

REGULAR MEETING MAYOR AND CITY COUNCIL June 14, 2018

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: Toto, Dill, Gerety, Meischker, D'Adamo, Tapp, McGuigan

Also Present: Mayor Glasser, Administrator Swain, Deputy Administrator Frost, Clerk Samuelsen and City Solicitor Lafferty, Engineer Bob Watkins

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.

The Governing Body duly concurred to waive the 48- hour rule for consideration of Resolution No. 118, Ordinance 7 and three Social Affair Permits.

Planning Board Proposal Regarding Lot and Building Lot Coverage Changes

The Planning Board requested Engineer Watkins of Mott Associates, LLC., to analyze every zone in the City regarding minimum lot size, lot coverage, lot widths, setbacks, parking areas, and maximum height. Mr. Watkins explained that some lot coverages and building coverages were not listed in the City's Code Book. After the analysis, some changes occurred and the majority that were increased were in the commercial districts. Mr. Watkins passed out the proposed matrix list to the Governing Body. Lot coverage is the impervious, i.e., sidewalks, driveways and parking lots. Building coverage is just the building, which is not defined everywhere in the City's Code Book. Councilman Meischker expressed his concern that the Planning and Zoning Boards should be involved in the process and opposes the matrix that may exclude the Boards control. The Governing Body and City Administrator Swain thoroughly discussed each zone and any proposed changes.

Public Portion:

The Public Portion was duly opened, and after hearing from the public duly closed.

Mary Fondi of 28 Delaware Avenue expressed her concern with the protection of the residents with unreasonable development.

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Patty Cianci of Higbee Avenue opines that the lot and building lot coverage numbers are too high for the HVR and HVW zones. Bob Watkins, Engineer, explained that the HVR and HVW zones are not changing.

Council President McGuigan believes it should be implemented noting the benefit of having a matrix in the Code Book. Councilman Dill thanked Mr. Watkins for his presentation and would support it. Councilman Tapp needs to review it further. Councilman D'Adamo mentioned if the residents have a suggestion, please let him know. Council President McGuigan requested City Council to review the matrix, and the proposal will be revisited at next meeting.

Communications:

None

Mayors Report:

Mayor Glasser thanked everyone for their participation and attending the Memorial Day parade. This weekend is Arts in the Park at Kennedy Park starting at 10:00 a.m. on June 22nd. The Assault on Patcong Creek, which is the largest crabbing tournament in the U. S., will be held on June 22nd and June 23rd. Mayor Glasser mentioned that he received a letter from Senator Booker that Federal funding was discontinued for the Community Development Block Grant. Additionally, the Dawes Avenue 8th Grade graduation will be at 6:00 p.m. on June 18th.

City Administrators Report:

City Administrator Swain reported that the Council on Affordable Housing Third Round was extended 6/8/18 and temporary immunity was extended to August 31st. Mr. Swain reported that the City needs to amend the Chapter 69 Affordable Housing and revise the housing element of the Fair Share Plan and produce a revised spending plan. Mr. Swain is hopeful that the City will have these documents by August 30th.

Solicitors Comments:

None

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Committee Reports:

None

Approval of Minutes:

M/S – Dill/Tapp

Councilman Toto recused himself.

The Regular Minutes of 5/24/2018 and Executive Session of 5/24/2018 as to content only.

Proclamation:

No. 5 of 2018

Subject: Appointing Planning Board Member

WHEREAS, a vacancy exists in the Class IV category of the Somers Point Planning Board due to the resignation of Sean Igoe, said term expiring December 31, 2018; and

WHEREAS, in accordance with NJSA 40:55D-23-1, Mayor John L. Glasser, Jr., hereby appoints David Sharp in the Class IV category with a term expiring December 31, 2018; and

BE IT PROCLAIMED THAT the Planning Board as of this date consists of the following members with the expiration of terms noted:

CLASS I	EXPIRATION OF TERM
Mayor John L. Glasser, Jr.	Term of Office
CLASS II	
Lionel Crossman	One (1) Year Term 12/31/18
CLASS III	
Howard Dill	One (1) Year Term 12/31/18
CLASS IV	
Robert Green	December 31, 2019
Brian Cotton	December 31, 2020

