

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 22, 2024**

Meeting called to order at 7:00 p.m. by President Johnston with a salute to the U.S. flag.

Roll call was recorded as follows:

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

Also Present: Administrator Frost, Confidential Assistant to the City Clerk Cannuscio, City Solicitor Smith, and City Engineer Schneider

Absent: Mayor Tapp

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.

Communications:

Council President Johnston read aloud a letter from County Executive Dennis Levinson in reference to the proposed streetlight at the intersection of Ocean Heights Avenue and Shore Road.

Mayor's Report:

None

Committee Reports:

Council Member Haberkorn announced that the next Economic Development Advisory Commission meeting will be held on 2/26/24 at the Gateway and that all are welcome to attend. He also stated that the Historical Society Museum will be opening on 4/27/24 and that the Green Team will be having the citywide cleanup on 4/6/24. In addition, he updated City Council on what took place at the last School Board meeting.

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Council Member McGuigan met with Budget and Finance Subcommittee and detailed that their goal is to introduce the budget at the end of March.

Council Member Owen revealed that the Art Commission will be having a meeting in Council Chambers on 2/26/24 at 6:00 p.m. He also thanked Dan Myers for his dedication to the Art Commission.

Approval of Minutes:

On the motion of Council Member Dill, seconded of Council Member McCarrie and carried to approve, the Regular Meeting Minutes of 01/25/2024 and Executive Session Meeting Minutes of 2/8/2024 approved as to content only.

Ordinances:

Ordinance No. 3 of 2024

(First Reading/Introduction)

M/S- Dill/McCarrie

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

No. 3 of 2024

**CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the City Council of the City of Somers Point in the County of Atlantic finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

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WHEREAS, the City Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$357,546.20 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the City Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Somers Point, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the City of Somers Point shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$500,564.68, and that the CY 2024 municipal budget for the City of Somers Point be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Ordinance No. 4 of 2024

(First Reading/Introduction)

M/S- Owen/McCarrie

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

No. 4 of 2024

**An Ordinance Vacating Oak Lane in the City of Somers Point, County of Atlantic,
State of New Jersey**

WHEREAS N.J.S.A. 40:67-1(b) authorizes Municipalities to vacate public streets in the public interest; and

WHEREAS, during a regularly scheduled public meeting held on July 21, 2022, a presentation was made by Tim Maguire, Esq. to the Somers Point City Council on behalf of 901 Mays Landing Road, LLC, the owners of the Greate Bay Country Club, requesting vacation of a portion of Oak Avenue within Block 1946 in the City of Somers Point; and

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WHEREAS, it has been determined by the Somers Point City Council as follows:

1. The portion of Oak Lane described below is a "paper street" marked on a map or plat recorded with the City of Somers Point that shows the existence of a public right of way (the "Area to be Vacated").
2. It has been confirmed by the City Engineer that the City of Somers Point does not hold title to that portion of the Area to be Vacated.
3. The Area to be Vacated has not been physically improved, does not provide public access, and is not needed for public road purposes.
4. The said portion of the Area to be Vacated lends itself to higher and better use than for public road purposes and that it is in the best interest of the general public and the City of Somers Point that any public easements, rights, and interests in and to same shall be vacated, released ,and extinguished.
5. The City Engineer has confirmed that the right – of - way proposed to be vacated is sixty-two and six tenths feet (62.6') in width.
6. Although the general rule is that whenever a right-of- way is vacated, the vacated area reverts back equally to the owners of the adjoining properties, when the right-of-way was totally on one party's lands, the entire vacated area reverts back to the successor in title to the original owner.
7. The City Engineer has reviewed documentation provided on behalf of 901 Mays Landing Road. LLC which demonstrates to his satisfaction that a portion of the Area to be Vacated was originally granted to the City by a predecessor in title to 901 Mays Landing Road, LLC.
7. The property abutting one portion of the Area to be Vacated to which the title to the right-of-way will revert upon vacation is a portion of Block 1946, Lot 1, which is currently owned by 901 Mays Landing Road, LLC.
8. The property abutting the other portion of the Area to be Vacated to which title to the right-of- way will revert upon vacation is a portion of Block 1945, Lot 2.02 which is currently owned by Boardwalk Development Company LLC on one side of Oak Lane and Block 1944, Lot 1 which is owned by Richard A. Karpf on the other side of Oak Lane.

