

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
November 14, 2019**

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

**Present:** Dill, Gerety, Toto, Johnston, D’Adamo, Tapp, McGuigan

**Also Present:** Mayor Glasser, Administrator Swain, Assistant Administrator Frost, City Clerk Samuelson, Attorney Lafferty and Councilman-Elect Owen

**Absent:**

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**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.

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**Public Portion (Resolutions)**

The meeting was opened to the public, for consideration of Resolution Number 209 of 2019, hearing nothing from the public, the public portion was duly closed.

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**Resolution:**

**Resolution No. 209 of 2019**

M/S – Gerety/Dill

The resolution was adopted by unanimous vote of those present.

City Administrator Swain addressed the band and complimented them on their version of the National Anthem. He added that he was amazed on their focus at a band practice where they practiced one move over and over for two hours. Council President McGuigan gave praise to the band director, band members, parents and staff for their commitment that led to this level of excellence. He added that nobody can be the first Atlantic Coast Champions at Mainland, except them, and all of you will remember this for the rest of your lives. Additionally, he stated that they are a source of pride for the three communities and should hold their heads high. Council President McGuigan thanked everyone involved and offered his heartfelt congratulations.

Councilman Tapp recognized and congratulated the band on their success. Mayor Glasser stated that the communities are exceptionally proud of you and commended the band members and all involved for the diligence and perseverance to become champions while maintaining their school

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grades. Band Director John Ratcliffe stated that this type of year is a special year, and all the credit goes to the band members and congratulated them on being the first Atlantic Coast champions of Mainland Regional High School. Mayor Glasser proudly presented Band Director John Ratcliffe with the resolution that was met with a standing ovation.

**Resolution No. 209 of 2019**

**Saluting the Success of the Mainland Regional High School Marching Mustangs Band  
Atlantic Coast Champions/New Jersey State Champions**

**WHEREAS**, Mainland Regional High School serves the students of the Somers Point, Northfield, and Linwood communities; and

**WHEREAS**, the school's marching band is known as the Mainland Marching Mustangs and are under the direction of Band Director Mr. Jon Ratcliffe and under the field direction of Drum Majors Ilia Kheirkhah and Lilian Lee as well as color guard captains Angela Claveria and Chloe Wagner; and

**WHEREAS**, the students spend countless hours practicing together, working on their music, and drill on the field to make their show the best it can be; and

**WHEREAS**, the band was able to hit all the right notes and make all the right steps to remain undefeated during the competition season; and

**WHEREAS**, on October 19, 2019, at Washington Township High School, the band's performance earned them the Group 2A State Championship Title; and

**WHEREAS**, the next day, October 20, 2019, at Delsea Regional High School, the band won the Region 1 South Jersey Championship; and

**WHEREAS**, on November 2, 2019, the band competed in the 2019 Tournament of Bands Group 2A Atlantic Coast Championships, achieving a school record score of 95.54 while being declared Champions for the first time in school history;

Now therefore, it is hereby **RESOLVED** that the Mayor and City Council of the City of Somers Point recognize and congratulate the Mainland Regional High School Marching Band on winning the New Jersey Group 2A State Championship, the Region 1 South Jersey Championship, and the 2019 Tournament of Bands Group 2A Atlantic Coast Championship; and

It is further **RESOLVED** that the Mayor and City Council of Somers Point salute the hard work and dedication of the band members and color guard as well as that of the band director, staff, parents, and boosters that led to this phenomenal success.