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Greg Sykora
Paul Striefsky
John Conover (Alt. No. 1)
David Sharp (Alt. No. 2)

December 31, 2018
December 31, 2019
December 31, 2020
December 31, 2018

Ordinances:

Ordinance 6 of 2018:

Introduction/First Reading

M/S – Gerety/Toto

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

Councilman Meischker is a proponent of curtailing the use single use plastic bags that are a nuisance to animal life and environmental areas. Councilman Dill thanked Councilman Meischker for his diligent efforts and will support it this evening. Council President McGuigan explained the process of adopting ordinances and explained his stance of opposition of the ordinance; however, he is against pollution and plastic in the back bays and in the ocean. He opines this ordinance will not stop plastic bags being disposed of incorrectly and opposed the fee. Councilman Gerety stated his intention is to support it due to the impact to the environment, and they clog up the sewer drains. Councilman Toto is also in favor of the ordinance, but not the fee.

Ordinance No. 6 of 2018

An Ordinance Regulating Single-Use Bags and Establishing a Carryout Bag Fee for the City of Somers Point and Repealing all Ordinances Heretofore Adopted the Provisions of Which are Inconsistent Herewith

WHEREAS, the City of Somers Point (“City”) has the authority to enact laws which promote the public health, safety and general welfare of its residents; and

WHEREAS, the City is required under State and Federal law to implement policies and programs to protect unique coastal resources and environmentally sensitive habitat areas, reduce the amount of waste produced by the community and prevent storm water runoff, trash, and debris from polluting bay and ocean waters; and

WHEREAS, the City of Somers Point is bordered by the Great Egg Harbor Bay to the south and east and the Patcong Creek on the west.

WHEREAS, the Somers Point community is attractive to residents, businesses, and visitors due to a local economy and quality of life that is centered on a clean and healthy environment, including but not limited to beaches, parks, public open spaces, bays, estuary, tidelands, and the ocean; and

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WHEREAS, most single-use paper and plastic bags are not recycled and so they end up in the waste stream or as litter in the environment.

WHEREAS, data has been gathered by the Somers Point Environmental Commission and other environmental organizations, which documentation has been made available, demonstrate the prevalence of single-use bags in the local environment, including in the bay, ocean and on beaches, and that many single-use bags are disposed of in the trash and sent to landfills. These single use bags negatively impact the local environment, create clean-up costs for the City, are costly to dispose of and take up limited landfill space. Often the single-use bags end up on our beaches and dunes and in our fragile waterways. Clean Ocean Action's annual beach sweep data reports are used to study debris trends over time and have found plastic shopping bags consistently rank in the "dirty dozen" for the top twelve (12) litter items picked up during the bi-annual beach sweeps. In 2014, 2,340 plastic shopping bags were collected along the shore and in waterways of New Jersey during Ocean Conservancy's International Coastal Cleanup.

WHEREAS, reusable bags are an available alternative to single-use bags; and

WHEREAS, in order to protect public health and safety and maintain and improve the quality of life and the environment of Somers Point, it is in the City's interest to establish programs and services that: minimize the amount of single-use plastic and paper material that is manufactured and transported for use in Somers Point and then are handled, processed and disposed of in the City of Somers Point; minimize trash pollution in riparian, estuarine, ocean and other sensitive habitat areas; minimize litter on public and private property: including but not limited to streets, beaches, parks, sidewalks, storm drains and recycling facilities; and reduce the amount of material in the Somers Point waste stream.

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

SECTION 1. **Short title.**

The title of this section shall be "Single-Use Plastic Bag Regulations".

SECTION 2. **Purpose.**

The purpose of these provisions is to promote:

A. The protection of unique coastal resources found in Somers Point and identified for protection in the policies of the New Jersey Department of Environmental Protection- Coastal Management Program and the Federal Solid Waste Disposal Act, 42 U.S.C. 6901, et seq..

