

**REGULAR MEETING
MAYOR AND CITY COUNCIL
July 25, 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: D'Adamo, Gerety, Tapp, Toto, McGuigan

Also Present: Mayor Glasser, Administrator Swain, Assistant Administrator Frost, City Clerk Samuelsen, Deputy City Clerk Heath and City Solicitor Lafferty. Council President McGuigan recognized Absecon City Councilman Frank Phillips in the audience.

Absent: Dill, Meischker

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:

Mayor Glasser read a letter of resignation from Councilman Ron Meischker effective immediately including resignation of Harbor Master. Councilman Tapp motioned, seconded by Councilman Toto and carried to accept the letter of resignation. City Solicitor Lafferty advised that the municipal vacancy law provides for a replacement process.

Public Portion (Resolutions)

The Public Portion was duly opened regarding Resolution No. 146 of 2019 and hearing nothing further from the public, was duly closed.

Resolution No. 146 of 2019

M/S- Gerety/Toto

The resolution was adopted by unanimous vote of those present.

Council President McGuigan complimented the City Clerk for her professionalism, work ethic and dedication for the City, and he extended his congratulations. Mayor Glasser stated that the City Clerk is the hub of the City operations and mentioned that he is happy for the reappointment. Additionally, he recognized Deputy City Clerk Heath and Assistant City Clerk Hornig for their outstanding work. The Mayor offered his congratulations and good luck in the future. City Councilman Tapp stated that Lucy has done a wonderful job and streamlined the City Clerk's Office improving the efficiency. Mayor Glasser administered the oath of office while her husband, Tony, held her Great-Great Grandfather's Bible dated 1867. Newly re-

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appointed City Clerk Samuelsen thanked Mayor Glasser, City Council and Administrator Swain for their support and consideration. She recognized and gave kudos to Deputy City Clerk Heath and Assistant City Clerk Horning for their professionalism and hard work in the office. Additionally, she expressed her thankfulness and appreciation to be able to continue working in Somers Point with a wonderful group of people. Finally, she thanked her husband, family and friends for coming out and supporting her.

No. 146 of 2019

Subject: Resolution of Reappointment – Municipal Clerk

Introduced by: Councilmen Dill and Toto

WHEREAS, pursuant to N.J.S.A. 40A:9-133, the municipal governing body shall provide for the appointment of a Municipal Clerk; and

WHEREAS, Lucy R. Samuelsen has indicated a willingness to serve in such the position; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, County of Atlantic, that Lucy R. Samuelsen, RMC, be and is hereby reappointed the Municipal Clerk of the City of Somers Point for a three (3) year term effective August 1, 2019, through July 31, 2022.

Special Guest Speakers:

Lloyd Humphrey representing the Multiple Sclerosis Society thanked the Mayor, Council President McGuigan and City Council for their time this evening. He stated that Somers Point has been a tremendous partner to the MS Society throughout the years for City to Shore Ride. The event last year included 6,000 riders with over 1,000 volunteers raising over \$5 million. The MS Society uses 16 cents out of every dollar raised for administration. Due to the fund-raising efforts, medicine and technology has been developed that has been life changing for those diagnosed with MS. Their lives include longevity and milder symptoms enabling an improved quality of life. He offered his heartfelt thanks to the residents and businesses that tolerate 6,000 people coming through their town. Council President McGuigan appreciates and thanked Mr. Humphrey for all his work to battle the disease. City Councilman Tapp motioned, seconded by Councilman Toto and carried to approve the application for the bike ride contingent upon providing insurance and the Police Chief's approval. The Mayor and City Council thanked him for his presentation.

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George Irwin introduced himself and owns company for 25 years that manufactures green products roof/walls, which now includes growing high-quality medicinal marijuana. He mentioned that he is against recreational marijuana. The company provides for the treatment of over 50,000 people in New Jersey and are unable to keep up with the demand as medicinal cannabis. He requested permission and advice to operate a medicinal dispensary. Attorney Lafferty questioned the intent of their business. Mr. Irwin explained that he is looking for a letter of support to locate a dispensary only in Somers Point. Mr. Irwin continued to explain the process of how a new patient would start purchasing medicinal marijuana. Mr. Lafferty and Mr. Irwin discussed locations and the application process. City Councilman Tapp motioned, seconded by Councilman Gerety and carried to provide a letter of support to operate a medicinal marijuana dispensary facility only. Roll call vote:

AYE: D'Adamo, Gerety, Tapp, Toto, McGuigan
NO:
ABSENT: Dill

Council President McGuigan thanked him for his interest in the City.

