

# REGULAR MEETING MAYOR AND CITY COUNCIL April 22, 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

**Absent:** None

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## 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 limited in person due to the pandemic of COVID-19. Council President Johnston announced the instructions for joining the meeting electronically.

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## Communications:

- Letter dated 4/15/2021, from Mr. Mahoney Regarding Closure of Streets. Council President Johnston read the letter stating the Anchorage Tavern has been selected to have their restaurant filmed for the show Travelocity. They are requesting closure of Bay Avenue from New Jersey Avenue to Delaware Avenue on 5/4/21 from 8-10 AM for filming. Police expenses will be covered by the filming company. Council President Johnston will notify Chief Somers for him to coordinate.

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## Mayor's Report:

Mayor Glasser reported last year, USS Somers planned their reunion in the area, which had to be cancelled due to COVID19. Mayor Glasser has been in contact with the President of the Association, and they are planning to be in the area for this year's reunion on September 12-16, 2021. If COVID 19 restrictions permit, they intend to visit Somers Mansion as well as the Historical Society. Mayor Glasser stated he is looking forward to having them in the City. Mayor Glasser also reported a letter received from County Shared Service Coordinator and mentioned he intends to reach out to him regarding possible future shared service agreements.

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He also mentioned he received notice from Planning Board member Bob Green stating his resignation from the Board.

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## Administrator's Report:

None

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## Solicitors Report:

Solicitor Smith reminded City Council that there is a vacancy on the Economic Development Advisory Commission that needs to be filled.

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## Committee Reports:

- **School Board-** Council Member Ferreri attended the Somers Point Board of Education meeting on 4/15/21 at the Jordan Road School. She reported a 3<sup>rd</sup> grade social studies teacher gave a presentation regarding the yearly walk-through Somers Point where students give a presentation on their favorite things in Somers Point. Kennedy Park, the bike path and living near the bay were on the list of favorites. Council Member Ferreri reported 4/26/21 starts extended school days to five days a week for all three schools. She also mentioned the school budget will be approved 5/6/21 and there will be no increase in taxes to citizens of Somers Point. Council Member Ferreri reported the Dawes Avenue School has awarded the contract for the new roof. A Request for Proposal will be going out soon for solar panels.
- **Steering-** Council President Johnston stated she wants to make residents aware of this committee. She explained the Committee meets once a month to discuss grants. Planner/Grant Consultant Jim Rutala makes the Committee aware of all grants available.
- **Budget-** Council President Johnston reported the budget will not be approved tonight because the City has not received directive from the State on what can be done with the COVID19 stimulus money. She stated the budget will hopefully be approved at the next meeting.
- **Historical Society-** Council Member Bruno commended the Society on an extensive list of accomplishments for the years 2013-2020. She reported the flea market scheduled for 5/15/21 and a pet parade on 6/5/21. She mentioned the Society is facing challenges not being able to hold any events at their location due to COVID19 social distancing requirements. They may apply for permit to hold lectures at Kennedy Park.

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- Council Member Dill reported a ZOOM meeting with NJ Department of Transportation regarding the reconstruction of Route 9 from Chapman Blvd to Route 30 in Absecon. He stated this a long-term project as the plans are not expected to be ready for the next few years around 2025. It will then take an additional five years to complete the work. He stated this will include looking at intersections, handicap ramps, safety hazards and other issues. Council President Johnston mentioned the City had requested the work be extended to Groveland Avenue, however this request was denied by the State.
  
- City Engineer Greg Schneider gave an update to City Council regarding the South Jersey Gas project. They are finalizing the list of roads to be repaved. They are currently bidding the work and are looking to start the work in the next two to three months. He also reported the Rt 9 sidewalk project is scheduled to start next week, weather permitting. He reported Route 9 southbound will be closed with a detour. Route 9 northbound will remain open and the Police Department will be handling traffic control. Engineer Schneider also reported the 2020 Road Program which is the repaving of Horter, Harlan and Cliveden is scheduled to start next week with concrete work first and then repaving.