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B. Compliance with Federal and State mandates for clean water including the National Pollutant Discharge Elimination System Permit Program set forth in the Clean Water Act, 33 U.S.C. 1251, et seq., and the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq..

C. A reduction in the amount of plastic and paper material that is manufactured, transported, handled/processed, and discarded, and the impacts associated with such activities.

D. A reduction in the amount of waste/debris throughout the City of Somers Point and its bordering waterways, and the amount of material going to landfills.

SECTION 3. **Definitions.**

The following definitions shall govern the construction of this chapter:

A. “Carryout plastic bag” means a single-use or reusable plastic bag that is provided by a covered store to a customer at the point of sale and is used to carry goods from such store.

B. “Covered store” means a general vendor, retail, or wholesale establishment engaged in the sale of personal, consumer, or household items including, but not limited to: drug stores, pharmacies, grocery stores, supermarkets, convenience food stores, packaged goods sellers, or liquor stores, that provide carryout plastic bags to consumers in which to place items purchased or obtained at such establishment. Such term shall not include restaurants as defined in this section.

C. “Exempt bag” means reusable bags or any carryout bags that are a maximum of 11 inches by 17 inches, without handles provided for the customer to: (1) transport produce, bulk food, meat, or seafood from a produce, bulk food, meat, or seafood department within a store to the point of sale; or (2) hold prescription medication dispensed from a pharmacy.

D. “Point of sale” means the location in the commercial establishment where the purchase is made.

E. “Restaurant” means an establishment in which food and drink may be procured, provided that such food and drink is primarily consumed while seated at a table, counter or booth within the building.

F. “Reusable bag” means any bag with handles that is specifically designed and manufactured for multiple, long-term reuse and that is: (i) made of cloth or other machine or hand washable fabric, or (ii) made of other durable material, including plastic that is at least 2.25 mils thick.

G. “Single-use plastic bag” means any bag made of plastic that is provided to customers at point of sale for carryout purchases by a commercial establishment. Single-use bags do not include reusable bags or any carryout bags that are a maximum of 11 inches by 17 inches, without handles provided for the customer to: (1) transport produce, bulk food, meat, or seafood from a produce, bulk food, meat, or seafood department within a store to the point of sale; or (2) hold prescription medication dispensed from a pharmacy.

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H. “Street vendor” means any person or business peddling, vending, selling, or displaying for sale on a seasonal or one-time basis any merchandise or food that is presented from a mobile setting including a vehicle, cart, tent, table, or stand. This includes all businesses at farmers markets, street festivals, and other events requiring group or special event permits as described in the Code of the City of Somers Point including, but not limited to Chapter 202.

SECTION 4. **Carryout Bag Fee.**

A. Commencing six months from date of adoption of this Ordinance, covered stores shall charge a fee of not less than five cents (\$.05) for each carryout plastic bag provided to any person. No covered store shall be permitted to charge such fee for an exempt bag. All monies collected by a covered store under this chapter shall be retained by the store.

B. No covered store shall charge a carryout bag fee for bags of any kind provided by the customer in lieu of a carryout plastic bag provided by any such covered store.

C. No covered store shall prevent a person from using a bag of any kind that they have brought to any such covered store for purposes of carrying goods from such store.

SECTION 5. **Exemptions.**

A. Any bag defined as an “exempt bag” as set forth in Section 3, Subsection C.

B. All covered stores that provide carryout plastic bags to customers shall provide carryout plastic bags free of charge for items purchased at such covered store by any person using the New Jersey Supplemental Nutritional Assistance Program, EBT, or New Jersey State Special Supplemental Nutrition Program for women, infants and children as full or partial payment.

C. This chapter shall not apply to (1) any restaurant or (2) street vendor.

SECTION 6. **Outreach and Education.**

A. There will be a six (6) month education period before any fee is required to be charged by covered stores or any violation imposed.

B. The Somers Point Environmental Commission, Somers Point Green Team and any additional environmental organizations so designated by the Somers Point Environmental Commission shall establish an outreach and education program aimed at educating residents and covered store owners on reducing the use of single-use carryout bags and increasing the use of reusable carryout bags.

