

**REGULAR MEETING
MAYOR AND CITY COUNCIL
December 16, 2021**

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, Dill, Ferreri, McCarrie, McGuigan, Owen, Johnston

Also Present: Mayor Glasser, City Administrator Frost, Clerk Samuelsen, City Solicitor Thomas Smith

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 in City Hall and on the City's website, somerspointgov.org.

On the motion of Council Member Owen, seconded of Council Member Dill and carried to add Resolution Number 226 by 48-hour waiver. Council President Johnston mentioned Resolution Number 199 will be pulled from the agenda to give Judge Broome's family the opportunity to be here to accept the resolution.

Communications:

None

Mayor's Report:

Mayor Glasser reported the outstanding parade and tree lighting that was held on 12/3/21. He stated it was a very festive night. He also mentioned the Holiday Mart and tree lighting that was held at the Somers Mansion on 12/4/21, and the tree lighting put on at Shore Medical Center on 12/8/21. He reported the Annual Pearl Harbor Day Remembrance Ceremony was held at the beach on 12/8/21 and was well attended by many local dignitaries. Mayor Glasser also reported the map for Light Up Somers Point is on the City's website. He wished everyone Happy Holidays and a Happy New Year!

Administrator's Report:

None

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Solicitors Report:

Committee Reports:

- Council Member Dill reported the Planning Board unanimously approved a plan for the marina located at Bay and New York Avenues to be torn down and relocated. This will help with drainage and traffic issues. He mentioned several members of the public spoke in favor of the project, and there were no negative comments. He also reported the Planning Board Reorganization Meeting will be held on 1/19/2022.
- Council Member Owen reported a discussion with Council Member McGuigan, Chair of the Good Old Days nonprofit regarding merging the two groups.

Approval of Minutes:

On the motion of Council Member Dill, seconded of Council Member McCarrie and carried to approve the Regular Meeting Minutes 11/18/2021.

Ordinances:

Ordinance No. 14 of 2021

M/S- Dill/McCarrie

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

(Second Reading/Public Hearing/Adoption)

Council President Johnston duly opened the meeting to the public. Hearing nothing from the public, the public hearing was duly closed.

No. 14 of 2021

**An Ordinance Adopting a Redevelopment Plan Within Block 1214, Lots 9, 10, 11, 12, And 16
In an Area In Need Of Rehabilitation Within the City of Somers Point, County of Atlantic,
State of New Jersey**

Whereas, on November 20, 2014, the City Council of the City of Somers Point adopted Resolution No. 186 of 2014 declaring the entire area of the City of Somers Point to be an Area in Need of Rehabilitation pursuant to N.J.S.A. 40A:12A-14, accepting a recommendation from the Somers Point Planning Board based upon a City-Wide Rehabilitation Study and Report concluding the that the entire area of the City of Somers Point be determined to be an Area in Need of Rehabilitation; and

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Whereas, pursuant to N.J.S.A. 40A:12A-7 of the “Local Redevelopment and Housing Law (“LRHL”), a municipality has the authority to adopt, by ordinance, a Redevelopment Plan for a property located in an area in need of rehabilitation; and

Whereas, on September 9, 2021, by Resolution 157 of 2021 the City Council, as amended by Resolution 161-2021 on September 23, 2021, did approve a Memorandum of Understanding between the City of Somers Point and Sunset Ave Development LLC and designated Sunset Ave Development LLC as the Interim Conditional Redeveloper for developing Block 1214, Lots 9, 10, 11, 12, and 16 located at Shore Road and Pleasant Avenue extending to Sunset Avenue in the City of Somers Point comprised of approximately 1.7 acres (the "Subject Property"); and

Whereas, the draft Redevelopment Plan was reviewed by the City Council members, the City Planner, and the City Engineer; and

Whereas, pursuant to N.J.S.A. 40A:12A-7e, prior to the adoption of a redevelopment plan, or revision or amendment thereto, the planning board shall transmit to the governing body, within 45 days after referral, a report containing its recommendation concerning the redevelopment plan, which report shall include an identification of any provisions in the proposed redevelopment plan which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate; and

Whereas, on October 28, 2021, the Council adopted Resolution No. 187-2021 directing the Somers Point Planning Board (“Planning Board”) to review the draft redevelopment plan for the Subject Property, or “Rehabilitation Area”, a copy of which was attached to Resolution No.187-2021; and

Whereas, the Redevelopment Plan was reviewed and considered by the Planning Board at an open public meeting held on November 10, 2021; and

Whereas the Planning Board recommended adoption of the Redevelopment Plan by the City Council, and further determined that the Redevelopment Plan was consistent with the City’s Master Plan, which recommendation and determination was memorialized in Resolution No. 6-2021 adopted by the Planning Board on November 10, 2021; and

Whereas, having reviewed the Planning Board’s recommendations the City Council concurs with its findings and has determined that it is in the best interest of the City to adopt the Redevelopment Plan to effectuate rehabilitation of the subject Rehabilitation Area; and

Now, therefore, it is hereby ORDAINED by the City Council of the City of Somers Point, County of Atlantic, State of New Jersey, as follows:

Section 1. The preceding recitals are incorporated herein as though fully set forth herein at length.

Section 2. The Council hereby adopts the “Redevelopment Plan for the City of Somers Point Sunset Avenue Redevelopment Plan” to facilitate the rehabilitation of that portion of the 2014 Rehabilitation Area.

Section 3. The area standards set forth in the Redevelopment Plan shall be applicable within the Sub-Plan Areas, in addition to the underlying existing zoning and development

regulations, only to an applicant, property owner, developer or redeveloper that has an executed Redevelopment Agreement with the City. An executed Redevelopment Agreement with the City shall be required (as a checklist item) as a part of an application submission for site plan approval to the Somers Point Planning Board or as part of any other application for land use approvals utilizing area standards under the Redevelopment Plan

Section 4. All City ordinances or parts of any City ordinances that are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

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Section 5. The provisions of this Ordinance are severable. To the extent any clause, phrase, sentence, paragraph, or provision of the Ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 6. The City Clerk is directed to file a copy of the Redevelopment Plan in the Office of the City Clerk for inspection by the public.

Section 7. This Ordinance shall take effect after final adoption and publication according to law.

Ordinance No. 15 of 2021

M/S- Ferreri/Bruno

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

(Second Reading/Public Hearing/Adoption)

Council President Johnston duly opened the meeting to the public. Hearing nothing from the public, the public hearing was duly closed.

