

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
March 9, 2023**

**Regular Meeting called to Order at 7:00 p.m. by President Johnston leading the salute to the flag.  
Roll call was recorded as follows:**

**Present:** Bruno, Owen, DePamphilis, McCarrie, McGuigan, Dill, Johnston

**Also Present:** Mayor Glasser, Administrator Frost, City Clerk Samuelson, Attorney Franklin

**Absent:**

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**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.

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**Communications:**

- Council President Johnston read aloud a letter from Somers Point resident, Josh Stroker detailing his views on the positive and negative aspects of Short-Term Rentals.

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**Mayor's Report:**

Mayor Glasser reported that the renovation plan for the 1812 War Memorial is underway, and he is looking forward to the outcome. In addition, he attended the monthly Mayor's meeting a few weeks ago, where the guest speaker was outgoing president of the ACUA, Rick Dovey. Discussed at that meeting was that Atlantic County has only 6 more years before needing to look elsewhere for landfill dumping, oversight of the ACUA, and the high cost of the tipping fees. Moreover, on Saturday night, Fire Co. No. 1 will be having their dinner at Flanders. Next, he expressed his excitement for Bayfest, which will be held on April 29<sup>th</sup>, and thanked Council Member McGuigan, Administrator Frost, Greg Gregory, and everyone else working on it for their commitment.

Council President Johnston stated that plans for Bayfest are going very well and that information for vendors and sponsors are posted on the City's website and Facebook.

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**Administrator’s Report:**

City Administrator Jason Frost reported that on March 8<sup>th</sup>, a meeting was held at the County Engineering Office pertaining to the pedestrian improvements at the intersection of Ocean Heights Avenue and the bike path. The improvements are expected to come to fruition in the 2023 calendar year. Additionally, Resolution No. 69 from this meeting’s agenda was previously approved last year; however, the State contract prices were incorrectly quoted, and the resolution now depicts the correct price. Lastly, he mentioned that in Ordinance No. 2 of 2023 there is a TBD price listed and according to Solicitor Smith, a clerical notation can be used to portray the correct price.

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**Solicitors Report:**

None.

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**Engineers Report:**

None

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**Committee Reports:**

- Council Member Bruno attended the Garden Club where they had a guest speaker, Damon Smith, a Veteran who founded Gloves on the Ground. The organization shares seeds from communities around the world that are victims of war and violent conflict to bring awareness to resilience and shared heritage. More information can be found at [glovesontheground.com](http://glovesontheground.com). In addition, the Garden Club is working on the four corners garden, community garden and the butterfly garden. They are also in search of a garden for an upcoming contest.
- Council Member Owen reported that the Economic Development Commission met and developed a new marketing program. They are looking forward to getting an Request for Proposal out for a marketing firm to promote the City. Moreover, the Somers Point Business Association will be having a mixer at Josie Kelly’s on March 14<sup>th</sup> from 5 to 7 pm. Along with Council Member McGuigan, he attended the Recreation Commission Meeting where they discussed the Easter Egg hunt taking place on April 1<sup>st</sup>, the Garvey Boat Races in July and August, permits requests from the schools to use the recreation fields, and the budget needed to improve various facilities.

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**Approval of Minutes:**

On the motion of Council Member Dill, seconded of Council Member McCarrie and carried to approve the Regular Meeting Minutes of 2/23/2023.

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**Ordinances:**

**Ordinance No. 3 of 2023**

*(Second Reading/Public Hearing/Adoption)*

**M/S-** Dill/Owen

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

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

**No. 3 of 2023**

**An Ordinance Amending and Supplementing the Somers Point Municipal Code Chapter 250 Vehicles and Traffic, and Enacting Article IX, Section 250-73, Designated Crosswalks, and Repealing All Ordinances Heretofore Adopted, The Provisions of Which Are Inconsistent Herewith.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERS POINT, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:**

**WHEREAS**, Atlantic County Road No. 585 runs through the City of Somers Point, north to south; and

**WHEREAS**, said roadway is identified as “Shore Road” in Somers Point; and

**WHEREAS**, Shore Road has certain marked crosswalks for pedestrian safety located on it in Somers Point; and

**WHEREAS**, one such crosswalk is located immediately north of Miller Lane at its intersection with Shore Road; and

**WHEREAS**, the City of Somers Point wishes to ensure that said marked crosswalk remains as a mid-block crosswalk should there ever be any modifications to the location of Miller Lane at its intersection with Shore Road; and

**WHEREAS**, Atlantic County’s Department of Regional Planning and Development has requested that the City of Somers Point pass an Ordinance establishing the aforesaid marked crosswalk as a mid-block crosswalk, so that it can then pass a consenting Resolution to the City’s Ordinance; and

**WHEREAS**, it is necessary to amend and supplement Chapter 250 of the Code of the City of

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Somers Point in order to implement the recognition of the aforesaid marked, mid-blocked crosswalk.

**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:**

Chapter 250 of the Code of the City of Somers Point is hereby amended and supplemented to include Article IX, identified as “Crosswalks,” as well as creating Section 250-73, which is identified as “Mid-Block Crosswalks.”

**SECTION 2:**

Section 250-73 shall read as follows:

There shall exist as a marked, mid-block crosswalk on Atlantic County Roadway Number 585 (“Shore Road”) which has the following legal description: Located on Shore Road mid-block between Delaware Avenue and Somers Avenue, being more particularly described as being located 150 feet south of the southerly curb line of Delaware Avenue on the eastern side of Shore Road, and crossing Shore Road perpendicularly to its western side.