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**Proclamations:**

None

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**Communications:**

None

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**Mayor's Report:**

Mayor Glasser reported the Veterans Day ceremony was held on November 11<sup>th</sup> at Patriots Park and was a great event. Mayor Glasser thanked everyone involved. Additionally, Mayor Glasser indicated that he attended a beautiful Veterans Day ceremony at Shore Medical Center. Mayor Glasser, Councilman Dill, City Administrator Swain and Assistant Administrator Frost attended a meeting with Egg Harbor Township Mayor Hodson, Township Administrator Miller and their Ambulance Squad Chief regarding the ambulance response in town and moving the ambulance station closer to Somers Point. On December 8<sup>th</sup> at 1:00 p.m. the Pearl Harbor ceremony will take place on William Morrow Beach. Mayor Glasser received a letter that City Engineer, Greg Schneider, was selected as a second-place recipient from the New Jersey Society of Municipal Engineers for the Transient Marina Project. Mayor Glasser thanked and congratulated him for his diligent efforts in spear-heading the project.

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**Administrator's Report:**

No report

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**Solicitors Report:**

Mr. Lafferty reported that the City recently sold land located at 829 Centre Street that was unusable for City purposes, which is now back on the tax rolls. Council President McGuigan thanked him for his efforts.

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**Committee Reports:**

None

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**Approval of Minutes:**

On the motion of Councilman Gerety, seconded of Councilman Dill and carried to approve the Regular Meeting Minutes of 10/24/2019 and the Executive Session Meeting Minutes of 10/24/2019 as to content only.

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**Ordinances:**

Ordinance No. 16 of 2019

*(First Reading/Introduction)*

M/S – Tapp/Toto

The ordinance was adopted by unanimous vote of those present.

**No 16. 2019**

**Ordinance Amending and Readopting Ordinance No. 15 of 2015, Also Known as Chapter 228 - Taxation, Article IV- Five Year Tax Exemption; and Repealing All Ordinances Heretofore Adopted the Provisions of Which are Inconsistent Herewith**

**Whereas**, the City of Somers Point previously adopted, pursuant to N.J.S.A. 40A:21-1 *et seq.*, Chapter 228 - Taxation, Article IV- Five Year Tax Exemption by Ordinance No. 15 of 2015 for the purposes expressed therein ; and

**Whereas**, in the judgment of the City Council for the City of Somers Point, it is in the public interest for the aforesaid program to be continued for an additional period of five years.

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Now, therefore, be it **Ordained** by the City Council for the City of Somers Point, County of Atlantic and State of New Jersey, that:

**Section 1: §228-33 Period of eligibility Performance guaranties, is hereby amended to read as follows:**

“This article and the opportunity to apply for tax exemption shall expire on December 31, 2024, after which no further applications shall be accepted unless this article shall have been readopted by City Council in accordance with the Exemption Law.”

**Section 2: Readopting Five-Year Tax Exemption Program**

Except as amended herein, Chapter 228 - Taxation, Article IV- Five Year Tax Exemption shall be and is hereby readopted in its entirety pursuant to N.J.S.A. 40A:21-1 *et. seq.*

**Section 4: Severability and Effectiveness Clause.**

A. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

B. Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

**Section 5: Effective Date.**

This Ordinance shall take effect upon its final passage and publication as provided by law.

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**Public Portion (Resolutions)**

The meeting was opened to the public, hearing nothing from the public, the public portion was duly closed.

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**Resolutions:**

**Resolution No. 212 of 2019**

M/S – Gerety/Toto

The resolution was adopted by unanimous vote of those present.

**No. 212 of 2019**

<b>Subject:</b>	<b>Chapter 159 Resolution</b>
<b>Introduced By:</b>	<b>Councilmen McGuigan, Gerety, and Dill</b>

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**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 received a grant of \$755,000.00 and included that amount in its 2017 budget as a revenue; and

**WHEREAS**, that grant was subsequently amended to a total of \$ 1,751,510.00 and the City wishes to amend the 2019 budget to include the additional amount of \$996,510.00 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 2019 in the sum of \$996,510.00 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:

NJDOT Transportation Alternatives Program – Bikeway Widening Grant           \$996,510.00

pursuant to the provision of Statute; and

**BE IT FURTHER RESOLVED** that a like sum of \$996,510.00 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:

NJDOT Transportation Alternatives Program - Bikeway Widening Grant           \$996,510.00

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

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**Resolution No. 213 of 2019**

M/S – Gerety/D’Adamo

The resolution was adopted by unanimous roll call vote of those present.

