

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

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

Roll call was recorded as follows:

Present: Dill, D'Adamo, Gerety, Smith, Toto, McGuigan

Also Present: Mayor Glasser, Administrator Swain, Clerk Samuelson, Deputy Clerk Mollenkopf

Absent: Tapp

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.

Special Guest Speaker: Police Chief Boyd addressed City Council regarding the police department purchasing Narcan. Unfortunately, 90% of heroin has the deadly drug fentanyl in it. The ambulance crew will still carry Narcan; however, with the police trained in administering Narcan, they will be able protect the public, police officers and K-9 officers. The Governing Body and Chief Boyd discussed the purchase, storing, administering and lifesaving effects of Narcan. Mayor Glasser, City Council President McGuigan and City Council thanked Chief Boyd.

Public Portion on Resolution:

Meeting was opened to the public regarding Resolution No. 100 of 2017, and hearing no comments, duly closed.

Resolution No. 100

M/S – Toto/Gerety

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

City Councilman Toto mentioned that it's great to see someone so young involved in an important campaign. Mayor Glasser mentioned that Mr. and Mrs. Elliott continue to lead the HERO campaign against drinking and driving. He congratulated her noting that she is a very special person and is pleased that she received the award. Council President McGuigan is impressed by this generation for their responsibility when drinking alcohol. He commended her for taking a leadership role and mentioned that our home town is proud of you. Mayor Glasser and City Councilman Toto proudly presented Ms. Francesco the resolution with a round of applause. Vanessa Francesco thanked the Governing Body for inviting her to the meeting. She

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

stated that it's exciting to be a part of this great campaign for designated driving and to represent Somers Point.

No. 100 of 2017

ACKNOWLEDGING VANESSA FRANCESCO AS THE WINNER OF STOCKTON UNIVERSITY'S 2017 HERO OF THE YEAR

Introduced By: MAYOR AND COUNCIL

WHEREAS, the HERO Campaign was established by the family of Navy Ensign John Elliott, of Egg Harbor Township, who was killed by a drunk driver July of 2000, two months after graduating from the United States Naval Academy

WHEREAS, the campaign is now saving lives in seven states in partnership with law enforcement; schools and colleges; federal and state highway safety organizations; the licensed beverage industry; professional sports teams and others; and

WHEREAS, since its inception in 2000, the HERO Campaign has grown into a major grassroots movement to prevent impaired driving that has received national recognition and awards and has also helped to reduce alcohol-related fatalities and incidents, including a 35 percent reduction in DUI fatalities in New Jersey and other states over the past decade; and

WHEREAS, Vanessa Francesco, a health science major from Somers Point has been named Stockton University's 2017 HERO of the Year having been selected by a panel of Stockton administration, HERO Campaign staff and the 2016 Stockton HERO winner; and

WHEREAS, the Stockton HERO of the Year is a student who exemplifies 'HERO' qualities in serving as a safe and sober designated driver for friends and family; and

WHEREAS, John R. Elliott, founder of the HERO Campaign for Designated Drivers said "Vanessa's example of being a designated driver and encouraging others to take the pledge is changing people's behavior. It only takes one person to make a difference"; and

Now, therefore, it is hereby **RESOLVED** that the Mayor and Council of the City of Somers Point congratulate Vanessa Francesco on receiving this honor from Stockton University, commend her for the example she has given to others, and wish to acknowledge her for embodying those principles which bring pride to the residents and reflect well on our City; and

Be it further **RESOLVED** that we extend our best wishes to Vanessa Francesco in her further endeavors.

Communications:

None

Mayor's Report:

Mayor Glasser encouraged everyone to attend the annual famed Bayfest event this Saturday from 10:00 a.m. to 5:00 p.m. Mayor Glasser received a response letter from the Secretary of Defense regarding bringing the remains of the USS Intrepid home to Somers Point. The letter acknowledged his request and indicated a more detail response will be forthcoming. Additionally, Mayor Glasser will attend the upcoming Atlantic County Mayors' Association regarding Atlantic City's Pilot Program.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

Administrator's Report:

None

Committee Reports:

City Councilman Smith indicated that he was not able to attend the latest Economic Development Advisory Commission (EDAC) meeting.