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C. To the extent that it is practical, the Somers Point Environmental Commission and Somers Point Green Team shall seek the assistance of private entities and local not-for-profit organizations to provide and distribute reusable carryout bags to residents.

D. All covered stores shall post signs, as approved by the Somers Point Environmental Commission, in accordance with this Ordinance at or near points of sale located in such covered stores to notify customers of the provisions of this chapter.

SECTION 7. Penalties and Enforcement.

A. Violations of this ordinance shall be enforced as follows:

1. For the first violation, upon a determination by a local official designated within subsection 5, below, that a violation of this chapter has occurred, the City shall issue a written warning notice to the commercial establishment which will specify the violation and the appropriate penalties in the event of future violations.

2. Thereafter, any person or covered store violating or failing to comply with any of the requirements of this chapter shall be subject to a civil penalty of one hundred dollars. For purposes of this chapter, each commercial transaction shall constitute no more than one violation.

3. It shall be a violation of this chapter for a covered store to fail to provide a receipt to a customer with an itemized charge for a carryout plastic bag fee.

4. The City may seek legal, injunctive, or other equitable relief to enforce this chapter. In such event, the City will be entitled to be reimbursed for costs and counsel fees incurred from the responsible covered store.

5. The primary official of the City of Somers Point responsible for enforcing this chapter is the Code Enforcement Official who should be notified by those citizens who believe that a violation of the terms of this chapter may exist. Officials responsible for enforcement of the terms and conditions of this chapter are entitled to exercise their discretion in determining the existence of any violation or in determining whether to seek any combination of fines and penalties provided for a violation of this chapter should be imposed or to use other means of enforcement, including persuasion or issuance of warnings. Nothing shall prevent a citizen, homeowner or other interested person from acting as a complaining witness in the Municipal Court of Somers Point or such other court having jurisdiction to enforce this chapter. Other officials of the zoning office and police department of the City of Somers Point are also authorized to issue a summons or warning for a violation of this chapter.

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B. The remedies and penalties provided in this chapter are cumulative and not exclusive of other remedies and penalties available under other provisions of applicable law.

SECTION 8. 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 9. Effective Date.

A. This Ordinance shall take effect upon final passage and publication pursuant to law. Violations and penalties will go into effect six (6) months after date of adoption.

Ordinance 7 of 2018:

Introduction/First Reading

M/S –Gerety/Toto

The ordinance was adopted by a unanimous vote of those present. Councilman Gerety mentioned that is was always the intention in the past to sell this property.

Ordinance No. 7

**AN ORDINANCE AUTHORIZING THE SALE OF BLOCK
1715, LOT 5 ON THE TAX MAP OF THE CITY OF SOMERS
POINT AND GRANTING TO THE OWNER OR OWNERS
OF SAID REAL PROPERTY CONTIGUOUS TO SAME THE
RIGHT TO PRIOR REFUSAL TO PURCHASE SUCH LAND
IN THE CITY OF SOMERS POINT, COUNTY OF
ATLANTIC AND STATE OF NEW JERSEY AND
REPEALING ALL ORDINANCES HERETOFORE
ADOPTED THE PROVISIONS OF WHICH ARE
INCONSISTENT HERewith.**

WHEREAS, the City of Somers Point, County of Atlantic and State of New Jersey, is the owner of certain land hereinafter described; and

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WHEREAS, in the judgment of the City Council of the City of Somers Point, said land is of no further use for public purpose and is not needed for public use and should be disposed of in accordance with the statute in such case made and provided, N.J.S.A. 40A:12-13(b), by private sale to the contiguous property owners; and

WHEREAS, said land is without any capital improvement and less than the minimum size required for development and is being offered at a minimum price which is equal to its fair market value.