## **Approval of Minutes:**

On the motion of Council Member Ferreri, seconded of Council Member Dill and carried to approve the Regular Meeting Minutes of 4/8/21.

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## **Ordinances:**

### **Ordinance No. 7 of 2021**

*(Second Reading/Public Hearing/Adoption)*

**M/S-** Ferreri/McCarrie

The ordinance was adopted by a roll call vote of those present with Council Members McGuigan and Bruno voting no.

Council Member McGuigan gave an estimate on potential income from this ordinance. He stated his opposition to this ordinance.

The Public Portion was duly opened.

Ann Carver of 37 Somers Avenue stated her opposition to this ordinance and would like to see a study done before passing the ordinance.

Kathleen Arleth of 829 Bay Avenue stated her opposition to this ordinance and suggested City Council table it and provide definitive specific information regarding income and expenses to operate showing this ordinance is good for the public.

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Nick Regine of 829 Bay Avenue stated his opposition of this ordinance. He would like to see a cost benefit analysis done.

Charlie Falkenstein of 41 Greate Bay Drive commended City Council for a revenue raising idea and voiced his support of the ordinance.

Gary Gray of 28 Somers Avenue stated his opposition to this ordinance and mentioned he will be requesting residential parking spots if this ordinance is passed.

Robert Shore of 55 Higbee Avenue stated his opposition to the proposed ordinance.

Patricia Pierson of Marks Road commended the City Council on keeping the taxes down this year and voiced her support of the proposed ordinance.

Bill Collins of 814 Bay Avenue and 208 Harbour Cove voiced his support of this ordinance and commended City Council for moving forward with it.

James Delfonso of 51 Arkansas Avenue, Ocean City and Chairman of Theatre Collaborative of South Jersey stated his opposition to this ordinance. He mentioned his volunteer employees, actors and participants of programs use this parking lot.

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

Council President Johnston mentioned the Parking Committee has been discussing and researching this for a few months. She also mentioned she had discussions with other small municipalities that have enacted similar ordinances. She stated the Parking Committee will discuss a solution for the issues this may cause for the Gateway Theatre.

Council Member McGuigan made a motion to table the ordinance. The motion was defeated by a roll call vote with Council Member Bruno voting yes to table.

Council Member Dill stated there is an obligation to all taxpayers to come up with ratables to help lower the tax rate. For this reason, he will vote yes on this ordinance. After the ordinance was passed Council Member Dill stated he serves on the Parking Committee and understands the concerns of the theatre and residents. He indicated a yes vote was an attempt to raise revenue and if there is a proven issue with the theatre or residents, he is more than willing to listen and come up with a solution.

**ORDINANCE NO. 7 of 2021  
An Ordinance Establishing Requirements for the Use  
of Municipal Parking Lot and the Imposition of Parking Fees**

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**WHEREAS**, the City of Somers Point (“City”) maintains certain Municipal Parking Lots (“Parking Lots”) within the City, which are used by patrons of various businesses and recreational uses on or near Bay Avenue; and

**WHEREAS**, the City has determined these Parking Lots provide the potential for income in the form of parking fees to City, which income would not only defray the costs of maintenance associated with these parking lots, but would also provide tax relief to the residents of the City; and

**WHEREAS**, the City, in reviewing the matter, has determined that the imposition of certain fees associated with the use of these parking lots would not be detrimental to the businesses, recreational uses or neighborhoods in or around the Bay Avenue area.

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

**SECTION 1.** Chapter 200 of the Municipal Code, with the following provisions, is hereby created for purposes of regulating the use and imposition of fees of the Municipal Parking Lots.

## **§200-1. DEFINITIONS**

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

### **Municipal Parking Lot**

Those parcels identified in the tax map of the City of Somers Point, Atlantic County, New Jersey, initially prepared by John R. Walker, Engineer, in November of 1968, and in use in March of 2021, as Block 1513, Lot 6; Block 1612, Lot 2; and Block 1912, Lot 16.

