

**REGULAR MEETING
MAYOR AND CITY COUNCIL
June 10, 2021**

Meeting called to order via ZOOM and in-person 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

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.

Communications:

None

Mayor's Report:

Mayor Glasser thanked everyone who participated in the Memorial Day service that was held on May 31, especially the Somers Point Police, Fire and Public Work's Departments for doing everything they could to make the event a success. He gave kudos to County Veteran's Services Officer Bob Frolow and four-time Purple Heart recipient Marco Polo Smigilani who both played a big part in the ceremony and are a very important part of the community. Mayor Glasser also reported USS Somers' families are holding their reunion in the area on September 12-16. On September 15, which is Commandant Richard Somers birthday, they will be visiting Somers Point to hold a ceremony including the reunion participants and those who served on USS Somers. They will be given a warm welcome and a tour of Somers Point. Mayor Glasser also sadly informed of the passing of Bill McIntyre, a well-respected Police Officer within the County, as well as a former Somers Point Police Officer.

Administrator's Report:

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Administrator Frost gave an update on the Route 9 project. He stated the project is about 95% complete, and the only thing left is the fencing. He estimated it will take about two more weeks.

Solicitors Report:

None

Committee Reports:

- **Dog Park-** Council Member McCarrie reported the Committee has been working with Greg Schneider, Engineer, to obtain a cost estimate; however, there has been difficulty in procuring the materials due to COVID19. He stated he will return with an update when the Engineer is able to provide a cost estimate.
- **Recreation Commission-** Council Member McCarrie reported the Commission discussed the number of members on the Commission, and if the Commission should be changed to an Advisory Board. City Council and Solicitor Smith discussed the steps necessary to make this type of change. City Council concurred to move forward with an investigation.
- Council Member Dill reported the South Jersey Gas Company is doing a remarkable job paving the streets and making repairs. He appreciates the efforts of South Jersey Gas Company and the City Engineer.

Approval of Minutes:

On the motion of Council Member Owen, seconded of Council Member McCarrie and carried to approve the Regular Meeting Minutes of 5/27/2021.

Proclamations:

Proclamation No. 6 of 2021

No. 6 of 2021

Subject: Environmental Commission Appointments

WHEREAS, vacancies exist on the Somers Point Environmental Commission due to the expiration of the terms of certain members; and

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WHEREAS, due to the resignation of Bob Green, there is a vacancy on the Commission and;

WHEREAS, Mayor John L. Glasser, Jr., hereby appoints Charlotte Carney; for a term expiring December 31, 2023; and

THE SOMERS POINT ENVIRONMENTAL COMMISSION shall consist of the following members with the expiration of terms noted:

Dan Meyers		December 31, 2022
Linda Keyser		December 31, 2022
Robert Bender		December 31, 2023
Paul Ludgate		December 31, 2023
Charlotte Carney		December 31, 2023
Bill Reinert		December 31, 2021
Elizabeth "Lisa" Bender,	(Chair)	December 31, 2021

Ordinances:

Ordinance No. 9 of 2021

(First Reading/Introduction)

M/S- Dill Ferreri

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

ORDINANCE NO. 9 of 2021

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND ACQUISITIONS IN AND BY THE CITY OF SOMERS POINT, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$1,857,700 THEREFOR AND AUTHORIZING THE ISSUANCE \$1,764,815 OF BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

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

SECTION 1. Appropriation for Projects-Down Payment

The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Somers Point, Atlantic County, New Jersey (the "City"), as

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general improvements. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,857,700 including the sum of \$92,885 as the down payment required by the Local Bond Law. It is hereby determined and stated that the amount of the down payment is not less than five percent (5%) of the obligations authorized by this bond ordinance and that the amount appropriated as a down payment has been made available prior to final adoption of this bond ordinance by provisions in prior or current budgets of the City for capital improvements and down payments, including also monies received from the United States of America, the State of New Jersey or the County of Atlantic, or agencies thereof, as grants in aid of financing said improvements or purposes.