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

SECTION 1. A PUBLIC RIGHT OF WAY IS TO BE VACATED SUBJECT TO STATUTORY PRESERVATION OF EASEMENTS:

All public easements, rights and interests to the portion of the Area to be Vacated described below, are hereby vacated, released and extinguished except for all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," N.J.S.A. 48:5A-1 et seq., to maintain, repair and replace their existing facilities in, adjacent to, over and under the street, or any part thereof, to be vacated subject to the conditions described herein, all conditions herein, unless otherwise noted, shall be satisfied prior to said vacation being effective.

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SECTION 2. DESCRIPTION OF THE AREA TO BE VACATED:

All that certain tract or parcel of land located in the City of Somers Point, County of Atlantic, and State of New Jersey, bounded and described as follows:

BEGINNING at the point on the westerly line of Oak Lane (60 feet wide) where it is intersected by the northeasterly line of Somers Point - Mays Landing Road; and extending thence

- 1) North 19 degrees 39 minutes and 58 seconds East along the westerly line of Oak Lane being the easterly line of Lot 2.02 in Block 1945, a distance of 116.00 feet to a corner; thence
- 2) North 70 degrees 20 minutes and 02 seconds West along the southerly line of Oak Lane 538.72 feet to the easterly line of the Garden State Parkway; thence
- 3) North 04 degrees 25 minutes and 16 seconds West along said line 68.59 feet to the northerly line of Oak Lane; thence
- 4) South 70 degrees 20 minutes and 02 seconds East along said line 626.72 feet to an angle point in same; thence
- 5) South 19 degrees 39 minutes and 58 seconds West along the easterly line of Oak Lane 178.62 feet to the northerly line of Somers Point - Mays Landing Road; thence
- 6) North 70 degrees 20 minutes and 02 seconds West along the northerly line of Somers Point-Mays Landing Road 60.00 feet to the point and place of

BEGINNING.

Containing 45,328 sf. (1.04 ac.)

This description is written in accordance with a Parcel Map dated February 16, 2022, prepared by Duffy Dolcy McManus & Roesch, and signed by William P. McManus Professional Land Surveyor, Lic. No. 31660

BEING DESIGNATED AS Oak Lane as shown on the Official Tax Map of Somers Point, New Jersey.

SECTION 3. STATUTORY PUBLICATION AND NOTICE:

A. The City Clerk is directed to publish notice of the introduction of this Ordinance pursuant to N.J.S.A. 40:49-2; provided, however, that notice as to such introduction and the time and place when and where the Ordinance will be further considered for public hearing and final passage, shall be made, pursuant to N.J.S.A. 40:49-6, at least ten (10) days prior to the public hearing and adoption hereof.

B. At least seven (7) days prior to the time affixed for the consideration of this Ordinance for final passage, a copy thereof, together with a notice of the introduction thereof at a time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance insofar as has been ascertained by the City engineer. Said notices shall be made by certified mail / RRR by the City Clerk to the record owners of:

Block 1946, Lot 1
901 Mays Landing Road
901 Mays Landing Road, LLC
3603 ATL-BRIGANTINE #8
Brigantine, NJ 08203

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Block 1945, Lot 1
Grace Oil Company
Box 1022
Huntingdon Valley, PA 19009-1022
Block 1945, Lot 2.
Golf Course Holdings LLC
91 Mays Landing Road
Somers Point, NJ 08244
Block 1945, Lot 2.02
Boardwalk Development Company LLC
822 Rear Boardwalk
Ocean City, NJ 08266
Block 1944, Lot 1
Richard A Karpf
46b Coles Avenue
Cherry Hill, NJ 08034
Atlantic County Planning Dept.
PO Box 719
Route 9 & Dolphin Ave Northfield, NJ 08225
Atlantic City Electric Real Estate Department
5100 Harding Highway, Suite 399
Mays Landing, NJ 08330-9902
Public Service Electric and Gas Company
Manager - Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102

C. Within sixty (60) days after adoption of this ordinance, the City Clerk is authorized and directed to cause a certified copy of this ordinance to be filed with the office of the Atlantic County Register of Deeds and to the City Tax Assessor.