### **Parking Fee**

Rates charged the general public for the use of the Municipal Parking Lots during those time periods and for those time allotments set forth in this Chapter.

### **Parking Permit**

Parking permit means the prepayment for parking in the Municipal Parking Lots by use of any of the following timed means: parking meter, parking kiosk, or any other manner of prepaid parking

including the use of any type of mobile phone app, electronic or internet technology wherein payment may be made for purposes of parking at said lots.

## **§200-2. PARKING PERMIT**

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A parking permit shall be required for all vehicles parked on Municipal Parking Lots during the hours of 7:00 a.m. to 3:00 a.m. during the period of April 15 through October 31 of each calendar year,

**§200-3. PARKING FEES**

An hourly rate shall be charged for parking motor vehicles on the Municipal Parking Lots in the time period set forth in this Chapter of \$1.00 per hour.

**§200-4. PENALTIES**

Every person convicted of a violation of the provisions of this Chapter relative to the payment of fees for parking on the Municipal Parking Lots shall be liable of a penalty of not more than \$51.00 or imprisonment for a term not exceeding 15 days, or both.

**SECTION 2.** This Ordinance shall take effect upon its final passage and publication as provided by law.

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**Resolutions:**

Council President Johnston stated Resolution No. 89 will be tabled.

Clerk Samuelsen read by title only the list of resolutions.

**Public Portion Resolutions**

Council President Johnston opened to the public.

Hearing nothing further, the public hearing was duly closed.

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**Resolution No. 83 of 2021**

**M/S-** Owen/McCarrie

This resolution was adopted by unanimous vote of those present.

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**No. 83 of 2021**

**Subject: Authorizing the City of Somers Point to Enter Into an Agreement with ParkMobile, LLC through the National Cooperative Purchasing Alliance (NCPA) for Contract #05-50, Integrated Parking Management System.**

**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, the National Cooperative Purchasing Alliance (NCPA) National Purchasing Program has acted as lead agency and awarded Contract # 05-50, Integrated Parking Management System; and

WHEREAS, the City Council has decided to move forward with a paid parking ordinance creating a need for a parking management system for the municipal parking lots; and

WHEREAS, it is recommended that City Council authorize the City's Qualified Purchasing Agent, namely Jason Frost, to enter into a one-year agreement with ParkMobile, LLC for their Integrated Parking Management System for use throughout the City.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Somers Point, New Jersey, that the City Administrator, acting in his capacity as Purchasing Agent, shall be and is hereby authorized to execute an agreement with Park Mobile LLC, 1100 Spring St. NW, Suite 200, Atlanta, Georgia 30308 in accordance with the National Cooperative Purchasing Alliance #005-50, Integrated Parking Management System contract for use by the City of Somers Point.

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**Resolution No. 84 of 2021**

**M/S- Dill/Owen**

This resolution was adopted by unanimous vote of those present.

There was a discussion between Council Member McGuigan and Administrator Frost discussing the details of the resolution.

On the motion of Council Member Dill, seconded of Council Member Owen and carried, to amend the resolution to indicate it is contingent on Recreation Commission approval as advised by Solicitor Smith.

Council Member Dill clarified the City always has an option to go outside the cooperative or State Contract.

**No. 84 of 2021**

# REGULAR MEETING MAYOR AND CITY COUNCIL April 22, 2021

**Subject: Authorizing the City of Somers Point to Enter into an Agreement with TAPCO through the Omnia Partners National Purchasing Cooperative for Contract #2020-200, for Traffic Control Products and Related Products and Solutions.**

**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, the Omnia Partners National Purchasing Cooperative has acted as lead agency and awarded Contract #2020-200, for Traffic Control Products and Related Products and Solutions; and

WHEREAS, the City Council has decided to move forward with automating the City’s Boat Ramps creating a need for a contractor to provide, construct, and install two automated boat ramp gates; and

WHEREAS, it is recommended that City Council authorize the City’s Qualified Purchasing Agent, namely Jason Frost, to enter into an agreement with TAPCO for their Traffic Control Products and Related Products and Solutions for use throughout the City.