No. 15 of 2021

**An Ordinance Enacted Under Authority of N.J.S.A. 39: 4-197.6.
and N.J.S.A. 39: 4-197.7, granting the Authority to establish a
Restricted Parking Zone in Front of a Residence Occupied by a
Handicapped Person Under Certain Conditions; Amending and
Supplementing Section 250-50 of the Somers Point City Code;
Repealing All Ordinances Heretofore Adopted, the Provisions of
Which are Inconsistent Herewith**

WHEREAS, N.J.S.A. 39:4-197.6. authorizes a Municipality, by ordinance, to establish a restricted parking zone in front of a residence occupied by a handicapped person if a windshield placard or wheelchair symbol license plates have been issued by the Division of Motor Vehicles for a vehicle owned by the handicapped person, or by another occupant of the residence who is a member of the immediate family of the handicapped person; and

WHEREAS, N.J.S.A. 39:4-197.7 authorizes a Municipality, by ordinance, to provide for the issuance of permits which identify a specific motor vehicle and the location wherein it is to be parked, such permits to be issued only to persons who can prove ownership and operation of the motor vehicle and residency at the location specified thereon; and

WHEREAS, Section 250-48 of the Somers Point Municipal Code “Purpose” identifies certain requirements for the establishment and use of handicapped parking spaces and which limits the use of same; and

WHEREAS, Section 250-57 of the Somers Point Municipal Code “Restricted parking zones authorized; conditions” sets forth the requirements which are to be adhered to by the permit holder including payment of the Permit fee, and placement of the Permit within the vehicle; and

WHEREAS, A request has been submitted to the Mayor and City Clerk by:

Lynne Allen stating the need for a Handicapped Parking Space in front of her residence at 658 West Groveland Avenue, Somers Point, NJ; and

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WHEREAS, the request did include the required verified New Jersey Driver's License and the Permanent Disability Identification Card issued by the New Jersey Motor Vehicle Commission; and

WHEREAS, the request has been reviewed by the Somers Point Police Department Chief of Police and deemed appropriate and reasonable; and

WHEREAS, the Somers Point City Engineer has reviewed the request and determined the proper placement of the Handicapped Parking space signage.

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. The Somers Point Municipal Code Chapter 250 Vehicles and Traffic, Article III Section 250-50 Designation of spaces, and Article V Section 250-54 Designations of locations are hereby amended to designate the following location as a Permit Only Handicapped Parking spaces and shall be so marked by sign indicating "Handicapped Parking by Permit Only", in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways:

Name of Street	Location
Groveland Avenue	South Side directly in front of 658 Groveland Avenue (Sign to be placed 330 feet of the easterly curb line of Adams Street).

SECTION 2. Further Conditions.

1) The Traffic Division of the Police Department in conjunction with the City Engineer shall designate an area of 20 feet in length in front of the residence of the handicapped person, to be painted as a restricted parking zone.

2) A "Handicapped Parking by Permit Only" sign to be placed alongside the designated area.

3) A permit 5 1/2 inches by 8 1/2 inches in size, bearing an appropriate certification of authenticity shall be issued and shall be placed in the vehicle as required by Code Section 250-57 G.

4) The holder of a handicapped parking permit must notify the City Clerk immediately if such person changes his or her residence, changes his or her vehicle registration number, or if the special vehicle identification card and certificate issued by the Director of Motor Vehicles shall be modified, revoked or expired.

5) The permit shall be issued upon payment of the initial fee and shall be subject to payment of the annual renewal fee in compliance with Code Section 250-57 I.

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.

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The ordinance was adopted by a unanimous vote of those present.
(Second Reading/Public Hearing/Adoption)

Council President Johnston duly opened the meeting to the public. Hearing nothing from the public, the public hearing was duly closed.

No. 16 of 2021

An Ordinance Enacted Under Authority of N.J.S.A. 39: 4-197 and N.J.S.A. 39: 4-197.7, granting the Authority to establish a Restricted Parking Zone in Front of a Residence; Amending and Supplementing Section 250-50 of the Somers Point City Code; Repealing All Ordinances Heretofore Adopted, the Provisions of Which are Inconsistent Herewith

WHEREAS, N.J.S.A. 39:4-197 authorizes a Municipality, by ordinance, to regulate parking on its streets; and

WHEREAS, N.J.S.A. 39:4-197.7 authorizes a Municipality, by ordinance, to provide for the issuance of permits which identify a specific motor vehicle and the location wherein it is to be parked, such permits to be issued only to persons who can prove ownership and operation of the motor vehicle and residency at the location specified thereon; and

WHEREAS, Section 250-57 of the Somers Point Municipal Code "Restricted parking zones authorized; conditions" sets forth the requirements which are to be adhered to by the permit holder including payment of the Permit fee, and placement of the Permit within the vehicle; and

WHEREAS, A request has been submitted to the Mayor and City Clerk by:

Ronald J. Defelice stating a designated space in front of his residence at 827 Bay Avenue, Somers Point, NJ; and

WHEREAS, the request has been reviewed by the Somers Point Police Department Chief of Police and deemed appropriate and reasonable; and

WHEREAS, the Somers Point City Engineer has reviewed the request and determined the proper placement of the Permit Parking signage.

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:

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SECTION 1. The Somers Point Municipal Code Chapter 250 Vehicles and Traffic, Article V Section 250-54 Designation of locations is hereby amended to designate the following location as a Permit Only Parking space and shall be so marked by sign indicating "Parking by Permit Only", in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways:

Name of Street	Location
Bay Avenue	West Side directly in front of 827 Bay Avenue (Sign to be placed 67 feet south of the southerly curb line of Delaware Avenue)

SECTION 2. Further Conditions.

1) The Traffic Division of the Police Department in conjunction with the City Engineer shall designate an area of 20 feet in length in front of the residence of the 827 Bay Avenue to be painted as a no-parking zone.

2)_A "Parking by Permit Only" sign to be placed alongside the designated area.

3) A permit 5 1/2 inches by 8 1/2 inches in size, bearing an appropriate certification of authenticity shall be issued and shall be placed in the vehicle as required by Code Section 250-57 G.

4) The holder of a City parking permit must notify the City Clerk immediately if such person changes his or her residence, changes his or her vehicle registration number.

5) The permit shall be issued upon payment of the initial fee and shall be subject to payment of the annual renewal fee in compliance with Code Section 250-57 I.

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.

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Ordinance No. 17 of 2021

M/S- Owen/Dill

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

(Second Reading/Public Hearing/Adoption)

Council President Johnston duly opened the meeting to the public. Hearing nothing from the public, the public hearing was duly closed.

No. 17 of 2021

An Ordinance Enacted Under Authority of N.J.S.A. 39: 4-197.6 and N.J.S.A. 39: 4-197.7, granting the Authority to establish a Restricted Parking Zone in Front of a Residence Occupied by a Handicapped Person Under Certain Conditions; Amending and Supplementing Section 250-50 of the Somers Point City Code; Repealing All Ordinances Heretofore Adopted, the Provisions of Which are Inconsistent Herewith

WHEREAS, N.J.S.A. 39:4-197.6 authorizes a Municipality, by ordinance, to establish a restricted parking zone in front of a residence occupied by a handicapped person if a windshield placard or wheelchair symbol license plates have been issued by the Division of Motor Vehicles for a vehicle owned by the handicapped person, or by another occupant of the residence who is a member of the immediate family of the handicapped person; and

WHEREAS, N.J.S.A. 39:4-197.7 authorizes a Municipality, by ordinance, to provide for the issuance of permits which identify a specific motor vehicle and the location wherein it is to be parked, such permits to be issued only to persons who can prove ownership and operation of the motor vehicle and residency at the location specified thereon; and

WHEREAS, Section 250-48 of the Somers Point Municipal Code “Purpose” identifies certain requirements for the establishment and use of handicapped parking spaces and which limits the use of same; and

WHEREAS, Section 250-57 of the Somers Point Municipal Code “Restricted parking zones authorized; conditions” sets forth the requirements which are to be adhered to by the permit holder including payment of the Permit fee, and placement of the Permit within the vehicle; and

WHEREAS, A request has been submitted to the Mayor and City Clerk by: Thomas Palermo stating the need for a Handicapped Parking Space in front of her residence at 200 Pennsylvania Avenue, Somers Point, NJ; and

WHEREAS, the request did include the required verified New Jersey Driver’s License and the Permanent Disability Identification Card issued by the New Jersey Motor Vehicle Commission; and

WHEREAS, the request has been reviewed by the Somers Point Police Department Chief of Police and deemed appropriate and reasonable; and

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WHEREAS, the Somers Point City Engineer has reviewed the request and determined the proper placement of the Handicapped Parking space signage.

