

REGULAR MEETING MAYOR AND CITY COUNCIL October 8, 2020

Meeting called to order via ZOOM and in-person at 7:00 p.m. by President McGuigan with a salute to the flag. Council President requested a moment of silence in honor of the tragic passing of fire fighter Tony Migliaccio for the reflection of his life and the contributions he made to Somers Point. Council President McGuigan extended his sincere condolences to his family, friends and fellow firefighters.

Roll call was recorded as follows:

Present: Johnston, D'Adamo, Toto, Owen, Dill, Gerety, McGuigan

Also Present: Mayor Glasser, Administrator Swain, Assistant City Administrator Frost, City Clerk Samuelson, Deputy City Clerk Heath, City Solicitor Thomas Smith

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 McGuigan announced the instructions for joining the meeting electronically.

Communications:

None

Mayor's Report:

Mayor Glasser extended his heartfelt sympathy to Tony Migliaccio's family who was an exemplary volunteer firefighter and a model citizen. Mayor Glasser encouraged everyone to attend the upcoming Veterans Day ceremony. Additionally, Mayor Glasser reported the new ladder fire truck has arrived and will be in service shortly. Lastly, Mayor Glasser thanked the City Clerk's Office and Administration Department for putting together the Zoom. He noted how difficult it is to use both virtual and live platforms for the meeting.

Administrator's Report:

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City Administrator Swain reported the NJ Division of Local Government Services Best Practice Inventory is out and is due on November 3, 2020. He will file this online, and there will be a resolution on the next meeting agenda. The Personnel and Policy manual is being updated to include recent policy changes from the Atlantic County JIF, as well as, removing policies that are outdated. This project should be completed by the middle of next year. Community System Rating Report will be filed by early next week. This is done on an annual basis. There is a tax sale scheduled for 10/9. Administrator Swain reported that the Deputy Court Clerk has resigned from the position and interviews will begin for a replacement. Interviews are held in conjunction with the Judge and representatives of the Administrative Offices of the court.

Solicitors Report:

Solicitor Smith reported that as part of the mandatory training from JIF there is a training video that employees and volunteers are required to watch. Solicitor Smith reports that the Steering Committee is working on the sidewalk along Rt 9, and the project is moving along. Councilman Gerety questioned if the new incoming Councilmembers are required to watch the training video. Solicitor Smith and Administrator Swain answered that the new members will view the video next year.

Committee Reports:

Councilwoman Johnston reported regarding the EDAC meeting. They have completed improvement of Gateway properties Rt. 52 by planting trees and putting up a fence. Councilwoman Johnston thanked John Helbig of EDAC as he did a lot of the work. Councilwoman Johnston has received positive phone calls from residents. Councilwoman Johnston also reported that the South Jersey Jazz Society reached out to EDAC and is moving forward with the Jazz Festival which is scheduled for November 13-15. EDAC has voted to support them financially with advertising and promotion in conjunction with Restaurant Week.

Approval of Minutes:

None

Resolutions:

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Council President McGuigan read by title only the list of resolutions.

The meeting was duly opened to the public.

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

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Resolution No. 162 of 2020

M/S- Dill/Owen

The resolution was adopted by unanimous vote of those present.

Councilwoman Johnston stated the construction codes and fees have not been raised since 2006.

No. 162 of 2020

Subject: Amending Technical Sub Code Fees Set Forth within Section 100-3B (15) of Chapter 100 “Construction Codes, Uniform” of the Somers Point Municipal Code

Introduced by: Councilwoman Johnston and Councilman Gerety

WHEREAS, Ordinance No. 22 of 1999 provides that City Council shall by resolution enact and, from time to time, amend standardized fees in accordance with Chapter 100 of the Code of the City of Somers Point; and

WHEREAS, these fees were last fixed by Resolution No. 144 of 2002; and

WHEREAS, it is the intention of this governing body that the fees be amended as recommended by the City’s Construction Code Official: and

Now, therefore, it is hereby RESOLVED that the following fees schedule is established and will supersede any fees set prior to this resolution:

<i>Electric Permit Fee Schedule</i>	
Range	\$ 15.00
Oven	\$ 15.00
Surface Unit	\$ 35.00
Dishwasher	\$ 15.00
Garbage Disposal	\$ 35.00
Dryer	\$ 15.00