**SECTION 3:**

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

**SECTION 4:**

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

**SECTION 5:**

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

**SECTION 6:**

This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

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**Ordinance No. 5 of 2023**

*(Second Reading/Public Hearing/Adoption)*

**M/S-** Dill/Owen

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

Council President Johnston duly opened the meeting to the public.

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

**No. 5 of 2023**

**Calendar Year 2023 Ordinance to Exceed the Municipal Budget Appropriation  
Limits and to Establish a Cap Bank**

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**(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 2023 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,

**WHEREAS**, the City Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$343,439.93 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 2023 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 \$480,815.90, and that the CY 2023 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.

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**Ordinance No. 6 of 2023**

*(Second Reading/Public Hearing/Adoption)*

**M/S-** McCarrie/Owen

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

Council President Johnston duly opened the meeting to the public.

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

**No. 6 of 2023**

AN ORDINANCE OF THE CITY OF SOMERS POINT AUTHORIZING THE ACQUISITION  
BY DEED OF EASEMENT FOR A PORTION OF BLOCK 1214 / LOT 16.01 LOCATED  
WITHIN THE CITY OF SOMERS POINT FROM SUNSET AVE DEVELOPMENT LLC FOR  
THE MUNICIPAL PUBLIC PURPOSE OF A SIDEWALK EASEMENT

WHEREAS, pursuant to N.J.S.A. 40A:12-1, et seq., the City of Somers Point (“City”) may acquire such lands as may be necessary and suitable for municipal public purposes; and

WHEREAS Sunset Ave Development LLC, a New Jersey limited liability company, having its principal office at 30 Washington Avenue, Suite A-1, Haddonfield, New Jersey 08033, referred to as the Grantor is the owner of that certain parcel of real property shown and designated as Block 1214, Lot 16.01 on the Tax Map of the City of Somers Point, Atlantic County, New Jersey; and

WHEREAS, as a condition of Preliminary and Final Major Subdivision approval by the City of Somers Point Planning Board, Atlantic County, New Jersey, adopted on July 20, 2022, this conveyance is to grant the City of Somers Point an easement for sidewalk pedestrian usage along a portion of Pleasant Avenue outside of the public right-of way for general pedestrian traffic which encroaches onto proposed Lot 16.01;

WHEREAS, that portion of Grantor’s property which is the subject of the conveyance is more specifically described in the Sidewalk Easement on file in the office of the Somers Point City Clerk and available for public inspection during normal business hours allowing general pedestrian access as more particularly shown on the plan entitled “Sidewalk Easement” prepared by Thomas A. Prendergast, P.L.S., N.J. License No.7604, dated November 30, 2022 (1 sheet) annexed as **Exhibit “A”** to the Declaration Creating Sidewalk Easement Allowing General Pedestrian Access and being bound and as more particularly described in the legal description “Sidewalk Easement Description” prepared by Thomas A. Prendergast, P.L.S., N.J. License No. 37604, dated November 30, 2022, consisting of a one-page, four-course legal

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description as **Exhibit “B”** to the Declaration Creating Sidewalk Easement Allowing General Pedestrian Access and as described below, for the construction and use of a sidewalk along the Property’s frontage on Pleasant Avenue outside the public right-of-way for general pedestrian traffic:

BEGINNING AT the intersection of Southeasterly line of Sunset Avenue (50 feet wide) and the Southwesterly line of Pleasant Avenue (50 feet wide); and extending thence

1. South 56 degrees 21 minutes 04 seconds East, along the Southwesterly line of Pleasant Avenue, a distance of 110.00 feet to a point in the division line of Lots 16.01 and 17.02, Block 1214; thence
2. South 30 degrees 28 minutes 36 seconds West, a distance of 5.50 feet to a point; thence
3. North 54 degrees 42 minutes 01 seconds West, a distance of 110.22 feet to a point in the Southeasterly line of Sunset Avenue; thence
4. North 30 degrees 28 minutes 36 seconds East, a distance of 2.32 feet to the point and place of BEGINNING.

CONTAINING AN AREA OF 429 square feet.

TOGETHER with the right of ingress and egress in, over and along the above-described lands to the benefit of the City of Somers Point to maintain, repair, or replace the sidewalk within the easement area; and

WHEREAS, Grantor has offered to grant to the City by a “Declaration Creating Sidewalk Easement Allowing General Pedestrian Access” that portion of the Property needed for municipal public purposes as herein described for the purchase price of One Dollar (\$1.00); and

WHEREAS the City desires to acquire said easement for such municipal public purposes; and

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

**SECTION 1.** The City hereby authorizes the acquisition by the Declaration Creating Sidewalk Easement Allowing General Pedestrian Access of that portion of Block 1214 Lot 16.01 as designated on the Official Tax Map of the City of Somers Point described below, and the expenditure of the funds in order to acquire said property for municipal public purposes.

**SECTION 2.** The appropriate City of Somers Point officials, its employees, professionals, and agents are hereby authorized and directed to take any and all steps necessary to effectuate the

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purposes of this Ordinance, including the execution of documents required to close the above-mentioned transaction.

**SECTION 3.** All ordinances of the City of Somers Point that are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

**SECTION 4.** If any subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid in any Court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

**SECTION 5.** This Ordinance shall take effect following final passage and publication in accordance with law.

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**Ordinance No. 7 of 2023**

*(Second Reading/Public Hearing/Adoption)*

**M/S-** Dill/McCarrie

The ordinance was adopted by a roll call vote of those present. The votes recorded as follows:

- Owen – Yes
- Bruno – Yes
- McCarrie – Yes
- McGuigan – No
- DePamphilis - Yes
- Dill – Yes
- Johnston - Yes

Council Member McGuigan clarified that even if Council Members voted to adopt this ordinance, they could change their mind and vote to not approve it. He also asked the subcommittee if there were any recommendations from our City’s professionals, i.e., zoning officer, code enforcement officer and the police chief, regarding this ordinance. Furthermore, he reminded the Council Members of the City’s condominium associations, that require a minimum rental of more than 30 days. He queried what short-term rentals bring to our City.