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. The Somers Point Municipal Code Chapter 250 Vehicles and Traffic, Article III Section 250-50 Designation of spaces, and Article V Section 250-54 Designations of locations are hereby amended to designate the following location as a Permit Only Handicapped Parking spaces and shall be so marked by sign indicating "Handicapped Parking by Permit Only", in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways:

Name of Street	Location
Pennsylvania Avenue	South Side directly in front of 200 Pennsylvania Avenue (Sign to be placed 53 feet west of the curb line of Second Street.)

SECTION 2. Further Conditions.

1) The Traffic Division of the Police Department in conjunction with the City Engineer shall designate an area of 20 feet in length in front of the residence of the handicapped person, to be painted as a restricted parking zone.

2) A "Handicapped Parking by Permit Only" sign to be placed alongside the designated area.

3) A permit 5 1/2 inches by 8 1/2 inches in size, bearing an appropriate certification of authenticity shall be issued and shall be placed in the vehicle as required by Code Section 250-57 G.

4) The holder of a handicapped parking permit must notify the City Clerk immediately if such person changes his or her residence, changes his or her vehicle registration number, or if the special vehicle identification card and certificate issued by the Director of Motor Vehicles shall be modified, revoked or expired.

5) The permit shall be issued upon payment of the initial fee and shall be subject to payment of the annual renewal fee in compliance with Code Section 250-57 I.

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.

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Resolutions:

Clerk Samuelson read by title only the list of resolutions.

Public Portion Resolutions:

Council President Johnston duly opened the meeting to the public.

Dan Myers of 429 Shore Road thanked City Council for recognizing and honoring Kathy Arleth.

A resident questioned about the outdoor seating and timelines.

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

Resolution No. 199 of 2021

M/S- THIS RESOLUTION WAS PULLED

No. 199 of 2021

Honoring the Life and Times of
Judge Henry George “Bud” Broome

WHEREAS, on October 20, 2021, Judge Henry George “Bud” Broome, Jr. passed away;
and

WHEREAS, Judge Broome served as the municipal judge for many of the communities in Atlantic County, beginning in the late 1970’s until his retirement; and

WHEREAS, by Resolution number 15 of 1979, the Governing Body of Somers Point appointed Judge Broome to serve as the Municipal Court Judge in Somers Point; and

WHEREAS, Judge Broome served the community honorably and with distinction from the bench until his retirement in November of 2011; and

WHEREAS, during those nearly thirty two years of service, Judge Broome gave generously of his time, his advice, and his counsel, treating those who appeared before him with respect, courtesy, and fairness; and

WHEREAS, Judges perform a very critical role in society today ensuring that order is

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maintained and justice is served fairly, therefore deserving of our utmost respect.

Now therefore, it is hereby **RESOLVED** that the City Council of the City of Somers Point honor the memory of Judge Henry George “Bud” Broome and recognize and salute his service to Somers Point and the citizens of this community; and

It is further **RESOLVED** that we extend our sincere condolences to his wife, Patricia, sons, Henry George “Buddy” III and Christopher Shawn, and all of his extended family, may he rest in peace.

Resolution No. 205 of 2021

M/S- Ferreri/Bruno

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

No. 205 of 2021

Subject: Taxes Cancelled and Refunded Block 1631 Lot 22

Introduced by: Councilman President Johnston and Council Member McGuigan

WHEREAS, the property owner at 158 Bala Drive is a 100% permanently and totally disabled veteran; and

WHEREAS, the owner has filed all of the forms and provided all the necessary documentation for tax exemption; and

WHEREAS, the owner is now entitled to total real estate tax exemption beginning on November 24th 2021; and

WHEREAS, the taxes for 2021 should be canceled and refunded in the amount \$711.72; and

WHEREAS, the taxes for the 1st and 2nd quarter of 2022, should be canceled in the amount \$3,684.28; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, that the above taxes be canceled and refunded.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

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Block	Lot	Qual.	Owner	Amount	Year
1631	22		Dorothy Ann Mannino	\$711.72	2021 (cancelled and refunded)
				\$3,684.28	2022 (cancelled)

Resolution No. 206 of 2021

M/S- Ferreri/Bruno

This resolution was adopted by unanimous vote of those present.

No. 206 of 2021

Subject: Taxes Cancelled and Refunded

Introduced by: Council President Johnston and Council Member McGuigan

WHEREAS, the property owner at 2 Fresh Spring Cove is a 100% permanently and totally disabled veteran; and

WHEREAS, the owner has filed all of the forms and provided all the necessary documentation for tax exemption; and

WHEREAS, the owner is now entitled to total real estate tax exemption beginning on July 15th 2021; and

WHEREAS, the taxes for 2021 should be canceled and refunded in the amount \$3151.50; and

WHEREAS, the taxes for the 1st and 2nd quarter of 2022, should be canceled in the amount \$3,439.10; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, that the above taxes be canceled and refunded.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

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Block	Lot	Qual.	Owner	Amount	Year
1937	17		Thomas E. Major	\$3,151.50	2021 (cancelled and
					refunded)
				\$3,439.10	2022 (cancelled)

Resolution No. 207 of 2021

M/S-

This resolution was adopted by vote of those present.

No. 207 of 2021

Subject: Tax Overpayment Refund Block 719 Lot 2

Introduced by: Council President Johnston and Council Member McGuigan

WHEREAS, the below listed overpayment for the years designated is held in reserve by the City of Somers Point; and

WHEREAS, the property tax payments were overpaid inadvertently by the owner creating an overpayment on the 4th quarter 2021 and;

WHEREAS, the property owners has requested the overpayment be refunded.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the following overpayment be refunded to Corelogic.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

Block	Lot	Property Owner	Amount	Year
719	2	Corelogic	\$1,315.44	2021
			Total: \$1,315.44	

Resolution No. 208 of 2021

M/S- Ferreri/Dill

This resolution was adopted by unanimous vote of those present.

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No. 208 of 2021

Subject: Tax Overpayment Refund Block 2231 Lot 5

Introduced by: Council President Johnston and Council Member McGuigan

WHEREAS, the below listed overpayment for the years designated is held in reserve by the City of Somers Point; and

WHEREAS, the property tax payments were overpaid inadvertently creating an overpayment and;

WHEREAS, the property owners has requested the overpayment be refunded to Corelogic.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the following overpayment be refunded to Corelogic.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

Block	Lot	Property Owner	Amount	Year
2231	5	Corelogic	\$2,163.84	2021
			Total:	\$2,163.84

Resolution No. 209 of 2021

M/S- Owen/Dill

This resolution was adopted by a roll call vote of those present.