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Air Conditioner	\$	35.00
Intercom Panels	\$	35.00
Swimming Pool/SPA/Hot Tub	\$	15.00
Swimming Pool Annual Inspection	\$	75.00
Pool Bonding/Filter/light/Heat	\$	75.00
Storable Pool/Hydro Massage	\$	35.00
Water Heater	\$	35.00
Central Air/Oil/Gas Electric	\$	35.00
Baseboard Heat	\$	15.00
Thermostat	\$	15.00
Heat Pump	\$	15.00
Pump - Over 1 HP	\$	35.00
Light Standards/Luminaires >8"	\$	15.00
Burglar/Fire Alarms - In New Homes	\$	15.00
Burglar/Fire Alarms - Add-ons to Existing	\$	15.00
Switches, Light, Receptacles, Detectors, and Motors less than 1 HP		
1 to 50	\$	55.00
Each Additional 25 Units	\$	15.00
Motors		
1 to 50 HP	\$	65.00
51 to 100 HP	\$	100.00
Over 100 HP	\$	600.00
Transformers/Generators/Inverters		
1 to 50 Kilowatts	\$	200.00
51 to 100 Kilowatts	\$	150.00
Over 100 Kilowatts	\$	600.00
Service Panels/Subpanels/Entry Cables		
1 to 225 amperes	\$	65.00
226 to 1,000 amperes	\$	129.00
Equipment Service/Panel Board/Motor Control Disconnect		
1 to 225 amperes	\$	65.00
226 to 1,000 amperes	\$	125.00
Greater than 1,00 amperes	\$	129.00
Temporary Pole	\$	65.00
Photovoltaic Systems		
1 to 50 Kilowatts	\$	65.00
51 to 100 Kilowatts	\$	129.00
Over 100 Kilowatts	\$	64.00

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Plumbing	
Fixture/Equipment	Minimum \$65.00
Water Closet	\$ 20.00
Urinal/Bidet	\$ 20.00
Bathtub	\$ 20.00
Lavatory	\$ 20.00
Shower	\$ 20.00
Floor Drain	\$ 20.00
Condensate Drain	\$ 20.00
HVAC Drain Connection	\$ 20.00
Sink	\$ 20.00
Dishwasher	\$ 20.00
Drinking Fountain	\$ 20.00
Hose Bib	\$ 20.00
Water Heater	\$ 90.00
Hot Water Boiler (including backflow)	\$ 90.00
Steam Boiler	\$ 90.00
Sewer Pump	\$ 90.00
Interceptor Separator	\$ 90.00
Backflow Preventer	\$ 90.00
Grease Trap	\$ 90.00
Water Cooled Air Conditioning/Refrigeration	\$ 90.00
Sewer Connection	\$ 90.00
Water Connection	\$ 90.00
Water Lines	\$ 90.00
Gas Piping and service connection	\$ 90.00
Fuel Oil Piping	\$ 90.00
Annual Inspection/Backflow/Cross Connection	\$ 90.00
Vent Stacks	\$ 20.00
Pool Heaters	\$ 90.00
Fire	
Gas and Oil-fired Appliance not connected to plumbing	\$ 65.00
Woodstoves, Fire Places, Space Heater, Metal Chimney	\$ 65.00
Remanufactured Fireplace/Gas Piping to Appliances	\$ 65.00
Independent Pre-engineered System	\$ 65.00
Kitchen Exhaust System	\$ 65.00
Standpipes	\$ 125.00
Sprinkler Heads	
1 to 20 Heads	\$ 90.00
21 to 100 Heads	\$ 160.00