**Resolution No. 213 of 2019**

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**Subject: Authorizing Change Order No.1 to Michael Baker International, Inc. for Engineering Construction Support Services in Connection with the Somers Point Bikepath Widening Project, Federal Project No. TAP-D00S(221), NJDOT Project No. 5521309**

**Introduced by: Councilmen Dill and D’Adamo**

**WHEREAS**, in accordance with Resolution 172 of 2017 the City of Somers Point awarded a contract to Michael Baker International, Inc. of Hamilton, New Jersey to provide design services for the Somers Point Bikepath Widening project; and

**WHEREAS**, the contract was awarded through a process allowed for Federal Highway Administration funded professional service contracts that provides for qualification based selections following the requirements defined by the Brooks Act, 40 USC; and

**WHEREAS**, the Request for Proposals issued by the City of Somers Point for this project contemplated a requirement for engineering construction support services, and this aspect of the project was considered in the response of Michael Baker International, Inc., and the subsequent award of the contract; and

**WHEREAS**, the City of Somers Point has now identified a need for additional engineering construction support services to be performed in connection with the project and desires to amend the contract with Michael Baker International, Inc. to include this work; and

**WHEREAS**, in accordance with N.J.A.C. 5:30-11.6, the twenty percent limitation on change orders addressed in N.J.A.C. 5:30-11.3(a)9 shall not apply to professional and consultant contracts.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point that, expressly conditioned upon the concurrence of this award by NJDOT, and subject to verification of acceptable grant funding conditions, the City Administrator is hereby authorized to execute Change Order No.1 with Michael Baker International, Inc. for a cost not to exceed \$24,000.00 to undertake and perform such services as herein described and as described in the Proposal of Michael Baker International, Inc.

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**Resolution No. 214 of 2019**

M/S – Gerety/Toto

The resolution was adopted by unanimous vote of those present.

Councilman D’Adamo mentioned that this resolution is needed for the State to take actions to lessen our obligations. Council President McGuigan concurred with Councilman D’Adamo.

**No. 214 of 2019**

**Subject: Resolution Calling for Study Commission to Review the Open Public Records Act**

**Introduced by: Council President McGuigan**

**WHEREAS**, the City of Somers Point strongly believes in and supports open transparent government, and that citizens and residents have the right to be informed about the workings of government in order to best participate in a democracy; and

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**WHEREAS**, on January 8, 2002, then Acting Governor DiFrancesco signed into law the Open Public Records Act (OPRA) which mandates that government records shall be available, with limited exceptions, for public access and simplifying the procedures for requesting such specific records; and

**WHEREAS**, the intent of the law was to provide the public with easy access to government records with an uncomplicated process for obtaining the records and eliminating bureaucratic red tape; and

**WHEREAS**, over the course of 18 years OPRA has been a positive light, but it has also been fraught with abuse and misuse, and has become an unanticipated financial cost to the taxpayers of New Jersey; and

**WHEREAS**, the City of Somers Point has labored under a well-intended law that has spiraled out of control, due to the volume and nature of requests, the cost to taxpayers in responding to the requests, and the potential liability in having to pay disproportionate prevailing party attorney's fees should the requests turn into litigated matters, as well as the liability in determining which documents shall be released, with or without redaction, while attempting to maintain individual privacy; and

**WHEREAS**, it is not only the volume of OPRA requests that challenge our resources, but it is also the cost associated with reviewing, retrieving, and processing the OPRA request(s) by public entity personnel and counsel and possibly defending our action(s) before the Government Records Council or in Superior Court; and

**WHEREAS**, the City of Somers Point received and responded 186 OPRA requests in 2017, 270 OPRA requests in 2018, and as of September 1, 2019, has received and responded to 189 OPRA requests; and