SECTION 2. Authorization of Bonds and Notes

In order to finance the cost of the improvements or purposes not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,764,815 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. Description of Projects

The improvements hereby authorized and the purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

Purpose	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
a.) Acquisition by purchase of Fire Department public safety equipment including but not limited to Turnout Gear, Breathing Cylinders, Fire Hose, and all attachments and appurtenances applicable thereto.	\$96,700	\$91,865.00	15 years
b.) Acquisition by purchase of a 2 Mowers and a Leaf machine for the Public Works Department including all attachments and appurtenances applicable thereto.	\$120,000	\$114,000	5 years
c.) Acquisition by purchase of Police Department public safety equipment including speed			

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counter sign, camera systems, storage unit, furniture, and computers and all attachments and appurtenances applicable thereto.	\$131,000	\$124,450	15 years
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d.) Improvements to municipal facilities including but not limited to installing traffic gates at municipal facilities, storage containers, roof replacement and repair at City Hall, the Construction Department, and Public Works Facilities; replace the HVAC at the Construction Office; together with all materials and work necessary therefore, and incidental thereto, including without limitation all building construction costs, demolition costs, fixtures, project design, consulting services, contract management, surveying, planning, architectural, engineering, permits, and approvals, preparation of plans and specifications, bid documents and construction inspection and administration.	\$400,000	\$380,000	15 years
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e.) Acquisition by purchase of computers, radios, and software upgrades for the Office of Emergency Management and including all attachments and appurtenances applicable thereto.	\$5,000	\$4,750	7 years
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f.) Improvements to various recreational facilities in the City including playground equipment upgrades together with all materials and work necessary therefore and incidental thereto, including without limitation all building construction costs, demolition costs, fixtures, project design, consulting services, contract management, surveying, planning, architectural, engineering, permits and

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approvals, preparation of plans and specifications, bid documents and construction inspection and administration.	\$75,000	\$71,250	15 years
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g.) Various Municipal Roadway Improvements in the City including milling and overlay, paving and curbs, such new roadway pavement to be at least equal in useful life or durability to a road of Class B construction, as referred to in Section 40A:2-22 of the Local Bond Law, together with the construction or reconstruction of drainage facilities, pavement preparation, pavement construction or reconstruction, asphalt concrete resurfacing, driveway, curb, sidewalk and shoulder restoration, handicapped accessible curb ramps, and all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$1,030,000	\$978,500	10 years
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TOTAL	<u>\$1,857,700</u>	<u>\$1,764,815</u>	<u>10.05 Years</u>
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The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated is the amount of the said down payment for said purpose.

SECTION 4. Issuance of Notes

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be

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determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the notes sold, the price obtained, and the name of the purchaser. If so designated by the Chief Financial Officer, the City Administrator may act on behalf of the Chief Financial Officer in any or all capacities described in this section.

SECTION 5. Capital Budget

The applicable capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

SECTION 6. Additional Matters

The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The average period of usefulness of the improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 10.05 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and an executed copy thereof has been electronically executed and filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,764,815 and the obligations authorized herein will be within all debt limitations prescribed by that Law.
- (d) An aggregate amount not exceeding \$360,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

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SECTION 7. Application of Grants

Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

SECTION 8. Full Faith and Credit

The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9. Official Intent to Reimburse Expenditures

The City reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City, or any member of the same "control group" as the City, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended.

SECTION 10. Tax Covenants

The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

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(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

SECTION 11. Ratification of Prior Acts

Any action taken by any officials of the City in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this bond ordinance and shall be deemed to have been taken pursuant to this bond ordinance.

SECTION 12. Inconsistencies

All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

SECTION 13. Effective Date

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

Ordinance No. 10 of 2021

(First Reading/Introduction)

M/S- Dill/Owen

The ordinance was adopted by unanimous vote of those present.