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. That authorization is hereby given to solicit bids from the contiguous property owners for the land and premises described as follows:

<u>BLOCK</u>	<u>LOTS</u>	<u>MINIMUM</u>	<u>LOCATION</u>	<u>ZONE</u>	<u>LOT SIZE</u>
		<u>VALUE</u> <u>(BID)</u>			
1715	5	\$74,500	829 Centre Street	HC-1	7500 sf

and listed in the Notice of Sale hereinafter mentioned, at **PRIVATE SALE** to the highest bidder of the contiguous property owners which bids shall be submitted, in writing, to the City Clerk, as designee of this Governing Body, in writing and on forms prepared by the City for a period of twenty (20) days from the date of publication of the passage of this Ordinance pursuant to N.J.S.A. 40A:12-13. All bids shall be submitted in a sealed envelope. No offer less than the minimum value set forth above for said property shall be considered by the City Council.

SECTION 2. In the event that there are bids by more than one (1) contiguous property owner with respect to said property, the sale shall be made, if at all, to the highest bidder. All bids shall be submitted in the same manner and under the same conditions as set forth within Section 1.

SECTION 3. The City Council of the City of Somers Point reserves the right to reject any and all bids and to thereafter advertise the subject property for public sale pursuant to N.J.S.A. 40A:12-13(a).

SECTION 4. The City of Somers Point reserves the right to add any conditions to the sale of this property prior to acceptance of bids. If the successful bidder defaults on any condition imposed, Title to the property shall immediately and without further action revert back to the City of Somers Point and all funds paid to the City of Somers Point shall be retained by the City of Somers Point.

SECTION 5. The following conditions of sale shall apply:

(a) The successful bidder shall submit a Certified Check made payable to the "City of Somers Point" in the amount of twenty percent (20%) of the purchase price, which check shall be submitted in the sealed envelope at the time of submission of the bid. Persons bidding on behalf of a contiguous property owner shall be required to submit in writing satisfactory evidence of their authority. The balance of the purchase price plus FOUR HUNDRED TWENTY FIVE DOLLARS AND NO CENTS (\$425.00) to cover advertising, legal and recording fees shall be paid in cash or

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Certified Check within ten (10) days after City Council accepts the bid and authorizes the sale to the high bidder.

(b) The Deed prepared of behalf of the City of Somers Point shall not be tendered until the full purchase price is paid.

(c) Title shall be conveyed by and through a Quitclaim Deed and shall convey only the right, title and interest of the City of Somers Point to the land, as described herein. No warranties and covenants are or shall be made by the City of Somers Point and in no event shall there be any liability on the part of the City by reason thereof. The City of Somers Point makes no warranties or representations regarding any condition of the property including, but not limited to, environmental or cosmetic conditions of the property. The successful bidder shall be solely responsible for any and all expenses related to the property including, but not limited to, environmental clean-up costs that may be necessary. The right, title and interest of the successful bidder, as purchaser, shall be subject to the following conditions, covenants, restrictions, easements and exceptions which shall run with the land and shall also become part of the Deed granted to the purchaser for the recording:

- (1) Easement of utility companies and of governmental agencies or bodies.
- (2) Any encroachments, prescriptions, easements or other state of facts pertaining to said lands which may be ascertained upon a visual examination and inspection of the land and the lands surrounding said land and any restrictions and covenants of record.
- (3) All existing Federal, State, County and Municipal laws, statutes, ordinances, rules and regulations including, by way of description and not by limitation, existing zoning, health and planning board rules and regulations.
- (4) No representation of any kind is made that the land, in question, surface as well as subterranean portions, is suitable or adaptable for any particular use whatsoever.
- (5) No representation of any kind is made concerning gas or electric service to the land.

(d) In the event that the City cannot convey good and marketable title, subject to the above, the purchaser will be entitled to the return of the deposit, without interest, and the City will not be responsible or liable in any other manner and for any other amount.

(e) In the event that the purchaser defaults in making payment to the City, as set forth above, or if the purchaser cannot make settlement in accordance with the terms thereof, the deposit made by the successful bidder on account of the purchaser will be retained by the City as and for its liquidated damages, and the land may be resold. This remedy shall be in addition to the City's right to compel specific performance of the purchaser's obligation hereunder. Time is of the essence.