**WHEREAS**, the City of Somers Point municipal staff has spent approximately 189 hours responding to OPRA requests received in 2019 to date, and a yearly average of approximately 460 hours since 2017; and

**WHEREAS**, due to the often-conflicting case law and Government Record Council decisions, as well as the unique characteristics of OPRA request, the City of Somers Point must at times rely on the municipal attorney to review certain OPRA requests, resulting in additional fees; and

**WHEREAS**, police department inquiries regarding of use of force, and many construction OPRA's regarding various permits over a period of 50-100 years have slowed the efficiency of the City Clerk's Office, and

**WHEREAS**, with limited exceptions OPRA has not been amended to address the clear and apparent advancement in technology that has changed the way government records are created,



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stored, and/or transmitted; the various interpretive decisions; privacy concerns; abuse for commercial gain; and/or the ever- increasing cost to taxpayers; and

**WHEREAS**, as the current law approaches its twentieth (20<sup>th</sup>) anniversary, it has outgrown its original intended use and has become ripe for comprehensive review and reform;

**NOW, THEREFORE BE IT RESOLVED** that the governing body of the City of Somers Point appeals to the legislature to form a Commission comprised of Mayors, Municipal Clerks, Municipal Managers/Administrators, Attorneys, Police Chiefs, open government advocates, privacy experts, members of the media, citizens and other appropriate stakeholders, to review and examine the effects of OPRA on local government and the needs to be fulfilled by the law, and use the Commission’s findings to perform a comprehensive reform of OPRA; and

**BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to Assemblymen John Armato and Vincent Mazzeo, Senator Chris A. Brown, Assembly Speaker Craig Coughlin, Senate President Stephen Sweeney, Senator Weinberg, Executive Director of the Government Records Council, the Governor of the State of New Jersey, the Municipal Clerks Association of New Jersey and New Jersey State League of Municipalities.

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**Resolution No. 215 of 2019**

M/S – Gerety/Toto

The resolution was adopted by unanimous vote of those present.

**Resolution No. 215 of 2019**

**Subject:** Approval to Submit a Grant Application and Execute a Grant Agreement with the U. S. Department of Homeland Security for the FY 2019 FEMA Pre-Disaster Mitigation Program

**Introduced by:** Councilman Dill and D’Adamo

**WHEREAS**, applications are being accepted for the U. S. Department of Homeland Security for the FY 2019 FEMA Pre-Disaster Mitigation Program; and

**WHEREAS**, this program is available to certain municipalities in the State of New Jersey; and

**WHEREAS**, this grant program requires a 25 percent local match from the municipality; and

**WHEREAS**, the City of Somers Point carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

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**WHEREAS**, the Pre-Disaster Mitigation Program may fund stormwater pump stations;

**WHEREAS**, the City of Somers Point will be submitting an application for a stormwater pump station at Gulf Mill Road; and

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

1. The City Council of the City of Somers Point formally approves the grant application for the above stated project.
2. The Mayor and City Clerk are hereby authorized to submit a grant application to the U.S. Department of Homeland Security.
3. The Mayor and City 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.
4. The Mayor and/or City Administrator are hereby authorized to sign any other documents that may be necessary in connection with this grant program on behalf of the City

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**Resolution No. 216 of 2019**

M/S – Gerety/Toto

The resolution was adopted by unanimous vote of those present.

Councilman Dill stated this was a budgeted item for 2019 and approved by the Budget Committee and the Personnel Committee.

**Resolution No. 216 of 2019**

**Subject: Acknowledging and Approving the Hiring of a Full Time Laborer**

**Introduced by: Councilpersons Dill, Toto and Johnston**

**WHEREAS**, there existed a need to hire a full-time laborer for the Department of Public Works; and

**WHEREAS**, Shane Ireland has been employed by the City as a part time employee beginning in June 2013, and his full-time employment was recommended by the Supervisor of Public Works; and

**WHEREAS**, the City Administrator/CFO confirmed that this is a budgeted position and made this appointment.

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**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Somers Point hereby acknowledges and approves the hiring of Shane Ireland to the full time position of Laborer 1 in accordance with the New Jersey Civil Service Job Specification 02248, effective November 1, 2019.