SECTION 4. FEES AND COSTS TO BE PAID BY BENEFICIAL OWNER R2F2, Inc
All fees and costs associated with preparation and publication of this ordinance shall be paid by R2F2, Inc as the requesting party and the beneficial owner to which title to the majority of the vacated street will revert upon vacation. All such fees, costs, and expenses shall be payable from an escrow account deposited with the Somers Point Chief Financial Officer.

SECTION 5. INDEMNIFICATION AND DEFENSE

As a condition of the vacation of Oak Lane, R2F2, Inc. shall execute and deliver an indemnification and hold harmless agreement in favor of the City in a form approved by the City Solicitor.

SECTION 6. REPEALER CLAUSE.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 7. EFFECTIVE DATE.

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This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

Ordinance No. 5 of 2024
(First Reading/Introduction)

M/S- Dill/Owen

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

No. 5 of 2024

An Ordinance Enacted Under Authority of N.J.S.A. 39:4-197 Regulating the Parking of Vehicles on Certain Streets and Portions Thereof; Amending and Supplementing the Somers Point Municipal Code Chapter 250 Vehicles and Traffic, Article I Section 250-24.1 Schedule 1A and 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 the parking of vehicles on municipal streets and portions thereof; and

WHEREAS, a determination has been made by the Somers Point City Engineer, along with the Sewer Operator, that due to the potential for obstructions blocking the required access by Municipal vehicles at the Municipal Sanitary Sewer Pump Station on Woodlot Court and in the interest of public safety, a recommendation to eliminate vehicle stopping, standing and parking adjacent to the Pumping Station area has been made; and;

WHEREAS, the recommendations made by the City Engineer have been reviewed by the Somers Point Police Department and have been deemed appropriate and reasonable; and

WHEREAS, it is necessary to amend and supplement Chapter 250 of the Code of the City of Somers Point in order to implement the recommended change in parking regulations

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 I Section 250-24.1 Schedule 1A “No Parking, Stopping, Standing” at any time is hereby amended and supplemented to add the following described streets or parts of streets:

Name of Street	Side	Location
Woodlot Court	North	From the northerly curb line Defeo Lane, running along the centerline of Woodlot Court 388 feet to the northerly curb line of the cul-de-sac of Woodland Court thence 15 feet from that point along the curb line in each direction.

SECTION 2: “No Parking, Stopping or Standing This Side” signage shall be installed and placed according to New Jersey Department of Transportation standards with standard spacing as

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required by Regulation and in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways.

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.

Ordinance No. 6 of 2024

(First Reading/Introduction)

M/S- Owen/McCarrie

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

No. 6 of 2024

An Ordinance Enacted Under Authority of N.J.S.A. 39:4-197 Regulating the Parking of Vehicles on Certain Streets and Portions Thereof; Amending and Supplementing the Somers Point Municipal Code Chapter 250 Vehicles and Traffic, Article I Section 250-24.1 Schedule 1A and 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 the parking of vehicles on municipal streets and portions thereof; and

WHEREAS, a determination has been made by the Somers Point City Engineer, along with the Sewer Operator, that due to the potential for obstructions blocking the required access by Municipal vehicles at the Municipal Sanitary Sewer Pump Station on Somers Point - Mays Landing Road and in the interest of public safety, a recommendation to eliminate vehicle stopping, standing and parking adjacent to the Pumping Station area has been made; and;

WHEREAS, the recommendations made by the City Engineer have been reviewed by the Somers Point Police Department and have been deemed appropriate and reasonable; and

WHEREAS, it is necessary to amend and supplement Chapter 250 of the Code of the City of Somers Point in order to implement the recommended change in parking regulations; and

WHEREAS, Somers Point – Mays Landing Road is a County Road (CR 559); and

WHEREAS, Atlantic County must concur with this ordinance; and

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 I Section 250-24.1 Schedule 1A “No Parking, Stopping, Standing” at any time is hereby amended and supplemented to add the following described streets or parts of streets:

Name of Street	Side	Location
Somers Point – Mays Landing Road	South	From a point 1,410 feet east of the easterly curbline of Horter Avenue, to a point 45 feet east therefrom

SECTION 2: “No Parking, Stopping or Standing This Side” signage shall be installed and placed according to New Jersey Department of Transportation standards with standard spacing as required by Regulation and in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways.

