

**REGULAR MEETING
MAYOR AND CITY COUNCIL
March 11, 2021**

Meeting called to order via ZOOM 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, City Clerk Samuelsen, Deputy City Clerk Heath and City Solicitor Thomas Smith

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 and on the City's website, somerspointgov.org. The meeting was held via ZOOM platform and in person due to the pandemic of COVID-19. Council President Johnston announced the instructions for joining the meeting electronically.

Communications:

Mayor's Report:

Mayor Glasser reported he attended a Mayor's Meeting where the proposed shared services of the Municipal Courts was discussed. CHECK CD

Administrator's Report:

Administrator Frost reported CFO Shana Kestrel and Auditor Leon Costello are present to discuss the introduction of the budget.

Solicitors Report:

Solicitor Smith reported the Governor recently signed a law legalizing recreational marijuana. He stated any ordinance previously passed is null and void and must be redone. CHECK CD

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Committee Reports:

Council Member Owen reported the Recreation Commission has approved events to be held in Kennedy Park, namely Art in the Park and Poetry in the Park.

Approval of Minutes:

On the motion of Council Member , seconded of Council Member and carried to approve the Regular Meeting Minutes of 2/25/21 were approved. CHECK CD

Ordinances:

Ordinance No. 6 of 2021

(Second Reading/ Public Hearing/ Adoption)

M/S- Dill/Ferreri

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

The Public Portion was duly opened.

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

ORDINANCE NO. 6 of 2021

**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 2021 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 \$383.00 annually.

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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 \$383.00
- (b) Structures with apartments - each apartment \$383.00
- (c) Hotels, rooming houses and private dwellings with rented rooms – basic charge \$383.00
plus each rented room \$281.00
- (d) Motels - each standard rental unit \$281.00
- each efficiency rental unit..... \$383.00
- (e) Small Businesses/Professional Office/Professional Condo Office – Minimum one charge for each office \$383.00
Additional charges based on water consumption \$383.00
- (f) Trailer parks - each trailer \$383.00
- (g) Service stations and garages \$383.00
- (h) Service stations and garages with washing facilities \$765.00
- (i) Pumpout facilities for marinas \$383.00
- (j) Churches \$383.00
- (k) Public buildings \$765.00
- (l) 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 \$383.00, and the resulting product, which shall be

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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= $53.0\% + 19\%(\text{BOD in ppm}^*) + 22\% (\text{ss in ppm}^*) + 6\%(\text{chlorine demand in ppm}^*)$

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\$383.00

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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.

Introduction to the Municipal Budget 2021

Resolution No. 66 of 2021

M/S- Owen/Dill

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

Auditor Leon Costello gave a summary of the 2021 Municipal Budget process. He noted a 2-cent increase. The public hearing and final adoption will be held on April 8, 2021. He mentioned some line items can still be amended.

Council Member McGuigan stated Administrator Frost and CFO Kestrel did an excellent job putting together the budget. The information was put together quickly and professionally. He also stated his appreciation to Auditor Costello for his knowledge and professionalism.

Council President Johnston stated a lot of hard work was put into the budget and it was taken very seriously. She appreciates the hard work that is still ongoing.

Resolutions:

City Clerk Samuelson read by title only the list of resolutions.

Resolution No. 62 of 2021

M/S- Owen/Ferreri

The resolution was adopted by unanimous vote of those present.

No. 62 of 2021

Subject: Increasing Bid Threshold

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Introduced By: Council President Johnston and Council Members Dill and

McGuigan

WHEREAS, pursuant to N.J.S.A. 40A:11-9 the City of Somers Point has appointed Jason J. Frost as its Qualified Purchasing Agent; and

WHEREAS, pursuant to N.J.S.A. 40A:1 1-3.a the City of Somers Point has established its bid threshold at \$40,000.00; and

WHEREAS, on July 1, 2020 pursuant to N.J.S.A. 40A:1 1-3.c the bid threshold increased from \$40,000. to \$44,000.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Somers Point, in the County of Atlantic, in the State of New Jersey hereby increases its bid threshold to \$44,000.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Director of the Division of Local Government Services.