Greg Schneider, City Engineer reported that the City received a grant from the N.J. Department of Transportation for \$700,000 for repaving of Bethel Road from Ocean Heights to Shore Road. The Master Plan recommends that 1st Street and Bethel Road is to change the intersection to a 90- degree angle and the bike crossing will be shorter than it is now on the angle. Mr. Schneider discussed installation of a warning light, bicycle symbol with arrows (sharrows) to slow traffic down per the bike/pedestrian master plan. Additionally, Mr. Schneider recommended an electronic speed checker sign and pedestrian/bike flashing beacons for added safety, which is covered in the grant. Mayor, City Council and City Engineer discussed the current bike/pedestrian traffic. Additionally, Mr. Schneider recommended sharrows on Bay Avenue and City Council concurred with the recommendation. Also, there was a discussion of installation of pedestrian signs around the recreational areas. The time table is to out to bid in September and planning for construction in early spring of 2020.

Public Portion (Resolutions)

The Public Portion was duly opened regarding Resolution No. 148 of 2019 and hearing nothing further from the public, was duly closed.

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Resolution No. 148 of 2019

M/S-Toto/Gerety

The resolution was adopted by unanimous vote of those present. Carolyn Peterson stated that their goal is to educate the public and emergency personnel of the signs and symptoms of Dementia. Mayor Glasser will pass on contact information for the Somers Point Business Association. Mayor Glasser thanked Council President McGuigan for bringing this subject forward which will educate and help everyone to learn more about Dementia. Councilman Toto thanked them for their work and sadly shared that he lost both grandparents to Dementia.

No. 148 of 2019

Subject: Encouraging and Supporting Dementia Friendly America (DFA) and New Jersey Involvement

Introduced by: Council President McGuigan

Whereas, Dementia Friendly America (DFA) is a national network of communities, organizations and individuals seeking to ensure that communities across the U.S. are equipped to support people living with dementia and their caregivers, and to foster the ability of people living with dementia to remain in community and engage and thrive in day to day living; and

Whereas, a dementia friendly community is a village, town, city or county that is informed, safe and respectful of individuals with the disease, their families and caregivers and provided supportive options that foster quality of life; and

Whereas, DFA offers technical assistance, including a community toolkit, sector specific guidance and best practices synthesized from across the world in order to encourage and ask each sector of community to take its own steps to foster support, and to emerge a community that is informed, safe and respectful of people living with dementia in order to ensure that they can live independently as long as possible, and

Whereas, 34 states are involved in DFA, but New Jersey is not listed as a participating state and;

Whereas, an initiative is being undertaken in Atlantic County to organize a task force to form a Dementia Friendly New Jersey that may be comprised of local government, businesses and community leaders and health care professionals, to focus on Atlantic and Cape May counties as the first of its kind in New Jersey to utilize the DFA model; and

Whereas, the initiative looks forward to empathetic and sympathetic support from local government and the community as it seeks to create the task force and commence its mission.

Now, Therefore Be It Resolved by the Mayor and City Council of Somers Point that it encourages and supports the initiative and the task force in its efforts to form a Dementia Friendly New Jersey based upon the DFA model.

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Communications:

None

Mayor's Report:

Mayor Glasser reported that the first Veterans Advisory Board meeting is scheduled on 8/19/2019 at 7:00 p.m. in City Council Chambers. Mayor Glasser encouraged City Council to attend the Somers Point Business Association meeting on 8/21/19 at 8:00 a.m. Mayor Glasser is working with the N.J. Coastal Coalition of N.J. to acquire funding for installation of four web accessed cameras in areas that are prone to flooding.

Administrator's Report:

None

Solicitors Report:

None

Committee Reports:

None

Approval of Minutes:

Councilman Toto motioned, seconded by Councilman D'Adamo and carried to approve the Regular Meeting Minutes and the Executive Session meeting minutes as to content only for 6/27/2019. Council President McGuigan recused himself from the Executive Session minutes.