(f) That the purchaser, for himself, his heirs, personal representative, successors and assigns, waives any possible exemption from taxes and assessments, and interest and other lawful charges thereon by reason of the ownership of the premises by the City of Somers Point prior to sale, and that the said premises shall be liable for and subject to the same manner and under and

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subject to all lawful charges thereon, as well as the tax liens and tax sale, as real estate not municipally owned.

(g) No bids shall be accepted from any owner of property in the City of Somers Point for which any real estate taxes or municipal charges are due and unpaid at the time of sale.

(h) The Deed shall contain the condition and agreement by Buyer and Seller that the purchase price of the property or any information involved in its determination shall not be used as evidence in any appeal of municipal taxes for this or any other property.

SECTION 6. Settlement shall be held within forty-five (45) days of acceptance of the successful bid in the Office of the City Clerk, or in the office of a local title insurance company, if at least two (2) days written notice is given by either party to the other. If the day fixed is on a Sunday or other holiday, settlement shall be made on the next business day. The City Solicitor may, for good cause shown and in their sole discretion, extend the time of the settlement for a reasonable period. At settlement, the balance of the purchase price shall be tendered in the form of cash, Certified Check or Cashier's Check. Time is of the essence.

SECTION 7. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies, and should any section, clause, sentence or provision of any item in this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not effect the validity of the remaining portions of this Ordinance.

SECTION 8. This Ordinance shall take effect upon its final passage and publication as provided by law.

Resolutions:

Public Portion on Resolutions:

The Public Portion was duly opened. Hearing nothing from the public, it was duly closed.

Resolution No. 114 of 2018

M/S-Dill/Tapp

Councilman Toto recused himself from American Legion.

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

No. 114

Subject: Liquor License Renewals

Introduced by: Council President McGuigan

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

NOW, THEREFORE, BE IT RESOLVED that the below named and numbered applications are hereby renewed through June 30, 2019:

0121-33-001-013	Apple New Jersey, LLC
0121-33-010-002	Gregory Hotel INC
0121-33-016-010	Plantation Bay Resort and Country Club LLC
0121-31-020-002	American Legion Clark Eliason Post 352
0121-31-024-001	Somers Point Volunteer Fire Company No 2
0121-33-003-008	Lost Boys INC
0121-33-004-007	Point Pub of NJ INC
0121-44-006-002	Circle Liquor Store INC
0121-33-012-009	SSD Diner LLC
0121-33-008-004	The Docs Place INC
0121-33-002-003	RJM Enterprises INC
0121-33-011-007	Clancy's By the Bay INC
0121-33-005-003	Charlies' INC

Resolution No. 115 of 2018

M/S- Tapp/Dill

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

Mayor Glasser thanked City Council for working with him in bringing the Recreation Commission to full staff.

No. 115

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

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 now exists with said term expiring December 31, 2021; and

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WHEREAS, Council wishes to appoint Charles “Skip” Broomall to fill the vacant term said term expiring December 31, 2021; and

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
Charles “Skip” Broomall	December 31, 2021
Paul Huber, Jr.	December 31, 2020
Brandon Adams	December 31, 2021
Kristian Gardner	December 31, 2019
Mike Owen	December 31, 2022
Matt Endicott	December 31, 2018
Michael Stewart	December 31, 2018

Resolution No. 116 of 2018

M/S-Dill/Toto

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

Mr. Swain reported that this will be used as a last resort.

No. 116

Subject: Authorizing Estimated Tax Billing
Introduced By: Council President McGuigan, Councilmen Gerety and Dill

WHEREAS, due to reasons beyond its control, the County Board of Taxation did not certify a tax rate for the City of Somers Point and, therefore, the City’s Tax Collector was unable to complete the mailing or delivery of tax bills by June 14, 2018; and

WHEREAS, at this time it is unknown when the City may anticipate receipt of its certified tax rate so that the mailing or delivery of tax bills can be completed; and

WHEREAS, under these circumstances it may become necessary to issue estimated tax bills for the third quarter of 2018; and

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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 \$32,745,702.81 and \$36,192,618.89.