Resolution No. 63 of 2021

M/S-Ferreri/Owen

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

No. 63 of 2021

Subject: A RESOLUTION AMENDING RESOLUTION 45 OF 2021 APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DEPARTMENT OF LAW AND PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL

Introduced By: Council President Johnston

WHEREAS, the City of Somers Point previously passed resolution 201 of 2020 making an application to the 2021 Safe and Secure Communities Program (Grant #21-0121); and

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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 201 of 2020 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 #20-0121 is for the period beginning in August 1, 2020 through July 31, 2021.
- 3) The amount of the grant is \$12,621.00 and the cash match by the City of Somers Point is \$216,365.00, for a total project cost of \$228,986.00.
- 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. 64 of 2021

M/S- Owen/Ferreri

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

Resolution No. 65 of 2021

M/S- Owen/Ferreri

This resolution was adopted by unanimous vote of those present.

No. 65 of 2021

**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

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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.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON March 11, 2021.

Resolution No. 67 of 2021

M/S- Dill/Ferreri

This resolution was adopted by unanimous vote of those present.

Mayor Glasser stated this a renewal to a shared service agreement the City has had with Linwood, Northfield and Linwood Community Church. He gave kudos to Emergency Management Coordinator Phil Gaffney and his staff for putting this together.

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Subject: Approving an Emergency Management Shared Service Shelter Agreement Among Linwood, Northfield and Somers Point

Introduced by: Council President Janice Johnston and Councilman Howard Dill

WHEREAS, in compliance with N.J.S.A. App. A:9 every municipality is obligated to develop a plan for the sheltering of displaced individuals in their community during times of disaster and/or local emergencies (the “Plan”), including the warming and/or cooling centers during times of extreme weather conditions; and

WHEREAS, the City of Somers Point has in place a Plan approved in 2013 which provides for the use of the Somers Point Schools as shelter facilities; and

WHEREAS, it is prudent to provide for an alternate facility in the event of the need to shelter more individuals or due the inability to use one or more of the Somers Point Schools; and

WHEREAS, on December 8, 2016, City Council passed Resolution No. 202 of 2016, which authorized the Mayor and the City’s Emergency Management Coordinator to execute a shared service Shelter Agreement with the City of Northfield, the City of Linwood, and the Linwood Community Church for purposes of providing said shelter services on behalf of the participating municipalities; and

WHEREAS, said Shelter Agreement, executed on behalf of the City, was for a term of three (3) years, which term has since lapsed; and

WHEREAS, the City’s Emergency Management Coordinator has recommended that the aforesaid shared service Shelter Agreement be continued with the City of Northfield, the City of Linwood, and the Linwood Community Church.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of Somers Point that subject to the conditions set forth below:

- (1) This governing body approves the Shared Service Shelter Agreement among the City of Northfield, the City of Linwood, the City of Somers Point and the Linwood Community Church; and
- (2) subject to the passage of resolutions by the governing bodies of the City of Northfield and the City of Linwood, Mayor John L. Glasser, Jr. is hereby authorized to execute the Shared Service Shelter Agreement on behalf of the City of Somers Point substantially in the form attached hereto; and
- (3) he City Clerk is requested to provide a certified copy of this Resolution to the Clerks of the City of Northfield and the City of Linwood.

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Old Business:

None

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New Business:

None

Discussion of Bills:

Administrator Frost reported a Bill List dated 3/9/21 in the amount of \$1,220,507.04 and a Record of Payments dated 3/1/21 in the amount of \$43,294.64.

Public Portion:

The meeting was duly opened to the public.

Patricia Pierson of 587 Mark's Road stated would like to know how much money the City will receive from the stimulus package and how it will be spent. She also voiced her disapproval of the budget.

Hearing nothing further from the public, this portion 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 Ferreri seconded and carried to adjourn the meeting at 7:35 p.m.

Respectfully submitted,

Lucy R. Samuelsen, RMC
Municipal Clerk
Approved: 3/11/2021