

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

Meeting called to order at 7:00 p.m. by President Johnston with a salute to the flag. A moment of silence was observed for the Service Members and civilians who were lost in Afghanistan.

Roll call was recorded as follows:

Present: Bruno, Dill, Ferreri, McCarrie, McGuigan, Owen, Johnston

Also Present: Mayor Glasser, City Administrator Frost, City Clerk Samuelsen, City Solicitor James Franklin, II and Engineer Greg Schneider

Open Public Meetings Act:

Pursuant to the Open Public Meetings Act, adequate notice of this meeting has been provided. Agenda for this meeting has been provided to two local newspapers and posted in the City Clerk's Office and on the City's website, somerspointgov.org.

Resolutions:

Clerk Samuelsen read by title Resolutions 141 and 142 of 2021.

Public Portion Resolutions:

Council President Johnston opened the meeting to the public.

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

Resolution No. 141 of 2021

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

Council Member McGuigan congratulated and thanked the winners for taking care of their homes and properties.

No. 141 of 2021

Subject: Congratulating Winners of the Garden Club Contest
Introduced by: Council Members McGuigan, Ferreri and Bruno

WHEREAS, the Somers Point Green Thumb Garden Club held their annual garden contest; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

WHEREAS, the winners of the contest are as follows:

Category	Winner
Best Member of GTGC Garden	Dan & Alice Myers, 429 Shore Road
Best Community Garden	Somers Point Community First, Harbor Lane & Bay Avenue C/O Kathy Ciboldi
Best Large Flower Garden	Tanna Maria Newell, 22 Haddon Road
Best Medium Flower Garden	Betsy Kohn, 750 4 th Street
Best Small Flower Garden	Heather Lovett, 307 Bliss Avenue
Best Front Yard	Sevi Agrios, 14 Nassau Road
Best Shade Garden	Jim Roscovich, 12 N. Village Drive
Best Native Garden	Ted Edelman, 24 N. Village Drive
Best Container Garden	Mary Kate McKenna, 12 Nassau Road
Best Large Vegetable Garden	Eileen Slack, 7 Horter Avenue
Best Medium Vegetable Garden	John Maiorana, 322 Rhode Island Avenue
Best Small Vegetable Garden	Joshua Stroker, 16 Dartmouth Road

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point hereby congratulate the above listed winners and thanks them for taking an interest in their community and participating in the contest.

Resolution No. 142 of 2021

M/S- Dill Ferreri

This resolution was adopted by unanimous vote of those present.

Council Member McGuigan commended Ms. Morales on her quick action and stated he is proud of her.

Mayor Glasser presented Ms. Morales with a certificate on behalf of a very grateful City.

No. 142 of 2021

Subject: Commending Somers Point Lifeguard Juliana Morales

WHEREAS, on July 7, 2021, Juliana Morales was at Somers Point William Morrow Beach performing her duties as a lifeguard; and

REGULAR MEETING MAYOR AND CITY COUNCIL August 26, 2021

WHEREAS, a 13 year old boy decided to exit an anchored boat and swim in the middle of the channel; and

WHEREAS, she observed this child struggling and being pulled away from the boat due to a strong current; and

WHEREAS, she immediately ran from the lifeguard stand and entered the water from the end of the City dock and rescued the 13 year old boy that was in distress; and

WHEREAS, Lifeguard Juliana Morales heroically brought him ashore safely and without injury; and

NOW THEREFORE, IT IS HEREBY RESOLVED that the Mayor and City Council recognize and exceedingly thank Juliana Morales for her quick thinking, as well as her skillful actions, by going above and beyond to save a life outside the designated swimming area; and

It is further **RESOLVED** that we commend our Lifeguard, Juliana Morales for her heroic and selfless actions and for the example she set through her dedicated service to our City and to our citizens.

Presentations:

- James F. Ferguson, County Counsel, and Judge Sandson gave a presentation regarding County Court Consolidation including the implementation process and dates, personnel and financial aspects.

- The presentation from Jack and Scott Leonard, and Scott Taylor regarding Shore and Pleasant proposed Redevelopment Plan was moved to the next City Council meeting of 9/9/2021.