No. 209 of 2021

Subject: A Resolution Amending Resolution 183 of 2021 Participation with the State of New Jersey Safe and Secure Communities Program Administered by the NJ Dept. of Law & Public Safety, Office of the Attorney General

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

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WHEREAS, the City of Somers Point previously passed resolution 183 of 2021 making an application to the 2022 Safe and Secure Communities Program (Grant #22-0121); and

WHEREAS, the Safe and Secure Communities Program is a program of the State of New Jersey Department of Law and Public Safety, Office of the Attorney General not the State of New Jersey Department of Law and Public Safety, Division of Criminal Justice as noted on the previously passed resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, that: Resolution 183 of 2021 will be amended to reflect that the Safe and Secure Communities Program is a program of the State of New Jersey Department of Law and Public Safety, Office of the Attorney General

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

- 1) The project is a joint effort between the State of New Jersey Department of Law and Public Safety, Office of the Attorney General and the City of Somers Point for the purpose described in the application.
- 2) The Safe and Secure Communities Program Grant #22-0121 is for the period beginning on August 1, 2021 through July 31, 2022.
- 3) The amount of the grant is \$12,621.00 and the cash match by the City of Somers Point is \$179,868, for a total project cost of \$192,489.
- 4) The City of Somers Point is authorized to accept and does accept this grant award.
- 5) The grant funds of \$12,621.00 are accepted for the purpose described in the grant application.
- 6) The Mayor and City Administrator are hereby authorized and directed to sign, complete and file all necessary documents in connection with this award on behalf of the City.

Resolution No. 210 of 2021

M/S- Ferreri/Owen

This resolution was adopted by unanimous vote of those present.

No. 210 of 2021

Subject: Authorizing Participation in the North Jersey Wastewater Cooperative Pricing System Purchasing Cooperative

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Introduced By: Council President Johnston

WHEREAS, N.J.S.A. 52:34-6.2 permits contracting units to participate in nationally recognized purchasing cooperatives; and

WHEREAS, North Jersey Wastewater Cooperative Pricing System is a State of New Jersey recognized purchasing cooperative in conjunction with the Passaic Valley Sewerage Commission (PVSC) that has acted as the lead agency and awarded contracts for various goods and services; and

WHEREAS, participation in the North Jersey Wastewater Cooperative Pricing System will provide the City with greater purchasing flexibility, opportunities to achieve cost savings, and a reduction in administrative expenses; and

WHEREAS, in order to participate in the North Jersey Wastewater Cooperative Pricing System, it is necessary for the City to enter into an Interlocal Agreement for Cooperative Purchasing; and

WHEREAS, the City of Somers Point desires to become a member of the North Jersey Wastewater Cooperative Pricing System, NJWCPS, effective December 16th, 2021 and, that such membership shall be for the period ending November 24th, 2024, and each renewal, thereafter of the system, unless the City of Somers Point formally elects to withdraw from the system.

NOW, THEREFORE BE IT RESOLVED that, pursuant to the provisions of N.J.S.A. 52:34-6.2, the City Administrator is hereby authorized to enter into an Interlocal Contract for Cooperative Purchasing with North Jersey Wastewater Cooperative Pricing System, a copy of which is attached hereto and made a part hereof.

Resolution No. 211 of 2021

M/S- Dill/Bruno

This resolution was adopted by unanimous vote of those present.

No. 211 of 2021

Subject: Fixing the Date of the Annual Organization Meeting of the Somers Point City Council

Introduced By: Council President Johnston

WHEREAS, N.J.S.A. 40-45A-1 provides that a municipality in which any of the members of the governing body are elected for terms commencing on January 1 may, by

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ordinance, fix the date and time of its annual reorganization meeting at a specified day and hour during the first week of January; and

WHEREAS, by Ordinance 5 of 1988 which has been codified as Section A266-2 in the Somers Point Municipal Code as supplemented and amended by Ordinance No. 32 of 2014, the annual organization meeting of the City Council is to be held commencing at 7:00 p.m. on a weeknight during the first week in January.

Now, therefore, it is hereby **RESOLVED** that the 2022 Organization Meeting of the Somers Point City Council shall be held on Friday, January 7, 2022, at 7:00 p.m. in Council Chambers; and

It is further, **RESOLVED** that the City Clerk shall cause a public notice of the Organization Meeting to be posted and published in compliance with the requirements of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 *et seq.*

Resolution No. 212 of 2021

M/S- Dill/Ferreri

This resolution was adopted by unanimous vote of those present.

Council Member Dill thanked Kathleen for her service. He stated she has always been an asset to this community and her dedication to the City is honored and appreciated.

Council President Johnston read a letter from Kathleen thanking City Council, City Administration, Atlantic County Government, Office of Cultural Heritage Affairs and members of the Somers Point Arts Commission. She expressed her gratitude and appreciation to the many supporters of the various events put on by the Arts Commission and is confident the Commission will continue successfully and gave her best wishes.

No. 212 of 2021

Subject: Honoring Kathleen Arleth for her Service to the Community

Introduced By: Council President Johnston and Council Members McCarrie and Bruno

WHEREAS, Kathleen Arleth was instrumental recommending City Council reactivate the Somers Point Arts Commission in 2013; and

WHEREAS, Ms. Arleth served as Chairperson of the Arts Commission from 2013 to 2021, and

WHEREAS, with Kathleen's vision, leadership and tireless involvement to the Arts

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Commission, she has brought many successful events and activities to the City of Somers Point, and

WHEREAS, Kathleen was the impetus in creating the position of Poet Laureate for Somers Point in 2014; and

WHEREAS, Ms. Arleth served as a teacher in the preschool disabilities class in Somers Point until her retirement. She is a former City Council Member, chair of the Mayor's Commemorative Committee, chair of Bayfest Committee, chair of the Somers Point Historical Commission, and a member Somers Point Environmental Committee, and

Now therefore, it is hereby **RESOLVED** that the City Council of the City of Somers Point honor and thank Kathleen Arleth for her tireless volunteerism and service to Somers Point and the citizens of this community.

Resolution No. 213 of 2021

M/S- Ferreri/Owen

This resolution was adopted by a roll call vote of those present with Council Members Dill and McGuigan recusing.