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Proclamation:

None

Ordinances:

Ordinance No. 9 of 2019

(Second Reading/Public Hearing/Adoption)

M/S – Toto/ Tapp

The ordinance was adopted by unanimous vote of those present.

No. 9 of 2019

**AN ORDINANCE FIXING THE SALARIES, WAGES
AND COMPENSATION OF THE OFFICERS AND
EMPLOYEES OF THE CITY OF SOMERS POINT,
COUNTY OF ATLANTIC, STATE OF NEW JERSEY.**

BE IT ORDAINED by the City Council of the City of Somers Point, New Jersey that the annual wages, salaries and compensation of the Officers and Employees of the City of Somers Point shall be as follows, as of January 1, 2019:

**SECTION 1. FULL TIME EMPLOYEES
(for full year)**

Position	From:	To:
Account Clerk Typist	23,400	51,200
Bookkeeper	23,400	51,650
City Administrator	60,000	152,810
City Clerk/Registrar of Vital Statistics, Municipal Search Officer, first year	40,000	73,000
City Clerk/Registrar of Vital Statistics, Municipal Search Officer after completion of 1 year	73,000	75,000
City Clerk/Registrar of Vital Statistics, Municipal Search Officer after completion of 2 years	75,000	77,000
City Clerk/Registrar of Vital Statistics, Municipal Search Officer after completion of 3 years	77,000	80,000
Clerk Typist	23,400	30,200
Clerk Typist/Matron	23,400	53,300

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Chief Financial Officer	5,000	25,000
Construction Official	40,000	62,700
Court Administrator	40,000	84,250
Department of Public Works Worker	24,500	69,100
Department of Public Works Work Leader	48,000	77,100
Deputy City Clerk/Deputy Registrar	30,000	53,500
Deputy Court Administrator	28,400	55,600
Deputy Tax Collector	28,400	54,900
Dispatcher	25,000	per contract
Administrative Officer of Planning and Zoning & Construction & Code Enforcement Secretary		
Start	20,000	27,300
After completion of 6 months	20,000	30,300
After completion of 1 year	20,000	33,300
After completion of 1 year with Technical Assistant to the Construction Official Certification	20,000	35,300
After completion of 2 years	33,300	36,600
After completion of 2 years with Technical Assistant to the Construction Official Certification	33,300	38,600
Police Patrol Officer	31,000	per contract
Police Sergeant	83,600	per contract
Police Lieutenant	107,700	per contract
Police Captain	116,400	per contract
Police Chief	99,200	154,100
Principal Manager of Public Works	60,000	96,870
Superintendent of Public Works	60,000	96,870
Asst. Supervisor of Public Works	40,000	77,100
Tax Assessor	40,000	87,700
Tax Collector/Tax Search Officer/Sewer Utility Collector	40,000	72,950
Confidential Asst. to the City Administrator	22,000	66,400
Confidential Asst. to the City Administrator – Account Clerk	22,000	66,400
Confidential Asst. to the City Administrator – Senior Account Clerk	66,400	67,728
Deputy City Administrator, during first calendar year	66,400	67,728
Deputy City Administrator, during second calendar year	67,728	70,000
Comptroller	50,000	61,400
Comptroller, during second calendar year	61,400	66,400
Comptroller, during third calendar year	66,400	70,000
Senior Account Clerk	50,000	61,400
Senior Account Clerk, during second year	61,400	66,400
Waste Water Collection System Operator	5,000	12,600
Qualified Purchasing Agent	1,200	20,000

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Joint Insurance Fund Commissioner	1,200	2,500
Confidential Secretary to the Police Chief, first year	22,000	25,500
Confidential Secretary to the Police Chief, after completion of first year	25,500	27,200
Confidential Secretary to the Police Chief, after completion of second year	27,200	28,900
Confidential Secretary to the Police Chief, after completion of third year	28,900	40,600
Acting Police Chief Stipend		5,200

Each full-time employee shall be paid for overtime, and any other additionally earned compensation, in accordance with his/her employment contract. This may include additional compensation based upon the length of his/her service, at the rate of \$100.00 per year, paid in addition to, and together with his/her salary.