Approval of Minutes:

M/S – Gerety/Toto

Minutes of 1/12/17 were approved by a unanimous vote of those present.

Ordinances:

No. 7 - First Reading/Introduction

M/S – Smith/Toto

City Council President McGuigan mentioned this was brought to him from the Green Team and the Harbor Master from their concern regarding the environment. City Council discussed

Ordinance No. 7 of 2017

An Ordinance Amending and Supplementing Somers Point Municipal Code
Chapter 117 "Disorderly Conduct" to Add Section 117-15 "Release of Balloons" and
Repealing all Ordinances Inconsistent Therewith

Whereas, environmental groups and animal protection activists say released balloons often land in the ocean, where marine mammals, turtles and other sea life can become entangled in them or ingest them and die; and

Whereas, birds, turtles and other animals commonly mistake balloons for food, which can harm or even kill them and in addition, many animals can become entangled in balloon strings, which can strangle them or hurt their feet and hands; and

Whereas, the UK Marine Conservation Society has reported that an infant sperm whale met its death in New Jersey in 1985 as a result of ingestion of an inflated mylar balloon which had lodged in its intestines and died of starvation. Also that the following species, all of which

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

occur in the North East Atlantic waters off the UK, have been reported with latex balloons in the digestive systems:

- Common Dolphin
- Risso's Dolphin
- Loggerhead Turtle
- Leatherback Turtle
- Blue Shark
- Northern Fulmar

All seven species of marine turtle are near extinction and many turtles of two species in particular, the Loggerhead and Leatherback turtle, have been found with balloons in their guts, probably having mistaken them for jellyfish, their preferred prey; and

Whereas, each of those species are also present along the coast of New Jersey; and

Whereas, the U.S. Fish and Wildlife Service reported on August 5, 2015 that "more than a hundred balloons had recently been collected at Edwin B. Forsythe National Wildlife Refuge in New Jersey at a cleanup, and that's just the number that made it to this one particular beach." and

Whereas, it is the policy of the governing body of the City of Somers Point to protect the general health and safety of the general public and of the environment.

Now, therefore, it is hereby **ORDAINED** by the Common Council of the City of Somers Point, County of Atlantic, State of New Jersey that:

SECTION 1: Amendment to Somers Point Municipal Code Chapter 117.

Chapter 117 of the Somers Point Municipal Code is amended to add Section 117-15 "Release of Balloons" as follows:

Section 117-15 Release of Balloons.

A. Purpose and Intent: This Section is adopted in order to protect the environment, particularly the wildlife, and the health, safety and well-being of persons and property by prohibiting the release of helium balloons into the atmosphere, including latex and mylar, as it has been determined that the release of balloons inflated with lighter-than-air gases pose a danger and nuisance to the environment, particularly to wildlife and marine animals so as to constitute a public nuisance and may pose a threat to the safety of its inhabitants and their property.

B.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

C. Prohibited Releases: It shall be unlawful for any person, firm or corporation to intentionally release, organize the release, or intentionally cause to be released balloons inflated with a gas that is lighter than air within the City of Somers Point city limits, except for:

- (a) Balloon released by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes.
- (b) Hot air balloons that are recovered after launching.
- (c) Balloons released and kept indoors.

SECTION 2: All other provisions of Chapter 117 not modified or amended by this Ordinance shall remain in full force and effect and shall apply to this amendment upon the effective date of this Ordinance.

SECTION 3: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 4: 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.

No. 8 - First Reading/Introduction

M/S – Toto/Dill

City Council President McGuigan indicated that this was generated from the Veteran Community and Councilman Dill, which gives the City an opportunity to help out while our military is serving our Country.