Council Member Dill mentioned both Bond Ordinances were budgeted for in the 2021 Municipal Budget, and most of the funds are going to infrastructure improvements needed in the City.

ORDINANCE NO. 10 OF 2021

**BOND ORDINANCE PROVIDING FOR VARIOUS SEWER
UTILITY CAPITAL IMPROVEMENTS IN AND BY THE CITY OF
SOMERS POINT, IN THE COUNTY OF ATLANTIC, NEW
JERSEY, APPROPRIATING \$1,321,750 THEREFOR AND**

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**AUTHORIZING THE ISSUANCE OF \$1,321,750 BONDS OR
NOTES OF THE CITY FOR FINANCING THE COST THEREOF.**

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

SECTION 1. Appropriation for Projects-Down Payment

The acquisitions or improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Somers Point, Atlantic County, New Jersey (the "City"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,321,750. No down payment is required as the purposes authorized herein are deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the City, as more fully explained in Section 6(e) of this ordinance.

SECTION 2. Authorization of Bonds and Notes

In order to finance the cost of the improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,321,750 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. Description of Project

The several acquisitions or improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each acquisition or improvement, and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each acquisition or improvement and the period of usefulness of each are as follows:

Purpose	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
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<p>a.) Replacements, improvements and renovations to various pump stations, mains, and other system components and all other necessary or desirable structures appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.</p>	\$1,256,750	\$1,256,750	40 years
<p>b.) GIS mapping of the sewer system together with all appurtenances and attachments necessary therefore and incidental thereto.</p>	<u>\$65,000</u>	<u>\$65,000</u>	5 years
Total	<u>\$1,321,750</u>	<u>\$1,321,750</u>	38.28 years

SECTION 4. Issuance of Notes

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the notes sold, the price obtained, and the name of the purchaser. If so designated by the Chief Financial Officer, the City Administrator may act on behalf of the Chief Financial Officer in any capacities described in this section.

SECTION 5. Capital Budget

The applicable capital budget of the City is hereby amended to conform with the provisions of this ordinance. The resolution in the form promulgated by the Local Finance

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Board showing full detail of the capital budget and capital program is on file with the Clerk and is available there for public inspection.

SECTION 6. Additional Matters

The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes that the City may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 38.28 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and an executed copy thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,321,750, and that the net debt of the City determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$270,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

(e) This bond ordinance authorizes obligations of the City solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

SECTION 7. Ratification of Prior Actions

Any action taken by any officials of the City in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this ordinance and shall be deemed to have been taken pursuant to this ordinance.

SECTION 8. Application of Grants

Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations

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issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

SECTION 9. Full Faith and Credit

The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 10. Official Intent to Reimburse Expenditures

The City reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City, or any member of the same “control group” as the City, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section 10 is intended to be and hereby is a declaration of the City’s official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended.

SECTION 11. Inconsistencies

All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

SECTION 12. Effective Date

This bond ordinance shall take effect twenty days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Resolutions:

Clerk Samuelsen read by title only the list of resolutions.

Public Portion Resolutions

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Council President Johnston opened the meeting to the public.

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

Resolution No. 116 of 2021

M/S- Ferreri/Owen

This resolution was adopted by unanimous vote of those present.

No. 116 of 2021

Subject: Green Team Advisory Committee
Sponsored by: Council Members McGuigan, Ferreri and Bruno

WHEREAS, The City of Somers Point strives to save tax dollars, assure clean land, air and water, and improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, The City of Somers Point hereby acknowledges that the residents of Somers Point desire a stable, sustainable future for themselves and future generations; and

WHEREAS, by endorsing a sustainable path, the City of Somers Point is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, The City of Somers Point desires to focus attention on “Green” issues, so the City Council established a Green Team Advisory Committee pursuant to Ordinance No.21 of 2009; and

WHEREAS, due to the resignation of Bob Green, there is a vacancy on the team that The City Council would like to fill by appointing Charlotte Carney to the team; and

NOW THEREFORE BE IT FINALLY RESOLVED, by the City Council of Somers Point that the following persons are members of the Green Team Advisory Committee:

Resolution No. 117 of 2021

M/S- Owen/Ferreri

This resolution was adopted by unanimous vote of those present.