Communications:

None

Mayor's Report:

Mayor Glasser reported the annual Richard Somers Service will be held on Wednesday, September 15 at 10:00 AM at Richard Somers Memorial Park. This year the crew of the USS Somers will be having their reunion in Atlantic City from September 11 through September 16 and will be attending the ceremony. They are also bringing memorabilia for the City to display throughout City Hall and at the Historical Museum. Mayor Glasser also reported there will be a 9/11 Service at 8:30 AM at Patriot's Park. There will also be a POW-MIA Service on Friday, September 17 at 7:00 PM at Patriot's Park. Mayor Glasser read a letter from the family of

REGULAR MEETING MAYOR AND CITY COUNCIL August 26, 2021

William James McIntyre, retired Police Officer thanking the City and the Police Department for their escort and presence at his funeral service.

Administrator's Report:

Administrator Frost reported he received notice from the Board of Public Utilities (BPU) that the solar project approved at the last meeting needs to be scaled down. John Robinson of National Energy Partners, who was awarded the contract, informed City Council that the scale down is needed because they are not able to install a new meter at the site, and the one already there must be used. This would bring the average down to about one third the size of the project. City Council concurred to proceed with the project. Administrator Frost also thanked the employees, Department Heads, and the Budget Committee for their efforts in respect to the audit.

Solicitors Report:

None

Committee Reports:

Council Member Dill reported the Parking Committee met regarding the contract awarded earlier this year for paid parking in various lots in the City and decided not to move forward with it until next year. He mentioned the signs were not received until the first week in August and required posts be ordered. He mentioned the posts can be ordered and installed by the Public Works Department in the spring. He also mentioned late July and August is a very busy time for the Public Works Department. Administrator Frost added he spoke with the contractor, Park Mobile, who stated it is not uncommon to delay the deployment date. The City still has the contract, and the deployment date is up to the Governing Body. Council Member McGuigan shared his opinion vehemently stating that the Parking Committee should have referred their recommendation to full Council before making a decision. An unanimous roll call vote (in the affirmative) of City Council was taken to accept the Committee's recommendation to delay implementation of the parking meters.

Council Member Bruno reported she attended the Arts Commission Meeting. They are working on their 2022 plans. They are also painting a utility box between Bay and Maryland Avenue. She mentioned her and Council Member Owen attended Trivia Night at the Somers Point Historical Museum. She stated they put on a great presentation, and she learned things about government.

Council Member Owen reported the Patriots for Somers Mansion are planning a Jazz Quartet on September 4th at 4:00 PM to raise money to install a new bathroom at the Somers Mansion. He also reported the Economic Development Advisory Commission (EDAC) is moving forward with making the City a bike friendly community.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

Council President Johnston reported EDAC and the Cannabis Committee is moving forward with gathering information and creating a strong presentation to present to the public.

Council Member Ferreri reported the School Board is planning a musical play production of Grease Jr for Grades 4th 8th on May 20-21 at the Gateway Playhouse. She also reported that on August 31st, there is an event called Back to the Books Community Resource Fair at Jordan Road School from 6:00-8:00 P.M., which is co-sponsored by the Green Team.

Approval of Minutes:

On the motion of Council Member Dill, seconded of Council Member McCarrie and carried to approve the Regular Meeting Minutes of 7/22/2021 and the Executive Session Minutes of 6/24/2021 as to content only.

Proclamations:

Mayor Glasser informed the title of Master Commandant is equivalent to the title of Lieutenant Commander in today's Navy.

