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, McCarrie, McGuigan, Owen, Johnston	
Absent:	Adams	
Also Present:	Mayor Glasser, City Administrator Frost, City Clerk Samuelsen, Deputy Clerk Heath, City Solicitor Thomas Smith, and City Engineer Greg Schneider	

Open Public Meetings Act:

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

Public Portion Resolutions:

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

Resolution No. 50 of 2022 M/S- Dill/Owen This resolution was adopted by unanimous vote of those present.

No. 50 of 2022

Subject: A Resolution Accepting the Resignation of Councilman Kenneth Adams

Introduced by: Council President Johnston

WHEREAS, Kenneth Adams was sworn into the office of Council Member, First Ward for the City of Somers Point on January 27, 2021, so as to fill the unexpired term of Council Member Stacy L. Ferreri; and

WHEREAS, Council Member Kenneth Adams has now tendered his resignation from the position as Council Member, First Ward by sending to the City Clerk the attached email of February 3, 2022; and

WHEREAS, City Council wishes to accept said resignation in order to allow it to proceed to appoint a replacement so as to ensure that there will be a full seven-member Council to fulfill its obligations to the City of Somers Point.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Somers Point that the resignation of Council Member Kenneth Adams is hereby accepted effective immediately.

Resolution No. 49 of 2022 M/S- Dill/McCarrie This resolution was adopted by unanimous vote of those present.

Council Member McGuigan expressed his appreciation to Mr. Nicotera for the work and time he dedicated for the Office of Emergency Management.

Emergency Management Coordinator Phil Gaffney thanked Mayor and City Council for the recognition, the service, professionalism and dedication Mr. Nicotera gave to the City.

Mayor Glasser presented the resolution to Mr. Nicotera's children, Kristen, Robert, Jr., and Steve who were in the audience. His daughter Caroline was present on ZOOM.

No. 49 of 2022

Honoring Robert F. Nicotera Volunteer Member of the Somers Point Office of Emergency Management

WHEREAS, the City of Somers Point lost a truly dedicated volunteer and friend when Robert F. Nicotera departed from this earth on January 10, 2022; and

WHEREAS, Robert was an active member of Somers Point's Office of Emergency Management since 2009; and

WHEREAS, the Office of Emergency Management is an integral and important part of the public safety team, ensuring that the City is prepared for all types of emergencies; and

WHEREAS, Bob was a valuable volunteer member of the office who always jumped in to help with various events and other activities; and

WHEREAS, Bob has a history of service to others, spending six years enlisted in the United States Navy, as well as forty three years with the Coast Guard Auxiliary; and

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Somers Point that we honor the memory of Robert Nicotera and officially mourn the

passing of the man whose dedication and numerous contributions have left a positive impact upon our community and the Office of Emergency Management; and

BE IT FURTHER RESOLVED that certified copies of this resolution be presented on behalf of a grateful City to his children, Kristen, Robert, Steven, and Caroline.

Council President Johnston called a brief recess at 7:00 PM and reconvened at 7:12 PM.

Call for Nominations for Council Member Ward One for an Unexpired Term of 12/31/2023:

Council President Johnston reported due to the advise of Solicitor Smith, nominations for candidates will be accepted for Council Member Ward One for an unexpired term of 12/31/2023. Candidates and anyone wishing to be considered for the position will have an opportunity to speak at the next City Council meeting on 2/24/2022. A formal vote will be held at the next meeting. Nominations from Lisa Bender, Joseph W. Keyes and Richard DePamphilis, III, have been received.

Public Portion on Nominations:

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

Communications:

None

Mayor's Report:

Mayor Glasser gave his sincere condolences to the Fire Department on the loss of Eric Jones. Mayor Glasser reminded everyone of the CERT Training Program hosted by AMVETS Post 911, and with the Office of Emergency Management of Somers Point and Northfield. He also reported WWI Veteran Oscar Schultz lived in Somers Point, and the AMVETS intend to erect a monument in his honor. Mayor Glasser also thanked Administrator Frost and Engineer Schneider for their time and effort working to get the decorative lights on the Rt. 52 Bridge fixed. He also mentioned it appears the City will remain in Legislative District 2 based on the maps that came out recently.

Solicitors Report:	
None	

Administrator's Report:

None

Engineers Report:

City Engineer, Greg Schneider, reported the N.J. Department of Environmental Protection performed a five-year stormwater inspection. He mentioned in the preliminary report everything was found to be in compliance with stormwater regulations. He thanked the Public Works Department for their hard work in complying with all the regulations. Engineer Schneider reported South Jersey Gas will be starting the major main replacement in the Second Ward. He also mentioned the N.J. Department of Transportation concurred to move forward with the Atlantic Avenue Phase I project, and there will be a preconstruction meeting on 2/28/2022.