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 2018 in accordance with the provisions of N.J.S.A 54:4-66.2 et seq.
- 2.) The entire estimated tax levy for 2018 is hereby determined to be \$35,337,643.01.
- 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.

Resolution No. 117 of 2018

M/S-Gerety/Tapp

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

Mr. Swain explained that the previous three-year contract expires at the end of July. The previous vendor went out of business. The City went out to bid and no one responded. Currently most cities use the State of New Jersey, he is advocating to do it also.

No. 117

Subject: Authorizing the State of New Jersey to Enforce the Elevator Subcode

Introduced By: Councilman Tapp

WHEREAS, the onsite third party elevator inspection agency of the City of Somers Point has ceased doing business in the State of New Jersey; and

WHEREAS, proposals for elevator inspection services were solicited by the Construction Official from five third party agencies, and there were no responses; and

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WHEREAS, the State of New Jersey Department of Community Affairs has mandated that all municipalities have an Elevator Inspection Subcode Official; and

WHEREAS, upon notice and authorization, the State of New Jersey Elevator Safety Unit Elevator can enforce the Elevator Subcode in the City of Somers Point; and

WHEREAS, this arrangement can be terminated upon 120 days' notice by the City to the State; and

WHEREAS, the City of Somers Point no longer deems it feasible at this time to enforce the Elevator Subcode.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, County of Atlantic, State of New Jersey that, upon the effective date of this resolution, the City of Somers Point hereby gives the State of New Jersey Elevator Safety Unit jurisdiction to enforce the Elevator Subcode in the City of Somers Point.

Resolution No. 118 of 2018

M/S-Toto/D'Adamo

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

Council President McGuigan thanked Councilman Tapp for his diligent efforts regarding this resolution. Councilman Tapp explained that he received many complaints of traffic congestion on off hours, and thanked City Engineer, Greg Schneider, for his expedient service.

No. 118

Subject: Requesting NJDOT to Evaluate/Change Traffic Signal Timing at
Route 9 & County Route 559

Introduced by: Councilman Dennis Tapp

WHEREAS, NJDOT has inspected the signal and it is currently functioning properly;
and

WHEREAS, the signal timing was last revised by NJDOT in 2015; and

WHEREAS, the signal timing may need to be revised based on current traffic patterns to ensure a safe and efficient movement of traffic

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that it formally request that NJDOT reevaluate the timing of the signal and make the necessary changes for the signal at the intersection at Rt. 9 & CR 559.

Consent Agenda:

None

Old Business:

Councilman Tapp and City Administrator Swain discussed the schedule of the demolition of the dilapidated home on Bay Avenue.

Councilman Dill questioned the status of purchasing a projector for Gateway Theater, and mentioned that he will forward specifications to Mr. Swain.

New Business:

City Council duly approved the following items:

- Approval of NJ State Firemen's Association Membership Applications for Ian J. Hutchings and Jesse J. Morales
- Social Affair Permit for Theater Collaborative of South Jersey on 6/16/18
- Social Affair Permit for National Multiple Sclerosis Society
- Social Affair Permit for Theater Collaborative of South Jersey on 7/7/2018

Discussion of Bills:

Administrator Swain reported a bill list dated 6/12/18 in the amount of \$3,232,825.08

Public Portion

**REGULAR MEETING
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The Public Portion was duly opened. After hearing from the public, it was closed.

Councilman Dill commended the Fire Company for the fast response regarding the fire at Shore Hardware.

Ed O'Donnel, residing at Sonesta Hotel expressed his concern to assist the small businesses and reduce stress in the workplace.

Payment of Bills

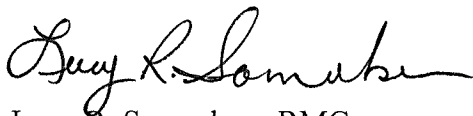
M/S – Gerety/Toto

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 8:44 p.m.

Respectfully submitted,



Lucy R. Samuelson, RMC

Municipal Clerk

Approved: 6/28/2018