Item	Description	Quantity	Total Price
	Equipment	2 Sites	\$116,810.17
	Civil infrastructure	2 Sites	\$8,807.00
	Installation	2 Sites	\$18,359.00
			\$143,976.17

Total Amount of Omnia Partners Contract 2020-200, Traffic Control Products and Related Products and Solutions; to TAPCO.....	<u>\$143,976.17</u>
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NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Somers Point, New Jersey, that the City Administrator, acting in his capacity as Purchasing Agent, shall be and is hereby authorized to execute an agreement with TAPCO , 5100 W. Brown Deer Rd. Brown Deer WI 53024 in accordance with the Omnia Partners National Purchasing Cooperative for Contract #2020-200, for Traffic Control Products and Related Products and Solutions contract for use by the City of Somers Point.

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**Resolution No. 85 of 2021**

**M/S- Owen/Ferreri**

This resolution was adopted by unanimous vote of those present.

**No. 85 of 2021**

**Subject: A Resolution Appointing Kelley Blanchet, Esquire, as the Municipal Prosecutor for the City of Somers Point Pursuant to N.J.S.A. 2B:12-27**

**Introduced by: Council President Johnston, Council Members McGuigan and McCarrie**



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**WHEREAS**, N.J.S.A. 2B:12-27 provides that the governing body of municipality may appoint a municipal prosecutor for the purposes of representing the municipality, county and State in the Municipal Court regarding matters within the jurisdiction of said Court; and

**WHEREAS**, the Somers Point City Council has determined that it is in the best interests of the City of Somers Point that a Municipal Prosecutor be appointed; and

**WHEREAS**, City Council has previously appointed William Reynolds, Esquire, of Brigantine, New Jersey, as Municipal Prosecutor for the City of Somers Point; and

**WHEREAS**, Mr. Reynolds has tendered his resignation from the position as Municipal Prosecutor effective March 31, 2021; and

**WHEREAS**, City Council is desirous of appointing Kelley Blanchet, Esquire, as Municipal Prosecutor; and

**WHEREAS**, Kelley Blanchet, Esquire, fulfills all of the requirements of N.J.S.A. 2B:12-27 to serve as Municipal Prosecutor.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Somers Point that Kelley Blanchet, Esquire, shall be and is hereby appointed as Municipal Prosecutor to serve as the Municipal Prosecutor for the City of Somers Point, pursuant to N.J.S.A. 2B:12-7, commencing April 1, 2021, and continuing through December 31, 2021, or until such time as a successor is appointed.

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**Resolution No. 86 of 2021**

**M/S- Dill/Owen**

This resolution was adopted by unanimous vote of those present.

Council Member Dill stated this was a budgeted item under the Capital Budget.

**No. 86 of 2021**

**Subject:                   Awarding Bid for the Sanitary Sewer Gravity Main Rehabilitation**

**Introduced by:       Council Members Dill, McGuigan and Owen**

**WHEREAS**, on April 15, 2021 the City of Somers Point received bids for the Sanitary Sewer Gravity Main Rehabilitation project; and

**WHEREAS**, En-Tech Corp. Hughes Electric Co., LLC of Closter, New Jersey was the lowest responsible bidder; and

**WHEREAS**, the City Sewer Utility Engineer's office has recommended that the City award the contract to En-Tech Corp in the amount of \$167,042.50.00.

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

- 1.) The Contract for the Sanitary Sewer Gravity Main Rehabilitation project is hereby awarded to En-Tech Corp of Closter, New Jersey in the amount of \$167,042.50.
- 2.) The Mayor and City Clerk are hereby authorized and directed to enter into a formal contract with En-Tech Corp, signing on behalf of the City.

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**Resolution No. 87 of 2021**

M/S- Owen/Dill

This resolution was adopted by unanimous vote of those present.