Ordinance No. 8 of 2017

An Ordinance

Amending and Supplementing Somers Point Municipal Code Chapter 212 “Sewers” to add an Article VIII "Military Deployment User Rate Discount" and Repealing all Ordinances Inconsistent Therewith

Whereas, Congress designated May as National Military Appreciation Month in 1999 to ensure the nation was given the opportunity to publically demonstrate their appreciation for the sacrifices and successes made by our service members - past and present; and

Whereas, the governing body of the City of Somers Point joins in recognizing and honoring the United States Armed Forces; and

Whereas, service in the Armed Forces entails special hazards and demands extraordinary sacrifices from service members and their families; and

REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017

Whereas, the support of the families of service members enhances the effectiveness and capabilities of the Armed Forces;

Whereas, on November 14, 2016 Assembly Bill 3534 was passed by both the New Jersey Senate and the New Jersey House of Representatives and was signed into law by Governor Christie on January 9, 2017 amending N.J.S. 40A:26A-10.1 and granting the authority to any local unit operating a county or municipal sewerage facility to establish within its district rates or schedules which provide for a reduction, deferment without interest, or total abatement to any person who is enlisted in any branch of the United States Armed Forces to be effective during the period of time in which that person is deployed for active service in time of war; and

Whereas, the City of Somers Point does provide wastewater collection service through its Sewer Utility; and

Whereas, in order to support those military personnel and their families residing within the home to which sewer service is provided by the City this governing body deems it prudent to offer a discount in the amount of fifteen percent (15%) of the annual sewer user charge which shall be available to any resident who:

- i) owns or is the lessee of the property to which sewer service is being provided and in whose name the service is listed for billing prior to and during the time of deployment;
- ii) is enlisted or actively serving in any branch of the United States Armed Forces;
- iii) who is deployed for active service in time of war; and
- iv) whose sewer billing is current at the time of the application if a lessee; and whose sewer billing and real estate tax payments are current at the time of the application if the owner of the property, and all remain current throughout the period of eligibility.

The request may be applied for by the military personnel or his or her spouse or immediate family member residing in the home on forms to be provided by the Somers Point Tax Collector and including a true copy of the deployment papers. No refunds or retroactive adjustments shall be made or applied by the City. The discount shall be in the form of a credit against future sewer bills commencing upon the effective date of approval by the Tax Collector.

Now, therefore, it is hereby **ORDAINED** by the Common Council of the City of Somers Point, County of Atlantic, State of New Jersey that:

SECTION 1: Amendment to Somers Point Municipal Code Chapter 212.

Chapter 212 of the Somers Point Municipal Code "Sewers" is amended to add an Article VIII "Military Deployment User Rate Discount" as follows:

Article VIII Military Deployment User Rate Discount.

Section 212-24 User Rate Discount.

Notwithstanding anything to the contrary contained within Article V of Code Chapter 212:

A) any person who is enlisted or actively serving in any branch of the United States Armed Forces and is deployed on active service during time of war shall be eligible to apply for a military discount in the amount of fifteen percent (15%) of the annual sewer user charge which shall be subject to proof of active service and which shall be pro-rated to apply from the date of

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

approval of the request and thereafter only during the time of active service deployment during time of war.

B) Application shall be made by the enlisted individual, his or her spouse, or a member of the military personnel's immediate family and shall be submitted on forms provided by the Somers Point Tax Collector accompanied by proof of active deployment and proof of ownership of the property by the service person to which sewer service is being provided at the time of and during the deployment or proof that the service person is the Lessee of a property who was named as the responsible party on the Somers Point Sewer bill prior to and during the time of deployment.

C) An application for the Military User Charge Discount shall be filed for each calendar year and any person receiving the discount shall inform the Somers Point Tax Collector promptly upon the end of deployment.

D) An application received during any calendar year shall be prorated from the effective date of approval through to the end of the calendar year; and any notice of termination of deployment shall likewise be prorated commencing upon the date of the end of deployment.

E) There shall be no retroactive application accepted or retroactive discount given. The discount shall be applied in the form of a credit on future sewer bills commencing upon the effective date of approval by the Tax Collector.

F) In order to be eligible all sewer billings, real estate taxes or other payments or assessments due to the City for which the service person lessee or owner is responsible shall be current; and shall continue to be current during deployment in order to continue to be eligible for the discount.

SECTION 2: Effective Date.

This Ordinance amendment shall be effective on the first day of June, 2017 and shall continue in full force and effect until amended or repealed by City Council action.

SECTION 3: All other provisions of Chapter 212 not modified or amended by this Ordinance 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.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

Public Portion on Resolutions:

Meeting was opened to the public regarding the Resolutions on the agenda, and hearing no comments, duly closed.