SECTION 2. PART TIME OFFICERS & EMPLOYEES (for full year)

Position	From:	To:
<u>Building Department</u>		
Electrical Sub-Code Official	7,000	15,000
Plumbing Sub-Code Official	7,000	12,000
Fire Sub-Code Official	7,000	12,000
Building Inspector	per inspection 10.00	25.00
Construction Official	per inspection 10.00	25.00
Temporary UCC Sub-code Official	per inspection 10.00	25.00
Zoning Code Enforcement Officer	per hour 10.00	25.00
Asst. Code Enforcement Officer	2,500	6,000
Asst. Code Enforcement Officer	per hour 10.00	25.00
Clerk-Typist	per hour 9.00	20.00
Administrative Officer of Planning and Zoning & Construction & Code Enforcement Secretary	per hour 9.00	20.00
<u>Police Department</u>		
Dispatcher	per hour 9.00	20.00
School Traffic Guard	per day 27.00	48.00
Special Officer	per hour 11.00	25.00
Data Processing Clerk	per hour 9.00	18.00
Clerk Typist	per hour 9.00	18.00

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Recreation

Summer Recreation Coordinator	per hour	10.00	25.00
Lifeguard	per hour	9.00	20.00
Recreation Workers	per hour	9.00	40.00
Boat Ramp Attendant	per hour	9.00	16.00
Program Instructor	per hour	9.00	35.00

Public Works Department

Clean Communities Coordinator		500	1,200
Clean Communities Laborer	per hour	9.00	18.00
Recycling Coordinator		200	800
Public Works/Sanitation Workers	per hour	9.00	20.00
Public Works Secretary	per hour	9.00	18.00
Parking Lot Attendant	per hour	9.00	15.00
Waste Water collection System Operator		5,000	12,600
Custodian	per hour	9.00	18.00
Marina Worker	per hour	9.00	15.00
Marina Supervisor	per hour	10.00	25.00
Marina Supervisor	per day	75.00	100.00

Administration, Finance, Tax Collector, Tax Assessor and Court

Mayor		4,500	9,000
Council President		4,000	8,500
Council Persons		4,000	8,500
Chief Financial Officer		5,000	25,000
City Engineer		5,000	13,000
Clerk Typist	per hour	9.00	22.00
Municipal Alliance Coordinator		500	2,000
Safety Coordinator	per hour	19.00	25.00
Blood Borne Pathogens Coordinator		500	1,000
Qualified Purchasing Agent		1,200	20,000
Joint Insurance Fund Commissioner		1,200	2,500
Municipal Magistrate		10,000	24,000
Temporary Court Clerk	per court session	60.00	100.00

Bureau of Fire Prevention

Fire Official		1,400	7,000
Senior Inspector		1,200	6,600
Inspector		1,000	6,000
Inspector	per hour	10.00	20.00

Fire Department

Fire Chief		Up to	7,000
Deputy Fire Chief		Up to	5,400

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Assistant Chief		Up to	3,900
Captain		Up to	3,600
Lieutenant		Up to	3,300
Fire Marshall		Up to	2,500
Fire Marshall	per inspection hour	10.00	20.00
Deputy Fire Marshall		Up to	2,500
Deputy Fire Marshall	per inspection hour	10.00	20.00
Fire Safety Officer		Up to	1,600

Emergency Management

Emergency Management Coordinator		Up to	4,500
Deputy Emergency Management Coordinator		Up to	3,000
Assistant Emergency Management Coordinator		Up to	500

Each part time hourly employee shall be paid for overtime at the rate of one and one-half times the employee’s straight time hourly rate for all hours of work which are more than eight hours worked in one day or forty hours worked in one week for any such part time work.

SECTION 3. REPEALER

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

Ordinance No. 10 of 2019

Councilman D’Adamo motioned to amend the Code designation from 114 to Code 169, seconded of Councilman Tapp and carried.

(Second Reading/Public Hearing/Adoption)

M/S – Tapp/Gerety

The ordinance was adopted by unanimous vote of those present.

Solicitor Lafferty indicated that the ordinance was forwarded for review to the Planning Board, and they did not review it, but forwarded the ordinance to the Planning Board Engineer, Mr. Watkins and determined it would be more appropriate that the ordinance be treated as a property maintenance ordinance.

Resident, Tina Justeno of 38 Higbee Avenue requested clarification of the amendment. City Council President McGuigan explained that the ordinance is not a developmental ordinance but amended to a Code Enforcement ordinance.