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101 to 200 Heads	\$	300.00
201 to 400 Heads	\$	800.00
401 to 1000 Heads	\$	1,100.00
Over 1000 Heads	\$	1,500.00
Detectors		
Single/Multi-station/Heat/Fire Alarm Systems - Residential		
1 to 12	\$	65.00
Each Additional 25	\$20 per groups of 20	
Special Fire Detection Equipment	\$28 per \$1,000 of Cost	
Manual Alarm Systems 1 to 4 Zones	\$	65.00
Each Additional Zone	\$28 per \$1,000 of Cost	
Tank Installation/Removal	Residential \$75 Commercial \$150	
Building Permits		
		Minimum \$65.00
New Construction per Cubic Foot	\$	0.038
Renovation/Alteration/Repair per \$1,000 of Cost	\$	34.00
Asbestos Hazzard Abatement	\$	200.00
Lead Hazzard Abatement	\$	175.00
Demolition - 1 or 2 family		\$150 per building
Demolition of Accessory Structures	\$	150.00
Demolition of Other Use Groups		
4 stories or less	\$	300.00
5 to 8 stories	\$	400.00
Over 8 Stories	\$	500.00
Move a building		\$20 per \$1,000 of cost
Sign		\$5 per square foot
Fences		\$20 per \$1,000 of cost
State Training Surcharge Fee		\$0.07 per Cubic Feet or \$1.90 per \$1,000 of Cost
Fee to Reinstate Lapsed Permit		50% of Original Permit Fee
Bulkhead		\$30 per \$1,000 of cost
Pilings		\$30 per \$1,000 of cost
Pools		
Aboveground	\$	150.00
In ground	\$	250.00
Sheds		\$0.038 per cubic foot
Tents		
>900 square feet or 30' in diameter	\$	250.00

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Zoning Permit	
New Home/Addition	\$ 100.00
Associated Fence	\$ 50.00
Commercial	\$ 200.00
Rental	
Registration	\$50.00 Annually
Inspection Fee at Tenant Change	\$ 50.00

Resolution No. 163 of 2020

M/S- Dill/Johnston

The resolution was adopted by unanimous vote of those present.

No. 163 of 2020

Subject: Resolution of Support from Local Governing Body Authorizing An Application for the FY 2020 Flood Mitigation Assistance Program Administered by the Federal Emergency Management Agency

Introduced By: Councilpersons Dill and D'Adamo

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 provided 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 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 recover from Superstorm Sandy; assure clean land, air and water; and improve working and living environments; and

WHEREAS, the City of Somers Point wishes to apply for funding through the FEMA FMA Programs.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point, State of New Jersey, hereby supports and authorizes the Flood Mitigation Assistance (FMA) Programs application.

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BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to submit a grant application to the Federal Emergency Management Agency of the U. S. Department of Homeland Security.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Somers Point and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution No. 164 of 2020

M/S- Toto/Dill

The resolution was adopted by unanimous vote of those present.

No. 164 of 2020

Subject: Authorizing purchase of One (1) EZ Pack Body and Chassis through the Houston-Galveston Area Council Vendors (HGAC-Buy) National Cooperative Purchasing Program for Contract Number RH08-20 and Contract Number HT06-20, Refuse Handling Equipment, for the Somers Point Public Works Department.

Introduced By: Council President McGuigan and Councilmen Dill and Toto

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 Houston-Galveston Area Council Vendors (HGAC-Buy) National Purchasing Program has acted as lead agency and awarded Contract Number RH08-20 and Contract Number HT06-20, Refuse Handling Equipment; and

WHEREAS, the City's Public Works Department has a Refuse Truck which is becoming increasingly costly to maintain; and

WHEREAS, Superintendent of Public Works Guy Martin, the City Council Finance Committee, and City Administrator/Purchasing Agent William Swain have reviewed the contract from Houston-Galveston Area Council Vendors (HGAC-Buy) Contract Number RH08-20 and Contract Number HT06-20, Refuse Handling Equipment, and have determined that the acquisition of one (1) E-Z Pack Goliath G400-25 High Compaction Rear Loader with a 2021 Freightliner Model M2-112 Trailer Chassis with Extended Warranties is the functional economic solution to replace the City of Somers Point's aging street sweeper; and

