

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 11, 2024**

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

Roll call was recorded as follows:

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

Also Present: Mayor Tapp, Administrator Frost, City Clerk Samuelson, City Solicitor Smith, and City Engineer Schneider

Absent: Dill

Open Public Meetings Act:

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

Communications:

None

Mayor's Report:

Mayor Tapp thanked City Engineer Schneider and Planner Jim Rutala for their efforts in obtaining a \$900,000.00 grant for the City to pave Bay Avenue from Goll to New Jersey Avenue. He also showed his appreciation towards John Helbig, his wife, and all the volunteers who helped with the City-Wide Clean Up. Next, he announced that they are still looking for volunteers for Bayfest and in the New Jersey Municipalities magazine, the City received an honorable mention for a "Show of Your City" photo submitted by Dan Myers.

Engineers Report:

City Engineer Schneider updated City Council on a few projects. Paving for the Colwick, Devon, Exton and Bala Drive Project is underway; Ocean Avenue Phase 1 has been inspected by the New Jersey

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Department of Transportation and found to be acceptable; and the plan is to start paving Bay Avenue in the Fall.

Committee Reports:

- Council Member Haberkorn reported that the Garden Club has some upcoming events, including a bus trip and the City Garden Tour on 6/22/2024. Next, he mentioned that the Economic Development Advisory Commission received their quarterly update from Performance Marketing and a report is forthcoming. Lastly, he noted that the Historical Society will be open during Bayfest on 4/27/2024 from 10 am to 2 pm and on 6/22/2024 there will be an open house from 10 am to 2 pm.
- Council President Johnston met with the Steering Committee, and they are starting the process of reexamining the City’s Master Plan. They have asked for input from the committees, commissions, and boards. She also attended the Redevelopment Meeting, where they reviewed the request to vacate Dobbs Avenue, and recommended not granting that vacation; and all Council Members concurred. Lastly, they discussed researching commercial property improvement zones, and the ability to obtain grants for those improvements.
- Council Members Owen and McGuigan attended the Recreation Commission meeting and Council Member Owen stated that they are looking into updating the playground equipment at Kennedy Park.

Approval of Minutes:

On the motion of Council Member McGuigan, seconded of Council Member Haberkorn and carried to approve, the Regular Meeting Minutes of 03/28/2024 and Executive Session Meeting Minutes of 3/14/2024 approved as to content only.

Resolutions:

Public Portion Resolutions:

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

Resolution No. 104 of 2024

M/S- Owen/Haberkorn

This resolution was adopted by unanimous vote of those present.

**REGULAR MEETING
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No. 104 of 2024

Subject: Taxes Cancelled and Refunded Block 232, Lot 12.02 & 12.03 a/k/a 50 Mays Landing Rd

Introduced by: Council President Johnston

WHEREAS, the Somers Point Preservation L.P. was granted a long-term tax exemption pursuant to the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended and supplemented, N.J.S.A. 55:14K-1 et seq. (the "HMFA Law") for a project to preserve and significantly rehabilitate a two hundred and twenty-five (225) unit HUD Section 8 housing complex (224 restricted rental units and 1 manager unit) on the Property; and

WHEREAS, the HMFA Law authorizes Payment in Lieu of Tax ("PILOT) Agreements between the Municipality where the property is located and the Sponsor seeking funding in accordance with N.J.S.A. 55:14k-1; and

WHEREAS, the City of Somers Point's City Council passed the requisite Resolution of Need on June 11, 2020, with respect to the proposed project in accordance with N.J.S.A. 55:14k-1 et seq; and

WHEREAS, the Somers Point Preservation L.P. and the City of Somers Point were authorized to enter into a Payment in Lieu of Tax Agreement ("PILOT") pursuant to Section 37 of the HMFA Law" and N.J.S.A. 40A:20-1; and

WHEREAS, a financial agreement between Somers Point Preservation, LP and the City of Somers Point was authorized by Ordinance 24 of 2022, and recorded June 22nd, 2023; and

WHEREAS, pursuant to Resolution 76 of 2024, the City of Somers Point began invoicing Somers Point Preservation L.P. for their Annual Service Charge as of January 1st 2024; and

WHEREAS, pursuant to the aforesaid agreement, Somers Point Preservation L.P. is entitled to total real estate tax exemption during the term of the agreement commencing as of January 1st, 2024; and

WHEREAS, the mortgage company for Somers Point Preservation L.P., has paid what previously would have been the first quarter taxes for 2024; and

WHEREAS, the taxes for the first and second quarter of 2024 should be canceled, and taxes paid for the first quarter in the amount of \$130,125.00, refunded to Somers Point Preservation L.P.'s mortgage company; and

WHEREAS, all future tax billing should be canceled pursuant to the agreement between the City and Somers Point Preservation L.P.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, that the above taxes be canceled and refunded.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

Block	Lot	Owner	Amount	Year
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2032	12.02 & 12.03	Somers Point	\$130,125.00	2024
(cancelled and refunded)			Preservation L.P.	