Council President Johnston stated that all the professionals the subcommittee met with agreed with the recommendations made. In addition, she clarified that these ordinances are not to encourage more short-term rentals; they are to provide control and restrictions to the short-term rentals that have already been here.

Council Member Dill indicated that the length of stay recommendation was not discussed with the professionals, it was discussed among the committee members.



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Council Member Bruno believes that having a 30-day minimum might encourage people to rent without a license. She agrees with the Ordinance and the restrictions and fines provided.

Council President Johnston duly opened the meeting to the public.

Patricia Pierson of 587 Marks Road asked for clarification on this Ordinance and whether it applies to apartment buildings as well as short-term rentals.

Jim Oswald of 500 Pennsylvania Avenue stated that while he is in support of short-term rentals, he believes that there needs to be parking restrictions set in place.

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

Council Member Dill reiterated that according to Solicitor Smith, the City cannot restrict parking on a public street.

**No. 7 of 2023**

**An Ordinance Amending and Supplementing the Somers Point Municipal Code Chapter 169, Littering and Property Maintenance; Article V, Registration and Inspection of Certain Rental Units, Apartments and Dwelling Units.**

**WHEREAS**, N.J.S.A. 40:52-1 authorizes a Municipality, by Ordinance, to license and regulate the rental of real property for a term less than 175 consecutive days for residential purposes by a person having a permanent place of residence elsewhere; and

**WHEREAS**, on November 12, 2020, the City Council of the City of Somers Point in recognizing that there existed a growing business for short-term residential rentals available on the internet, passed Ordinance 10-2020, which addressed certain issues arising from the operation of such businesses in Somers Point; and

**WHEREAS**, the City Council of the City of Somers Point believes that it is important for purposes of health, safety and enjoyment of the residents of Somers Point, as well as those individuals who are renting these short-term residential rentals, to continue to provide oversight on this new form of business; and

**WHEREAS**, City Council has formed a committee to provide recommendations on how to ensure that the that the short-term residential rental business in Somers Point is run in an equitable manner; and

**WHEREAS**, based on recommendations of the aforesaid committee, City Council is now desirous of further amending and supplementing Chapter 169, Article V of the City's Code so as to provide further oversight of this growing business.

**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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The Somers Point Municipal Code Chapter 169, Littering and Property Maintenance; Article V, Registration and Inspection of Certain Rental Units, Apartments and Dwelling Units, is hereby amended and supplemented to add or replace the following in the Sections denoted herein:

Section 169-46. Definitions.

**FAMILY MEMBER**

A person related by blood or marriage/civil union to the owner of the rental unit.

**MARKETPLACE PLATFORM**

Any electronic or internet-based advertising form used for the purpose of renting or leasing a short-term rental, including but not limited to through self-promotion, internet rental companies, or travel agencies.

**MERCANTILE LICENSE**

A business license as identified in §174-2 of Chapter 174 of the Code.

**RENTAL FACILITY**

Every building, group of buildings, or a portion thereof consisting of fewer than five dwelling units, which has sleeping facilities for fewer than 41 occupants, kept, used, maintained, advertised or held out to be a place where living accommodations are supplied, whether furnished or unfurnished, for pay or other consideration, to one or more individuals.

**SUSTAINED COMPLAINT**

Any credible complaint of a statutory, regulatory or local ordinance violation regarding conduct at, or in connection with the operation of a short-term rental which has been made by or to either the police, or the zoning official or code enforcement officer, or their designee, regardless of whether same results in charges being issued.

Section 169-47. Registration required; registration certificate; license.

C. Information to be provided in the registration certificate:

...

(3) (The following language shall be added at the end of this paragraph): If the address of the owner of record of a short-term rental is not located in Atlantic County, a managing agent, who is located within ten miles of Somers Point and available twenty-four hours a day to respond to any issues which may arise regarding any issues which may arise regarding the tenancy, rental unit or activities on the property where the rental unit is located, is hereby required.

...

(10) A certification that:

(d) The rental facility or rental unit(s) are in compliance with the International Property Maintenance Code;

(e) A certificate of occupancy or continuing certificate of occupancy has been properly obtained for each unit listed in this application; and

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- (f) For those short-term-rentals to which the provisions of Chapter 228, Article II of the Code are applicable, notification of the requirement of the collection of taxes has been provided to all marketplace platforms used in connection with the solicitation of rentals of the rental unit.

...

(13) For all short-term rentals the requirements of Subsection **C(8)(c)**, **(d)** and **(i)** need not be provided at the time of said registration. However, this information is to be obtained, recorded and maintained in ledger form by said landlord and supplied to the Code Enforcement Officer of the City of Somers Point, or his/her designee, either upon demand or at the time of the annual inspection of said rental unit as set forth in Subsection **B** of § **169-48**. The applicant shall also provide on the registration form the following:

- (a) The maximum number of occupants that will be renting, occupying and/or staying at the property at any one time, which number shall not exceed either the restrictions imposed by N.J.A.C. 5:28-1.1, or that of two occupants per bedroom, plus two, whichever is the lesser of the two.
- (b) The identity of all marketplace platforms that the landlord will use in connection with the rental of the property.