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.

Ordinance No. 7 of 2024

(First Reading/Introduction)

M/S- Haberkorn/Owen

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

No. 7 of 2024

An Ordinance Enacted Under Authority of N.J.S.A. 39: 4-197, N.J.S.A. 39: 4-197.6 and N.J.S.A. 39: 4-197.7, granting the City the Authority to Establish a Restricted Parking Zone in Front of a Residence for a Fee; Amending and Supplementing Section 250-57(I)(1) 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. 39:4-197.6 authorizes a Municipality, by ordinance, to provide for restricted parking in front of a residence occupied by a person with a disability which has the

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appropriate permit from the Motor Vehicle Commission which identifies a specific motor vehicle coinciding the location wherein it is to be parked; 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 of \\$10, and placement of the Permit within the vehicle; and](#)

WHEREAS, from time to time, the applicants for a permit under Section 250-57 are disabled veterans; and

WHEREAS, the City of Somers Point has a strong history of supporting its veterans in recognition of their service to our Country; and

WHEREAS, City Council now wishes to offer the aforesaid permits without charge to disabled veterans; and

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

SECTION 1. The Somers Point Municipal Code Chapter 250 - Vehicles and Traffic, Article V – Residential Parking Permits, Section 250-57 Restricted Parking Zones Authorized; Conditions; is hereby amended to also include the following language: “The aforesaid permit fee shall be waived for any former member of the U.S. military.”

SECTION 2: All other provisions of Chapter 250 shall remain in full force and effect and shall apply to this amendment upon the effective date of this Ordinance.

SECTION 4: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 5: Should any section, clause, sentence, phrase or provision or any item in any schedule of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 6: This Ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

Resolutions:

Public Portion Resolutions:

Council President Johnston duly opened the meeting to the public.

Patricia Pierson asked for clarification on Ordinance No. 7 of 2024 and Resolution No. 76 of 2024.

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

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Resolution No. 73 of 2024

M/S- Dill/McCarrie

This resolution was adopted by unanimous vote of those present.

Council Member McGuigan thanked all the crossing guards for their dedication.

No. 73 of 2024

Subject: Hiring School Crossing Guards

Introduced by: Council President Johnston

WHEREAS, for the 2024-2025 school year there exists a need for the part-time position of School Crossing Guard; and

WHEREAS, in accordance with N.J.S.A. 40A:9-154.1 the Governing Body may appoint adult School Crossing Guards for a term not to exceed one year; and

WHEREAS, the hourly rate of pay for these crossing guards shall be set at \$28.50 per hour for the 2024-25 school year effective on this date; and

WHEREAS, the Police Chief of the City of Somers Point has recommended certain individuals for appointment to that position.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the following individuals are hereby appointed for a term of one year to the part-time position of School Crossing Guard:

Name	Effective Date of Hire
Vanita Allen	8/25/2021
Marty Brennan	9/22/2020
Karen Bromall	08/26/2014
Cheri Broshard	08/23/2019
Sandy Disciascio	8/24/2014
Mary Matricardi	03/01/1989
Denise McLaughlin	10/08/2007
Paul McLaughlin	11/20/2017
Lynn Moore	12/21/1998
Maryann Parker	08/31/2004
Linda Petti	03/21/2021
Hank Wilhelm	11/16/2015
Jack Shields	09/02/2022
Willaim Falls	08/31/2023

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Resolution No. 76 of 2024

M/S- Owen/McCarrie

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

No. 76 of 2024

Subject: Resolution Authorizing the 2024 CY Invoice for Annual Service Charge to Somers Point Preservation L.P. and its Affiliates

Introduced By: Council President Johnston

WHEREAS, the Somers Point Preservation L.P. has applied for a long-term tax exemption pursuant to the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended and supplemented, N.J.S.A. 55:14K-1 tf. seq. (the "HMFA Law") for a project to preserve and significantly rehabilitate a two hundred and twenty-five (22S) unit HUD Section 8 housing complex (224 restricted rental units and 1 manager unit) on the Property located at 50 Somers Point - Mays Landing Road, and designated as Block 2032, Lots 12.02 and 12.03 on the official Tax Map of the City of Somers Point; and