No. 213 of 2021

Subject: Appointing Robert C. Somers as Permanent Chief of Police

Introduced By: Mayor Glasser, Council Members McCarrie and Ferreri and Council President Johnston

WHEREAS, N.J.S.A. 40A:14-118 provides that a municipality may create and establish a police department, and further provides for the appointment of a chief of police and subordinate officers; and

WHEREAS, the City of Somers Point within Chapter 44, Article I, and Chapter A 267-1 *et. seq.* of the Code of the City of Somers Point has in fact created a municipal police department by ordinance and has further, within Chapter A267-14, created and established the position of Chief of Police and otherwise designated a chain of command for the Police Department; and

WHEREAS, the Mayor and Council of the City of Somers Points have determined that there is need, so as to protect and promote the public health, safety and welfare of the citizens of the City of Somers Point, that this position be filled by a permanent appointment of a qualified individual in order to fully and faithfully administer the duties and responsibilities of the position of chief of police; and

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WHEREAS, Michael F. Boyd had retired as Chief of Police of the City of Somers Point effective December 31, 2018, and ceased working in that capacity as of that same date; and

WHEREAS, Robert C. Somers was appointed as Acting Chief of Police by Resolution 39-2019 and Provisional Chief of Police by Resolution 182-2019; and

WHEREAS, Mayor John L. Glasser, Jr. has considered the past performance of Chief Somers in his capacity as Provisional Chief and in his other appointed capacities within the Police Department of the City of Somers Point and has requested to this Governing Body that Robert C. Somers be appointed to the position of Permanent Chief of Police; and

WHEREAS, the Personnel Committee of the Governing Body finds and determines that Robert C. Somers meets and exceeds all minimum qualification requirements for the appointment to said position; and

WHEREAS, by Robert C. Somers has passed the Departmental Promotional Examination issued by the New Jersey Civil Service Commission to fill the role of Permanent Chief of Police; and

WHEREAS, the Mayor, City Council and the Appointing Authority for the City of Somers Point has determined that the requirements of N.J.A.C. 4A:4-1.5 have been met so as to allow for the appointment of Permanent Chief of Police Robert C. Somers; and

WHEREAS, based upon the foregoing the City Council of the City Somers Point has determined that Robert C. Somers is qualified to be permanently appointed as the Chief of Police of the City of Somers Point Police Department and will be able to fully perform all duties necessary in order to meet the needs of this role; and

WHEREAS, sufficient funds are available within the Budget of the City of Somers Point to satisfy this financial obligation.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the City Council of the City of Somers Point that pursuant and subject to the provisions of N.J.A.C. 4A:4-1.5 **ROBERT C. SOMERS** shall be and is hereby appointed as Permanent Chief of Police of the City of Somers Point wherein he shall be responsible for performing all of the duties set forth within N.J.S.A. 40A:14-118 as well as Chapter A267-1 *et. seq.* of the City Code as well as any other statutes, rules and regulations lawfully applicable to said title and position.

BE IT FURTHER RESOLVED, that the appointment provided for herein is on a Permanent basis.

BE IT FURTHER RESOLVED, the terms of employment, compensation and benefits under the existing Contract between **ROBERT C. SOMERS** and the City of Somers Point shall

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remain in full force and effect until such time as a formal Agreement has been negotiated and executed between the parties.

BE IT FURTHER RESOLVED, that the permanent appointment of **ROBERT C. SOMERS** to Chief of Police of the City of Somers Point is effective immediately.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to process the necessary paperwork with the Department of Personnel in order to effectuate this provisional appointment.

Resolution No. 214 of 2021

M/S- Ferreri/Owen

This resolution was adopted by unanimous vote of those present.

No. 214 of 2021

Subject: Cancellling Outstanding Tax Collector Account and Redemption Account Balances

Introduced by: Council President Johnston and Council Member McGuigan

WHEREAS, the Tax Collector has recommended that the following balances that have been inactive for more than 5 years in the Tax Collector’s Account and Tax Collector’s Redemption Account be cancelled; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the following amounts referenced below be cancelled and appropriate balances transferred over to the Current Fund.

Tax Collector Account

\$1274.10

\$1,405.22

\$2,171.93

\$1,077.78

Total: \$5,929.03

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Resolution No. 215 of 2021

M/S- Ferreri/Owen

This resolution was adopted by unanimous vote of those present.

Mr. Smith mentioned that this subject will be revisited in 2022.

No. 215 of 2021

Subject: A Resolution Confirming the Taking of No Action Relative to Council’s Request that the Planning Board offer a Proposal to Consolidate and Simplify Area and Bulk Requirements of all Zoning Districts

Introduced By: Council President Janice Johnston and Council Member Sean T. McGuigan

WHEREAS, on April 22, 2021, the Governing Body of the City of Somers Point by way of Resolution 90 of 2021, requested that the Planning Board to provide a proposed method of consolidating and simplifying the Area and Bulk requirements of all Zoning Districts into a more concise and easier to read form; and

WHEREAS, it appears that the suggested Matrix form was inadvertently not attached to the Resolution when same was sent to the Planning Board for review; and

WHEREAS, on May 19, 2021, the Planning Board met and discussed the aforesaid Resolution; and

WHEREAS, on June 1, 2021, the Chairman of the Planning Board sent to the Mayor and Council President correspondence wherein it was stated that the Resolution had been reviewed and “sent back to Council with a copy of the Matrix with comments and a prompt adoption of the revised zoning schedule;” and

WHEREAS, said correspondence did not contain any such comments or a copy of any Matrix; and

WHEREAS, on August 3, 2021, a Memorandum was provided by the Planning Board Solicitor to the Mayor, Council President, and the City Solicitor wherein it was indicated that “... the Planning Board reviewed the updated zoning matrix/zoning schedule. At the conclusion of this review, the Planning Board voted unanimously to recommend that City Council move expeditiously to amend the City's Development Regulations contained in Chapter 114 to incorporate the new zoning matrix attached to this Memorandum to consolidate and simplify the area and bulk requirements of all zoning districts into a more concise and easier form.” However, said Memorandum failed to identify both the comments referenced in the Planning Board Chair’s correspondence of June 1, 2021, as well as the basis for any proposed changes to the area and bulk requirements; and

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WHEREAS, on August 23, 2021, an email was sent by the City Solicitor to the Planning Board Solicitor wherein a clarification was sought relative to whether specific changes were being recommended to area and bulk requirements in the City since the Matrix which was intended to be sent down to the Planning Board did not contain any such changes, and also, since there were no actual comments being provided in the aforesaid Memorandum; and

WHEREAS, there has been no response from the Planning Board to this request of the City Solicitor; and

WHEREAS, it appears that there has been some confusion relative to what was being requested of the Planning Board, as well as what was intended to be recommended back to City Council, making it unclear as to what actions the City Council should be considering.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that it takes no action the response from the Planning Board due to same being unclear as to what it was that was being recommended.

Resolution No. 216 of 2021

M/S-Owen/McCarrie

This resolution was adopted by unanimous vote of those present.

No. 216 of 2021

Subject: Resolution Authorizing the Cancellation of Credit Balances Created by Property Exemptions

Introduced By: Council Member McGuigan and Council President Johnston

WHEREAS, there are stale credit balances that exist based on previously given property exemptions throughout the City of Somers Point; and

WHEREAS, said exemptions created various credit balances; and

WHEREAS, the Municipal Auditor has recommended the cancellation of these credit balances by the Tax Collector; and

NOW, THEREFORE, BE IT RESOLVED, by City of Somers Point, County of Atlantic, State of New Jersey that the Tax Collector is hereby authorized to cancel any credits or balances, for the fiscal year 2021, due from previously given tax exemptions, said properties are the attached listing.