Total Refunded \$130,125.00

Resolution No. 106 of 2024

M/S- Owen/Haberkorn

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

No. 106 of 2024

Subject: Awarding Bid for Bay Avenue Stormwater Cleaning & Video Inspection

Introduced By: Council Member Dill

WHEREAS, on April 4, 2024 the City of Somers Point received bids for the Bay Avenue Stormwater Cleaning & Video Inspection; and

WHEREAS, Mobile Dredging and Video Pipe of Newfield, New Jersey was the lowest responsible bidder; and

WHEREAS, the City Engineer’s office has recommended that the City award the contract to Mobile Dredging and Video Pipe of Newfield, New Jersey in the amount of \$75,000.00

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

- 1.) The Contract for the Bay Avenue Stormwater Cleaning & Video Inspection is hereby awarded to Mobile Dredging and Video Pipe of Newfield, New Jersey in the amount of \$75,000.00
- 2.) The Mayor and City Clerk are hereby authorized and directed to enter into a formal contract with Mobile Dredging and Video Pipe of Newfield, New Jersey, signing on behalf of the City.

Resolution No. 107 of 2024

M/S- Owen/Haberkorn

This resolution was adopted by unanimous vote of those present.

No. 107 of 2024

Subject: Authorizing Advertising Bids for FY 23 Municipal Aid – Reconstruction of Ocean Avenue – Phase II

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Introduced By: Council Member Dill

WHEREAS, the governing Body of the City of Somers Point has determined that it is the best interest of the City to reconstruct Ocean Avenue from East Atlantic Avenue to Shore Road; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the City Engineer is hereby authorized to prepare plans and specifications for the reconstruction of Ocean Avenue from East Atlantic Avenue to Shore Road; and

BE IT FURTHER RESOLVED that the City Clerk is authorized to advertise for bids in conformance with N.J.S.A. 40A:11-1 et seq., said bids to be received in the City Clerk’s office at a time established thereafter in accordance with the specifications and in conformance with N.J.S.A. 40A:11-1 et seq.

Resolution No. 108 of 2024

M/S- Owen/Haberkorn

This resolution was adopted by unanimous vote of those present.

No. 108 of 2024

Subject: Authorizing Advertising Bids for FY 24 Municipal Aid – Reconstruction of New Jersey Avenue

Introduced By: Council Member Dill

WHEREAS, the governing Body of the City of Somers Point has determined that it is the best interest of the City to reconstruct New Jersey Avenue from Third Street to Bay Avenue; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the City Engineer is hereby authorized to prepare plans and specifications for the reconstruction of New Jersey Avenue from Third Street to Bay Avenue; and

BE IT FURTHER RESOLVED that the City Clerk is authorized to advertise for bids in conformance with N.J.S.A. 40A:11-1 et seq., said bids to be received in the City Clerk’s office at a time established thereafter in accordance with the specifications and in conformance with N.J.S.A. 40A:11-1 et seq.

Resolution No. 109 of 2024

M/S- Owen/Haberkorn

This resolution was adopted by unanimous vote of those present.

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No. 109 of 2024

Subject: Supporting Autism Awareness and Acceptance

Introduced By: Council Member McGuigan

WHEREAS, one in 36 children in the United States have been diagnosed with autism spectrum disorder; and

WHEREAS, individuals living with autism spectrum disorder can achieve independence and live purposeful lives when afforded the support system and opportunities that each and everyone deserves; and

WHEREAS, many individuals and families living with autism know that acceptance is often one of the largest barriers to finding and developing a strong support system; and

WHEREAS, there is no known medical detection or cure for Autism; and

WHEREAS, a variety of public and private organizations and agencies strive to provide quality care and support or services to children and adults with ASD to enable them to live as independently as possible and to reach their full potential; and

WHEREAS, locally in Atlantic County, FACES 4 Autism and nationally organizations such as Autism Speaks, are non-profit organizations dedicated to autism awareness, education, and support of children with Autism and their families, together with other local, state, and national non-profit organizations with similar goals; and

WHEREAS, the ultimate goal is to create a world where everyone in the autism community feels accepted and connected to the support they need when they need it; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Somers Point supports the efforts to increase awareness of autism and recognizes April as Autism Awareness and Acceptance month in the City of Somers Point; and

BE IT FURTHER RESOLVED that the City Council encourages the citizens of Somers Point to seek more information on this condition and to recognize the challenges families face who have been touched by Autism.