No. 8 of 2021

Subject: Proclaiming September as Somers Point History Month

WHEREAS, Somers Point has a rich and storied history, originally known as Somerset Plantation, which is the oldest settlement in Atlantic County, dating back to 1693, and was originally settled by John Somers; and

WHEREAS, known as a seafaring town and the birthplace of Richard Somers who was born in Somers Point on September 15, 1778. He served in the United States Navy and is a legendary hero who gave his life serving his Country on September 4, 1804, in Tripoli, Libya; and

WHEREAS, the Patriots of Somers Mansion will host a concert series on September 4, 2021, recognizing Master Commandant Richard Somers at the historical Somers Mansion built in the early 1700's; and

WHEREAS, the Somers Point Historical Society is proud to sponsor the Beach Concert Series on September 10, 2021, and will present a maritime exhibit at Good Old Days Festival on September 11, 2021; and

WHEREAS, the City of Somers Point and the Somers Point Historical Society plan to host the Richard Somers Day event at the Atlantic County Library (also known as Old City Hall) to pay tribute to Richard Somers on September 15, 2021, at 10:00 a.m.; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

WHEREAS, the U.S.S. Somers Crewmembers Association will be traveling across the United States in attendance during their ten-year reunion in Atlantic City and will be our guests in Somers Point.

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 September as Somers Point History Month to be celebrated annually.

Ordinances:

Ordinance No. 11 of 2021

(Second Reading/Public Hearing/Adoption)

M/S- McCarrie/Dill

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

Council President Johnston opened the meeting to the public. Hearing nothing from the public, the public hearing was duly closed.

**ORDINANCE NO. 11 OF 2021
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, 2021:

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

Position	From:	To:
Account Clerk Typist	25,000	53,737
Administrative Officer of Planning and Zoning & Construction & Code Enforcement Secretary with Technical Assistant to the Construction Official Certification	25,000	35,000
Asst. Supervisor of Public Works	25,000	40,100
	40,000	80,500

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

Bookkeeper	25,000	54,237
Chief Financial Officer, during first calendar year	45,000	73,000
Chief Financial Officer, during second calendar year	73,000	76,000
Chief Financial Officer, during third calendar year	76,000	79,000
Chief Financial Officer, during fourth calendar year	79,000	82,000
City Administrator	60,000	100,000
City Clerk/Registrar of Vital Statistics, Municipal Search Officer	40,000	83,232
Clerk Typist	25,000	31,836
Clerk Typist/Matron	25,000	55,958
Confidential Asst. to the City Administrator	25,000	50,000
Confidential Secretary to the Police Chief	25,000	42,240
Construction Official	40,000	65,159
Construction & Code Enforcement Secretary with Technical Assistant to the Construction Official Certification	25,000	40,100
Court Administrator	40,000	87,610
Department of Public Works Worker	26,000	72,358
Department of Public Works Work Leader	40,000	80,210
Deputy City Clerk/Deputy Registrar	35,000	55,661
Deputy Court Administrator	25,000	58,336
Deputy Joint Insurance Fund Commissioner	600	1,500
Deputy Tax Collector	25,000	57,637
Dispatcher	32,813	73,641
Joint Insurance Fund Commissioner	1,200	2,500
Police Patrol Officer	35,000	100,205
Police Sergeant	40,000	108,502
Police Lieutenant	50,000	131,238
Police Captain	50,000	141,785
Police Chief	75,000	156,541
Principal Manager of Public Works	40,000	98,808
Qualified Purchasing Agent	5,000	20,000
Recreation Director	15,000	40,000
Superintendent of Public Works	80,000	101,792
Tax Assessor	40,000	70,000
Tax Collector/Tax Search Officer/Sewer Utility Collector, during first calendar year	50,000	75,848
Tax Collector/Tax Search Officer/Sewer Utility Collector, during second calendar year	75,848	78,365
Tax Collector/Tax Search Officer/Sewer Utility Collector, during third calendar year	78,365	80,932
Waste Water Collection System Operator	5,000	13,085