Resident Michael Deljorno 50 Higbee Avenue questioned the penalties if you were in violation. Solicitor Lafferty provided the answer to Mr. Deljorno. Mr. Lafferty and City Council discussed when the ordinance becomes effective.

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No. 10 of 2019

An Ordinance Amending Chapter 114, Article XX of the Revised General Ordinances of the City of Somers Point so as to Include a new Section Designated as “Bamboo Planting Prohibited; Containment and Removal” and Repealing All Ordinances Adopted the Provisions of Which Are Inconsistent Herewith

WHEREAS, the City of Somers Point adopted Chapter 114- Development Regulations, Article XX- Regulations Applicable to All Districts, which provided for, *inter alia*, development regulations, including but not limited to, design and area requirements for the Regulations Applicable to All Districts; and

WHEREAS, in the judgment of the City Council for the City of Somers Point, it is in the public interest for the Regulations Applicable to All Districts article to be amended to include the prohibition of bamboo planting and regulating their containment and removal.

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

SECTION 1. **§114 of Article XX., Regulations Applicable to All Districts, is hereby amended to include the following:**

§114-123, Bamboo Planting Prohibited; Containment and Removal

It is determined that certain types of the bamboo plant are invasive and often difficult to control, and such bamboo can and has caused significant damage to properties in the City of Somers Point. The purposes of this section are to preserve and protect private and public property from the damaging spread of bamboo, to protect indigenous and other plant materials from the invasive spread of bamboo, and to maintain the general welfare of the residents of the City of Somers Point.

A. **Prohibition.** No owner, tenant or occupant of a property, or person, corporation or other entity, shall plant, install or cause or permit the planting or installation of plant species commonly known as "running bamboo" (monopodial) or “clumping bamboo” (sympodial) upon any property located within the City of Somers Point. For the purposes of this section this includes any bamboo in the genus *Phyllostachys*, including *Phyllostachys aureosulcata* as well as the following plant genera: *Arundinaria*, *Bambusa*, *Chimonobambusa*, *Dendrocalamus*, *Fargesia*, *Phyllostachys*, *Pleioblastus*, *Pseudosasa*, *Sasa*, *Sasaella*, *Semiarundinaria*

B. **Duty to Confine.**

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In the event any species commonly known as "running bamboo" or "clumping bamboo" is located upon any property within the City of Somers Point, prior to the effective date of this prohibition, the owner and occupant of said property shall jointly and severally be required to confine such species to prevent the encroachment, spread, invasion or intrusion of same onto any other private or public property or public right-of-way. In lieu

of confining the species, the property owner or occupant may elect to totally remove the bamboo from the property and all affected properties. Failure to properly confine such bamboo shall require removal as set forth below. The cost of said removal shall be at the bamboo property owner's expense. This duty to confine shall not apply if the property owner and/or occupant can establish to the satisfaction of the Code Enforcement Officer that the bamboo which is on his/her property at the time of the adoption of this article originated on another property.

C. Removal.

(1) In the event running bamboo is present on the effective date of this prohibition and a complaint is received by the City regarding an encroachment of any bamboo plant or root, and the Code Enforcement Officer of the City, after observation and/or inspection and upon presentation by the complaining property owner of sufficient evidence by way of expert analysis or otherwise as to the originating source to the satisfaction of the Code Enforcement Officer, determines that there is an encroachment or invasion on any adjoining/neighborly private or public property or public right-of-way (hereinafter, "the affected property"), the City shall serve notice to the bamboo property owner, in writing, that the bamboo has invaded other private or public properties or public rights-of-way and demand removal of the encroachment of the bamboo from the affected property, and demand approved confinement against future encroachment, or in the alternative, the total removal from the bamboo property owner's property. Notice shall be provided to the bamboo property owner, as well as to the owner of the affected property, by certified, return-receipt-requested mail and regular mail. Within 45 days of receipt of such notice, the bamboo property owner shall submit to the Code Enforcement Officer of the City, with a copy to the owner of the affected property, a plan for the removal of the encroachment of the bamboo from the affected property, which plan shall include restoration of the affected property after removal of the encroachment. Within 120 days of receipt of the Code Enforcement Officer's approval of the plan of the removal and restoration, the remediation and restoration shall be completed to the satisfaction of the Code Enforcement Officer of the City.