No. 117 of 2021

Subject: Chapter 159 Resolution Amending Budget for Insertion of Grant Revenue for Drunk Driving Enforcement
Introduced By: Council President Johnston, Council Members McGuigan and Dill

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government may approve the insertion of any special item of revenue in the budget of any municipality when such

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item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount; and

WHEREAS, the City of Somers Point received a grant of \$9,516.16 from the New Jersey Division of Highway Traffic Safety and wishes to amend its 2021 budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$9,516.16 which item is now available as a revenue from:

Miscellaneous Revenue
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:
Public and Private Revenue Offset with Appropriations:
2019-2020 Drunk Driving Enforcement Fund Grant \$9,516.16

pursuant to the provision of Statute; and

BE IT FURTHER RESOLVED that a like sum of \$9,516.16 be and the same is hereby appropriated under the caption of:

General Appropriations
(A) Operations - Excluded from "CAPS"
Public and Private Programs Offset by Revenues:
2019-2020 Drunk Driving Enforcement Fund Grant \$9,516.16

BE IT FURTHER RESOLVED that this resolution be certified and submitted by the Chief Financial Officer to the Director of Local Government Services for approval.

Resolution No. 118 of 2021

M/S- Owen/McCarrie

This resolution was adopted by unanimous vote of those present.

Council President Johnston stated this is long overdue. Council Member Dill concurred.

No. 118 of 2021

Subject: Authorizing Equipment Copier Lease for the Police Department
Introduced By: Council President Johnston and Council Members Dill and McGuigan

WHEREAS, N.J.S. 40A:11-15.(7) allows for the leasing of machinery and equipment for a period not to exceed five years; and

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WHEREAS, the City of Somers Point has identified a need to lease a copier machine for use by the Police Department; and

WHEREAS, the Xerox Corporation was awarded State Contract Number G2075– Copiers, Maintenance, and Supplies (40469) ; and

WHEREAS, the City Administrator has researched the products available and recommends the lease of one Xerox copier with accessories for a term of five years with a fixed purchase option at the end of the lease of one dollar in accordance with the lease document a copy of which is attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point authorizes the City Administrator to complete all documents necessary on behalf of the City in order to effect the lease from Xerox Corp of one copier with accessories for the sum of \$228.16. per month for sixty months, with a fixed purchase option at the end of the lease for one dollar.

Resolution No. 119 of 2021

M/S- Dill/McCarrie

This resolution was adopted by unanimous vote of those present.

No. 119 of 2021

Subject: Requesting a Six-Month Extension to Award a Construction Contract for FY 2019 Bikeways Grant – Mays Landing Road Bike Lanes
Introduced by: Council Members Dill, McGuigan and Owen

WHEREAS, the City of Somers Point received a grant for the FY 2019 Bikeways Grant – Mays Landing Road; and

WHEREAS, according to the grant agreement, FY 2019 Safe Streets to Transit Grants must award a construction contract within 2 years of the grant agreement being executed; and

WHEREAS, since the propose project is located on an Atlantic County Right-of-Way, the City of Somers Point must first obtain approval from the County of Atlantic for improvements in the Right-of-Way.

WHEREAS, the City of Somers Point approved of the agreement with Resolution 75-2021 and the County of Atlantic approved of the agreement with Resolution 312-2021 .

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

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- 1.) The City of Somers Point formally requests a six-month extension to award a construction contract for the FY 2019 Bikeways Grant – Mays Landing Road.
- 2.) The Mayor and City Clerk are hereby authorized and directed to sign all necessary forms required by NJDOT.