**No. 87 of 2021**

**Subject: Authorizing Advertising Bids for FY 19 Bikeways Grant – Mays Landing Road Bike Lanes**

**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 construct bike lanes along Mays Landing Road using funding from FY 2109 Bikeways Grant; 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 FY 19 Bikeways Grant – Mays Landing Road Bike Lanes

**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.

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**Resolution No. 88 of 2021**

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

**No. 88 of 2021**

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**Subject: Change Order 1 – Contract No. 106 – 2020 Stormwater Cleaning and Video Inspection**

**Introduced by: Council Member Dill**

**WHEREAS**, in accordance with Resolution 136 of 2020, Mobile Dredging and Video Pipe Services, Inc., of Newfield, New Jersey was awarded the contract for the 2020 Stormwater Cleaning and Video Inspection project; and

**WHEREAS**, during the course of construction changes were made to reflect as-built quantities; and

**WHEREAS**, the City Engineer has recommended approval of these changes; and

**WHEREAS**, those changes have resulted in a change of the contract amount as follows:

Contract Amount	\$56,600.00	
Change order 1	-\$5,605.59	
Revised Contract Amount	\$50,994.41	
Total Deduction: \$5,605.59	Total Additional: \$0	Net Change: -9.90%

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point that the above listed change to the contract for the 2020 Stormwater Cleaning and Video Inspection project is hereby approved and that the Mayor is hereby authorized and directed to execute all documents in this regard on behalf of the City.

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**Resolution No. 89 of 2021**

**M/S-**

This resolution was tabled.

**No. 89 of 2021**

**Subject: Authorizing the Mayor to Execute a Third Amendment to the Redevelopment Agreement Between Bayview Court Urban Renewal LLC and the City of Somers Point and Confirming the Consent of the City of Somers Point to permit Bayview Court Urban Renewal LLC to obtain a supplemental loan and mortgage through Berkadia Commercial Mortgage LLC and the Federal Home Loan Mortgage Corporation (FREDDIE MAC) in the amount of \$3,912,000 for the purpose of retiring and refinancing an existing Construction Loan.**

# **REGULAR MEETING MAYOR AND CITY COUNCIL April 22, 2021**

**Introduced by: Council President Johnston**

**WHEREAS** the City of Somers Point ("City") entered into a Redevelopment Agreement ("Agreement") with Bayview Court Urban Renewal LLC ("Redeveloper") and an Agreement entitled Long Term Tax Exemption & Capital Contribution Agreement on May 3, 2016, regarding Block 1114, Lots 3, 4.01, 4.02, 4.03 and 4.04 more commonly identified as 555 Shore Road, Somers Point, New Jersey ("Property"); and

**WHEREAS** the Agreement provided for certain restrictions regarding financing and refinancing of acquisition and construction debt and further provided that any foreclosure or tendering of a deed-in-lieu of foreclosure would constitute a default under the Agreement; and

**WHEREAS** by Ordinance 22 of 2017 the Somers Point City Council (hereinafter "City Council" or "governing body") did approve and authorize a First Amendment to the Agreement dated December 20, 2017 to grant additional time to reach certain construction and improvement milestones contemplated by the Agreement (the "First Amendment"); and

**WHEREAS** on March 28, 2019, the governing body adopted Resolution No. 86 of 2019 authorizing the execution of a Second Amendment to the Agreement to permit Redeveloper to accomplish refinancing of its existing debt in the principal amount of \$18,500,000 dated as of March 21, 2019 and amending Section 5.2.2(i) and Section 9.3 of the Agreement which was executed and delivered on April 17, 2019 (the Second Amendment); and

**WHEREAS** the Redeveloper the Redeveloper has applied to Berkadia Commercial Mortgage LLC and the Federal Home Loan Mortgage Corporation (FREDDIE MAC) for a supplemental loan in the amount of Three Million Nine Hundred - Twelve Thousand Dollars (\$3,912,000) ("the "Supplemental Loan") for the purpose of paying off a prior Construction Loan Noted dated February 6, 2018 and Note Amendment dated April 2019 between John F. Leonard and SGR Investments LLC in the aggregate amount of Three Million Six Hundred Thirty Thousand Dollars (\$3,630,000) including accrued interest, as of March 31, 2021; and