Consent Agenda Resolutions:

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

No. 103 of 2024

Subject: Authorization to Apply for and Accept a Neighborhood Preservation Program Grant from the New Jersey Department of Community Affairs Year 4

Introduced By: Council President Johnston

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WHEREAS, the New Jersey Department of Community Affairs is accepting applications for the Neighborhood Preservation Program (NPP) for Year 4; and

WHEREAS, this program focuses on threatened but viable neighborhoods – those neighborhoods that will be able to use the program’s assistance to arrest decline and leverage their existing assets to spur economic development. The program also concentrates on neighborhoods with the potential for mixed use development, to encourage small business job creation and invite greater business and community investment in economic development; and

WHEREAS, successful applicants will receive an award of \$125,000 to be expended over a 12-month grant period from January 1, 2024 through December 31, 2024; and

WHEREAS, this program is available to select municipalities in the State of New Jersey; and

WHEREAS, the City of Somers Point carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community.

NOW, THEREFORE, BE IT RESOLVED that City Council of the City of Somers Point formally authorizes this application.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Somers Point and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

No. 105 of 2024

Subject: Resolution of the City of Somers Point, County of Atlantic, State of New Jersey Authorizing the Disposition of Property No Longer Needed for Public Use

Introduced by: Council President Johnston

WHEREAS, the City of Somers Point has determined that surplus items included in Schedule “A”; and

WHEREAS, N.J.S.A. 40A:11-36 authorizes the disposition of personal property not needed for public use without public sale when the fair value of the property is less than \$6,600.00 (15 percent of the bid threshold with a QPA), and

WHEREAS, the equipment set forth on the attached Exhibit "A", each have a value of less than \$6,600.00; and

WHEREAS, it is in the best interest of the City of Somers Point to dispose of said equipment.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Somers Point, in the County of Atlantic, New Jersey that the obsolete equipment referenced by the City of Somers Point which is no longer needed for public use by the Municipality shall be disposed of according to the manner as prescribed by law.

Schedule "A"

Xerox WorkCentre 5230, Circa 2009 – Hard Drive Removed, No Longer Supported

Xerox WorkCentre 5330, Circa 2010 – Hard Drive Removed, No Longer Supported

Old Business:

None

New Business:

- City Council approved the Social Affair Permit for Roberts Johnson Post 2189 VFW, for an event on 4/27/2024 from 4:00 pm to 10:00 pm.
- City Council approved the Social Affair Permit for 609 Cornhole New Jersey Inc., for an event on 4/27/2024 from 11:00 am to 7:00 pm.
- City Council approved the Social Affair Permit for American Legion Clark Eliason Post 352, for an event on 6/20/2024 from 5:00 pm to 9:00 pm.
- John Helbig, Chair of the Environmental Commission explained in detail the State mandate regarding removal and planting of trees and City Council's need to determine the best way to regulate the mandates. City Council and City Solicitor Smith discussed their next steps.

Discussion of Bills:

Administrator Frost reported a Bill List dated 4/9/2024 in the amount of \$1,166,213.73, and a Record of Payment dated 4/1/2024 in the amount of \$1,516,085.00.

Public Portion:

The meeting was duly opened to the public.

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John Helbig commended City Engineer Schneider and Planner Jim Rutala for their contribution in obtaining the grant for Bay Avenue. Next, he revealed that the Environmental Commission received a \$5,000.00 grant from Sustainable Jersey for improvement plans at the playground behind the Senior Center.

Nelson Dice shared his discontent regarding Oaths of Office.

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

Payment of Bills:

M/S – Owen/Haberkorn

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

Comments from Governing Body:

None

Adjournment:

There being no further business to come before City Council, Council Member Owen moved, Council Member Haberkorn seconded and carried to adjourn the meeting at 7:36 p.m.

Submitted by:

Lucy R. Samuelson, RMC
Municipal Clerk
Approved 4/25/2024