(2) If the bamboo property owner does not accomplish the removal of the bamboo from such other private or public property or public right-of-way in accordance herewith, the Code Enforcement Officer of the City of Somers Point shall cause a citation to be issued with a penalty up to \$100.00 for each day the violation continues, enforceable

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- (3) through the Municipal Court of the City of Somers Point. The Administrative Officer may request, and the Municipal Court may grant, a specific performance remedy. The City may also institute civil proceedings for injunctive or civil relief.
- (4) Nothing herein shall be interpreted as limiting the rights of a private property owner to seek civil relief through a court of proper jurisdiction, nor the institution of civil proceedings against the proper parties.
- (5) When an encroachment is upon public property or a public right-of-way and the bamboo property owner and/or occupant has not complied with the written notice provided as set forth above, the City of Somers Point, at its discretion, may remove or contract for the removal of such bamboo from the City property or public right-of-way. The cost of such removal shall be the responsibility of the bamboo property owner and occupant and shall be paid or assessed as a lien against the property on which the bamboo growth originated. The cost of said removal from the City-owned property and/or public right-of-way shall include the installation of an appropriate barrier to prevent future bamboo invasion.

D. **Replanting Prohibited.** Any “running bamboo” or “clumping bamboo” either planted or caused to be planted or existing on the effective date of this regulation may not be replanted or replaced once such bamboo is or has become dead, destroyed, uprooted, or otherwise removed.

SECTION 2. 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 3. Effective Date.

This Ordinance shall take effect upon final passage and publication pursuant to law.

Public Portion (Resolutions)

The Public Portion was duly opened and hearing nothing further from the public, was duly closed.

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Resolution No. 147 of 2019

M/S- Toto/Tapp

The resolution was adopted by unanimous vote of those present.

City Administrator Swain noted that this contract is for emergency services and not awarding a contract for \$275,260. Council President McGuigan thanked Mr. Swain for the clarification.

No. 147 of 2019

**Subject: Awarding Bid for Sanitary Sewer Emergency Repairs and
Miscellaneous Maintenance**

Introduced by: Councilmen Dill and Toto

WHEREAS, on July 18, 2019, the City of Somers Point received bids from four contractors for Sanitary Sewer Emergency Repairs and Miscellaneous Maintenance; and

WHEREAS, the total amount of the bid was based on specified units and quantities of work multiplied times the bidder's unit prices of labor, material and equipment for various categories of anticipated emergency repairs and miscellaneous repairs to the sanitary sewer system; and

WHEREAS, after applying these calculations, Mathis Construction Co., Inc., of Little Egg Harbor Township, New Jersey, was the lowest responsible bidder; and

WHEREAS, the Sewer Utility Engineer has recommended that the City award the contract to Mathis Construction Co., Inc., in the established maximum amount of \$275,260.00.

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

- 1.) The Contract for Sanitary Sewer Emergency Repairs and Miscellaneous Maintenance is hereby awarded to Mathis Construction Co., Inc., of Little Egg Harbor Township, New Jersey, in the maximum amount of \$275,260.00.
- 2.) The Mayor and City Clerk are hereby authorized and directed to enter into a formal contract with Mathis Construction Co., Inc., signing on behalf of the City.
- 3.) This is an open-end contract that will be in effect for a period of one (1) year from August 1, 2019, through July 31, 2020, with the possibility of two (2)

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4.) one-year extensions if both parties agree to the extension, subject to the requirements of N.J.S.A. 40A:11-1 et seq.

Resolution No. 149 of 2019

M/S- Tapp/Toto

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

No. 149 of 2019

Subject: Change Order – Contract No. 46 – 2017 Road Program Phase II

Introduced by: Councilman Dill and Toto

WHEREAS, in accordance with Resolution 96 of 2018, Arawak Paving Co., Inc., of Hammonton, N.J., was awarded the contract for the 2017 Road Program Phase II for the sum of \$588,000.00; and

WHEREAS, during the course of construction changes were made to reflect as-built quantities and payments required due to the change in the price of asphalt; and

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

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

Base Contract	\$588,000.00
Change order 1 (to reflect as-built quantities & Asphalt price adjustment)	\$ 16,914.63
Revised Contract Amount	\$604,914.63

Total Deduction: \$0 Total Additional: \$ 16,914.63 Net Change: 2.88%

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the above listed change to the contract for 2017 Road Program Phase II is hereby approved and that the Mayor is hereby authorized and directed to execute all documents in this regard on behalf of the City.