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Resolution No. 217 of 2021

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

No. 217 of 2021

Subject: Resolution Authorizing Entry of Participation Agreements in Partial Settlement of the National Prescription Opiate Litigation

Introduced by: Council President Janice Johnston and Council Members Dill and McGuigan

WHEREAS, the City of Somers Point ("City") and its residents have suffered harm from the opioid epidemic; and

WHEREAS, the City recognizes that the entire State of New Jersey has suffered harm as a result of the opioid epidemic; and

WHEREAS, the State of New Jersey and Atlantic County filed a lawsuit in the United States District Court to address the public nuisance that is the Opioid Epidemic, which named, among other companies, the following four Defendants ("Settling Defendants"):

1. Janssen Pharmaceuticals, Inc. (a prescription opioids manufacturer);
2. Amerisource Bergen Corp. (a prescription opioids wholesaler distributor);
3. Cardinal Health, Inc. (a prescription opioids wholesaler distributor); and
4. McKesson Corporation (a prescription opioids wholesaler distributor); and

WHEREAS, the lawsuit was subsequently transferred to the United States District Court in the Northern District of Ohio and centralized as part of *In re National Prescription Opiate Litigation*, MDL 2804; Case No. 1:17-md-2804, which is presided over by the Honorable Dan Aaron Polster, United State Federal District Court Judge; and

WHEREAS, the Settling Defendants have negotiated proposed national settlement agreements ("Proposed Settlements") with the State Attorneys General, and a Plaintiff Executive Committee-designated negotiating committee that represents approximately 4,000 local governments that have brought similar lawsuits; and

WHEREAS, the City having a population in excess of 10,000 has been included in the list of municipalities eligible to participate in the settlement proceeds; and

WHEREAS, the City has been assigned a Registration Code Number which will permit the City to register and authorize participation in the Settlement; and

WHEREAS, the deadline for submitting the required documentation is January 2, 2022; and

WHEREAS, if the Settlement is accepted and approved by the Court, the settlement proceeds will be up to Twenty-Six Billion Dollars with up to Six Hundred Twenty-eight Million Dollars allocated to the State of New Jersey and local eligible municipalities; and

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WHEREAS, the goal of the State is to achieve 262 participants to maximize eligible funding; and

WHEREAS, the Proposed Settlements contain significant equitable and monetary relief, including:

1. An agreement by Janssen that it will discontinue the manufacture and distribution of prescription opioids products for at least the next ten years;
2. An agreement by Janssen that it will suspend any lobbying efforts that concern prescription opioids products;
3. The creation of a National Clearinghouse for wholesale distributors that will assist in the detection, suspension and reporting of suspicious orders of prescription opioids products; and
4. The payment of up to \$26 billion (depending upon the level of participation of state and local governments in the Proposed Settlements) in funding installments over the next 18 years, the bulk of which will be dedicated to funding abatement and prevention strategies associated with the opioids public nuisance.

NOW THEREFORE, IT IS HEREBY RESOLVED by the Common Council of the City of Somers Point in the County of Atlantic, State of New Jersey that the Mayor is authorized to execute and deliver Participation Agreements for: 1. the Master Settlement Agreement with Janssen Pharmaceuticals, Inc.; and 2. the Master Settlement Agreement with the three wholesale distributor defendants (Cardinal, Amerisource Bergen and McKesson), both of which are listed and available to the public at <https://nationalopioidsettlement.com/>.; and

IT IS FURTHER RESOLVED that the City Administrator is authorized to register and submit the two executed Settlement Participation Agreements in advance of the January 2, 2022 deadline; and

IT IS FURTHER RESOLVED that the City Clerk is requested to send a certified copy of this Resolution to The New Jersey State League of Municipalities: Attention Frank Marshall, Esq.

Resolution No. 218 of 2021

M/S- Owen/Ferreri

This resolution was adopted by unanimous vote of those present.

No. 218 of 2021

Subject: Authorizing the Chief Financial Officer to Cancel Grant Balances

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**Introduced By:
Dill and McGuigan**

Council President Johnston and Council Members

WHEREAS, the City Administrator/Chief Financial Officer has completed a review of the Grant Fund; and

WHEREAS, as a result of the review, the City Administrator/Chief Financial Officer recommends that the following balances be canceled from the Grant Fund general ledger and transferred to Current Fund Balance, subject to whatever modifications may be necessary as a result of activity in those accounts occurring on or before December 31, 2021:

<u>Description</u>	<u>Cancel</u>	<u>Cancel</u>
<u>Grants Receivable</u>		
NJDOT 2015 Higbee Avenue Marina	\$ 290,131.00	
NFWF Ecological Solutions-Restore Wetlands	26,387.91	
NJDOT TAP Bike Path Widening	298,630.55	
<u>Appropriated Reserves</u>		
NJDOT 2015 Higbee Avenue Marina		\$ 263,909.30
NJDOT TAP Bike Path Widening		298,630.55
	\$ 615,149.46	\$ 562,539.85

To Current Fund Balance: \$ 52,609.61

Resolution No. 219 of 2021

M/S- Owen/Ferreri

This resolution was adopted by unanimous vote of those present.

No. 219 of 2021

Subject: Extending the Time Period for Temporary and Limited Expansion of the Operations of Bars/Restaurants to their Outside Areas and Municipal Right of Ways

Introduced by: Council President Janice Johnston

WHEREAS, on June 3, 2020, Governor Murphy signed Executive Order No. 150 (2020), which set an effective date of Monday, June 15, 2020 at 6:00 a.m., for all restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, bars, and all other holders of a liquor

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license with retail consumption privileges, collectively referred to as “food or beverage establishments,” to offer in-person service at outdoor areas, subject to provisos; and

WHEREAS, on June 11, 2020, this governing body passed Resolution No. 121-2020 which provided a temporary and limited expansion of the operations of bars/restaurants to their outside areas and municipal right of ways; and

WHEREAS, said Resolution held that pending further resolution, the force and effect of the resolution, and all temporary rights set forth therein, were to terminate upon the earlier of either the effective date and time of the State of New Jersey relaxing the provisions of Executive Order 107 relative to its prohibition of on-premises consumption of food or beverages at bars and restaurants and requirement of social distancing as set forth therein, or at 11:59 p.m. on July 24, 2020; and

WHEREAS, on July 23, 2020, this governing body passed Resolution No. 140-2020 which extended until September 14, 2020, the aforesaid temporary and limited expansion of the operations of bars/restaurants to their outside areas and municipal right of ways; and

WHEREAS, on September 10, 2020, this governing body passed Resolution No. 151-2020 which extended until October 23, 2020, the aforesaid temporary and limited expansion of the operations of bars/restaurants to their outside areas and municipal right of ways; and

WHEREAS, on November 4, 2020, this governing body passed Resolution No. 181-2020 which extended until January 29, 2021, the aforesaid temporary and limited expansion of the operations of bars/restaurants to their outside areas and municipal right of ways; and

WHEREAS, on January 2, 2021, this governing body passed Resolution No. 49-2021 which extended until May 17, 2021, the aforesaid temporary and limited expansion of the operations of bars/restaurants to their outside areas and municipal right of ways; and

WHEREAS, on May 13, 2021, this governing body passed Resolution No. 97-2021 which extended until September 27, 2021, the aforesaid temporary and limited expansion of the operations of bars/restaurants to their outside areas and municipal right of ways; and

WHEREAS, on September 23, 2021, this governing body passed Resolution No. 167-2021 which extended until November 30, 2021, the aforesaid temporary and limited expansion of the operations of bars/restaurants to their outside areas and municipal right of ways; and

WHEREAS, Governor Murphy has signed P.L. 2021, c.15, which among other things, expanded opportunities for restaurants, bars, distilleries, and breweries to provide outdoor dining, in response to the COVID-19 public health emergency; and

WHEREAS, in connection with the enactment of said legislation, the Director of the Division of Alcoholic Beverage Control on March 19, 2021, issued Administrative Order 2021-01, which extended the expiration date of all COVID-19 Expansion Permits issued pursuant to Special Ruling 2020-10 to November 30, 2022; and

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WHEREAS, it is recognized by this governing body that the COVID-19 outbreak continues to cause substantial economic suffering and financial hardship for many of the restaurants in the City of Somers Point; and

WHEREAS, this governing body wishes to again extend the time period for the temporary and limited expansion of restaurants to their outside areas and municipal right of ways.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of Somers Point that the provisions of Resolution No. 167-2021 pursuant to restaurants are hereby retroactively extended until at 11:59 p.m. on February 28, 2022, at which time the allowances provided for outdoor dining for both non-licensed and licensed premises shall be rescinded.

