

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 28, 2019**

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

Present: Dill, Gerety, Meischker, D'Adamo, Tapp, McGuigan

Also Present: Mayor Glasser, Administrator Swain, Assistant Administrator Frost, City Clerk Samuelson, and Attorney Lafferty with many members of the volunteer fire departments.

Absent: Toto, Dill, Meischker

Open Public Meetings Act:

Pursuant to the Open Public Meetings Act, adequate notice of this meeting has been provided. Agenda for this meeting has been provided to two local newspapers and posted in the City Clerk's Office.

Public Portion on Resolution Numbers 68, 69, 70, 71 and 72 of 2019:

The meeting was opened to the public regarding the aforementioned resolutions, and hearing no comments, duly closed.

Resolution No. 68

M/S – Gerety/D'Adamo

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

Council President McGuigan congratulated him, and Mayor Glasser swore in Mr. Cabiness while his son held the Bible. Emergency Management Coordinator Phil Gaffney mentioned that Mr. Cabiness also joined Volunteer Fire Company No. 2.

No. 68 of 2019

Subject: Appointment of Deputy Emergency Management Coordinator

Introduced by: Mayor Glasser, Councilmen McGuigan and Dill

WHEREAS, it is the duty of Mayor John L. Glasser, Jr., to make certain appointments to various offices in the City of Somers Point as their terms expire.

NOW, THEREFORE, BE IT RESOLVED that the following list of appointments made by Mayor Glasser on the twenty-eight day of February 2019, be confirmed at this time by the City Council.

DEPUTY MUNICIPAL COORDINATOR

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OFFICE OF EMERGENCY MANAGEMENT

1 Year Term (Expire 12/31/19)

William Cabiness

Resolution No. 69

M/S – Gerety/Tapp

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

Council President McGuigan proudly stated that 25 years is a fantastic accomplishment in serving the public.

Mayor Glasser proudly presented a resolution to Laura Feinstein that was met with a round of applause.

No. 69 of 2019

Saluting Laura Feinstein. – 25 Years of Service with Somers Point Fire Company Auxiliary

WHEREAS, Laura Feinstein is a long-time resident of the City of Somers Point; and

WHEREAS, Laura is a member of the Somers Point Volunteer Fire Company Auxiliary and has been an active for 25 years; and

WHEREAS, the primary objective of the Auxiliary is to provide the Fire Company with whatever is needed for it to succeed at its mission, including fundraising efforts, as well as supporting the firefighters with coffee and refreshments at the scenes of fires and other major emergencies; and

WHEREAS, still to this day, Laura is active in all of the Auxiliary’s efforts and her dedication continues to be an inspiration to all of the members; and

WHEREAS, the Auxiliary is an integral part of the all-volunteer fire department; and

Now therefore, it is hereby **RESOLVED** that the Mayor and City Council recognize and thank Laura Feinstein for reaching this milestone of service with the Auxiliary of the Somers Volunteer Fire Department; and

It is further **RESOLVED** that the City Council of Somers Point conveys their gratitude to Laura for her long-time dedication to the citizens of Somers Point.

Resolution No. 70

M/S – Gerety/D’Adamo

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

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Mayor Glasser stated that Timmy has done a great job and comes from a long line of firefighters and appreciates his service. Council President McGuigan expressed his appreciation for his dedication the last five years. Mayor Glasser proudly presented the resolution to him that was celebrated with a round of applause.

No. 70 of 2019

Saluting Mr. Timmy Welsh – 5 Years of Service with Somers Point Fire Company

WHEREAS, Timmy Welsh is a member of the Somers Point Fire Company #2; and

WHEREAS, Timmy has been an active member of the Somers Point Volunteer Fire Company for 5 years; and

WHEREAS, Timmy serves with distinction and dedication to the Fire Company, maintaining a high percentage of calls attended; and

WHEREAS, the all-volunteer fire department is part of the fabric of the community and is a great source of pride for the city; and

Now therefore, it is hereby **RESOLVED** that the Mayor and City Council recognize and thank Mr. Timmy Welsh for reaching this milestone of service with the Somers Volunteer Fire Department; and

It is further **RESOLVED** that the City Council of Somers Point conveys their gratitude to Timmy for his dedication to the citizens of Somers Point.