**BE IT FURTHER RESOLVED** that his annual salary is established at \$36,178.00 in conformance with the Blue Collar schedule for anyone hired on or after January 1, 2013, Start Year 2 level of the agreement between the City of Somers Point and Teamsters Union Local No. 115.

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**Resolution No. 217 of 2019**

M/S – Gerety/Toto

The resolution was adopted by unanimous vote of those present.

**Resolution No. 217 of 2019**

Subject: **Approving proposals – Goods and Services 2019**

Introduced By: **Council President McGuigan**

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 May 20<sup>th</sup>, June 4<sup>th</sup>, September 24<sup>th</sup>, October 8<sup>th</sup>, and October 29<sup>th</sup> are approved, and that the City Administrator is hereby authorized to issue contracts to the following vendor for goods and services during the period of January 1, 2019 through December 31, 2019:

**a) Influent Grinders for Sewer Pump Stations**

KRS Services

Envirep LLC

PSI Process & Equipment / Pumping Services Inc

Municipal Maintenance Co

**b) City Hall Custodial Services**

Home and Office Cleaning (HOC)

Offshore Carpet Cleaning and Janitorial

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- c) **Emergency Sewer Pumps and Equipment**  
PSI Process & Equipment / Pumping Services Inc  
KRS Services  
Municipal Maintenance Co
  
- d) **Sewer Pump Station Maintenance**  
KRS Services LLC  
Russell Reid  
AC Schultes Inc  
PSI Process & Equipment / Pumping Services Inc  
Municipal Maintenance Co
  
- e) **Sewer Pump Stations, Electrical & Electronics**  
Pumping Services Inc  
Municipal Maintenance Co
  
- f) **Sewer Pump Station Parts & Supplies**  
Municipal Maintenance Co  
Evoqua  
KRS Services  
Evoqua Water Technologies
  
- g) **Plumbing and HVAC Services**  
GE Mechanical  
Falasca Mechanical  
McCloskey Mechanical Contractors Inc
  
- h) **Sewer System Coating, Lining & Restoration**  
National Water Main Cleaning Co  
Swerp Inc
  
- i) **Heavy Duty Truck Mechanic Services**  
Cleggs Garage  
Granturk Equipment Co  
Cruzans Freightliner
  
- j) **Misc. Employee Uniforms**  
Action Uniform
  
- k) **Ceilings, Flooring, Wall Covering and Partition Material, Materials & Installation**  
Erco Ceilings of Somers Point Inc.
- l) **Excavation and Pipe Installation and/or Replacement**

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Seashore Associated Mechanical Inc.  
Arthur Henry  
South State Inc  
Perna Finnigan

**m) Generator Parts and Service**

GenServe  
Municipal Maintenance Co

**n) Hardware Supplies**

Shore True Value Hardware  
Ben Schafer Recreation

**o) Vactor Parts and Service**

Granturk

**p) Storm Drain Cleaning and Television Inspection**

American Pipe Cleaning LLC  
North American Pipeline Services  
Standard Pipe Services

**q) Municipal Financial Advisory Services**

NW Financial Group  
Phoenix Advisors

**r) Leaves and Brush Disposal Site – 2 Year Agreement**

Atlantic Blueberry Co

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**Resolution No. 218 of 2019**

M/S – Gerety/Dill

The resolution was adopted by unanimous roll call vote of those present.