Council Members Dill, Owen and McCarrie and Engineer Schneider discussed notification to residents regarding work in their area by utility companies.

Committee Reports:

• Council Member Owen reported he attended the Recreation Commission meeting. He mentioned several applications were approved for baseball leagues at the fields. He also mentioned other events such as the Marine Science Camp at Morrow Beach and Art in the Park which is scheduled for June 26.

• Council Member Bruno attended the Green Thumb Garden Club meeting. She reported the club maintains the four corners at Rt. 52, and the City garden and would like to obtain signs for these sections to gain attention to their club. She also attended the Somers Point Historical Preservation Commission meeting and was informed this year is the 40th anniversary of the filming of Eddie and the Cruisers. She mentioned the flea market in Gregory's parking lot will be held again this year.

Approval of Minutes:

On the motion of Council Member Owen, seconded of Council Member McCarrie and carried to approve the Regular Meeting Minutes of 1/27/2022.

Ordinances:

Ordinance No. 3 of 2022

M/S- Dill/Owen 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.

Steve Bassett of 7 Osborne Road would like a three-year pet license.

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

No. 3 of 2022

AN ORDINANCE AMENDING CHAPTER 120, ARTICLE I, SECTION 120-5(A)(3), OF THE MUNICIPAL CODE REDUCING THE LATE FEE AMOUNT ON DOG LICENSES TO TEN (10) DOLLARS.

WHEREAS, pursuant to N.J.S.A. 4:19-15.2., Section 120-3 of the Municipal Code was enacted which requires the licensing of dogs owned, kept or harbored in the City of Somers Point; and

WHEREAS, Section 120-5 of the Municipal Code sets forth the fees for dogs owned, kept or harbored in the City of Somers Point; and

WHEREAS, said Ordinance sets forth a late fee of \$20 should said licensing fee not be paid by July 1 of each registration calendar year; and

WHEREAS, the City Council of Somers Point recognizes the amount of said late fee may inhibit certain individuals from licensing their dogs in a given calendar year; and

WHEREAS, the City Council of Somers Point recognizes that purpose of dog licensing is to ensure that dogs kept or maintained in a municipality are properly vaccinated for rabies; and

WHEREAS, the City Council of Somers Point believes that reducing the late fee for dog licensing will promote individuals to have their dogs vaccinated and properly licensed.

NOW THEREFORE, BE IT ORDAINED, by the Common Council of the City of Somers Point, in the County of Atlantic, State of New Jersey, as follows:

1. Chapter 120, Article I, § 120-5(A)(3) of the Municipal Code shall be amended to reflect that the late fee for any license shall be reduced from \$20 to \$10.

2. Any article, section, paragraph, subsection, clause, or other provision of the City of Somers Point Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

3. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

4. This ordinance shall take effect upon its final passage and publication as required by law.

Ordinance No. 4 of 2022 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. 4 of 2022

An Ordinance Amending Chapter 250, Article V, Section 250-56(O) Municipal Code, Modifying the Effective Period of Parking Permits.

WHEREAS, Section 250-56(O) of the Municipal Code sets forth an effective period for parking permits from September 1 of each calendar year to August 31 of the following calendar year; and

WHEREAS, said renewal date places an undue burden on the City Clerk's Office relative to the issuance of said permits due to the fact that same is not consistent with other calendaring which occurs for the Clerk's Office.

NOW THEREFORE, BE IT ORDAINED, by the Common Council of the City of Somers Point, in the County of Atlantic, State of New Jersey, as follows:

1. Chapter 250, Article V, § 250-56(O) of the Municipal Code shall be amended to read as follows:

"Residential parking permits will be issued on an annual basis to be effective commencing on January 1, 2022, and expiring on December 31, of each calendar on which same was issued. Any permits issued prior to said effective date with an

expiration date of August 31, 2022, shall hereby automatically be extended to December 31, 2022.

2. Any article, section, paragraph, subsection, clause, or other provision of the City of Somers Point Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

3. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

4. This ordinance shall take effect upon its final passage and publication as required by law.

Ordinance No. 5 of 2022 M/S- Dill/Owen 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. 5 of 2022

AN ORDINANCE AMENDING ORDINANCE NO. 1 OF 2021, AN ORDINANCE OF THE CITY OF SOMERS POINT, COUNTY OF ATLANTIC, NEW JERSEY, ESTABLISHING THE RATES, FEES, RENTS AND OTHER CHARGES OF

THE CITY OF SOMERS POINT SEWER UTILITY.

BE IT ORDAINED by the City Council of the City of Somers Point, that, in accordance with the Municipal and County Sewerage Act, N.J.S.A. 40A:26-A-1 et seq., Section 1 of Ordinance No. 1 of 2019 is hereby amended, and the following schedule of rates, fees, rents and other charges is hereby implemented:

Rates and Charges of the City of Somers Point Sewer Utility

SECTION 1.