**WHEREAS** this Supplemental Loan does not permit the Redeveloper to obtain any cash proceeds from the refinancing but rather only allows the Redeveloper to recast existing debt by converting same into a new loan; and

**WHEREAS**, in order to comply with the requirements of the new lender the Redeveloper has requested that the City confirm by Resolution that the closing on this Supplemental Loan will not result in a breach of the Agreement or an event of default;

**WHEREAS**, City Council has considered the above request, the written letter of Keith A. Davis, Esquire, dated April 7, 2021, supplemental email correspondence from Keith A. Davis, Esquire, and Jessica Witmer which includes the mortgage commitment from Berkadia Commercial Mortgage LLC, the Supplemental Loan Agreement, and related attachments, the SGR construction loan payoff figures, and the preliminary HUD-1, and has heard the presentation by Redeveloper's counsel in a public meeting, and received the comments of the City Administrator and the City Redevelopment Solicitor; and

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**WHEREAS**, City Council has determined that it is in the best interest of the City to promote and enhance the financial stability and viability of the Project by approving the Third Amendment to facilitate the Redeveloper's ability to continue to diligently pursue the construction milestones set forth in the First Amendment and therefore it is in the public interest to do so; and

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of SomersPoint that the City Council does hereby consent and approve the Redeveloper's Supplemental Loan to pay off and replace an existing construction loan through Berkadia Commercial Mortgage LLC and Federal Home Loan Mortgage Corporation (commonly known as Freddie Mac), notwithstanding any language within the Redevelopment Agreement that might be interpreted to the contrary; and

**BE IT FURTHER RESOLVED** that the Mayor shall be and is hereby authorized to execute a Third Amendment to the Redevelopment Agreement to amend Section 9.1 by adding the following language at the end of the Section to read as follows:

“Notwithstanding the foregoing and subject to the consent of the City of the new party in possession, which consent shall not be unreasonably withheld, the City agrees that a

Foreclosure by Berkadia Commercial Mortgage LLC, Federal Home Loan Mortgage Corporation, or their successors and/or assigns as their interest may appear (collectively, the "New Lender"), in connection with that certain supplemental loan in the original principal amount of \$3,912,000 dated as of April \_\_, 2021, or the acceptance by the New Lender of a deed-in-lieu of foreclosure, shall not constitute a default as set forth in Paragraph 8.1.”; and

**BE IT FURTHER RESOLVED** that no further amendments to the Redevelopment Agreement shall be considered by the governing body of the City of Somers Point unless the Redeveloper shall provide adequate advance notice of the request to amend, the basis for the request, and shall allow for review of all draft documents or commitments which Redeveloper may be required to execute and deliver, permitting the City Administrator and Solicitor the opportunity to review and comment to ensure that any such modifications shall not substantially reduce the rights of the City as required by Section 9.4 of the Redevelopment Agreement; and

**BE IT FURTHER RESOLVED** that nothing contained herein or in the First, Second or Third Amendments is to be construed as a waiver of any rights available to City or Redeveloper under the terms and conditions of the Long Term Tax Exemption & Capital Contribution Agreement, the First Amendment to the Long Term Tax Exemption & Capital Contribution Agreement, the Redevelopment Agreement, the First Amendment or Second Amendment, nor a waiver by the City of enforcement of any term or provision or of any future failure of Redeveloper to adhere to the terms and conditions of this Agreement, the Long Term Tax Exemption & Capital Contribution Agreement, the First Amendment to the Long Term Tax Exemption & Capital Contribution Agreement, the Redevelopment Agreement, the First Amendment and the Second Amendment, or the Redevelopment Plan.