Consent Agenda:

None

RESOLUTIONS:

Resolution No. 92

M/S – Toto/Dill

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

No. 92 of 2017

Subject: Self-Examination of the 2017 Budget

Introduced By: Council President McGuigan, Councilmen Dill and Gerety

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the City of Somers Point has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2017 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the City of Somers Point that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Resolution No. 93

M/S – Gerety/Toto

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

No. 93 of 2017

Subject: Read Budget by Title

WHEREAS, N.J.S 40A:4-8 provides that the budget be read by title only at the time of the public hearing if the resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of the hearing a complete copy of the approved budget as advertised has been posted in City Hall and copies have been made available by the City Clerk to persons requiring them; and

WHEREAS these two conditions have been met;

NOW THEREFORE, BE IT RESOLVED that the budget shall be read by title only.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

Public Hearing for Municipal Budget of 2017

Councilman Toto motioned, seconded by Councilman Dill and carried to open to the public for the Public Hearing of the Municipal Budget of 2017. Hearing nothing from the public, the public hearing was duly closed.

Wes Swain, City Administrator, reported the proposed budget is \$15,787,832.98 and the Sewage Utility budget is \$2,529,999.39 that includes a six year capital plan. The proposed budget rate is .9221 with a 1.05 cent increase from last year with a difference of 1.71%. The amount to be raised by taxation is \$10,752,426.87. Mr. Swain added that there were many budget meetings that concluded with an increase of \$28.49 for local taxes per year with a house assessed at \$212,282.41.

On the motion of Councilman Gerety, seconded of Councilman Dill to adopt the Municipal Budget of 2017. The Municipal Budget was adopted by unanimous vote of those present.

Resolution No. 94

M/S – Dill/Toto

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

Greg Schneider, City Engineer, explained that there was more work needed to the unforeseen condition of the pipes.

No. 94 of 2017

Subject: Change Order – Contract No. 41 – 2016 Stormwater Repairs

WHEREAS, in accordance with Resolution 186 of 2016, Seashore Mechanical, Inc. of Egg Harbor City, NJ was awarded the contract for the 2016 Stormwater Repairs for the sum of \$107,888.20; 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:

Base Contract	\$107,888.20
---------------	--------------

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

Change order 1
(to reflect as-built quantities) \$10,756.80

Revised Contract Amount \$118,645.00

Total Deduction: \$0 Total Additional: \$10,756.00 Net Change: 9.97%

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the above listed change to the contract for 2016 Stormwater Repairs is hereby approved and that the Mayor is hereby authorized and directed to execute all documents in this regard on behalf of the City.

Resolution No. 95 – Tabled until next City Council meeting of 5/11/17.

Resolution No. 96

M/S – D’Adamo/Toto

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

AUTHORIZING EXECUTIVE SESSION

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, 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 one (1) topic which involve the negotiations between the City and PBA 77 and is a matter permitted by N.J.S.A. 10:4-12(b) as an exception to public meetings is necessary to be discussed without the public in attendance during an Executive Session to be held on April 27, 2017 during a public meeting to be held commencing at 7:00 P.M, and

WHEREAS, the nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box within which the **number of issues** to be privately discussed that fall within that exception shall be written, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

1 “(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

terms and conditions with employees or representatives of employees of the public body”

The terms and conditions of three separate Collective Bargaining Agreements between the City of Somers Point and PBA 77 [Patrolpersons and Dispatchers / Supervising Officers / Superior Officers] may be discussed.

WHEREAS, the length of the Executive Session is estimated to be approximately 20 – 30 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 reasons;

BE IT FURTHER RESOLVED that the City Council directs the City Clerk to make ten (10) photocopies of this resolution immediately after it passes and to distribute those photocopies to the public in attendance prior to the Executive Session commencing.

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 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)

Subject of Discussion	Estimated Date	Necessary Occurrence
See #4 above	Upon Completion of Negotiations	Final Resolution of Council approving and ratifying Contract or other Final Disposition.

