

**REGULAR MEETING
MAYOR AND CITY COUNCIL
June 13, 2019**

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, Meischker, D’Adamo, Gerety, Tapp, Toto, McGuigan

Also Present: Mayor Glasser, Administrator Swain, Assistant Administrator Frost, City Clerk Samuelson, and Attorney Lafferty

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.

Communications:

None

Mayor’s Report:

Mayor Glasser reported on the Memorial Day Parade and thanked the Police, the Fire Departments and the Department of Public Works for their assistance. It was well attended, and he extended special thanks to Fred Vineyard, Commander Bob Frolow, Thomas Innocente and Councilman James Toto. Mayor Glasser read a letter of invitation to City Council from Mainland Regional High School for the upcoming graduation ceremony.

Administrator’s Report:

None

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Solicitors Report:

City Solicitor Lafferty reported that the City received one bid for Centre Street, and indicated that at the next City Council meeting, he will submit a resolution to accept the bid. Additionally, he added that both closings will happen simultaneously.

Committee Reports:

Councilman Gerety mentioned that Mayor and City Council received a letter from the Economic Development Advisory Commission (EDAC) requesting a member from the EDAC sit on the Conceptual Review Committee (CRC). Council President McGuigan will research the matter and address the letter.

Approval of Minutes:

The Regular Minutes of 5/9/19 and 5/23/19 were approved. The Executive Session Minutes of 5/9/19 and 5/23/19 were approved as to content only.

Council President McGuigan recused himself from the 5/9/19 Executive Session Minutes, Councilmen Gerety and D'Adamo recused themselves from the 5/23/19 Regular and Executive Session Minutes, and Councilman Dill recused himself from the 5/9/19 Executive Session Minutes.

Proclamation:

Proclamation No. 7

Mayor Glasser thanked City Solicitor Lafferty and City Council President McGuigan for their support and work in creating the Veterans' Advisory Board. Additionally, Mayor Glasser thanked City Council for their support. Council President McGuigan appointed Councilmen Dill and Toto, and they gladly accepted to serve as liaisons.

No. 7 of 2019

WHEREAS, the Mayor and City Council for the City of Somers Point established, by virtue of Ordinance No. 7 of 2019 and under the authority of *N.J.S.A. 40A:1-1 et. seq.*, a Veterans Advisory Board for the City of Somers Point for the purpose of keeping the Mayor and Council informed of developments regarding veterans and for the purposes of coordination of

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Veteran related activities, issues, parades and developments which, in effect, affect the entire community; and

WHEREAS, the Mayor is desirous of appointing to said Veterans Advisory Board those members of the community whose qualifications meet those specified by said Ordinance; and

WHEREAS, the citizens that are hereby proclaimed to be members of the first Veterans Advisory Board within the City of Somers Point have served their country honorably and with distinction and will be of benefit to the Mayor and Council in addressing and promoting the needs and affairs of veterans within our City for the betterment of our community and are otherwise eligible to serve on the Veteran’s Advisory Board.

NOW, THEREFORE, I, John L. Glasser, Jr., by virtue of the authority vested in me as Mayor of the City of Somers Point, County of Atlantic and State of New Jersey, do hereby proclaim that effective immediately the following persons shall be and are hereby appointed as members of the Veterans Advisory Board for the terms and positions so specified:

Thomas Innocente (U.S. Navy/U.S. Army Reserve)	3 year term
George Freas (U.S. Army)	3 year term
Robert Kicklish (U.S. Army Reserve/National Guard)	3 year term
Donald Parker (U.S. Navy)	2 year term
Lee Gilbert (U.S. Navy)	2 year term
Skip Mell (U.S. Coast Guard)	2 year term
Fred Fontana (U.S. Air Force)	2 year term

Ordinances:

Ordinance No. 8

(First Reading/Introduction)

M/S – Dill/Toto

The ordinance was adopted by unanimous vote of those present.