...

G. All short-term rentals, as operating businesses, are also required to obtain a mercantile license as set forth in Chapter 174 of this Code, and in order to maintain said license may not be rented or leased out for a time period of less than three nights. A clear depiction of the subject's mercantile license shall be posted as a separate photo on any advertisement on a marketplace platform for the rental of the property.

Section 169-51. Occupancy and Use prohibitions.

A. It shall be unlawful and a violation of this article as to all rentals, regardless of time limit:

- (1) For a person to occupy any rental unit or for the owner or agent to permit occupancy of any rental unit within the City of Somers Point for which a registration certificate has not been filed and issued in accordance with this article. The owner of any rental unit bears the burden of proof in certifying that such premises is lawfully authorized to be utilized and operated as a residential rental dwelling unit.
- (2) For an owner, permittee, lessor or registered agent of any rental unit to allow a number of people greater than the maximum number of occupants listed on the registration certificate form.
- (3) For an owner, permittee, lessor or registered tenant to allow a number of people greater than the maximum number of people permitted to occupy the decks or porches of any rental unit.

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- (4) For an owner, owner's agent or tenant to violate any of the provisions of the New Jersey State Housing Code, N.J.A.C. 5:28-1.1 et seq.
- (5) For a person to charge, demand, receive or accept any rent or other payment or nonmonetary consideration for use or occupancy of any rental unit within the City of Somers Point which is used or occupied in violation of Chapter **114**, Development Regulations, of the Municipal Code of the City of Somers Point. Each such charge, demand, receipt or acceptance of rent or other payment in violation hereof shall constitute a separate offense.
- (6) For any person, including the owner, agent, tenant or registered tenant, to allow a greater number of persons than the posted maximum number of occupants to sleep in or occupy overnight a rental unit for a period exceeding 29 days in any six-month period. In the case of a short-term rental, the twenty-nine-day exception referenced herein is not allowed.
- (7) For a person to rent or lease out any amenities and or accessories to an apartment or dwelling unit without full use of the apartment or dwelling unit, including, but not limited to basements, attics, trailers, pools, yards and/or accessory buildings.

B. It shall be unlawful and a violation of this article as to short-term rentals:

- (1) For a person to rent out an apartment or dwelling unit for the hosting of a commercial or social event.
- (2) For a person to rent out separate bedrooms within an apartment or dwelling unit to either different short-term tenants, or as a short-term rental while another household is occupying the same apartment or dwelling unit.
- (3) For a person to rent out a camper or motor home on the property of any apartment or dwelling unit either in connection with a short-term rental, or as the short-term rental itself.

Section 169-52. Access for inspections and repairs; complaints.

A. (The following language shall replace the first sentence only in this Subsection): The Zoning Official, Construction Official and Code Enforcement Officer, are hereby authorized to make inspections to determine the condition of rental facilities and rental units, in order that they may promote the purposes of this article to safeguard the health, safety and welfare of the occupants of rental facilities, rental units and of the general public.

Section 169-53. Enforcement.

(The following term, "Zoning Officer/Code Enforcement Officer" shall be replaced with the term "Zoning Official and/or Code Enforcement Officer.")

Section 169-54. Violations and penalties.

A. (The following language shall replace the first sentence only in this Subsection): Any person violating or failing to comply with any of the provisions of this Article **V** of Chapter **169**, including

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failing to file a registration certificate or failing to provide true and accurate information, shall, upon conviction thereof, be punishable by a fine of at least \$250 and not more than \$1,000 or by imprisonment in the county jail for a term not to exceed 90 days, or both, in the discretion of the court.

C. Wherein a landlord or agent of a short-term rental has been provided notice of a sustained complaint of a Noise and/or Nuisance Ordinance violation, and there is a second sustained complaint regarding a Noise and/or Nuisance Ordinance violation within one week, a civil penalty of \$1,500 shall be assessed against the landlord. Landlord shall have the right to appeal the imposition of such a civil penalty by filing with the City Clerk’s Office a request of a hearing before City Council within one week of notification of a civil penalty assessment.

Section 169-55. Revocation of license; procedure.

A. Grounds. In addition to any other penalty prescribed herein, any owner may be subject to the revocation or suspension of the license issued hereunder, or pursuant to Chapter 174 of this Code, upon the happening of one or more of the following:

(11) Violation of the provisions of this article or any other ordinance or law pertaining to the use of the property; or

(12) In the case of a short-term rental, three sustained complaints in a one-year period regarding the use and/or operation of the property by either the tenants or landlord.

**BE IT FURTHER ORDAINED** that should any section, clause, sentence, phrase, provision in these amendments to ordinances be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remain portions of these ordinances.

This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

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**Ordinance No. 8 of 2023**

*(Second Reading/Public Hearing/Adoption)*

**M/S-** Owen/Bruno

The ordinance was adopted by a roll call vote of those present. These votes recorded as follows:

- DePamphilis – Yes
- McCarrie – Yes
- McGuigan – No
- Dill – Yes
- Owen – Yes
- Bruno – Yes
- Johnston - Yes

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

**No. 8 of 2023**

**An Ordinance Amending the Somers Point Municipal Code Chapter 174,  
Mercantile Licenses; Section 174-4, Fees.**

**WHEREAS**, N.J.S.A. 40:52-1 authorizes a Municipality, by Ordinance, to license and regulate the rental of real property for a term less than 175 consecutive days for residential purposes by a person having a permanent place of residence elsewhere; and