Resolution No. 71

M/S – Gerety/Tapp

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

Councilman D’Adamo has stated that the firehouse is Hank Guenther’s second home and stated that he genuinely appreciates his long-time dedication to the fire department. Council President McGuigan thanked him for his great accomplishment of 45 years and appreciates his dedication. Mayor Glasser proudly presented him with a resolution that was celebrated with a standing ovation.

No. 71 of 2019

Saluting Mr. Hank Guenther – 45 Years of Service with Somers Point Fire Company

WHEREAS, Hank Guenther is a member of Somers Point Fire Company #2; and

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WHEREAS, Hank has been an active member of the Somers Point Volunteer Fire Company for 45 years; and

WHEREAS, Hank, who has served with distinction, dedicated countless hours and energy to the Fire Company; and

WHEREAS, the all-volunteer fire department is part of the fabric of the community and is a great source of pride for the city; and

Now therefore, it is hereby **RESOLVED** that the Mayor and City Council recognize and thank Mr. Hank Guenther for reaching this milestone of service with the Somers Volunteer Fire Department; and

It is further **RESOLVED** that the City Council of Somers Point conveys their gratitude to Hank for his dedication to the citizens of Somers Point.

Resolution No. 72

M/S – Gerety/Tapp

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

Councilman Tapp congratulated her and extended his appreciation for her services along with the Office of Emergency Services and the Volunteer Fire Companies that are on call 24/7. Council President McGuigan stated that being the first female pump operator is an accomplishment that deserves special recognition. Council President McGuigan thanked and congratulated her for her dedication and commitment. Mayor Glasser congratulated Heather for her accomplishments and thanked the fire departments for always being there to protect and serve the City. Mayor Glasser proudly presented the resolution to Heather that was met with a round of applause.

No. 72 of 2019

**Congratulating Heather Osterman - Somers Point Fire Company #2
Firefighter of the Year**

WHEREAS, the City of Somers Point is extremely fortunate to have been blessed with many men and women who volunteer to serve as members of our Fire Department and answer the call to protect our citizens and their property when needed; and

WHEREAS, the all-volunteer fire department alleviates a considerable financial burden on the taxpayers of this community and is a source of pride for the city; and

WHEREAS, Heather Osterman has been a member of the Somers Point Fire Company for ten years; and

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WHEREAS, Heather has always maintained a high percentage of calls answered and is a very dependable firefighter; and

WHEREAS, Heather has also trained and learned the skills required to become Somers Point Fire Department’s First Female Pump Operator; and

WHEREAS, this historic accomplishment will serve to inspire other young ladies who will consider joining the ranks of the all-volunteer department; and

WHEREAS, Heather Osterman was selected as Firefighter of the Year for 2018 at Somers Point Fire Company #2.

Now therefore, it is hereby **RESOLVED** that the Mayor and City Council recognize and thank Heather Osterman for these achievements and for her dedication to the Somers Point Volunteer Fire Department; and

It is further **RESOLVED** that the City Council of Somers Point conveys their gratitude to Heather and their best wishes to her in all her future endeavors and services.

Communications:

None

Mayor’s Report:

Mayor Glasser attended the Arts Commission event “Love the Arts” last Sunday with other members of City Council, which was a great day and event. Mayor Glasser is working with the New Jersey Department of Transportation regarding the repair of the ramp portion of Route 52.

Administrator’s Report:

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City Administrator Swain reported that the City received bronze certification due to the efforts of the Environmental Commission/Green Team. Additionally, he reported that the dredging is back on schedule and received an extension until March 14th. He also reported that the City received a sewer grant for \$35,000.