No. 8 of 2019

**AN ORDINANCE CREATING AND ESTABLISHING THE
“RULES AND REGULATIONS OF THE SOMERS POINT
CITY MARINA” AND REPEALING ALL ORDINANCES**

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**HERETOFORE ADOPTED THE PROVISIONS OF WHICH
ARE INCONSISTENT HEREWITH.**

WHEREAS, the City of Somers Point (“City”), County of Atlantic and State of New Jersey, hereby confirms its intention and declares that the City owned Marina shall be available for use by the public to provide convenient transient boating slips on a first-come-first-served basis as an accommodation to residents and visitors and to provide a port-of-call for use by patrons frequenting the business and establishments within the City of Somers Point; and

WHEREAS, upon completion of the City’s Marina, the City of Somers Point recognizes that there will be a need to have established rules and regulations for the safe use of the Somers Point City Marina by residents and visitors; and

WHEREAS, the City seeks to establish such rules and regulation so as to facilitate the safe and efficient operation of the City Marina by virtue of this Resolution.

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. Purpose.

There shall be, by this chapter, hereby established within the City of Somers Point, County of Atlantic, “Rules and Regulations of the Somers Point City Marina” for the purposes of promoting the safe use of the Somers Point City Marina by residents and visitors. A copy of said Rules and Regulations shall be maintained in the office of the City Clerk and made available for inspection and/or copying.

SECTION 2. Rules and Regulations.

(a) The City Council hereby delegates to and directs that the City Administrator shall proceed with all due diligence to compile the Rules and Regulations of the Somers Point City Marina which shall be deemed incorporated herein and adopted hereby. The City Administrator is further hereby authorized to amend said Rules and Regulations as they deem necessary due to unforeseen conditions so as to further promote the safe and efficient operation of the Somers Point City Marina.

(b) The Rules and Regulations of the Somers Point City Marina, as well as the operation of the City Marina itself, shall in all respects comply with the requirements, terms and conditions of the “Agreement Boating Infrastructure Grant Program NJ FY 2015 BIG Tier II – City of Somers Point.” In the event of any conflict, the requirements, terms and conditions of the “Agreement Boating Infrastructure Grant Program NJ FY 2015 BIG Tier II – City of Somers Point” shall control.

(c) City Council for the City of Somers Point hereby retains the authority to promulgate, adopt and/or amend said Rules and Regulations, subject to the requirements of subsection (b), above, as they deem necessary and appropriate. Any such rules and regulations so promulgated shall supersede any rules and regulations promulgated by the City Administrator.

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SECTION 3. Severability and Effectiveness Clause.

A. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

B. Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency

SECTION 4. Effective Date.

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

Public Portion (Resolutions)

The meeting was duly opened to the public.

Kathy Arleth, Chair of the Arts Commission, thanked them for the resolutions. Additionally, she mentioned that The Art in the Park is this Saturday and encouraged everyone to come out for art, music and food. Ms. Arleth thanked the Governing Body for the opportunity to hold Art in Park and all their support. Ms. Arleth introduced Erin Castaldi, and Council President McGuigan thanked Erin Castaldi for considering the position of Poet Laureate for Somers Point.

Hearing nothing further from the public, the Public Portion was duly closed.

Resolution No. 117

M/S-Dill/Tapp

The resolution was adopted by unanimous vote of those present.

Mayor Glasser, City Council President McGuigan and City Council congratulated and welcomed Erin Castaldi to the position of Poet Laureate.

No. 117 of 2019

Subject: Appointing Erin Castaldi as Poet Laureate

Introduced by: Councilmen Tapp and Gerety

WHEREAS, the Somers Point City Council created the position of Poet Laureate of Somers Point by adopting Resolution No. 162 of 2014 and did request that the Somers Point Arts Commission to administer and oversee the process; and,

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WHEREAS, a vacancy exists for the position of Poet Laureate of Somers Point; and,

WHEREAS, the Somers Point Arts Commission has solicited applicants, reviewed responses and interviewed a candidate; and,

WHEREAS, the Somers Point Arts Commission agrees that Erin Castaldi meets the qualifications for Poet Laureate as listed in the application form; and,