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Resolution No. 150 of 2019

M/S-Toto/Gerety

The resolution was adopted by unanimous vote of those present.

Council President McGuigan mentioned that the equipment was listed on GovDeals; however, the person only took the computer towers.

No. 150 of 2019

Subject: Authorizing the Discard of Personal Property

Introduced by: Council President McGuigan

WHEREAS, the City of Somers Point is in possession of personal property that is no longer needed for public use because it does not function properly; and

WHEREAS, the condition of this property is such that the cost of repair and/or storage exceeds the value of the property; and

WHEREAS, the property is specifically described as follows:

1. Various Computer Components
2. Various Telecommunication Parts
3. Various Printer Parts
4. Various Office Equipment Parts and Supplies

NOW, THEREFORE, BE IT RESOLVED that the City Administrator is hereby authorized to discard this property in the most expeditious manner.

Resolution No. 151 of 2019

M/S- Toto/Gerety

The resolution was adopted by unanimous vote of those present.

Councilmen Gerety mentioned that residents have expressed their concerns regarding speeding traffic coming off the Parkway. Mayor Glasser stated that he will share that information with the Police Chief.

No. 151 of 2019

Subject: Authorizing the Mayor to Execute an Agreement, and Related Amendment, with the State of New Jersey Involving the Design of Construction of Certain Improvements On Route 9 from Atkinson

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Avenue to Bayview Drive, Portions of Which are Within the City of Somers Point

Introduced by: Council President McGuigan

WHEREAS, the State of New Jersey, Department of Transportation, (“DOT”) is desirous of implementing certain improvements on Route 9 from Atkinson Avenue in the City of Somers Point to Bayview Drive in the City of Absecon (the “Project”); and

WHEREAS, on May 3, 2019, the City of Somers Point received a request from the State of New Jersey, Department of Transportation, to execute new agreements approved by the Federal Highway Administration related to the Project; and

WHEREAS, since the Project may require the construction of new and/or the protection, relocation and/or adjustment of facilities of the existing sewer system which is owned and operated by the City; and

WHEREAS, the proposed Agreement in no way abrogates the City’s legal rights regarding the public right-of-way and further the Agreement does not impose any financial burden on the City; and

WHEREAS, the City is desirous of cooperating with the DOT regarding the implementation of the Project for the public health, safety and welfare; and

WHEREAS, the DOT has also requested that the City enter into a Utility Engineering and Construction Agreement Amendment as has been requested by the Federal Highway Administration procurement requirements; and

WHEREAS, the aforesaid proposed Agreement and Agreement Amendment have been reviewed by the City Attorney, Randolph C. Lafferty, Esquire and the Sewer Engineer, Vincent Polistina, and both have approved of the agreements in the form submitted.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers that the Mayor and City Clerk are hereby authorized and directed to sign all necessary documents on behalf of the City related to the Project including the Utility Engineering and Construction Agreement UECA-6-RT9-ATKINSON-BAYVIEW-153970 and the Utility Engineering and Construction Agreement Amendment to UECA-6-RT9-ATKINSON-BAYVIEW-153970 which is required by Federal Regulations pursuant to 2 C.F.R. 200 and 2 C.F.R. 200 Appendix II.

Resolution No. 152 of 2019

M/S- Gerety/Toto

The resolution was adopted by unanimous vote of those present.