**Resolution No. 218 of 2019**

**Subject:                   Awarding Bid for Contract No. 39 – Somers Point Bike Path  
                                  Widening**

**Introduced by:        Councilmen Dill and Toto**

**WHEREAS**, on September 24, 2019 the City of Somers Point received bids for the  
Somers Point Bike Path Widening - Federal Project # TAP-D00S(221) - NJDOT Job #

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5521309, a project that is funded in part by a NJDOT Transportation Enhancement Grant; and

**WHEREAS**, Kane Communications, LLC of Trenton, New Jersey was the lowest responsible bidder; and

**WHEREAS**, the City Engineer's office has recommended that the City award the contract to Kane Communications, LLC of Trenton, New Jersey in the amount of \$1,427,684.45; and

**WHEREAS**, the NJDOT Local Aid Office must also concur with this resolution awarding a contract to Kane Communications, LLC of Trenton, New Jersey in the amount of \$1,427,684.45

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

- 1.) The Contract for the Somers Point Bikepath Widening is hereby awarded to Kane Communications, LLC of Trenton, New Jersey in the amount of \$1,427,684.45, subject to approval from the NJDOT Local Aid Office.
- 2.) Expressly conditioned upon the concurrence of this award by NJDOT, and subject to verification of acceptable grant funding conditions, the Mayor and City Clerk are hereby authorized and directed to enter into a formal contract with Kane Communications, LLC, signing on behalf of the City.

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**Resolution No. 219 of 2019**

M/S – Johnston/D'Adamo

The resolution was adopted by unanimous vote of those present.

Councilmen Tapp and Gerety recused themselves from voting and discussion.

Donna Mohr, Chair, Historical Preservation Commission, presented the concept of the expansion of the Bay Front Historic District. All the properties listed below have been notified by certified mail. Most of the properties are civic properties. Once this is completed, we can welcome residents and tourists with a giant sign to the Historical District of Somers Point. Ms. Mohr indicated that there will not be any additional impact on the homeowners. Ms. Mohr thanked Council President McGuigan, City Engineer Schneider and Randy Lafferty, Esq., for their assistance in the drafting the documents. Council President McGuigan mentioned that the Historic District is a treasure and complimented Ms. Mohr for her stewardship of the project and Commission.

**Resolution No. 219 of 2019**

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**Subject: Resolution of the City of Somers Point, County of Atlantic, State of New Jersey,  
Recommending the Expansion of the Somers Point Bay Front Historic District**

**Introduced by: Council President McGuigan**

**WHEREAS**, the City of Somers Point has previously designated a Bay Front Historic District within the Master Plan of the City of Somers Point, consistent with the Bay

Front Historic District Inventory of Historic Resources dated August 2009 prepared by Richard Grubb & Associates, Inc.; and

**WHEREAS**, the Bay Front Historic District has been certified by the State of New Jersey, Department of Environmental Protection, Natural & Historic Resources, Historic Preservation Office; and

**WHEREAS**, certain other properties have been determined by the New Jersey DEP Office of Natural & Historic Resources as being eligible for inclusion within the Bay Front Historic District; and

**WHEREAS**, the Somers Point Historic Preservation Commission has recommended to City Council that the borders of the Bay Front Historic District be expanded so as to include the new properties determined to be eligible for inclusion, designated by Block and Lot Number as follows:

Block	Lot	Address
	1913	1 3 MacArthur Blvd
	1815	9.01 1000 Shore Road
	1815	9.02 909 Shore Road
	1815	10 905 Shore Road
	1815	12 901 Shore Road
	1714	1 861 Shore Road
	1714	2 861 Shore Road
	1714	3 835 Shore Road
	1714	4 829 Shore Road
	1714	5.01 821 Shore Road
	1714	5.02 819 Shore Road
	1614	1 1 West New Jersey Avenue
	1614	5 741 Shore Road
	1614	6 737 Shore Road
	1614	7 729 Shore Road
	1614	8 727 Shore Road
	1713	1 908 Shore Road
	1713	22 908 Shore Road
	1712	3 814 Shore Road

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1712	36 808 Shore Road
1613	1 750 Shore Road
1613	2 746 Shore Road
1613	34 744 Shore Road
1613	35 738 Shore Road
1613	36 732 Shore Road
1513	1 730 Shore Road
1513	30 720 Shore Road
1513	31 718 Shore Road; and