Solicitors Report:

None

Committee Reports:

None

Approval of Minutes:

Councilman Gerety motioned, seconded by Councilman D’Adamo and carried to approve 1/4/2019 Reorganization Meeting.

Public Portion (Resolutions)

The meeting was opened to the public regarding the remaining resolutions, and hearing no comments, the Public Portion was duly closed.

Resolution No. 45

M/S – Gerety//D’Adamo

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

No. 45 of 2019

Subject: Resolution Releasing the Maintenance Guarantee for Galloway Tire

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WHEREAS, Cedar Bay, LLC, requested the City of Somers Point release its Maintenance Guarantee posted for Galloway Tire, Block 499, Lot 15.02, in the amount of \$13,263.75 to guarantee the maintenance of Galloway Tire and

WHEREAS, the City Engineer reviewed this request and inspected the Project and determined that said Maintenance Guarantee can be released, as set forth in their January 17, 2019 letter attached hereto and incorporated by reference herein; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that based on the City Engineer's letter dated January 17, 2019, attached hereto and incorporated by reference herein, it hereby releases the Maintenance Guarantee

Resolution No. 65

M/S – Gerety/Tapp

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

Councilman D'Adamo supports this project, and he mentioned that the public hearing was well attended. Mayor Glasser stated that the entire City Council has been in support of this plan for the safety of pedestrian and bike traffic. Additionally, Mayor Glasser mentioned this is another act of due diligence that is needed for the safety for our citizens.

No. 65 of 2019

Subject: REQUESTING THAT THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TAKE IMMEDIATE ACTION TO FULLY FUND AND CONSTRUCT THE BRIDGE INTERCONNECTION OF THE SOMERS POINT BIKE PATH AND THE GARDEN STATE PARKWAY SOUTHBOUND BRIDGE

Introduced by: Councilmen Dill and D'Adamo

Whereas, the Southbound Span of the Garden State Parkway includes a pedestrian walkway/ bike path linking Somers Point and Upper Township and points north; and

Whereas, there is no existing adequate pedestrian walkway/bike path linking the Somers Point Bike Path, the Route 52 Bridge pedestrian walkway/bike path and the Garden State Parkway Bridge pedestrian walkway/bike path; and

Whereas, representatives of the New Jersey Turnpike Authority, the New Jersey Department of Transportation (NJDOT), Atlantic County and Somers Point have worked together to develop a plan to connect the Garden State Parkway Bridge pedestrian walkway/bike path to Route 9, the Somers Point - Mays Landing Road (CR559), Route 52, the Somers Point -

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Ocean City pedestrian walkway/bike path and the Somers Point Bike Path which will provide a safe and scenic route providing connectivity to the system of bike paths and bike routes within the State; and

Whereas, the proposed plan which was presented at a NJDOT hosted public meeting on January 10, 2019 in Somers Point requires the construction of an overpass across the Northbound Parkway Exit Ramp connecting to the east side of the Exit Ramp, continuing along the East side of Route 9 to the intersection of Route 9 and Somers Point - Mays Landing Road (CR 559) and then along CR559 to the Somers Point - Ocean City Bridge; and

Whereas, those who attended the public meeting showed broad support of the proposed plan; and

Whereas, with the concurrence of the City Engineer, City Council adopted resolution 49-2017 in support of the proposed plan; and

Whereas, representative of NJDOT and Johnson, Mirmiran and Thompson, the project's engineering consultant, stated that the completion of this project will take anywhere from three to five years.

Now, therefore, it is hereby RESOLVED that the City Council of the City of Somers Point fully supports the proposed Project and requests that the New Jersey Department of Transportation make this project a priority to fully fund and construct this project.