**WHEREAS**, in recognition of the growing business of short-term, residential rentals in the City of Somers Point, City Council, in 2020, amended Chapter 169, Article V, of the Somers Point Municipal Code, dealing with the registration and inspection of certain rental units, apartments and dwelling units so as to impose safety and health requirements and regulations on such business operations; and

**WHEREAS**, in 2020, the City Council of the City of Somers Point, by Ordinance 11 of 2020 set a mercantile fee to be imposed upon such business of operations for short-term, residential rentals; and

**WHEREAS**, in 2020, the City Council of the City of Somers Point, has reviewed the aforesaid fee in connection with the work required by its employees in connection with registration requirements and the issuance of a mercantile license for said business operations and determined that same is does not reflect the time and effort expended by its employees; and

**WHEREAS**, the City Council of the City of Somers Point is now desirous to increase the mercantile fee for short-term rentals so as to offset, in part, the cost of implementing the associated health and safety requirements and regulations imposed by its implementation of Chapter 169, Article V, of the Somers Point Municipal Code as to short-term rentals.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Somers Point, County of Atlantic, and State of New Jersey that the Somers Point Municipal Code Chapter 174, Mercantile Licenses; Section 174-4, Fees, is hereby amended as follows:

<u>Type of License</u>	<u>Fee</u>
Short Term Rental (Residential Rentals For Less Than 175 Days)	\$150

This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

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**Ordinance No. 9 of 2023**

*(Second Reading/Public Hearing/Adoption)*

**M/S-** McCarrie/Bruno

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

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

Council Member McGuigan announced his agreement with Ordinance No. 9.

**No. 9 of 2023**

**An Ordinance Renaming, Amending and Supplementing the Somers Point  
Municipal Code Chapter 228, Taxation; Article II, Hotel and Motel Room  
Occupancy Tax.**

**WHEREAS**, Pursuant to N.J.S.A. 54:32D-1, et seq, the City Council of the City of Somers Point previously enacted the provisions of Article II of Chapter 228 of the Code authorizing the imposition of a Hotel and Motel Tax in the City of Somers Point; and

**WHEREAS**, the City Council of the City of Somers Point, in recognizing the existence of the growing business for short-term residential rentals available on the internet, passed Ordinance 10-2020, which, as drafted, made short-term residential rentals a feasible alternative to hotels and motels for visitors who wished a transient accommodation here in the City; and

**WHEREAS**, the N.J.S.A. N.J.S.A. 54:32D-1, et seq, has now been amended to allow, under circumstances, the imposition of municipal tax on transient accommodations, also known as “short-term rentals; and

**WHEREAS**, City Council now wishes to impose a municipal tax upon the use of short-term rentals in the City of Somers Point as allowed by statute.

**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:

**Article II of Chapter 228** is hereby renamed “Hotel/Motel Room and Short-Term Rental Occupancy Tax.”

**§ 228-4. Purpose.** (Amended to read as follows:)

It is the purpose of this article to implement the provisions of N.J.S.A. 54:32D-1, et seq., as amended, to hotels, motels and short-term rentals, which authorizes the governing body of a municipality to adopt an ordinance imposing a tax at a uniform percentage rate on charges of rent for every occupancy of a room or rooms in a hotel or motel or a short-term rental subject to taxation pursuant to N.J.S.A. 54:32B-3(d), which tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the occupancy of a hotel or motel room or a short-term rental.

**§ 228-4.1. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**APARTMENT or DWELLING UNIT**

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Any room or rooms or suite or apartment thereof, whether furnished or unfurnished, which is occupied or intended, arranged, or designed to be occupied for sleeping and dwelling purposes by one or more persons, excluding the owner thereof, and shall include all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy thereof; and which shall include a single family residence designed for use by one family or household unit for living and sleeping purposes.

## **Professionally Managed Unit**

An apartment or dwelling unit that is offered for rent that is directly or indirectly owned or controlled by a person offering for rent two or more other units during the calendar year. irectly owned or controlled by a person offering for rent two or more other units during the calendar year.

## **Short-term Rental**

A transient accommodation with a lease of less than 90 consecutive days.

## **Transient Accommodation**

An apartment or dwelling unit that is obtained through a transient space marketplace or is a professionally managed unit. It does not include a rental transaction where a licensed real estate broker performs all the services necessary to carry out the rental.

## **Transient Space Marketplace**

Any electronic or internet-based advertising form used for the purpose of renting or leasing a transient accommodation wherein the payment for the accommodation is made through a means provided by the marketplace or travel agency, either directly or indirectly, regardless of which person or entity receives the payment, and where the contracting for the accommodation is made through the market place or travel agency.

## **§ 228-5. Tax established.** (Amended to read as follows:)

There is hereby established a hotel and motel room and short-term rental occupancy tax in the City of Somers Point, which shall be fixed at a uniform percentage rate of 3% on charges of rent for every occupancy of a hotel or motel room or short-term rental in the City of Somers Point in a hotel or motel subject to taxation pursuant to N.J.S.A. 54:32B-3(d).

## **§ 228-6. Additional tax.** (Amended to read as follows:)

The hotel and motel room occupancy tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the occupancy of a hotel or motel room or a short-term rental.

## **§ 228-7. Exemptions.**

(Amended to replace the language of “Subsection (a) of Section 9, P.L. 1966, c. 30 (N.J.S.A. 54:32B-9)” with “N.J.S.A. 54:32B-9(a)”).

## **§ 228-8. Requirements.**



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(Amended to replace the language of “P.L. 2003, c. 114” with “N.J.S.A. 54:32D-1, et seq.”).