**WHEREAS**, the City Council for the City of Somers Point is desirous of accommodating the request of the Somers Point Historic Preservation Commission.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point that it supports the request of the Somers Point Historic Preservation Commission to expand the Bay Front Historic District, as designated within the attached map (See Attached Map); and

**BE IT FURTHER RESOLVED** by the City Council of the City of Somers Point that the newly added properties shall be treated in the same manner as the properties previously designated in 1989 within the historic section of the Bay Front Historic District of the Master Plan of the City of Somers Point.

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**Resolution No. 220 of 2019**

M/S – Gerety/Dill

The resolution was adopted by unanimous vote of those present.

**No. 220 of 2019**

**Subject: Governor’s Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle July 2020 - June 30, 2025**

**Introduced by: Council President McGuigan**

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and



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**WHEREAS**, the City Council of the City of Somers Point, County of Atlantic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages and, therefore, has an established Municipal Alliance Committee; and

**WHEREAS**, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in the community; and

**WHEREAS**, the City Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Atlantic.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Somers Point, County of Atlantic, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize the submission of a strategic plan for the Somers Point Municipal Alliance for fiscal year 2021 in the amount of:

DEDR	\$12,077.00
Cash Match	\$3,019.25
In-Kind	\$9,057.75

2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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**Resolution No. 221 of 2019**

M/S – Toto/Tapp

The resolution was adopted by unanimous vote of those present.

Mr. Schneider thanked them for their consideration.

Council President McGuigan noted that Mr. Schneider has been readily available throughout the year and is conscientious with the residents’ concerns regarding road paving.

**Resolution No. 221 of 2019**

**Subject:                   Appointing City Engineer**  
**Introduced by:       Councilmen Dill, Toto and Johnston**

**WHEREAS**, due to a change in company structure a vacancy exists in the position of City Engineer; and

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**WHEREAS**, this contract is being awarded through a fair and open process pursuant to N.J.S. 19:44A-20.5 et. seq.

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

1. Greg Schneider of Kates Schneider Engineering LLC hereby is re-appointed as Municipal Engineer for the period of December 1, 2019 to December 31, 2019; and
2. This appointment is awarded without competitive bidding as a “Professional Service,” under the provisions of the Local Public Contracts Law because public bidding is not required for said service.
3. The Mayor is hereby authorized to execute an agreement with Greg Schneider of Kates Schneider Engineering LLC in connection with these services, and, upon execution, the contract will be attached to this resolution and become a part hereof.
4. As indicated in the Division of Local Government Services Local Finance Notice 2006-7, because this is awarded through a fair and open process, further public notice per N.J.S.A. 40A:11.5.(1)(a)(i) is not required.

\*\*\*\*\*

City Council President McGuigan and Councilman Dill recused themselves from Resolution Numbers 222 and 223 of 2019.

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**Resolution No. 223 of 2019**

M/S – Gerety/Toto

The resolution was adopted by unanimous vote of those present.

**No. 223 of 2019**

**Subject: A Resolution to Adjourn to Executive Session to Discuss Matter Involving Personnel**

**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, 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

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Session to be held on November 14, 2019 during a public meeting to be held commencing at 7:00 P.M, and

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

1
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**“(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, 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 individual**

**employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting. Subject to the balancing of the public’s interest and the employee’s privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality is:**

**A discussion related to the Police Department, specifically, related to the position of Chief of Police.**

**WHEREAS**, the length of the Executive Session is estimated to be approximately 40 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)

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Subject of Discussion	Estimated Date	Necessary Occurrence
See # 8	Following the Executive Session.	Formal Action taken by City Council.

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**Resolution No. 224 of 2019**

M/S – Toto/Gerety

The resolution was adopted by unanimous roll call vote of those present.