Resolution No. 97

M/S – Toto/D’Adamo

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

Council President McGuigan stated that knowing Mr. Stewart, he has high expectations regarding the future work of the Recreation Commission. City Councilman Smith reported that he and Councilman Toto have been working diligently regarding the Recreation Commission’s policies and procedures.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

No. 97 of 2017

Subject: Recreation Commission Appointment to Fill a Vacancy
Introduced By: Councilmen Toto and Smith and Council President McGuigan

WHEREAS, Ordinance No. 1 of 1975 authorized the establishment of a Board of Recreation; and

WHEREAS, the Mayor of the City of Somers Point may appoint not less than three (3) nor more than seven (7) members as Commissioners to said Board of Recreation; and

WHEREAS, a vacancy exists due to the resignation of Ron Meischker, said term expiring December 31, 2018; and

WHEREAS, Mayor John L. Glasser, Jr., wishes to appoint Michael Stewart to fill the vacancy, with a term expiring December 31, 2018; and

WHEREAS, the resume of Michael Stewart has been received and reviewed by the Mayor and City Council;

NOW, THEREFORE, BE IT RESOLVED that the above appointment is hereby confirmed by the City Council.

THE RECREATION COMMISSION, as of this date, consists of the following members with their expiration dates noted:

MEMBER	EXPIRATION OF TERM
Marcus Perry	December 31, 2021
Paul Huber, Jr.	December 31, 2020
Jeanette Cellucci	December 31, 2021
Barbie Carney	December 31, 2017
Mike Owen	December 31, 2017
Eric Meyers	December 31, 2018
Michael Stewart	December 31, 2018

Resolution No. 98

M/S – Dill/D’Adamo

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

No. 98 of 2017

For Planting of 250 Cedar Trees within the Access Area Authorized by Ordinance 30 of 2015 and a Limited Right of Entry Agreement

Introduced by: Councilmen D’Adamo and Dill

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

WHEREAS, by Ordinance 30 of 2015 this governing body approved the execution and delivery of a Limited Right of Entry Agreement for a term of five years commencing on January 1, 2016 between the City of Somers Point (City) and the New Jersey Turnpike Authority (Authority) for certain restoration, landscaping, and mitigation activities, including restoration, planting, landscaping, and monitoring on and within an area of Drag Island owned by the City which had been leased to the Authority by the City in 2013; and

WHEREAS, certain of the 650 trees which were to have been planted on Drag Island or on Cape May County's Right of Way are being relocated due to the proposed fishing pier with which the original planting and reforestation plan would interfere; and

WHEREAS, the Authority has requested use of the Right of Entry Agreement and the restoration and remediation obligations of the Authority to the City under Article 7 of the July 1 2013 Lease Agreement in order to plant 250 Eastern Red Cedar trees along and within a 25' wide strip of the City owned property as more specifically shown on the drawing attached hereto and incorporated herein: and

WHEREAS, the Authority has an obligation to maintain the trees for three (3) years after which there is no responsibility on the part of the City to maintain the trees; and

WHEREAS, the proposed plan has been reviewed and approved by the City Engineer and has been submitted by the Authority to the New Jersey Department of Environmental Protection (NJDEP) for final review and approval; and

WHEREAS, the trees have been ordered and need to be planted in the spring due to the NJDEP survivability requirements; and

WHEREAS, this governing Body has reviewed the proposal and finds the plan to be in the public interest and the interest of the Drag Island environment and in furtherance of the proposed plan to construct a fishing pier and access to Drag Island for recreational purposes, which this governing body has supported

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Somers Point approves the planting plan as submitted; and

BE IT FURTHER RESOLVED that this approval is subject to delivery by the Authority to the City Administrator and City Engineer of the final revised Net Loss Reforestation Plan and NJDEP Approval.

Resolution No. 99

M/S – Toto/Gerety

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

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

City Council President McGuigan stated that the City has a long history of supporting the needs and causes of the veterans, and this resolution and the introduction of Ordinance 8 this evening demonstrates the City's sentiments.