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WHEREAS, it is recommended that City Council approve the acquisition of one (1) E-Z Pack Goliath G400-25 High Compaction Rear Loader with a 2021 Freightliner Model M2-112 Trailer Chassis with Extended Warranties for the Public Works Department's fleet for use throughout the City.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Somers Point, New Jersey, that one (1) E-Z Pack Goliath G400-25 High Compaction Rear Loader be purchased from E-Z Pack Refuse Hauling Solutions LLC. 200 Ladish Rd. Cynthiana, KY 41031 and with 2021 Freightliner Model M2-112 Trailer from Houston Freightliner & Western Star. 9550 North Loop East, Houston, TX 77029 in accordance with the Sourcewell #112019-FSC, Public Utility Equipment contract for use by the Public Works Department as follows:

Item	Description	Quantity	Unit Price	Total Price
1.	Elgin (1) E-Z Pack Goliath G400-25 High Compaction Rear Loader	1 each	\$74,023.00	\$74,023.00
2.	Published Options	1 each	\$29,008.70	\$29,008.70

Total Amount of HGAC-Buy #RHO8-20, Refuse Handling Equipment; to E-Z Pack Refuse Hauling Solutions LLC	<u>\$103,031.70</u>	<u>\$103,031.70</u>
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Item	Description	Quantity	Unit Price	Total Price
1.	2021 Freightliner Model M2 106 Dual Steer Chassis with Extended Warranties	1 each	\$85,120.00	\$85,120.00
2.	Published Options	1 each	\$33,938.00	\$33,938.00
3.	Unpublished Options/Upgrades, Installation and delivery	1 each	\$2,800.00	\$2,800.00
4.	HGAC Order Processing Fee	1 each	\$600.00	\$600.00
5.	Discounts/Credits/Trade-in	1 each	(\$5,437.00)	(\$5,437.00)

Total Amount of HGAC-Buy # HT06-20, Refuse Handling Equipment; to Houston Freightliner & Western Star.....	<u>\$117,021.00</u>	<u>\$117,021.00</u>
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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 \$220,052.70 for one (1) E-Z Pack Goliath G400-25 High Compaction Rear Loader be purchased from E-Z Pack Refuse Hauling

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Solutions LLC. 200 Ladish Rd. Cynthiana, KY 41031 with one 2021 Freightliner Model M2-112 Trailer from Houston Freightliner & Western Star. 9550 North Loop East, Houston, TX 77029 in accordance with the Houston-Galveston Area Council Vendors (HGAC-Buy) National Purchasing Program for Refuse Handling Equipment, Contract #RH08-20 and Contract #HT06-20.

Resolution No. 165 of 2020

M/S- Dill/Owen

The resolution was adopted by unanimous vote of those present.

No. 165 of 2020

Subject: A Resolution to Adjourn to Executive Session to Discuss Matter Involving Potential Contract Negotiations and Job Duties Related to the Employment of Wes Swain

Introduced by: Council President McGuigan

WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Somers Point City Council to be held in public, and N.J.S.A.10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in “Executive Session,” i.e. without the public being permitted to attend, and

WHEREAS, the Somers Point City Council has determined that one (1) issue permitted by N.J.S.A. 10:4-12(b) is to be discussed without the public in attendance during an Executive Session to be held on October 8, 2020 during a public meeting to be held commencing at 7:00 P.M, and

WHEREAS, there are nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b). Listed below, is the exception relied upon; and after the exception is a space within which the number of issues to be privately discussed that fall within that exception shall be written and within which additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

1

(8) any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that the matter or matters be discussed at a public meeting.

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The specific topic to be discussed are issues related to discussions related to the terms and conditions of the employment of Wes Swain.

WHEREAS, the length of the Executive Session is estimated to be approximately 30 minutes after which the public meeting of the City Council shall reconvene;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Somers Point will go into Executive Session for **only** the above stated reason.

BE IT FURTHER RESOLVED that the City Council directs the City Clerk to make ten (10) photocopies of this resolution immediately after it passes and to distribute those photocopies to the public in attendance prior to the Executive Session commencing.

BE IT FURTHER RESOLVED that the blank spaces within this form of resolution are to be filled out in conformity with a Consent Judgment and Memorandum of Understanding dated June 8, 2009 that arose that the City Council hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public’s interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which such disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary)

Subject of Discussion	Estimated Date	Necessary Occurrence
See Exception 8 Above	Cannot be determined at this time.	City Council Approval by Resolution, if any

Resolution No. 166 of 2020

M/S- Gerety/Toto

The resolution was adopted by unanimous vote of those present.