It is further, RESOLVED, that the Somers Point City Clerk shall provide a certified copy of this Resolution of Support to:

New Jersey Department of Transportation
New Jersey Turnpike Authority
Congressman Jeff Van Drew
Senator Chris A. Brown
Senator Bob Andrzejczak
Assemblyman John Armato
Assemblyman Vincent Mazzeo
Assemblyman Matthew W. Milam
Assemblyman R. Bruce Land
Atlantic County Executive Dennis Levinson
Atlantic County Board of Chosen Freeholders
Gerald Thornton, Freeholder Director

Cape May County Board of Chosen Freeholders
Ocean City Mayor and Governing Body
Upper Township Mayor and Governing Body
Greater Atlantic City Chamber of Commerce
Cape May County Chamber of Commerce

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Somers Point Business Association
South Jersey Transportation Planning Organization

Resolution No. 66

M/S – Gerety/Tapp

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

Mayor Glasser announced that he will swear in Mr. Pastrana-Nolan tomorrow afternoon at 4:00 p.m. Council President McGuigan explained that normally he would recuse himself; however, he opined that he is able to vote impartially and invoked the doctrine of necessity due absenteeism of City Council.

No. 66 of 2019

Subject: Hiring Michael Pastrana-Nolan to the Position of Police Patrol Officer

Sponsored by: Mayor Glasser

Introduced By: Councilmen Tapp, Meischker and Toto

WHEREAS, due to a pending retirement, Acting Police Chief Robert C. Somers has determined that there is a public safety need to hire a replacement Police Officer; and

WHEREAS, Mayor John L. Glasser, Jr. has reviewed the request and has submitted that request to this Governing Body with his full support; and

WHEREAS, the City of Somers Point desires to act upon the recommendation of the Acting Chief of Police and the Mayor to hire Michael Pastrana-Nolan from the Civil Service list as a full time police officer; and

WHEREAS, the salary and benefits to be paid to the designated officer shall be in compliance with the Somers Point Salary Ordinance and the terms and conditions of the current Collective Bargaining Agreement, as same may hereafter be supplemented, amended or renewed; 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 as follows:

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1. The Mayor and City Council acknowledge, authorize and confirm the hiring of Patrol Officer Michael Pastrana-Nolan effective March 1, 2019, subject to the terms and conditions of the Collective Bargaining Agreement in place as same may hereafter be supplemented, amended or renewed; and subject to N.J.S.A. 52:17b-69 and the applicable Rules and Regulations of Civil Service and of the Somers Point Police Department.
2. Patrol Officer Michael Pastrana-Nolan will be sworn in by the Mayor on March 1, 2019.
3. Patrol Officer Michael Pastrana-Nolan is approved for and is authorized to attend the Gloucester County Police Academy March 1, 2019.

Resolution No. 67

M/S – D Adamo/Gerety

The resolution was adopted by a unanimous vote of those present

No. 67 of 2019

**Subject: Authorizing Execution of 2019 Municipal
Aerial Mosquito Control Agreement**

Sponsored by: Council President McGuigan

WHEREAS, from time to time it may become necessary to perform aerial application of pesticides for mosquito control over certain areas of Somers Point; and

WHEREAS, such application should be performed by the Atlantic County Department of Public Works, office of Mosquito Control; and

WHEREAS, all pesticides and aircraft utilized are approved for aerial application by State and Federal governments; and

WHEREAS, the Atlantic County Department of Public Works, Office of Mosquito Control shall notify the Somers Point Police Department, the City and local news media prior to any application.

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that Mayor John L. Glasser, Jr. is hereby authorized to execute the 2019 Municipal Aerial Mosquito Control Agreement, a copy of which is attached hereto and made a part hereof.

Resolution No. 73

M/S – D’Adamo/Tapp

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

City Administrator Swain mentioned that there are not enough members present to vote.

Councilman Toto was telephoned on speaker phone for consideration of the resolution.

The resolution was adopted by a unanimous roll call vote of those present and Councilman Toto on speaker phone.