**§ 228-9. Collection.** (Amend the first sentence to read as follows:)

The tax imposed by this article shall be collected on behalf of the City by the person or entity collecting the rent from the hotel or motel or short-term rental customer.).

**BE IT FURTHER ORDAINED** that should any section, clause, sentence, phrase, provision in these amendments to ordinances be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remain portions of these ordinances.

This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

\*\*\*\*\*

**Public Portion Resolutions:**

Council President Johnston duly opened the meeting to the public.

Rick Freed of 409 Dobbs Avenue asked for clarification on Resolution No. 72.

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

\*\*\*\*\*

**Resolution No. 68 of 2023**

**M/S-** Owen/McCarrie

This resolution was adopted by a roll call vote of those present. The votes recorded as follows:

- McCarrie – Yes
- McGuigan – Yes
- Dill – Yes
- Bruno – Yes
- Owen – Yes
- DePamphilis – Yes
- Johnston – Yes

**No. 68 of 2023**

**Subject: Temporary Budget Emergency #2**

**Introduced by: Council President Johnston**

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**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 2023 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 2023 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20), including this resolution total \$4,694,637.00 for the Current Fund and \$716,600.00 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 \$4,694,637.00 for the Current Fund and \$716,600.00 for the Sewer Utility
2. That said emergency temporary appropriation will be provided for in the 2023 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 - CURRENT FUND**

<b>GENERAL GOVERNMENT FUNCTIONS</b>		<b>Temp. Amount</b>
General Administration	S& W	40,000.00
	OE	10,000.00
Mayor and Council	S& W	15,000.00
	OE	15,000.00
Veteran's Events	OE	
Municipal Clerk	S& W	50,000.00
	OE	12,000.00
Financial Administration	S& W	40,000.00
	OE	10,000.00
Audit Services	OE	23,000.00
Computerized Data Processing	OE	10,000.00

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Tax Assessment Administration	S& W	
	OE	30,000.00
Tax Collection	S& W	40,000.00
	OE	5,000.00
Legal Services	S& W	
	OE	70,000.00
Engineering Services	S& W	
	OE	5,000.00
Economic Development Commission	OE	2,500.00
<b>LAND USE ADMINISTRATION</b>	X	
Planning Board	S& W	
	OE	3,000.00
Zoning Board of Adjustment	S& W	
	OE	3,000.00
Environmental Commission	OE	
Historic Commission	OE	
Arts Commission	OE	
<b>CODE ENFORCEMENT AND ADMINISTRATION</b>	X	
Uniform Construction Code Enforcement Functions	S& W	50,000.00
	OE	25,000.00
Other Code Enforcement Functions	S& W	10,000.00
	OE	5,000.00
Demolition of derelict buildings	OE	5,000.00
<b>INSURANCE</b>	X	
Unemployment Insurance	OE	
Surety Bond Premiums	OE	

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Other Insurance/General Liability	OE	25,000.00
Workers Compensation Insurance	OE	50,000.00
Employee Group Insurance	OE	650,000.00
Group Insurance Opt-out	OE	
<b>PUBLIC SAFETY FUNCTIONS</b>	X	
Police Department	S& W	200,000.00
	OE	20,000.00
Police Dispatch/911	S& W	60,000.00
	OE	5,000.00
Office of Emergency Management	S& W	
	OE	2,000.00
Fire Department	S& W	5,100.00
	OE	25,000.00
Fire Prevention Bureau	S& W	
	OE	
Municipal Prosecutor's Office	S& W	
	OE	4,000.00
Emergency Medical Services	S& W	
	OE	5,000.00
<b>PUBLIC WORKS FUNCTIONS</b>	X	
Other Public Works Functions	S& W	150,000.00
	OE	
Solid Waste Collection	S& W	150,000.00
	OE	60,000.00
Buildings and Grounds	S& W	65,000.00

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	OE	15,000.00
Vehicle Maintenance	OE	20,000.00
<b>APT. TRASH COLLECTION PL2001,c.025</b>	OE	35,000.00
<b>MUNICIPAL SERVICES ACT</b>	X	
Community (Municipal) Services Act	OE	60,000.00
<b>HEALTH AND HUMAN SERVICES</b>	X	
Animal Control Services	OE	2,000.00
<b>PARKS AND RECREATION FUNCTIONS</b>	X	
	S&	
Recreation Services and Programs	W	11,000.00
	OE	10,000.00
	S&	
Maintenance of Parks	W	60,000.00
	OE	15,000.00
<b>MUNICIPAL COURT</b>	X	
	S&	
	W	60,000.00
	OE	
Public Defender	S&	
	W	
	OE	
<b>OTHER COMMON OPERATING FUNCTIONS (UNCLASSIFIED)</b>	X	
<b>UTILITY EXPENSES AND BULK PURCHASES</b>	X	
Fire Hydrants	OE	25,000.00
Electricity	OE	5,000.00
Street Lighting	OE	5,000.00
Telephone	OE	5,000.00
Water	OE	5,000.00
Natural Gas	OE	
Fuel Oil - Heating	OE	
Fuel Oil - Diesel	OE	