BE IT FURTHER RESOLVED that the within resolution shall be effective immediately.

Resolution No. 220 of 2021

M/S- Owen/Ferreri

This resolution was adopted by a vote of those present with Council Members Dill and McGuigan recusing.

Council Member Dill thanked Administrator Frost, Solicitor Smith and the negotiating team for settling this contract in a timely manner.

No. 220 of 2021

**Subject: Memorandum of Agreement – Police Benevolent Association
Patrol Officers and Dispatchers**

Proposed By: Mayor John L. Glasser
**Introduced By: Council President Johnston, and Councilpersons Ferreri and
McCarrie**

WHEREAS, the City of Somers Point and the Mainland PBA, Local 77, Somers Point Patrol Officers and Dispatchers were parties to a Collective Bargaining Agreement (“Agreement”) which term was set from January 1, 2017 through December 31, 2021; and

WHEREAS, the City of Somers Point and the Mainland PBA, Local 77, Somers Point Patrol Officers and Dispatchers entered into negotiations for purposes of entering into a successor agreement; and

WHEREAS, those negotiations have concluded and the terms and conditions have been memorialized in a Memorandum of Agreement which is attached hereto and made a part hereof; and

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WHEREAS, the term of the successor agreement shall be from January 1, 2022 through December 31, 2024; and

WHEREAS, that Memorandum of Agreement is hereby agreed to by this governing body.

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

1. Mayor John L. Glasser, Jr. is hereby authorized to sign off on the attached Memorandum of Agreement on behalf of the City which will then be incorporated into the full, formal written agreement.
2. Once the formal written agreement is prepared in conformance with the Memorandum of Agreement, Mayor John L. Glasser, Jr. is hereby authorized to sign the agreement between the City of Somers Point and the Mainland PBA, Local 77, Somers Point Police Patrol Officers and Dispatchers on behalf of the City and a copy thereof will be attached hereto.

Resolution No. 221 of 2021

M/S- Owen/McCarrie

This resolution was adopted by unanimous vote of those present.

No. 221 of 2021

Subject: Resolution of City of Somers Point Rescinding Resolution 155 of 2021 Which Approved the Second Joinder Agreement Allowing the City of Egg Harbor City to Withdraw as a Participant and including New Jersey American Water Company, Inc., as a New Participant

Introduced By: Council Members Dill, McGuigan and Owen

WHEREAS, a Sewage Conveyance and Treatment Agreement dated as of September 1, 1973 was executed among the Atlantic County Utilities Authority and other municipal entities, including the City of Somers Point; and

WHEREAS, the City of Egg Harbor City was included as a participant under the Agreement by an amendment executed in 1990; and

WHEREAS, it was anticipated that the City of Egg Harbor City would enter into an agreement with New Jersey-American Water Company, Inc. for the sale of its public water and public sewer infrastructure, real property and related improvements; and

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WHEREAS, the conveyance of Egg Harbor City’s sewer improvements would necessitate the execution of a Second Joinder Agreement which would allow the City of Egg Harbor City to withdraw as a participant and permit New Jersey-American Water Company, Inc. to become a new participant; and

WHEREAS, the Common Council of the City of Somers Point approved this Second Joinder Agreement by passing Resolution 155 of 2021 on September 9, 2021; and

WHEREAS, subsequent to such passage of said Resolution, certain issues arose relative to the sale of Egg Harbor City’s sewer system, and as such, same has been cancelled for the time being, with no definitive date for same to occur.

NOW, THEREFORE, be it resolved that the Common Council of the City of Somers Point hereby rescinds Resolution 155 of 2021 and the approvals set forth therein.

Resolution No. 222 of 2021

M/S- Ferreri/Owen

This resolution was adopted by unanimous vote of those present.

No. 222 of 2021

Subject: **Awarding Bid for the 2021 Stormwater Repairs**

Introduced By: **Council Member Dill**

WHEREAS, on December 14, 2021 the City of Somers Point received bids for the 2021 Stormwater Repairs; and

WHEREAS, Mathis Construction Co., Inc. of Little Egg Harbor, New Jersey was the lowest responsible bidder; and

WHEREAS, the City Engineer’s office has recommended that the City award the contract to Mathis Construction Co., Inc. of Little Egg Harbor, New Jersey in the amount of \$271,263.00.

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

- 1.) The Contract for 2021 Stormwater Repairs is hereby awarded to Mathis Construction Co., Inc. of Little Egg Harbor, New Jersey in the amount of \$271,263.00.

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- 2.) The Mayor and City Clerk are hereby authorized and directed to enter into a formal contract with Mathis Construction Co., Inc. of Little Egg Harbor, New Jersey, signing on behalf of the City.

Resolution No. 223 of 2021

M/S- Dill/Ferreri

This resolution was adopted by unanimous vote of those present.

No. 223 of 2021

Subject: Change Order 1 – Contract No. 104 – 2019 Road Program Phase II

Introduced by: Council Member Dill

WHEREAS, in accordance with Resolution 149 of 2020, South State, Inc. of Bridgeton, New Jersey, was awarded the contract for the 2019 Road Program Phase II for the sum of \$910,158.55; and

WHEREAS, during the course of construction changes were made to reflect as-built quantities; and

WHEREAS, the City Engineer has recommended approval of these changes; and

WHEREAS, those changes have resulted in a change of the contract amount as follows:

Contract Amount	\$910,158.55
Change order 1	-\$58,382.16
Revised Contract Amount	\$851,776.39

Total Deduction: \$58,382.16 Total Additional: \$0 Net Change: -6.41%

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the above listed change to the contract for the 2019 Road Program – Phase II is hereby approved and that the Mayor is hereby authorized and directed to execute all documents in this regard on behalf of the City.

Resolution No. 224 of 2021

M/S- Owen/Ferreri

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This resolution was adopted by unanimous vote of those present.

No. 224 of 2021

Subject: Change Order 1 – Contract No. 107 – 2020 Road Program

Introduced by: Council Member Dill

WHEREAS, in accordance with Resolution 169 of 2020, Think Pavers Hardscaping, LLC. of Mt. Royal, New Jersey, was awarded the contract for the 2020 Road Program for the sum of \$375,717.00; and

WHEREAS, during the course of construction changes were made to reflect as-built quantities; and

WHEREAS, the City Engineer has recommended approval of these changes; and

WHEREAS, those changes have resulted in a change of the contract amount as follows:

Contract Amount	\$375,717.00
Change order 1	-\$72,196.14
Revised Contract Amount	\$303,520.86

Total Deduction: \$72,196.14 Total Additional: \$0 Net Change: -19.22%

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the above listed change to the contract for the 2020 Road Program is hereby approved and that the Mayor is hereby authorized and directed to execute all documents in this regard on behalf of the City.