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**Resolution No. 90 of 2021**  
**M/S- McCarrie/Owen**

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

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**No. 90 of 2021**

**Subject: Requesting that the Planning Board offer a Proposal to Consolidate and Simplify Area and Bulk Requirements of all Zoning Districts**

**Introduced By: Council Member Sean T. McGuigan**

**WHEREAS**, the Governing Body of the City of Somers Point seeks to encourage responsible and smart development within the City; and

**WHEREAS**, Chapter 114 of the City's Code dictates the Development Regulations across the various Zoning Districts of the City and can be difficult to interpret; and

**WHEREAS**, modifications of Chapter 114 will allow the Zoning and Planning Boards to operate more efficiently while also allowing potential developers to understand the requirements of the Code more readily.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point that the Governing Body is requesting that the Planning Board review Chapter 114 (Development Regulations) of the Code of the City of Somers Point and provide a proposed method of consolidating and simplifying the Area and Bulk requirements of all Zoning Districts into a more concise and easier to read form.

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**Resolution No. 91 of 2021**

**M/S- McCarrie/Ferreri**

This resolution was adopted by unanimous vote of those present.

**No. 91 of 2021**

**Subject: Tax Overpayment Refund**

**Introduced by: Council President Johnston and Council Member McGuigan**

**WHEREAS**, the below listed overpayment for the years designated is held in reserve by the City of Somers Point; and

**WHEREAS**, the property tax payments were overpaid inadvertently by the owner creating an overpayment on the 1<sup>st</sup> quarter 2021 and;

**WHEREAS**, the property owners has requested the overpayment be refunded to Samantha D. Wallace.

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**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point that the following overpayment be refunded to Samantha D. Wallace.

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

<b>Block</b>	<b>Lot</b>	<b>Property Owner</b>	<b>Amount</b>	<b>Year</b>
1231.01	9	Samantha D. Wallace	\$1,675.67	2021
			<b>Total:</b>	<b>\$1,675.67</b>

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**Resolution No. 92 of 2021**

**M/S- Dill/Ferreri**

This resolution was adopted by unanimous vote of those present.

**No. 92 of 2021**

**Subject: Authorizing the Cancellation and/or Refund of Taxes under The Disabled Veterans Act (N.J.S.A. 54:4-3.30 et seq.: L.1948, c 259 as amended)**

**Introduced by: Council President Johnston and Council Member McGuigan**

WHEREAS, the property owner at 313 Harbour Cove qualifies as the widow of a disabled veteran.

WHEREAS, the owner has filed all of the forms and provided all the necessary documentation for tax exemption; and

WHEREAS, a portion of the taxes for 2020 should be refunded in the amount \$820.60 and a portion of the 2021 taxes should be refunded in the amount of \$1,342.80 and remaining quarter of 2021 taxes should be canceled and;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point, that the above taxes be canceled and the tax overpayments be refunded to the property owner.

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

<b>Block</b>	<b>Lot</b>	<b>Owner</b>	<b>Amount</b>	<b>Year</b>
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1211	1	Carol A. Byrne	\$ 820.60	2020
			\$1,342.80	2021
		TOTAL	\$2,163.40	

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**Resolution No. 93 of 2021**

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

**No. 93 of 2021**

**Subject: Authorizing RFP's for Authorizing the Use of Merchant/Credit Card Services for the City Clerk's Office.**

**Introduced By: Council President Johnston and Council Members Dill and McGuigan**

**WHEREAS**, the City of Somers Point is interested in stream lining the Municipal Clerk's Office by accepting payments utilizing debit and credit cards; and

**WHEREAS**, this effort will provide convenience to the public; and

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

1. The City Clerk is hereby directed to advertise the Requests for Proposals the Authorizing the Use of Credit and Debit cards for the City Clerk's Office.
2. Said advertisement shall be published as soon as possible, but no later than April 30, 2021.
3. All proposals must be received by the City Clerk no later than 3:00 p.m. on April 30<sup>th</sup>, 2021 at which time they will be publicly opened, announced, and recorded in the City Council Chambers.