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Telecommunications costs	OE	
Sewerage processing and disposal	OE	
Gasoline	OE	
<b>LANDFILL/SOLID WASTE DISPOSAL COSTS</b>	OE	70,000.00
<b>CONTINGENT</b>	OE	
<b>STATUTORY EXPENDITURES</b>	X	
Public Employees Retirement System	OE	468,103.00
Social Security	OE	60,000.00
Defined Contribution Retirement Plan	OE	2,000.00
Police and Fire Retirement System	OE	972,034.00
<b>DEFERRED CHARGES PRIOR YEARS' BILLS</b>	OE	
<b>PRIVATE CONTRIBUTIONS</b>	X	
<b>LOSAP</b>	OE	20,000.00
<b>STATUTORY EXPENDITURES</b>	X	
<b>RECYCLING TAX APPROPRIATIONS (PL 2008, c311)</b>	OE	
<b>HEALTH INSURANCE EXCLUSION</b>		
<b>RESERVE FOR TAX APPEALS</b>		
<b>FEDERAL AND STATE GRANTS</b>	X	
Safe and Secure - State	OE	
City	OE	60,000.00
Neighborhood Preservation Program Grant	OE	50,000.00
<b>CAPITAL IMPROVEMENTS</b>	OE	
Capital Improvement Fund	OE	
<b>MUNICIPAL DEBT SERVICE</b>	X	
Bond Principal	OE	415,000.00
Note Principal	OE	100.00
Bond Interest	OE	289,700.00
Note Interest	OE	100.00
<b>DEFERRED CHARGES</b>	X	
Deferred Charges to Future Taxation Unfunded	OE	
Special Emergency - Reassessment	OE	
Subtotal, without the reserve for uncollected taxes:		
<b>RESERVE FOR UNCOLLECTED TAXES</b>	OE	

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TOTAL 4,694,637.00

**APPROPRIATIONS - SEWER UTILITY**

<b>SEWER UTILITY OPERATING</b>		<b>Temp. Amount</b>
Salaries	S& W	50,000.00
Other Expenses	OE	80,000.00
Atlantic County Utility Authority	OE	260,000.00
Social Security		
<b>MUNICIPAL DEBT SERVICE</b>		
Bond Principal	OE	203,400.00
Bond Interest	OE	123,000.00
Note Principal	OE	100.00
Note Interest	OE	100.00
<b>TOTAL</b>		<b>716,600.00</b>

\*\*\*\*\*

**Resolution No. 69 of 2023**

**M/S- Dill/Bruno**

The resolution was adopted by unanimous vote of those present.

Council Member Dill asked for clarification on whether the purchase would affect this year's budget.

**No. 69 of 2023**

**Subject: Authorizing Purchase of One (1) John Deere 3025D Compact Utility Tractor with Accessory Rake at the Adjusted Contract Price.**

**Introduced By: Council President Johnston**

WHEREAS, the City of Somers Point is permitted to participate in national purchasing cooperatives according to N.J.S.A 52:34-6.2; and

WHEREAS, pursuant to Resolution 203 of 2022 the City previously authorized the purchase of One (1) John Deere 3025D Compact Utility Tractor with Accessory Rake through the Educational Services Commission of New Jersey (ESCNJ) National Cooperative Purchasing Program for Contract #65MCESCCPS, Grounds Maintenance Equipment, for the Somers Point Public Works Department; and

WHEREAS, the city acknowledges that the vendor Central Jersey Equipment LLC, 100 Route 206, Hammonton, NJ 08037, incorrectly quoted the John Deere 3025D Compact Utility Tractor with Accessory Rake due to a clerical error; and

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WHEREAS, the city accepts the adjusted contract price of \$16,116.11 over the previously quoted price of \$17,560.31 (a \$1,444.20 reduction).

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Somers Point, New Jersey, authorizes the purchase of one (1) John Deere 3025D Compact Utility Tractor with Accessory Items at the adjusted contract price as follows:  
Item:

John Deere 3025D Compact Utility Tractor with Accessory Items as follows:

Code	Description	Qty	List Price	Discount	Amount	Contract Price
1680LV	3025D Compact Utility	1	\$20,055.00	-	-	\$20,055.00
1661XF	5Ft Standard Duty Landscape Rake	1	\$1,102.00	-	-	\$1,102.00
	DISCOUNT ESCNJ					-\$5,040.89
Subtotal:.....						<u>\$16,116.11</u>
*Total Amount of Educational Services Commission of New Jersey Contract Number #65MCECCPS, Grounds Maintenance Equipment						

\*\*\*\*\*

**Resolution No. 70 of 2023**

**M/S-** Dill/Bruno

This resolution was adopted by unanimous vote of those present.

**No. 70 of 2023**

**AUTHORIZING EXECUTIVE SESSION**

**Subject: THREE MATTERS REQUIRING ADVICE OF COUNSEL**

**Introduced By: Council President Johnston**

**WHEREAS**, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Somers Point City Council to be held in public, and N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in “Executive Session,” i.e. without the public being permitted to attend, and

**WHEREAS**, the Somers Point City Council has determined that there are three (3) topics which requires the advice and counsel of Special COAH Counsel and are matters permitted by N.J.S.A. 10:4-12(b) as an exception to open public meeting requirements; and is necessary to be discussed without the public in attendance during an Executive Session to be held on March 9, 2023, during a public meeting to be held commencing at 7:00 P.M, and

**WHEREAS** there are nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b). Listed below, is the exception relied upon; and after the exception is a space within which the number of issues to be privately discussed that fall within that exception shall be written and



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within which additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

3

**“(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required for the attorney to exercise his ethical duties as a lawyer.”**

The nature of the matters to be discussed, described as fully as possible without undermining the need for confidentiality:

1. **Advice of Counsel and attorney client communication regarding the status of legal and procedural issues pertaining to a plan for development of properties located along 901 Mays Landing Road (Block 1941.01, Lots 2 & 5.01, Block 1943, Lots 2 & 3, Block 1944, Lot 3, Block 1945, Lot 2.02 and Block 1946, Lot 1) including the provision of affordable housing obligations in compliance with Somers Point Municipal Code Chapters 69 and 114-86.1.G, a 2008 Court approved Settlement Agreement, the April 26, 2018, Court approved Settlement Agreement between the City and Fair Share Housing Center, and the City’s Housing Element and Fair Share Plan.**
2. **Advice of Counsel and attorney client communication regarding the status of legal and procedural issues pertaining to a plan for development of properties located along 900 Somers Point - Mays Landing Road (Block 2020, Lot 3) including the negotiation of the terms and conditions of a Redevelopment Plan, a Redevelopment Agreement, and affordable housing obligations in compliance with Somers Point Municipal Code Chapter 69, and the April 26, 2018, Court approved Settlement Agreement between the City and Fair Share Housing Center.**
3. **Advice of Counsel and City Engineer, and attorney client communication regarding the legal and procedural issues pertaining to the terms and conditions of a proposed agreement between the City, R2F2, INC and a Homeowner's Association to be formed regarding vacation of a portion of Oak Lane (Block 1944, Lot 1, Block 1945, Lot 2.02, and Block 1946, Lot 1) to be negotiated.**

**WHEREAS** the length of the Executive Session is estimated to be approximately 45– 60 minutes after which the public meeting of the City Council shall reconvene;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Somers Point will go into Executive Session for **only** the above stated reason;

**BE IT FURTHER RESOLVED** that the City Council directs the City Clerk to make ten (10) photocopies of this resolution.

**BE IT FURTHER RESOLVED** that the blank spaces within this form of resolution are to be filled out in conformity with a Consent Judgment and Memorandum of Understanding dated June 8, 2009, that arose that the City Council hereby declares that its discussion of the

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aforementioned subject(s) will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which such disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary)

\*\*\*\*\*

**Consent Agenda:**

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

**No. 71 of 2023**

**Subject: Closing Bay Avenue for Bayfest 2023**

**Introduced By: Council President Johnston**

**WHEREAS**, the Bayfest 2023 celebration is scheduled for April 29<sup>th</sup>, 2023; 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 Anna Avenue to Pleasant Avenue, from 6:00 a.m. until 7:00 p.m., in order to accommodate the Bayfest Celebration on April 29<sup>th</sup>, 2023.

\*\*\*\*\*

**No. 72 of 2023**

**Subject: Resolution Authorizing the Somers Point Environmental Commission in Conjunction with the Great Egg Harbor River Council and ACUA to Hold a Cleanup Event at 1001 Dobbs Avenue, Somers Point, NJ**

**Introduced By: Council President Johnston**

**WHEREAS**, the City of Somers Point is in possession of a property known as 1001 Dobbs Ave. Somers Point NJ 08244; Block 1425 Lot 1 on the tax maps of the City of Somers Point; and

**WHEREAS**, this property is currently an unimproved lot; and

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**WHEREAS**, the Somers Point Environmental Commission in conjunction with the Great Egg Harbor River Council and ACUA have expressed an interest in holding a cleanup event at 1001 Dobbs Ave at no cost to the City of Somers Point; and

**WHEREAS**, the Cleanup Event is expected to occur on or about March 25<sup>th</sup> 2023; and

**WHEREAS**, the City of Somers Point appreciates the interest and effort associated with this endeavor.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Somers Point, State of New Jersey, hereby supports and authorizes the cleanup event at 1001 Dobbs Ave. by the Somers Point Environmental Commission in conjunction with the Great Egg Harbor River Council and ACUA and wishes to thank all Volunteers involved in this Cleanup Event.

\*\*\*\*\*

**Old Business:**

None

\*\*\*\*\*

**New Business:**

- Council Member McGuigan proposed drafting new ordinances based on the Environmental Commission’s proposal of two amendments to the City’s code. The first proposed amendment, in chapters 114-143 and 114-144, is to include bicycle parking racks in the proposed commercial and institutional development site plans. The second proposed amendment, regarding those same chapters, is to provide applicants with the option, if they fall short on their tree planting requirements on the subject’s property, they can fulfill those planting requirements on City owned property.
- John Helbig, of the Environmental Commission gave further clarification on the two proposed amendments.
- Council Member Dill acknowledged that he is also in support of the two proposed amendments, however, he would like to see more information on determining the amount of bike racks required based on a formula.
- Council Member Owen expressed his agreement with the proposed amendments as the City is moving towards becoming more bike friendly.
- Council President Johnston agrees with both amendments if they are within reason and make sense for businesses individually.

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- Council Member McCarrie brought awareness to the fact that planting more trees on City property may have an effect on the City’s underground piping and to look to the City’s professionals for guidance.

\*\*\*\*\*

**Discussion of Bills:**

Administrator Frost reported a Bill List dated 3/7/2023 in the amount of \$2,737,140.81.

\*\*\*\*\*

**Public Portion:**

The meeting was duly opened to the public.

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

\*\*\*\*\*

**Payment of Bills:**

**M/S:** Dill/Bruno

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 the Governing Body**

- Council Member McCarrie recognized City employee Stephen Hornig for his dedication to his job.

**Recess:**

The Governing Body recessed briefly before going into Executive Session at 7:45 pm

\*\*\*\*\*

**Reconvene:**

Council President Johnston reconvened the Governing Body to Open Session at 8:42 pm

\*\*\*\*\*

**Adjournment:**

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There being no further business to come before City Council, Council Member moved, Council Member seconded and carried to adjourn the meeting at 8:45 p.m.

\*\*\*\*\*

Respectfully submitted,

Lucy R. Samuelsen, RMC  
Municipal Clerk  
Approved: 3/23/2023