Resolution No. 120 of 2021

M/S- Ferreri/Owen

This resolution was adopted by unanimous vote of those present.

Council Member Dill confirmed the Police Department has approved this event and the City has received the required insurance.

No. 120 of 2021

Subject: Resolution Approving Closing a Portion of Delaware Avenue for Entertainment at Gregory’s Restaurant & Bar
Sponsored by: Council President Johnston

WHEREAS, Gregory’s Restaurant & Bar will be hosting entertainment on Thursday, June 24, 2021; and

WHEREAS, Mr. Gregory Gregory has requested that a portion of Delaware Avenue be closed from 6:00 p.m. to 11:00 p.m. for the entertainment; and

WHEREAS, The Chief of Police and the Traffic Control Officer have reviewed the request and have recommended its approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that a portion of Delaware Avenue be closed from 6:00 p.m. to 11:00 p.m. on June 24, 2021, in order to accommodate the entertainment. Attached hereto is a diagram depicting the proposed street closure.

Resolution No. 121 of 2021

M/S- Owen/McCarrie

This resolution was adopted by unanimous vote of those present.

Resolution No. 121 of 2021

Subject: Chapter 159 Resolution – FY 2021 Clean Communities Grant to Amend Budget
Introduced By: Council President Johnston, Councilmembers McGuigan and Dill

**REGULAR MEETING
MAYOR AND CITY COUNCIL
June 10, 2021**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount; and

WHEREAS, the City of Somers Point has received a grant in the amount of \$28,577.74 and wishes to amend its 2021 budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$28,577.74 which item is now available as a revenue from:

Miscellaneous Revenue

Special Items of General Revenue Anticipated with Prior Written Consent of the
Director of Local Government Services:

Public and Private Revenue Offset with Appropriations:

FY2021 Clean Communities Grant \$28,577.74

pursuant to the provision of Statute; and

BE IT FURTHER RESOLVED that a like sum of \$28,577.74 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations - Excluded from "CAPS"

Public and Private Programs Offset by Revenues:

FY2021 Clean Communities Grant \$28,577.74

BE IT FURTHER RESOLVED that this resolution be certified and submitted to the Director of Local Government Services for approval.

Resolution No. 122 of 2021

M/S- Owen/McCarrie

This resolution was adopted by unanimous vote of those present.

No. 122 of 2021

Subject: Authorizing Estimated Tax Billing

Introduced by: Council President Johnston and Council Member McGuigan

WHEREAS, at this time it is unknown if the City will receive its certified tax rate from the County by June 14, 2021, which would delay the processing and delivery of tax bills; and

WHEREAS, under these circumstances it may become necessary to issue estimated tax bills for the third quarter of 2021; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
June 10, 2021**

WHEREAS, the Tax Collector in consultation with Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 to be between \$34,687,408.79 and \$38,338,714.97.

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

- 1.) Upon the written authorization of the City Administrator the Tax Collector is directed to immediately prepare and issue estimated tax bills for the City of Somers Point for the third quarter of 2021 in accordance with the provisions of N.J.S.A 54:4-66.2 et seq.
- 2.) The entire estimated tax levy for 2021 is hereby determined to be \$37,197,800.33.
- 3.) The Tax Collector is authorized to take any additional steps necessary to implement this resolution.
- 4.) Certified copies of this resolution shall be forwarded to the Tax Collector and the Chief Finance Officer by the City Clerk.