City Administrator Swain explained that a shared services agreement cannot be for less than two years; however, the law library does not have the current law.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
July 25, 2019**

No. 152 of 2019

Subject: Authorizing the Mayor to Execute an Addendum to the Shared Services Agreement with the Township of Galloway For Tax Assessor Services

Introduced by: Council President McGuigan

WHEREAS, the “Uniform Shared Services and Consolidation Act,” N.J.S.A. 40A:65-1 et seq. (“Act”), allows any local unit to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units; and

WHEREAS, by Resolution No.76 of 2019 the City Council of the City of Somers Point authorized the Mayor to enter into a Shared Service Agreement (“SSA”) between the City of Somers Point and the Township and the City of Somers Point thereafter duly entered into such SSA; and

WHEREAS, the New Jersey Division of Taxation is requiring pursuant to N.J.S.A. 40A:65-7(a)(4) that the SSA between the Township of Galloway and the City of Somers Point as municipalities within a designated Pilot County have a duration of not less than two (2) years; and

WHEREAS, a duration of not less than two (2) years is acceptable to both the Township and the City of Somers Point and modification of the SSA accordingly is in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that Authorization shall be and is hereby given

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized and directed to execute an Addendum to the aforesaid Shared Services Agreement consistent with the above and to sign all necessary documents on behalf of the City in order to facilitate the same.

Resolution No. 153 of 2019

M/S- Toto/Gerety

The resolution was adopted by unanimous vote of those present.

Council President McGuigan mentioned that both recipients are working but will be able to receive congratulations at a dinner in their honor on Sunday.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
July 25, 2019**

No. 153 of 2019

**Subject: Recognizing and Honoring the Recreation Volunteers of the Year
Nicholas and Raymond Wagner**

WHEREAS, the City of Somers Point and the Somers Point Recreation Commission wish to recognize the efforts of Nicholas and Ray Wagner for their dedication to the recreation programs and the children of Somers Point; and

WHEREAS, Ray and Nick have served as coaches in the Somers Point Youth Street Hockey Program as well as the Somers Point Little League baseball program; and

WHEREAS, they have assisted in re-establishing travel recreation basketball in the city and forged partnership with the Mainland communities of Linwood and Northfield to create more recreational opportunities for youth residents; and

WHEREAS, Ray and Nick have volunteered countless hours helping raise funds for Somers Point youth organizations and assisted in extra activities for youth sports leagues, including marching in City parades, helping at snack stands and spreading positive information within the community.

NOW THEREFORE, BE IT RESOLVED that the leadership and dedication demonstrated by Nicholas and Raymond Wagner has significantly impacted the lives of many of the children of Somers Point in a positive manner.

BE IT FURTHER RESOLVED, that the Mayor, City Council, and the Somers Point Recreation Commission name Nicholas and Raymond Wagner as the recipients of the 2018 Recreation Volunteer of the Year Award.

ALSO BE IT RESOLVED, that The City Council conveys their gratitude to Nicholas and Raymond Wagner and their best wishes to them in all their future endeavors and services.

Consent Agenda:

None

Old Business:

None

**REGULAR MEETING
MAYOR AND CITY COUNCIL
July 25, 2019**

New Business:

Atlantic County Year 2020 U.S. Census

Mayor Glasser and Councilman D'Adamo will serve as the representatives for Somers Point.

Social Affair Permit for the Democratic Club was approved with Councilman D'Adamo abstaining.

By unanimous roll call vote, the request for use of the Richard Somers Park on 9/4/2019, was approved contingent upon receipt of insurance and approval of the Police Chief.

The Governing Body approved the Application for bike races, foot races or other events for Mission Point Church including to close 9th Street between Pennsylvania Avenue and New York Avenue from 1:00 p.m. to 5:00 p.m. on 9/14/19.

The Governing Body approved applications for bike races, foot races and other events for Family Promise of Atlantic County on 9/28/19 and for St. Vincent DePaul, St. Joseph's Church conference on 9/29/19.

Discussion of Bills:

Administrator Swain reported a Record of Payment dated 7/3/19 in the amount of \$9,726.25; a Record of Payment dated 7/12/19 in the amount of \$22,919.77; a Record of Payment dated 7/19/19 in the amount of \$33,706.40; a Record of Payment dated 7/23/19 in the amount of \$268.00.; a Record of Payment dated 7/23/19 in the amount of \$9,679.50 ; and a Bill List dated 7/23//19 in the amount of \$ 4,535,999.38 .

Public Portion:

The meeting was duly opened to the public, and hearing nothing, it was duly closed.

Payment of Bills:

M/S – Tapp/D'Adamo

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.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
July 25, 2019**

Adjournment:

There being no further business to come before Council, the meeting was adjourned at 8:43 p.m.

Respectfully submitted,

Lucy R. Samuelsen, RMC
Municipal Clerk
Approved: 8/22/2019