No. 99 of 2017

**ACKNOWLEDGING THE MONTH OF MAY AS NATIONAL MILITARY
APPRECIATION MONTH AND NATIONAL MILITARY HISTORY MONTH
AND RECOGNIZING OUR VALIANT AND DEDICATED MILITARY PERSONNEL
THANKING THEM FOR THEIR SERVICE**

Introduced By: MAYOR AND COUNCIL

WHEREAS, the United States Senate designated May as National Military Appreciation Month in 1999 to ensure the nation was given the opportunity to publically demonstrate their appreciation for the sacrifices and successes made by our service members - past and present; and

WHEREAS, in April of 2004, more comprehensive legislation was passed by unanimous consent of both Houses of Congress as **H. Con. Res. 328** solidified May as *National Military Appreciation Month*, and reminds the President of the United States to issue annual proclamations calling Americans to recognize this special month through appropriate ceremonies and events; and

WHEREAS, in 2017 National Military Appreciation Month includes **Loyalty Day** (May 1st), Victory in Europe Day a/k/a **VE Day**(May 8th), **Military Spouse Appreciation Day** (May 12th), **Armed Forces Day** (May 20th), and **Memorial Day** (May 29th); and

WHEREAS, this very important month honors, remembers, recognizes and appreciates all military personnel including those on active duty in all branches of the services, the National Guard and Reserves

plus retirees, veterans, and all of their families - well over 90 million Americans, as well as those Americans who have given their lives in defense of those freedoms we all enjoy today throughout more than 230 years of our nation's history; and

WHEREAS, both American Military History Month and National Military Appreciation Month are now combined in May; and

WHEREAS, service in the Armed Forces entails special hazards and demands extraordinary sacrifices from service members and their families; and

WHEREAS, the support of the families of service members enhances the effectiveness and capabilities of the Armed Forces; and

WHEREAS, the Mayor and Council of the City of Somers Point join in recognizing and honoring the present and past members of the United States Armed Forces and their families.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
April 27, 2017**

Now, therefore, it is hereby **RESOLVED** that the Mayor and Council of the City of Somers Point acknowledge, honor and thank all members of the United States Armed Services, both active and retired, and their families, and especially those members who reside in our City; and Be it further **RESOLVED** that we encourage all of our citizens to celebrate our Military, taking part in one or more of the celebrations to be held during May, just as we celebrate the other important entities that make up this wonderful country of ours; and Be it further **RESOLVED** that we encourage everyone to offer a “Thank You for your service” to any member of the United States Armed Services you may encounter.

Old Business:

None

New Business:

Councilman Gerety motioned, seconded by Councilman Dill and carried to waive the 48 hour rule for consideration of St. Joseph Church raffles.

City Council approved the on-premise 50/50, on-premise merchandise raffle and Super 50/50 for St. Joseph Church with an abstention from Councilman D’Adamo.

City Council approved the Social Affair Permits for Somers Point Volunteer Fire Co. #2 and the National Multiple Sclerosis Society.

Route 9 Speed Limit

Greg Schneider, City Engineer, met with the Police Department regarding suggestions for safety along Route 9 and Route 52 using the Master Plan as guidance. Mr. Schneider evaluated the roads and emailed the Master Plan to the New Jersey Department of Transportation. Mayor and City Council thoroughly discussed lowering the speed limit on Route 9 and will consider a resolution at the next City Council meeting.

Somers Point Volunteer Fire Co. No. 2

City Council approved a request from the Somers Point Volunteer Fire Co. No. 2 for a closure of New Jersey Avenue and First Street to Center Street on 5/20/17.

Discussion of Bills:

Administrator Swain reported a bill list dated 4/26/17 in the amount of \$2,233,427.85 and a record of payments in the amount of \$49,292.56. Council President McGuigan recused himself from the bill of Falasca Mechanical.

**REGULAR MEETING
MAYOR AND CITY COUNCIL**

April 27, 2017

Administrator Swain reported a bill list dated 4/26/17 in the amount of \$2,233,427.85 and a record of payments in the amount of \$49,292.56. Council President McGuigan recused himself from the bill of Falasca Mechanical.

Public Portion

Resident, Ed O'Donnell spoke passionately about peace and respect by everyone. Additionally, he discussed addictions to drugs and the diets of Americans.

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

Payment of Bills

M/S – Dill/Smith

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

City Councilman Dill stated that he will not attend the Executive Session due to a conflict of interest.

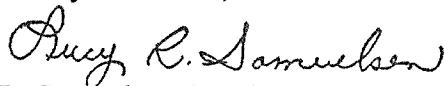
Recess:

City Council recessed at 8:45 p.m. prior to going into Executive Session.

Adjournment

There being no further business to come before Council, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,



Lucy R. Samuelson, RMC

Municipal Clerk

Approved: 9/14/2017