Old Business:

- **Short Term Rentals-** Council Member McGuigan reported he has received a petition with around seventy signatures in opposition to Short-Term Rentals and Ordinances 2 and 3 of 2021. He mentioned he expects to be receiving more signatures in the coming days. On behalf of the petition signers, Council Member McGuigan requested asked the Ordinance allowing Short Term Rentals be reconsidered. He stated he will draft an Ordinance for consideration at the next meeting. Council Member McGuigan and Solicitor Smith discussed the legality of taxing short term rentals and how a mercantile license could be revoked. Council President Johnston stated City Council had previously discussed this matter for eight months, had several people from the City speak in favor of Short-Term Rentals and there was no opposition stated until after the Ordinance was passed. She stated the Ordinance did not create Short Term Rentals, it provided rules and a way to enforce them. She mentioned they are being monitored. Council Member Ferreri stated Somers Point is resort town and is in favor of Short-Term Rentals in the City. Council Member McGuigan will distribute the petition to City Council Members and will draft an Ordinance for review. Council President Johnston thanked the public for showing interest and participating.

New Business:

None

Discussion of Bills:

REGULAR MEETING MAYOR AND CITY COUNCIL June 10, 2021

Administrator Frost reported a Bill List dated 6/8/2021 in the amount of \$2,715,566.65.

Public Portion:

The meeting was duly opened to the public.

Council President Johnston recused herself from the Public Portion regarding Greate Bay as she has a conflict. President Pro-Tempore Dill presided over this portion of the Public Hearing.

Guy Lanni of 50 Greate Bay Court stated his concerns of traffic at Route 559 and Mays Landing Road and stated his opposition to proposed development of 375 units adjacent to Greate Bay community. He asked if a recent traffic study was completed to consider the additional vehicles this development would bring to the area.

Robert S. Viola of 51 Greate Bay Court opined this proposed project will have a negative impact on the entire City. He stated his opposition to the creation 375 units in this region and urged City Council to have a traffic study completed to study the impacts this will have on an already crowded street.

Paul Striefsky, Planning Board Chair, and Solicitor Smith discussed the history of the lawsuit to the City under the COAH regulations, and the settlement from it. In order for the decision to be appealed, an appeal would have had to be filed within 45 days of the decision. Mr. Striefsky stated that the Planning Board has the ability per the decision to give a cursory review on proposed projects about traffic, safety and fire issues. Currently, there are no formal applications at the Planning Board.

Guy Lanni of 50 Greate Bay Court expressed concern regarding Planning Board applications.

Teddy O'Keefe Viola of 51 Greate Bay Court had questions regarding the court settlement and if it allows the settlement to be passed onto a new owner. She asked if the Planning Board has a right to order a traffic study be completed by the developer. She also questioned another deed restriction in place on the golf course.

Gary Best of 24 East New York Avenue questioned the deed restrictions on the property.

Thomas Collins of Platinum Car Wash stated it took him many years to put a car wash in the City, and a project like this would take much longer.

Janie Riggs of 54 East New York Avenue stated she was the Environmental Chairperson at the time of this settlement, and the committee at the time advised it was not good for environmental reasons.

**REGULAR MEETING
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Ann Marie Lucchesi of 11 Shore Road 1E thanked City Council for voting on the Short-Term Rental ordinance. She also had 10 more signatures for the petition discussed earlier in the meeting.

Charles Zuschnitt, owner of Miami Somers Company and 505 New Road LLC; Tom Collins owner of Platinum Car Wash; Chris Baliban, owner of Tight Lines Bait and Tackle; and Harvey Rovinsky, owner of Bernie Robbins Jewelers, brought up the complaints and notices they have received regarding temporary signs that they have at their businesses. They stated the signs are important to their businesses, especially after the COVID-19 pandemic.

Paul Striefsky, Planning Board Chair reported that subject of signs in the City is a topic the Planning Board is currently addressing.

Mary Sue Lovett of 118 Pleasant Avenue expressed concerns over an unlicensed Short-Term Rental property next to her home.

Patricia Pierson of 587 Mark's Road expressed her concerns regarding signs.

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

Payment of Bills:

M/S – Ferreri/Dill

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

Adjournment:

There being no further business to come before City Council, Council Member Ferreri moved, Council Member Dill seconded and carried to adjourn the meeting at 8:40 p.m.

Submitted by:

Lucy R. Samuelson, RMC
Municipal Clerk
Approved: 6/24/2021