No. 73 of 2019

Subject: Temporary Budget Emergency
Introduced by: Council President McGuigan, and Councilmen Gerety and Dill

Whereas, an emergent condition has arisen with respect to an anticipated delay in adopting the local budget and no adequate provision has been made in the 2019 temporary appropriations for the aforesaid purpose; and

Whereas, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

Whereas, the total emergency temporary resolutions adopted in the year 2019 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20), including this resolution total \$3,667,376 for the Current Fund and \$495,000.00 for the Sewer Utility.

Now, therefore, be it resolved by the City Council of the City of Somers Point, not less than two-thirds of all of the members thereof affirmatively concurring, that, in accordance with the provisions of

N.J.S. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for individual items outlined below in the total amount of \$3,667,376.00 for the Current Fund and \$495,000.00 for the Sewer Utility

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2. That said emergency temporary appropriation will be provided for in the 2019 budget under the titles as outlined below.
3. That one certified copy of this resolution be filed with the Director of

Local Government Services.

APPROPRIATIONS

		Temporary
Emergency #1		
CURRENT FUND		
GENERAL GOVERNMENT FUNCTIONS		
General Administration		60,000.00
Mayor and Council	OE	15,000.00
Municipal Clerk	OE	35,000.00
Financial Administration	OE	16,000.00
Audit Services	OE	10,000.00
Computerized Data Processing	OE	12,000.00
Tax Assessment Administration		5,000.00
Tax Collection	OE	15,000.00
Legal Services	OE	20,000.00
Engineering Services	OE	30,000.00
Economic Development Commission	OE	5,000.00
LAND USE ADMINISTRATION		
Planning Board	saw	
Zoning Board of Adjustment	OE	
Environmental Commission	saw	
Historic Development Commission	OE	
Arts Commission	OE	
CODE ENFORCEMENT AND ADMINISTRATION		

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Uniform Construction Code Enforcement Functions		32,000.00
	OE	
Other Code Enforcement Functions	saw	20,000.00
	OE	7,000.00
INSURANCE		
Unemployment		10,000.00
Insurance Surety Bond		
Premiums		
Other Insurance		40,000.00
Workers Compensation Insurance		100,000.00
Employee Group Insurance		400,000.00
Group Insurance Opt Out		
PUBLIC SAFETY FUNCTIONS		
Police Department		
	w	600,000.00
	OE	40,000.00
Police Dispatch/911		97,000.00
	OE	6,000.00
Office of Emergency Management		
	saw	4,000.00
	OE	2,000.00
Fire Department		12,000.00
Fire Prevention Bureau	OE	30,000.00
Emergency Medical Services	OE	
	OE	14,000.00
Municipal Prosecutor's Office	OE	6,000.00
PUBLIC WORKS FUNCTIONS		
Other Public Works Functions		
	w	100,000.00
	OE	10,000.00
Solid Waste Collection		
	w	100,000.00
	OE	45,000.00
Buildings and Grounds		30,000.00
	OE	46,000.00
Vehicle Maintenance	OE	30,000.00
APT. TRASH COLLECTION PL 2001 C.025		
MUNICIPAL SERVICES Acr	OE	20,000.00
HEALTH AND HUMAN SERVICES		
Animal Control Services	OE	
PARKS AND RECREATION FUNCTIONS		

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Recreation Services and Programs	saw	3,000.00
	OE	10,000.00
Maintenance of Parks	saw	50,000.00
	OE	10,000.00
MUNICIPAL COURT		50,000.00
	OE	5,000.00
Public Defender	OE	3,000.00
OTHER COMMON OPERATING FUNCTIONS (UNCLASSIFIED)		
UTILITY EXPENSES AND BULK PURCHASES		
Fire Hydrants		40,000.00
Electricity		50,000.00
Street Lighting		10,000.00
Telephone		5,000.00
Water		5,000.00
Gas		
Fuel Oil #2		
Diesel Fuel		
Telecommunications costs		4,000.00
Sewerage processing and disposal		
Gasoline		15,000.00
LANDFILL/SOLID WASTE DISPOSAL COSTS		100,000.00
CONTINGENT		
STATUTORY EXPENDITURES		
Public Employees Retirement System		380,127.00
Social Security		80,000.00
Defined Contribution Retirement Plan		2,000.00
Police and Fire Retirement System		761,249.00
DEFERRED CHARGES PRIOR YEARS BILLS		
PRIVATE CONTRIBUTIONS		
LOSAP		
Recycling Tax Appropriation		
FEDERAL AND STATE GRANTS		
Safe and Secure (State)		

