforms**
 - Action Uniform
- t) **Misc. Fire Fighting Equipment**
 - Whitmer Public Safety Group
 - Continental Fire & Safety Inc
- u) **Metal Fabrication and Repair**
 - Hotfoil-EHS Inc.
 - Thomas Co Inc
- v) **Plumbing and HVAC Services**
 - McCloskey Mechanical Contractors Inc
 - Bilmark
 - Multi-Temp Mechanical
- w) **Sewer Pump Station Parts & Supplies**
 - KRS Services
 - Municipal Maintenance Company
 - EVOQUA
- x) **Sewer Pump Station Maintenance**
 - KRS Services
 - McMloskey Mechanical Contractors Incorporation
 - Municipal Maintenance Company
 - CW Sales Corporation
 - A.C Schultes
 - West Bay Construction, Incorporation
- y) **Sewer Pump Stations, Electrical & Electronics**
 - KRS Services

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

- Municipal Maintenance Group
- z) **Sewer System Coating, Lining & Restoration**
The Precision Group
Sewer and Water Evaluation and Rehabilitation Procedures
- aa) **Storm Drain Cleaning and Television Inspection**
Mobile Dredging and Video Pipe
- bb) **Recreation Equipment and Installation**
Ben Shaffer Recreation Incorporation
Green Lane Contractors
BSN Sports
- cc) **Roofing Repair and Maintenance**
Dorothy Gale Roofing
East Coast Contracting Roofing and Siding
KMR Enterprises Inc
Roofmax Exteriors LLC
- dd) **Vector Parts and Service**
Vacuum Sales Incorporation
- ee) **Video Cleaning and Maintenance**
Mobile Dredging and Video Pipe
- ff) **Outdoor Farmer's Market Operations and Management**
Rob Hopkins
- gg) **Auto Mechanic**
Galloway Auto and Tire
- hh) **Animal Control Services**
Animal Control of Atlantic County
- ii) **Signage and Misc Repair**
Eastern Signs
Copiers Plus
- jj) **Environmental / Asbestos Remediation Monitoring Services**
Environmental Connection
- kk) **Electronic Payment Processing Systems**
ParkMobile
Windcave
Comprise Technologies Inc

Resolution No. 228 of 2023

M/S- Owen/Bruno

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

No. 228 of 2023

Subject: Chapter 159 Resolution – Sustainable Communities Environmental Stewardship

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

Introduced By: Council President Johnston

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount; and

WHEREAS, the City of Somers Point has received a grant in the amount of \$5,000 and wishes to amend its 2023 budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$5,000 which item is now available as a revenue from:

Miscellaneous Revenue

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenue Offset with Appropriations:

Sustainable Jersey and Atlantic City Electric \$5,000

pursuant to the provision of Statute; and

BE IT FURTHER RESOLVED that a like sum of \$ be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations - Excluded from "CAPS"

Public and Private Programs Offset by Revenues:

Sustainable Jersey and Atlantic City Electric \$5,000

BE IT FURTHER RESOLVED that this resolution be certified and submitted to the Director of Local Government Services for approval.

Resolution No. 229 of 2023

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

No. 229 of 2023

Subject: Authorizing Grant Agreement with the Federal Emergency Management Agency (FEMA) for the Bayfront Flood Mitigation Scoping Project

Introduced By: Council President Johnston

WHEREAS, per resolution 143 of 2021, the City applied for a FY 2021 Flood Mitigation Assistance Program Administered by the Federal Emergency Management Agency Grant; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

WHEREAS, the City of Somers Point qualifies for the Flood Mitigation Assistance (FMA) Programs administered by the Federal Emergency Management Agency (FEMA); and

WHEREAS, the Flood Mitigation Assistance (FMA) Program provides funding to assist in efforts to reduce or eliminate the risks of repetitive flood damage to buildings and structures insurable under the National Flood Insurance Program (NFIP); and

WHEREAS, eligible activities for the FMA Programs include: scoping studies, flood walls, property acquisition and structure demolition or relocation and structure elevation; and

WHEREAS, the City of Somers Point strives to save tax dollars; assist homeowners to mitigate the potential negative impact; and recover from Natural Disasters; assure clean land, air, and water; and improve working and living environments; and

WHEREAS, in a letter dated September 22nd, 2023 the City of Somers Point was awarded the Flood Mitigation Assistance (FMA) Grant FY 2021 EMN-2021-FM-020-0013.

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

1. Program Funding has been made available in an amount not to exceed the total project cost of \$194,500.00 with a Federal Share of \$145,875.00 and a Non-Federal Share (Local Match) of \$48,625.00.
2. Upon appropriate review of the agreement by the City Solicitor, the City Council of the City of Somers Point hereby authorizes the Mayor and/or the City Administrator and the City Clerk to sign the Grant Agreement for this project on behalf of the City of Somers Point and that their signature constitutes acceptance of the terms and conditions of the agreement and approves the execution of the agreement. The Mayor and/or the City Administrator is hereby authorized and directed to execute the agreement in the form attached hereto. Mayor and/or the City Administrator and the City Clerk are also hereby authorized to sign any other documents that may be necessary in connection with this grant program on behalf of the City.

Old Business:

None

New Business:

- Approval of Social Affair Permits for the American Legion Clark Eliason Post 352 for an event on 11/18/23 from 1:00 p.m. to 5:00 p.m. and an event on 12/3/23 from 1:00 p.m. to 3:00 p.m.
- Approval of Social Affair Permit for the All Saints Council 6277 Knights of Columbus for an event on 11/09/23 from 6:00 p.m. to 11:00 p.m.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 12, 2023**

Discussion of Bills:

Administrator Frost reported a Bill List dated 10/10/2023 in the amount of \$712,287.85.

Public Portion:

Council President Johnston duly opened the meeting to the public.

Ed O'Donnel communicated his discontent with cigarette smoking and asked City Council to be more vigilant with people smoking in non-smoking areas. He also shared that Ocean City Community Prayer will be hosting a free breakfast on October 24th at the Tabernacle, at 7:30 a.m.

Rob Hopkins of Somers Point asked if the Public Safety Committee would consider adding more stop signs on Sunny Avenue.

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

Payment of Bills:

M/S: Owen/Bruno

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 City Council, Council Member Dill moved, Council Member McCarrie seconded and carried to adjourn the meeting at 7:37 p.m.

Respectfully submitted,

Lucy R. Samuelson, RMC
Municipal Clerk
Approved 10/26/2023