- 1. The minimum charge per equivalent domestic unit shall be \$384.00 annually.
- 2. The annual unit sewer charge based on the type of property served shall be as follows:

(a)	Private dwellings, condominium units and cooperative units basic charge
(b)	Structures with apartments - each apartment \$384.00
(c)	Hotels, rooming houses and private dwellings with rented rooms – basic charge
(d)	Motels - each standard rental unit \$282.00 - each efficiency rental unit \$384.00
(e)	Small Businesses/Professional Office/Professional Condo Office –

	Minimum one charge for each office \$384.00 Additional charges based on water consumption \$384.00
(f)	Trailer parks - each trailer \$384.00
(g)	Service stations and garages \$384.00
(h)	Service stations and garages with washing facilities \$760.00
(i)	Pumpout facilities for marinas \$384.00
(j)	Churches \$384.00
(k)	Public buildings

(1) The service charge for the use of services of the sewerage system for the persons who are hereinafter designated, shall be and the same is hereby fixed and determined as follows: The calculation of the said service charge shall be based and computed on the consumption of water on or in connection with the real property of such persons, which water consumption shall be determined by the reading of the water use meter used in connection with the real property of such person during the highest three (3) month period of such water used during any given billing year; such water use thus determined shall then be divided by a factor of twenty-seven thousand (27,000) and the quotient shall then be rounded upwards to the next highest whole number; the said quotient shall then be multiplied by a factor of \$384.00, and the resulting product, which shall be

expressed in terms of dollars, shall be the annual sewerage charge for such persons.

The persons referred to in this section are the following: self service laundries, schools, restaurants, diners, bars, taverns, nursing homes, hospitals, bowling alleys, theatres, shopping centers, barber shops and beauty parlors. Large business establishments or industrial plants and other commercial establishments not herein specifically mentioned.

(m) Any building, institution, commercial or industrial establishment discharging wastes other than domestic sewage will pay a premium charge for the waste. If the waste discharged into the sewer system by industrial users is stronger than allowed by the rules and regulations, the user shall pay a premium charge for the extra strength waste applied as a factor

against the annual charge in category. The premium charge shall be based on the following formula for determination of the multiplication factor.

Factor=53.0%+19%(BOD in ppm*) +22% (ss in ppm*) +6%(chlorine demand in ppm*)

300 350 5

*Where these figures are less than 300 ppm in BOD or 350 ppm in suspended solids or 5ppm in chlorine demand, the value in the parentheses () shall be equal to "1".

The industrial user will be required to submit a report at least once monthly indicating the strength of sewage entering the Utility's system. The report shall be from an independent laboratory approved by the Utility. For billing purposes during any one year, the Utility will take the average of the samples submitted for use in determining the strength factor. If no reports are submitted to the Utility then the Utility reserves the right to obtain representative samples and use the results obtained from the samples to determine the factor for billing purposes. The cost of any tests required to be performed by the Utility will be added to the user's charges.

All other provisions relating to industrial wastes will be found in the Rules and Regulations of the Utility.

(n) Notwithstanding anything to the contrary in this section, the minimum service charge to be paid with respect to any type of property shall be\$384.00

SECTION 2:

All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

SECTION 3:

This Ordinance shall take effect after final passage, adoption and publication according to law.

Resolutions:

Clerk Samuelsen read by title only the list of resolutions.

Public Portion Resolutions:

Council President Johnston duly opened the meeting to the public.

Patricia Pierson of 587 Marks Road asked for clarification on Resolution Number 53.

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

Resolution No. 51 of 2022 M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

No. 51 of 2022

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 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, on December 16, 2021, this governing body passed Resolution No. 219-2021 which again extended until February 28, 2022, 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

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. 219-2021 pursuant to restaurants are hereby extended until at 11:59 p.m. on May 15, 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. 52 of 2022 M/S- Dill/Owen This resolution was adopted by a unanimous roll call vote of those present.

Council Member Dill mentioned he reviewed the resume and the City is fortunate to have her.

No. 52 of 2022

Subject: Full Time Hiring of Ashley Mathers

Introduced By: Council Members Dill, McGuigan and McCarrie

WHEREAS, due to a promotion it is necessary for the City of Somers Point to consider the hiring of a Confidential Assistant to the City Administrator; and

WHEREAS, it is the policy of the City of Somers Point to hire employees according to their individual merits and in accordance with the New Jersey Civil Service Policies and Procedures; and

WHEREAS, the position was advertised and applications received; and

WHEREAS, a review of the applications was completed and an interview of job applicants was conducted by the City Administrator, Certified Municipal Finance Officer, and Principal Account Clerk; and

WHEREAS, the City Administrator and the Certified Municipal Finance Officer recommend the hiring of Ashley Mathers to the full time position of Confidential Assistant to the City Administrator; and

WHEREAS, adequate funds are available within the City Administration Department operations in the 2022 temporary budget for this full time hiring.