No. 166 of 2020

Subject: A Resolution to Adjourn to Executive Session to Discuss Matters Involving Potential Contract Negotiations and Job Duties Related to the Employment of Jason Frost

Introduced by: Council President McGuigan

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WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Somers Point City Council to be held in public, and N.J.S.A.10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in “Executive Session,” i.e. without the public being permitted to attend, and

WHEREAS, the Somers Point City Council has determined that one (1) issue permitted by N.J.S.A. 10:4-12(b) is to be discussed without the public in attendance during an Executive Session to be held on December 19, 2019 during a public meeting to be held commencing at 7:00 P.M, and

WHEREAS, there are nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b). Listed below, is the exception relied upon; and after the exception is a space within which the number of issues to be privately discussed that fall within that exception shall be written and within which additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

1

(8) any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that the matter or matters be discussed at a public meeting.

The specific topic to be discussed are issues related to discussions related to the terms and conditions of the employment of Jason Frost.

WHEREAS, the length of the Executive Session is estimated to be approximately 30 minutes after which the public meeting of the City Council shall reconvene;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Somers Point will go into Executive Session for **only** the above stated reason.

BE IT FURTHER RESOLVED that the City Council directs the City Clerk to make ten (10) photocopies of this resolution immediately after it passes and to distribute those photocopies to the public in attendance prior to the Executive Session commencing.

BE IT FURTHER RESOLVED that the blank spaces within this form of resolution are to be filled out in conformity with a Consent Judgment and Memorandum of Understanding dated June 8, 2009 that arose that the City Council hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public’s interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which such disclosure can be made and/or the occurrence

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that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary)

Subject of Discussion	Estimated Date	Necessary Occurrence
See Exception 8 Above	Cannot be determined at this time.	City Council Approval by Resolution, if any

Old Business:

Councilwoman Johnston reported that the Short Term Rental Sub Committee consisting of Councilwoman Johnston and Councilman Gerety met with Chief Somers, EDAC Chairperson, Historical Commission Chairperson, City Solicitor, Assistant Administrator and the Construction Official/Code Enforcer to discuss the current rental ordinances and to provide recommendations to potentially modify the ordinance to govern short term rentals. City Council discussed at length the pros and cons of short term rentals. Council President McGuigan expressed his opposition to short term rentals. Councilman Dill abstained from this matter. Councilman D’Adamo opposes rentals for under 30 days. Councilman Toto supports a two to three day minimum on short term rentals. Councilman Owen supports short term rentals with a two day minimum. Councilwoman Johnston expressed her support for short term rentals and stated that she would not object to a two day minimum on rentals. Councilman Gerety expressed his support for short term rentals. He also did not object to the two day minimum. Mayor Glasser would abstain from a vote but stated his concerns regarding inspections of short term rentals. Mayor Glasser appreciated the debate and sharing of ideas on this topic.

Councilman Dill requested that Assistant Administrator Frost have the smoke detector and fire alarms installed correctly in the Council Chambers.

New Business:

On the motion of Councilman Gerety, seconded of Councilman Toto and carried to approve the Social Affair Permit for Theater Collaborative of South Jersey for an event on 10/22/2020 from 5:00 p.m. – 8:30 p.m.

Discussion of Bills:

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Administrator Swain reported a Bill List dated 10/6/2020 in the amount of \$608,391.53.

Public Portion

The Public Portion was duly opened to the public.

Kathleen Lloyd, Business Owner at 908 Shore Road addressed City Council about her support of short term rentals and believes they would benefit the City.

Payment of Bills

M/S – Dill/Toto

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.

City Council President McGuigan explained that the Governing Body will enter into Executive Session. Once the session is over, the public may re-enter ZOOM or City Council Chambers for the remainder of the meeting.

Recess:

There was a brief recess before the Governing Body entered into Executive Session at 8:52 p.m.

Adjournment

There being no further business to come before Council, Councilman Gerety moved, Councilman Toto seconded and carried to adjourn the meeting at 9:45 p.m.

Respectfully submitted,

Lucy R. Samuelson, RMC
Municipal Clerk
Approved: 12/10/2020