WHEREAS, the City has adopted an ordinance (Ordinance 24 of 2022) approving a long-term tax exemption for the Project as authorized by N.J.S.A. 55:14K-37 and has entered into Financial Agreement in order to memorialize the terms and conditions applicable to this long-term tax exemption; and

WHEREAS, pursuant to the Financial Agreement, the Annual Service Charge billing will commence in 2024 and the Exemption Term shall be for a period of thirty (30) years; and

WHEREAS, as of 2024 Somers Point Preservation L.P. is now required to contribute the sum of Five-Hundred and One Thousand One Hundred and Fifty (\$501,150.00) Dollars plus and Administrative Fee (2% of the Annual Service Fee) of Ten Thousand and Twenty-Three (\$10,023.00) Dollars for CY 2024 to be paid into the general fund to be used for general expenses without any specific designation to be billed by the City quarterly installments which shall be payable on February 1, May 1, August 1, and November 1; and

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

The Tax Collector shall be and is hereby authorized to Somers Point Preservation L.P for the 2024 Calendar Year to receive the Annual Service Charge, subject to the Financial Agreement between the City of Somers Point and Somers Point Preservation L.P. required and authorized by Somers Point City Council.

Consent Agenda Resolutions:

On the motion of Council Member Dill, seconded of Council Member McCarrie and carried to approve the Consent Agenda Resolutions.

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No. 74 of 2024

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

Introduced by: Council President Johnston

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Somers Point City Council of the City of Somers Point, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

No. 75 of 2024

Subject: A Resolution Approving 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 Johnson

WHEREAS, the City of Somers Point desires to make application and receive funding for a project under the 2024 Safe and Secure Communities Program (Grant #24-0121); 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.
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, that:

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The project is a joint effort between the NJ Department of Law and Public Safety, Office of the Attorney General and the City of Somers Point for the purpose described in the application. The Safe and Secure Communities Program Grant #24-0121 is for the period beginning on August 1, 2023 through July 31, 2024. The amount of the grant is \$17,588 and the cash match by the City of Somers Point is \$214,633 for a total project cost of \$232,221. The City of Somers Point is authorized to accept and does accept this grant award. The grant funds of \$17,588 are accepted for the purpose described in the grant application. 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.

No. 77 of 2024

Subject: Closing Bay Avenue for Bayfest 2024

Introduced By: Council President Johnston

WHEREAS, the Bayfest 2024 celebration is scheduled for April 27th, 2024; and

WHEREAS, the Bayfest Committee has requested that a portion of Bay Avenue be closed for the Bayfest Celebration; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that Bay Avenue be closed from Annie Avenue to Pleasant Avenue, from 6:00 a.m. until 7:00 p.m., in order to accommodate the Bayfest Celebration on April 27th, 2024.

Old Business:

- City Council discussed the preparations for the upcoming St. Patrick's Day Parade in Atlantic City.

New Business:

- City Council approved a New Jersey State Firefighter's Association Application Membership for Trevor R. Smith.

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Discussion of Bills:

Administrator Frost reported a Record of payment dated 2/20/2024 in the amount of \$5,000.00, a Record of Payment dated 2/12/2024 in the amount of \$1,650.00 and a Bill List dated 2/20/2024 in the amount of \$3,290,732.72.

Public Portion:

The meeting was duly opened to the public.

Patricia Pierson asked for further clarification on Ordinance No. 7 of 2024.

Keith Davis, an attorney at Nemas, Davis, and Goldstein, who represents R2F2 INC., addressed Ordinance No. 4 of 2024 and provided further clarification. He also asked that the Redevelopment Committee review the R2F2 INC. redevelopment plans before the Ordinance No. 4 public hearing date of March 14, 2024.

Rob Hopkins praised the crossing guards and he thanked Council President Johnston and Council Member Haberkorn for their attendance at the School Board meeting. He also commended Council Member Haberkorn for his detailed conveyance of the School Board meeting.

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.

Comments from Governing Body:

Council Member Owen announced that the Somers Point Pub Crawl will be taking place on 3/2/2024 and thanked all the establishments involved.

Adjournment:

There being no further business to come before City Council, Council Member Dill moved, Council Member Owen seconded and carried to adjourn the meeting at 7:34 p.m.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 22, 2024**

Submitted by:

Lucy R. Samuelsen, RMC
Municipal Clerk
Approved: 3/14/2024