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

- 1.) The hiring of Ashley Mathers to the full-time position of Confidential Assistant to the City Administrator, an Unclassified position within New Jersey Civil Service (Local Government Job Specification 06977), is hereby approved February 11th, 2022, and her actual start date will be as soon as practical thereafter, but not later than February 19th, 2022, unless postponed at the discretion of the City Administrator.
- 2.) The terms of her employment are as contained in an offer of employment letter dated January 31, 2022, attached hereto and made a part hereof.
- 3.) This is an "at will" employment and is subject to the personnel policies and procedures of the City of Somers Point.

Resolution No. 53 of 2022 M/S- Dill/Owen This resolution was adopted by unanimous vote of those present.

No. 53 of 2022

Subject: A Resolution Authorizing an Escrow Agreement Between the City of Somers Point and Josephine Kelly LLC, for Purposes of Investigating a Potential Partial Vacation of Miller Lane and a Street Dedication Across the Parking Lot of Josephine Kelly, LLC.

Introduced by: Council President Johnston, Councilmen McGuigan and Dill

WHEREAS, Josephine Kelly LLC, ("Applicant") has applied to the governing body ("City Council") of the City of Somers Point to vacate a portion of Miller Lane, a public right-of-way within the City (the "Vacation"); and

WHEREAS, if City Council agrees to the Vacation after an investigation into same, Applicant, in exchange, has proposed to submit a deed of dedication (the "Dedication') to the City transferring to the City a portion of Applicant's parking lot which will replace the portion of Miller Lane being vacated, and which shall thereafter become a public right-of-way within the City; and

WHEREAS, City Council wishes to undertake said investigation into said Vacation and Dedication; and

WHEREAS, Applicant has agreed to pay to the City all costs associated with both the investigation into the Vacation and Dedication, as well as those necessitated to accomplish same should the City elect to proceed with said Vacation and Dedication.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Somers Point that the Mayor is hereby authorized to execute the attached Escrow Agreement between the City of Somers Point and Josephine Kelly, LLC.

Resolution No. 54 of 2022 M/S- Dill/Owen This resolution was adopted by unanimous vote of those present.

Council Member Dill and Council President Johnston thanked City volunteers for their hard work.

No. 54 of 2022

Subject: Zoning Board Appointments

WHEREAS, a vacancy exists on the Somers Point Zoning Board of Adjustment at the Second Alternate position with a term set to expire December 31, 2023; and

WHEREAS, Council wishes to appoint Mr. Douglas Gilbert to fill the unexpired term ending December 31, 2023; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, New Jersey that the Somers Point Zoning Board of Adjustment is constituted as follows:

MEMBER	EXPIRATION OF TERM
Dennis Tapp	Dec. 31, 2023
Joseph Craddock	Dec. 31, 2024
Shawn Rowan	Dec. 31, 2025
John Helbig	Dec. 31, 2024
Elizabeth Lawler	Dec. 31, 2022
Mike Kedziora	Dec. 31, 2023
Rex Granus	Dec. 31, 2022
Alternates:	
Carl "Skip" Mell (No. 1)	Dec. 31, 2024
Douglas Gilbert (No. 2)	Dec. 31, 2023

Old Business:

None

New Business:

Council Member McGuigan wished Office of Emergency Management member Jack Shields a speedy recovery.

Discussion of Bills:

Administrator Frost reported a record of Payments dated 2/8/2022 in the amount of \$58,130.17 and a Bill List dated 2/8/2022 in the amount of \$3,018,971.39.

Public Portion:

The meeting was duly opened to the public.

Steve Basset of 6 Osborne Road would like to see Carmen Marotta honored for his work on the beach concerts with a "Key to the City".

Ed O'Donnell mentioned treating your body right is the key to feeling good.

Patricia Pierson of 587 Marks Road gave kudos to the hospital for the decorated trees on Bay Avenue. She mentioned the plays at the theatre and mentioned the Fire Department had a story in the Sentinel. She stated her disappointment in the previous process of nomination to City Council.

Theresa Doughtery of 26 Dogwood Drive thanked Engineer Schneider for his informative report. She also reported an issue with traffic at the Dawes Avenue School pick up/drop off area.

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

Payment of Bills:

M/S – Dill/Owen

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

Adjournment:

There being no further business to come before City Council, Council Member Dill moved, Council Member Bruno seconded and carried to adjourn the meeting at 8:00 p.m.

Submitted by:

Lucy R. Samuelsen, RMC Municipal Clerk Approved: 2/24/2022