**No. 224 of 2019**

**Subject: Budget Appropriation Transfer**

**Introduced by: Council President McGuigan, Councilmen Gerety and Dill**

**WHEREAS**, N.J.S. 40A:4-1 et.seq. allows the Governing Body to make budget appropriation transfers after November 1<sup>st</sup> of the budget year to expend for any of the purposes specified in the budget an amount in excess of the respective sums originally appropriated therefor, provided that the resolution is adopted by not less than a two-thirds vote of the full membership thereof.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point, not less than two-thirds of all members thereof affirmatively concurring, that the Chief Financial Officer is hereby authorized to make the following 2019 budget transfer as specified in this resolution.

**Current Fund**

From:

Legal Services OE	9-01-20-155-200	\$22,000.00
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To:

Vehicle Maintenance OE	9-01-26-315-200	\$22,000.00
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**Old Business:**

None

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**New Business:**

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None

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**Discussion of Bills:**

Administrator Swain reported a Bill List dated 11/12/19 in the amount of \$ 1,816,449.60.

\*\*\*\*\*

**Public Portion:**

The public portion was duly opened. After hearing the public, the public portion was duly closed.

A resident at 12 Jefferson Avenue expressed his concerns regarding speeding vehicles. Mayor Glasser will contact the Chief of Police.

Pat Pierson of 587 Marks Road agreed with the above concerns.

Mr. Hutner of 304 Philadelphia Avenue expressed his concerns regarding Shuman's Alley where signs have been erected "no through traffic". Council President McGuigan noticed the signs and will follow up with the City Engineer.

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**Payment of Bills:**

M/S – D'Adamo/Toto

City Administrator Swain reported that he will be issuing checks in the near future for approximately \$2 million for firetrucks.

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.

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**Recess:**

City Council recessed at 7:36 p.m. prior to going into Executive Session and adjourned at 8:40 p.m.

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**Resolution No. 222 of 2019**

Council President Pro Tempore Tapp called for a motion.

M/S – Gerety/Toto

The resolution was adopted by unanimous vote of those present.

City Administrator Swain explained that an amendment was proposed at the first “Now, therefore, be it resolved” to ...the conditions of employment and salary of Robert C. Somers shall be in accordance with the document attached hereto entitled “Conditions of Employment for Robert C. Somers.”

M/S-Gerety/Dill

The resolution was adopted as amended by unanimous vote of those present.

**Resolution No. 222 of 2019**

**Subject:                   Conditions of Employment and Salary for Police Chief Robert C. Somers**

**Introduced by:       Councilpersons Tapp, Toto and Johnston**

**WHEREAS**, in accordance with Resolution No. 182 of 2019, Robert C. Somers was appointed as Chief of Police on a provisional basis pending the results of a Departmental Promotional Examination to be issued by the New Jersey Civil Service Commission, if necessary, or such other appropriate action by that Commission; and

**WHEREAS**, with the exception of title and duties, the terms of employment, compensation and benefits under the existing collectively negotiated agreement for the unit of which Police Captain Robert C. Somers was a member and the City of Somers Point were to remain in full force and effect for Police Chief Robert C. Somers until such time as a formal Agreement was negotiated and executed between the parties; and

**WHEREAS**, City Council now desires to establish conditions of employment and salary for Police Chief Robert C. Somers.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point that, effective upon the date of execution by Police Chief Robert C. Somers, the conditions of employment and salary of Robert C. Somers shall be substantially in accordance with the document attached hereto entitled “Conditions of Employment for Robert C. Somers,” which may be modified, if necessary, and if such modifications are approved by the City Administrator and the City Solicitor.

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**BE IT FURTHER RESOLVED**, that, upon execution, a copy of the executed document shall be attached hereto and become a part hereof.

**Adjournment**

There being no further business to come before Council, the meeting was adjourned at 8:40 p.m.

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Respectfully submitted,

Lucy R. Samuelsen, RMC  
Municipal Clerk  
Approved: 12/5/2019