Resolution No. 225 of 2021

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

No. 225 of 2021

Subject: Resolution Approving the Application for a Person-to-Person Transfer of Plenary Retail Consumption License No 0121-33-016-010

Introduced by: Council President Johnston

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WHEREAS, an Application has been filed for a person-to-person transfer of New Jersey Alcoholic Beverage Control Plenary Retail Consumption License Number 0121-33-016-010 (the “License”); and

WHEREAS, said License is in the name of Plantation Bay Resort and Country Club, LLC.; and

WHEREAS, the Applicant, R2F2, Inc., has submitted an application which is complete in all respects. The Application and transfer fees have been paid, the license has been renewed for the current license term, an Application for Bulk Sale Permit has been filed, and a Tax Clearance Certificate has been received; and

WHEREAS, a Consent to Transfer New Jersey Alcoholic Beverage Control Plenary Retail Consumption License No. 0121-33-016-010 has been executed by Mark Benevento authorized member of Plantation Bay Resort and Country Club. LLC., and has been filed with the Somers Point City Clerk; and

WHEREAS, Notice of the Pending Application was properly published in *The Press of Atlantic City* on December 6 and December 14, 2021 and Proof of Publication has been filed with the Somers Point City Clerk; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the Police Department of the City of Somers Point has reviewed the qualifications of the License holder and the source of all funds used in the purchase of the license and has delivered a report and recommendation to the City of Somers Point Governing Body; and

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Somers Point Governing Body does hereby approve, effective December 16, 2021, the transfer of New Jersey Alcoholic Beverage Control Plenary Retail Consumption License Number 0121-33-016-010 from Plantation Bay Resort and Country Club, LLC., to R2F2, Inc., and

IT IS FURTHER RESOLVED that the Somers Point Governing Body does hereby direct the Somers Point City Clerk to endorse the License certificate to the new ownership as follows: This License, subject to all its terms and conditions, is hereby transferred to R2F2, Inc., effective December 16, 2021.”

Resolution No. 226 of 2021

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

No. 226 of 2021

Subject: Resolution Supporting the New Jersey Department of Transportation Reconstruction of US Route 9, Chapman Boulevard to Route 30 Project

Introduced By: Council President Johnston

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WHEREAS, the New Jersey Department of Transportation (NJDOT) has undertaken a Concept Development Study of Route 9 from Chapman Boulevard to Route 30 in Atlantic County; and

WHEREAS, the purpose of this project is to reconstruct pavement along Route 9 within the project limits, upgrade safety and operational elements where feasible, and mitigate recurring flooding along segments of the corridor; and

WHEREAS, the goals and objectives of this project are:

- Satisfy purpose and need while minimizing environmental, access, right of way, and utility impacts.
- Improve traffic safety and operations along the corridor.
- Upgrade all facilities (i.e. curb ramps, sidewalk, traffic signals) to be ADA compliant.
- Enhance bicycle and pedestrian accommodations to comply with Complete Streets Policy.
- Improve drainage conditions where feasible.
- Minimize disruptions to locals during construction.

WHEREAS, this project includes pavement reconstruction along the entire length of the project which includes 22 signalized intersections and 59 unsignalized intersections; and

WHEREAS, the City has completed a NJDOT funded Bicycle and Pedestrian Study by Parsons Brinckerhoff which should be fully implemented as part of this project; and

WHEREAS, the NJDOT has met with the City of Somers Point to understand the City's concerns and recommendations for this project including, but are not limited to:

- Delivery trucks make illegal left turns at Defeo Lane.
- Repeatedly damaged storm drain between Defeo Lane and Bethel Road.
- Safety improvements needed at Chapman Boulevard/Route 9 intersection including additional lighting and sidewalks.
- Safety improvements needed at Bethel Road/Defeo Lane/Route 9 intersection, including a dedicated right turn only lane traveling eastbound on Bethel Road onto southbound Route 9.
- Safety improvements needed at Ocean Heights Avenue/Route 9 intersection.
- The installation of ADA compliant curb ramps and driveways.
- Appropriate bicycle accommodations.
- Upgrading all traffic signals to provide for standard heads and pedestrian countdown systems.
- Installation of sidewalks where none exist.

WHEREAS, in 2014, at the request of NJDOT, the City of Somers Point submitted problem statements for the intersections of Route 9 and Connecticut Avenue, Route 9 and Groveland Avenue, and Route 9 and Route 52. These problem statements provided detailed

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documentation regarding unsafe conditions at these three intersections along Route 9. NJDOT has informed the City that the section of Route 9 south of Chapman Boulevard would be addressed by a future unfunded study.

WHEREAS, a separate improvement effort is underway for the intersection of Route 9 and Somers Point-Mays Land Road and the section of Route 9 south of Somers Point- Mays Landing Road to provide a bridge connection to the Garden State Parkway bike path. A contract has been awarded to Johnson, Mirmiran & Thompson, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Somers Point formally supports the NJDOT Route 9, Chapman Boulevard to Route 30 project assuming that the City’s concerns and recommendations as outlined above are addressed and implemented.

BE IT FURTHER RESOLVED that the Governing Body of the City of Somers Point requests that the NJDOT keep the City fully informed as the Plan moves forward and that NJDOT expedite actions to address the issues that exist on Route 9 south of Chapman Boulevard and that the Department meet with the City immediately to discuss the action plan for these safety improvements.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Governor Murphy, Lieutenant Governor Oliver, Senator Polistina, Assemblyman-elect Guardian, Assemblywomen-elect Swift, County Executive Levinson, County Commissioner Chairwomen Kern, and the Mayors of Absecon, Northfield, Linwood, and Pleasantville.

Old Business:

New Business:

- Clerk and Safety Coordinator/Insurance Fund Commissioner Samuelson reported with funding from the City’s insurance company the Atlantic County Joint Insurance Fund, the City was able to purchase four bicycles for employees to use on their breaks, to promote health and wellness. She recognized Fire Chief Somers and the Somers Point Fire Department for having no job-related injuries this year. She also congratulated Guy Martin and the Public Works Department for having very few job-related injuries this year. She thanked Mayor Glasser, Members of City Council and Administration for supporting and assisting in providing employees the opportunity to learn and share ways to enhance lives by choosing healthy and safe habits.

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Discussion of Bills:

Administrator Frost reported a Bill List dated 12/14/2021 in the amount of \$2,262,413.48.

Public Portion:

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

Payment of Bills:

M/S –Owen/Ferreri

The Bill List was approved by a unanimous vote of those present. A complete list of bills is on file in the Office of the Municipal Clerk.

Adjournment:

Council President Johnston mentioned the Reorganization Meeting will be held on Friday, January 7 at 7:00 PM. She wished everyone Happy Holidays and a Happy New Year!

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 7:54 p.m.

Submitted by:

Lucy R. Samuelson, RMC
Municipal Clerk
Approved: 1/13/2022