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(City)	26,000.00
CAPITAL IMPROVEMENTS	
Capital Improvement Fund	
MUNICIPAL DEBT SERVICE	
DEFERRED CHARGES	
RESERVE FOR UNCOLLECTED TAXES	
	3,667,376.00

SEWER UTILITY			
OPERATING	TOTAL		
Salaries and Wages			95,000.00
Other Expenses	OE		80,000.00
Atlantic County Utility Authority	OE		300,000.00
FICA/S			10,000.00
S DEBT			
SERVICE			
Bond Interest	OE		10,000.00
	TOTAL		495,000.00

Resolution No. 74

M/S – D’Adamo/Tapp

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

No. 74 of 2019

Subject: Authorizing Agreement with Nelson Denan

Introduced By: Councilmen Dill, Toto and Meischker

WHEREAS, after long and dedicated service to the City of Somers Point, Police Sergeant Nelson Denan intends to retire from the Somers Point Police Department effective July 31, 2019; and

WHEREAS, upon retirement Nelson Denan is entitled to certain payments and benefits in accordance with the agreement effective January 1, 2012 between the City of Somers Point and Mainland PBA Local 77, Somers Point Police Supervisors; and

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WHEREAS, Nelson Denan’s last actual regular day of work was January 4, 2019 and he shall receive terminal leave pay until the date of his retirement, with his last regular pay being on July 19, 2019; and

WHEREAS, pursuant to the agreement between the City of Somers Point and Mainland PBA Local #77 the City agrees to provide health benefits to Nelson Denan and his qualified dependents for one year following his retirement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City Somers Point that the City Administrator is hereby authorized to enter into a termination agreement with Nelson Denan on behalf of the City, a copy of which is attached hereto and made a part of this Resolution.

Consent Agenda:

None

Old Business:

City Administrator Swain mentioned the proposed Shared Services Agreement with the Board of Education (BOE) for snow removal. The BOE needs to add one sentence “if they could not provide a truck, could the City proceed as normal”, which means everything is done in the City, then the school; if not enough trucks are available. The Governing Body concurred with the added sentence.

New Business:

PR Racing, Inc., on May 18, 2019 contingent to Mr. Sean Clancy addressed Council regarding the race approval. On the motion of Councilman D’Adamo, second of Councilman Tapp and carried to approve PR Racing, Inc., on May 18, 2019, contingent to him forwarding the insurance requirements to the City Clerk,

On the motion of Councilman Gerety, second of Councilman D’Adamo and carried for the approval of the following Social Affair Permits:

- Cape Shore Chorale on May 30, 2019
- Rotary Club of Somers Point on May 14, 2019, and for Somers Point Business Association April 13, 2019.

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Discussion of Bills:

Administrator Swain reported a record of payment dated 2/15/19 in the amount of \$60,000, a record of payment dated 2/20/19 in the amount of \$60 and a bill list dated 2/26/19 in the amount of \$ \$2,205,489.05.

Public Portion

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

Payment of Bills

M/S – Tapp/D’Adamo

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

City Council President McGuigan announced a Special Meeting scheduled for Monday, at 7:00 p.m. Also, a Budget Workshop is scheduled for March 14th at 6:00 p.m.

Adjournment

There being no further business to come before Council, the meeting was adjourned at 7:52 p.m.

Respectfully submitted,

Lucy R. Samuelson, RMC
Municipal Clerk
Approved: 05/9/2019