WHEREAS, the Somers Point Arts Commission, at its meeting of May 20, 2019, approved Erin Castaldi and now recommends to the City Council the appointment of Erin Castaldi to the position of Poet Laureate of the City of Somers Point; and

WHEREAS, Erin Castaldi has been recognized as a published poet in the haiku form in several publications in the United States and Great Britain and has been given awards in selected haiku contests, an

WHEREAS, letters of recommendations attest to her ability to relate to students in poetry workshop presentations and in writing circles; and

WHEREAS, Erin Castaldi displays the enthusiasm, passion and creativity to promote poetry appreciation in the City of Somers Point through readings and presentations to the residents of Somers Point and through workshops, connecting with organizations within the city and at public events representing the City of Somers Point; and

WHEREAS, Erin Castaldi has agreed to the stipend budgeted by the Somers Point Arts Commission for the position of Poet Laureate from June 2019 through December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED that the Erin Castaldi is hereby appointed by this governing body to serve as the Poet Laureate of the City of Somers Point from June 13, 2019 through December 31, 2020; and

BE IT FURTHER RESOLVED that, if the Poet Laureate fails to fulfill the above term or is removed from the position, the Arts Commission is authorized to accept applications for a replacement. The replacement will complete the remaining portion of the term if approved by City Council.

Resolution No. 118

M/S-Gerety/Dill

The resolution was adopted by unanimous vote of those present.

Council President McGuigan welcomed Artemis Schleigh to the Arts Commission.

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No. 118 of 2019

Subject: Somers Point Arts Commission
Introduced by: Councilmen Tapp and Gerety

WHEREAS, the Somers Point Arts Commission was established by Ordinance No. 13 of 2006; and

WHEREAS, a vacancy currently exists on the Somers Point Arts Commission; and

WHEREAS, at its meeting of May 20, 2019, the Somers Point Arts Commission approved Artemis Schleigh to fill the vacancy on the Commission and now recommends to the City Council the appointment of Artemis Schleigh to the Somers Point Arts Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point hereby appoints Artemis Schleigh to the Somers Point Arts Commission.

BE IT FURTHER RESOLVED that to the Somers Point Arts Commission is currently comprised of the following individuals, all with their terms expiring December 31, 2019:

Kathleen Arleth
Karen Sutherland
Dan Myers
Donna J. Mohr
Christine Toland Ulrich

Kimberly Bray
Lois Hirschman Gregory
Karen Cleighton
Artemis Schleigh

Resolution No. 119

M/S-Toto/D'Adamo

The resolution was adopted by unanimous vote of those present.

No. 119 of 2019

Subject: Liquor License Renewals

Introduced by: Council President McGuigan

WHEREAS, the applications of the following enumerated liquor licenses for renewal in the City of Somers Point were found to be in good order.

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NOW, THEREFORE, BE IT RESOLVED that the below named and numbered applications are hereby renewed through June 30, 2020:

0121-33-018-005	Ginger's on the Bay, LLC
0121-33-001-013	Apple New Jersey, LLC
0121-33-007-004	Crab Trap, Ltd.
0121-33-013-003	Joe's Circle Café, Inc.
0121-33-015-009	GMH Restaurant Enterprises, LLC
0121-31-022-001	Roberts Johnson Post 2189 VFW
0121-44-006-003	Circle Liquor Store, Inc.

Resolution No. 120

M/S-Gerety/Toto

The resolution was adopted by unanimous vote of those present.

No. 120 of 2019

Subject: Chapter 159 Resolution – FY 2019 Clean Communities

Introduced By: Council President McGuigan, Councilmen Gerety, 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 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 \$29,778.38 and wishes to amend its 2019 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 2019 in the sum of \$29,778.38 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:

FY2019 Clean Communities Grant	\$29,778.38
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pursuant to the provision of Statute; and

BE IT FURTHER RESOLVED that a like sum of \$29,778.38 be and the same is hereby appropriated under the caption of:

General Appropriations

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(A) Operations – Excluded from “CAPS”
Public and Private Programs Offset by Revenues:
FY2019 Clean Communities Grant \$29,778.38

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

Resolution No. 121

M/S-D’Adamo/Dill

The resolution was adopted by unanimous vote of those present.