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**Old Business:**

- Consulting Party Ocean Wind LLC – the City has complied with the 4/29/21 deadline and has been named as a consulting party on the project. Administrator Frost has posted



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the full notice on the announcement page of the City's website as well as the email for comment from the public. Council President Johnston appointed a subcommittee consisting of she, Council Members Ferreri and Owen. Council President Johnston will also ask for public participation.

- Council Member Ferreri thanked the Chief Somers and the Police Department for placing the electronic speed monitor on Broadway.

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## **New Business:**

- Public Private Partnership – Municipal Facilities- Administrator Frost reported he, Council Members Dill, McGuigan and previous Administrator Swain met with a private developer who has worked to develop municipal facilities throughout the region, specifically in N.J. Administrator Frost has had a few discussions with Business Administrators throughout the State who have had successful projects with this partner. One of these Administrators would like to give a presentation to City Council about the recent construction. Administrator Frost would like to move forward if City Council concurs. Council Member McGuigan wanted to inform all members of Council this is a unique way to replace City Hall as opposed to trying to bond, which may be difficult. He stressed that although Council is not committing to anything tonight, this is a big step. He encouraged any member of Council to reach out to the budget committee if they would like more information. Council President Johnston mentioned this is something that needs to be addressed as the City is spending money to fix things that should be replaced. Council Member Dill agrees to investigate options for replacing the building. He mentioned many issues in various departments and thinks it is not financially prudent to continuing repairing things instead of replacing.
- Redevelopment Zones- this matter was tabled until the next meeting to allow time for the Engineer to investigate.
- Council Member McCarrie reported several residents have asked him about a dog park in Somers Point. He requested a committee to be appointed to see the feasibility of where one could be located as well as costs to maintain and possible fees to be charged. The committee will consist of Council Members Dill, McCarrie and Owen. Council Member McGuigan mentioned the wooded area near the Defeo Lane property and questioned if this could be a viable spot for a dog area.
- Council Member McCarrie would like to see residents show appreciation to the Police Department. Council Member McGuigan concurred with Council Member McCarrie. Council Member Owen also gives his support to the Police Department.

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**Discussion of Bills:**

Administrator Frost reported a Bill List dated 4/20/2021 in the amount of \$1,668,212.01.

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**Public Portion:**

The meeting was duly opened to the public.

Patricia Pierson of Marks Road likes the idea of a dog park as well as showing appreciation to the Police Department. She would also like the City to congratulate the Anchorage for their feature on Travelocity. She also mentioned allowing summer permits to allow for certain businesses to operate during the summer season.

Keith Davis on behalf of Bayview Court Urban Renewal LLC, stated him and his client Jack Leonard and his son Scott are in attendance as they were hopeful the Governing Body was going to act on Resolution 89 of 2021. Mr. Davis gave a recap on the Redevelopment Agreement between Bayview Court Urban Development and the City of Somers Point. He mentioned Mr. Leonard would like to refinance some of his debt to secure permanent fixed financing. Mr. Leonard hoped the City would approve the Resolution subject to the review of the attorneys. Council President Johnston thanked Mr. Leonard for the job done on this project and mentioned she appreciates the improvements. Solicitor Smith stated he and Administrator Frost did not have enough time to review the documents and is not comfortable approving this at this time. Solicitor Smith does not recommend passing a Resolution contingent on the approval of attorneys and gave his apologies that this cannot be done tonight.

Theresa Dougherty of 26 Dogwood Drive mentioned while she respects the need to support our Police Department, she asks that the Black Lives Matter movement also be supported.

Captain Mike of 2 Somers Avenue who also runs a business out of a marina on Bay Avenue stated his opposition to Ordinance 7. He asked about the rules and regulations and how they will be administered.

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

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**Payment of Bills:**

**M/S** – Owen/McCarrie

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.

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**Adjournment:**

There being no further business to come before City Council, Council Member Ferreri moved, Council Member McCarrie seconded and carried to adjourn the meeting at 9:12 p.m.

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Submitted by:

Lucy R. Samuelsen, RMC  
Municipal Clerk  
Approved: 5/13/2021