No. 121 of 2019

Subject: Authorizing an Amendment to the Agreement for the FY 2017 and FY 2018 Community Block Grant Program

Introduced by: Councilmen Dill and Toto

Whereas, the City of Somers Point has opted to participate in the Atlantic County Community Development Block Grant (CDBG) Program for FY2017 and FY2018; and

Whereas, as a participant, the City of Somers Point expects to be allocated \$44,400.00 for Fiscal Year 2017 and \$50,230.00 for Fiscal Year 2018 for the project known as Road Reconstruction on Meyran Avenue; and

Whereas, the City of Somers Point entered into an interlocal service agreement with the Atlantic County Improvement Authority, the administrator of the Atlantic County CDBG Entitlement Program, for this project; and

Whereas, the Atlantic County Improvement Authority and the City of Somers Point wish to amend that agreement to allocate a maximum of \$351,490.30 from the Atlantic County Urban County CDBG funds from Program Year(s) 2017 and 2018 and future years for the project.

Now, therefore, be it resolved by the City Council of the City of Somers Point as follows:

1. The amendment to the agreement by and between the Atlantic County Improvement Authority and the City of Somers Point which is attached hereto and made a part hereof is hereby approved.

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2. The Mayor and the City Clerk are hereby authorized to sign the attached agreement amendment.
3. The Mayor and/or the City Administrator are hereby authorized to execute any further documents that may be necessary in connection with this grant on behalf of the City.

Resolution No. 122

M/S-Gerety/Toto

The resolution was adopted by unanimous vote of those present.

No. 122 of 2019

Subject: Approval to Submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for the FY 2020 Municipal Aid Program – Reconstruction of West Atlantic Avenue

Introduced by: Councilmen Dill and Toto

WHEREAS, the governing Body of the City of Somers Point has determined that it is the best interest of the City to apply to the New Jersey Department of Transportation for the FY 2020 Municipal Aid Program, and

WHEREAS, the City Engineer has recommended that the City apply for the reconstruction of West Atlantic Avenue from Ocean Avenue to Johnson Avenue, and

WHEREAS, these improvements consist of repaving the existing road, the installation of new handicap ramps where required, and new traffic striping

WHEREAS, the City is requesting \$600,000.00 to complete this project

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a grant application to the New Jersey Department of Transportation on behalf of the City of Somers Point that includes a copy of the resolution in this matter in the format prepared by the State and attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Somers Point and that their signature

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constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution No. 123

M/S-Gerety/Toto

The resolution was adopted by unanimous vote of those present.

No. 123 of 2019

Subject: Place to Place Liquor License Transfer

Introduced By: Council President McGuigan

WHEREAS, the GMH Restaurant Enterprises, LLC, Somers Point Liquor License No. 0121-33-015-009 has applied for a place to place transfer of said liquor license to expand the licensed premises to include three presently unlicensed areas, each of which is immediately adjacent to the existing licensed premises

WHEREAS, one area is wholly outdoors and is a sand covered “beach” lounge and dining area and is located to the immediate south of the existing licenses premises; and the second area is also wholly outdoors which is a small irregular shaped area to the west of the existing licensed premises and will be a sand covered “beach” lounge and dining area; and the third area is northwest of the existing licensed premises and part of this area will be a sand covered “beach” lounge and dining area, and the remaining area will be occupied by a rest-room facility and a small portable building (construction trailer) housing the office.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that the above-mentioned application for a place-to-place transfer to expand the licensed premises of GMH Restaurant Enterprises, LLC, Somers Point Liquor License No. 0121-33-015-009 is hereby approved.

Resolution No. 124

M/S-Toto/Dill

The resolution was adopted by unanimous vote of those present.

No. 124 of 2019

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Subject: Awarding Bid for the 2018 Road Program - Rebid

Introduced by: Dill and Toto

WHEREAS, on May 31, 2019 the City of Somers Point received bids for the 2018 Road Program – Rebid; and

WHEREAS, Landberg Construction, LLC of Dorothy, New Jersey was the lowest responsible bidder; and

WHEREAS, the City Engineer’s office has recommended that the City award the contract to Landberg Construction, LLC of Dorothy, New Jersey in the amount of \$821,962.78.

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

- 1.) The Contract for the 2018 Road Program – Rebid is hereby awarded to Landberg Construction, LLC of Dorothy, New Jersey in the amount of \$821,962.78
- 2.) The Mayor and City Clerk are hereby authorized and directed to enter into a formal contract with Landberg Construction, LLC signing on behalf of the City.

Resolution No. 125

M/S-Meischker/Dill

The resolution was adopted by unanimous vote of those present.

No. 125 of 2019

Subject: Rejecting Bid for Launch Avenue Emergency Construction

Introduced by: Councilmen Dill and Toto

WHEREAS, on May 31, 2019, the City of Somers Point received bids for the Launch Avenue Emergency Construction; and

WHEREAS, based off an analysis of the bids received, the City Engineer has determined that the bids were unbalanced according to NJDOT guidance documents;

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WHEREAS, the City Engineer's office has recommended that the City reject all bids and rebid the project;

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

- 3.) All bids received for the Launch Avenue Emergency Construction on May 31, 2019 are formally rejected.
- 4.) The City Engineer is authorized to rebid the Launch Avenue Emergency Construction.

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

Resolution No. 126

M/S-Toto/D'Adamo

The resolution was adopted by unanimous vote of those present.

No. 126 of 2019

Subject: **Awarding Bid for the 2019 Stormwater Repairs**

Introduced by: **Councilman Dill and Toto**

WHEREAS, on May 31, 2019, the City of Somers Point received bids for the 2019 Stormwater Repairs; and

WHEREAS, Landberg Construction, LLC of Dorothy, New Jersey was the lowest responsible bidder; and

WHEREAS, the City Engineer's office has recommended that the City award the contract to Landberg Construction, LLC of Dorothy, New Jersey in the amount of \$180,620.00.

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

- 5.) The Contract for the 2019 Stormwater Repairs is hereby awarded to Landberg Construction, LLC of Dorothy, New Jersey in the amount of \$180,620.00

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- 6.) The Mayor and City Clerk are hereby authorized and directed to enter into a formal contract with Landberg Construction, LLC signing on behalf of the City.

Consent Agenda:

None

Old Business:

None

New Business:

On the motion of Councilman Gerety, seconded of Councilman Dill and carried for the approval of the Social Affair Permit for Greate Bay Country Club on 6/24/19, the Social Affair Permit for Gateway Playhouse on 7/6/19, and approval of the Race Application for National Multiple Sclerosis Society on 9/21-22/19

Discussion of Bills:

Administrator Swain reported a Bill List dated 6/11/19 in the amount of \$306,968.15.

Public Portion:

The meeting was duly opened to the public.

A resident expressed his concerned regarding Bamboo growing on his property that he did not plant. Council President McGuigan will inspect the site again and explained how difficult it is to enforce Bamboo that has already been planted. Councilman Meischker opines that this is a Civil matter. Attorney Lafferty reviewed the Ocean City ordinance and indicated that it seems to be constitutional. Another resident expressed her concern regarding the Bamboo encroaching on her

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property. Another gentleman expressed his concern regarding Bamboo aggressively growing in his neighborhood. The Governing Body thoroughly discussed the matter at hand. Council President McGuigan stated that he will research the matter further and work on an ordinance that will be enforceable.

A resident of 129 E. Meyran Avenue questioned when the road will be completed and complained about the handicap ramps and the sidewalks. Council President McGuigan indicated that he will follow up with the resident as soon as he obtains more information regarding the matter.

Mr. Franco of Decatur Avenue expressed his concerns regarding proposed shipping containers to be used by a liquor license owner. Council President McGuigan encouraged him to attend the upcoming Planning Board meeting to voice his concerns.

Payment of Bills:

M/S – Tapp/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 Council, the meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Lucy R. Samuelsen, RMC
Municipal Clerk
Approved: 6/27/2019