REGULAR MEETING MAYOR AND CITY COUNCIL August 26, 2021

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	15,000
Fire Sub-Code Official	7,000	15,000
Building Sub-Code Official	7,000	15,000
Building Inspector	per inspection	12.00 25.00
Construction Official	1,000	15,000
Construction Official	per inspection	12.00 25.00
Housing Inspector	1,000	15,000
Floodplain Manager	1,000	15,000
Temporary UCC Sub-code Official	per inspection	12.00 25.00
Code Enforcement Officer	per hour	12.00 25.00
Asst. Code Enforcement Officer	2,500	15,000
Asst. Code Enforcement Officer	per hour	12.00 25.00
Zoning Officer	per hour	12.00 80.00
Clerk-Typist	per hour	12.00 22.00
Administrative Officer of Planning and Zoning & Construction & Code Enforcement Secretary	per hour	12.00 25.00
<u>Police Department</u>		
Dispatcher	per hour	12.00 25.00
School Traffic Guard	per day	24.00 72.00
Special Officer	per hour	12.00 25.00
Data Processing Clerk	per hour	12.00 22.00
Clerk Typist	per hour	12.00 22.00
<u>Recreation</u>		
Recreation Director	5,000	40,000
Recreation Workers	per hour	12.00 40.00
Summer Recreation Coordinator	per hour	12.00 25.00
Program Instructor	per hour	12.00 35.00
Lifeguard	per hour	12.00 20.00

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

Boat Ramp Attendant	per hour	12.00	20.00
---------------------	----------	-------	-------

Public Works Department

Clean Communities Coordinator		500	1,200
Clean Communities Laborer	per hour	12.00	20.00
Recycling Coordinator		200	800
Public Works/Sanitation Workers	per hour	12.00	20.00
Public Works Secretary	per hour	12.00	20.00
Parking Lot Attendant	per hour	12.00	20.00
Waste Water collection System Operator		5,000	13,085
Custodian	per hour	12.00	20.00
Marina Worker	per hour	12.00	20.00
Marina Supervisor	per hour	12.00	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	12.00	22.00
Municipal Alliance Coordinator		500	2,000
Safety Coordinator		1,000	2,500
Safety Coordinator	per hour	12.00	25.00
Deputy Safety Coordinator		500	2,000
Deputy Safety Coordinator	per hour	12.00	25.00
Blood Borne Pathogens Coordinator		500	1,000
Qualified Purchasing Agent		1,200	20,000
Joint Insurance Fund Commissioner		1,200	2,500
Deputy Joint Insurance Fund Commissioner		600	1,500
Municipal Magistrate		10,000	25,000
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	12.00	25.00

Fire Department

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

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

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	12.00	25.00
Deputy Fire Marshall			Up to 2,500
Deputy Fire Marshall	per inspection hour	12.00	25.00
Fire Safety Officer			Up to 1,600

Emergency Management

Emergency Management Coordinator			Up to 5,000
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.

Resolutions:

Clerk Samuelson read by title only the list of resolutions.

Public Portion Resolutions:

Council President Johnston opened the meeting to the public.

John Romanelli of 905 Shore Road questioned the discharging of the bond on 19 McArthur Blvd.

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

Resolution No. 143 of 2021

M/S- Owen/Dill

This resolution was adopted by unanimous vote of those present.

No. 143 of 2021

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

Subject: Resolution of Support from Local Governing Body Authorizing an Application for the FY 2021 Flood Mitigation Assistance Program Administered by the Federal Emergency Management Agency

Introduced by: Mayor Glasser, Council President Johnston and Council Member Dill

WHEREAS, the City of Somers Point qualifies for the Flood Mitigation Assistance (FMA) Programs administered by the Federal Emergency Management Agency (FEMA); and

WHEREAS, the Flood Mitigation Assistance (FMA) Program provided funding to assist in efforts to reduce or eliminate the risks of repetitive flood damage to buildings and structures insurable under the National Flood Insurance Program (NFIP); and

WHEREAS, eligible activities for the FMA Programs include: flood walls, property acquisition and structure demolition or relocation and structure elevation; and

WHEREAS, the City of Somers Point strives to save tax dollars; assist homeowners to recover from Superstorm Sandy; assure clean land, air and water; and improve working and living environments; and

WHEREAS, the City of Somers Point wishes to apply for funding through the FEMA FMA Programs; and

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Somers Point, State of New Jersey, hereby supports and authorizes the Flood Mitigation Assistance (FMA) Programs application.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a grant application to the Federal Emergency Management Agency of the U. S. Department of Homeland Security.

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

Resolution No. 144 of 2021

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

No. 144 of 2021

Subject: Approval to Submit a Grant Application and Execute a Grant Agreement with the U. S. Department of Homeland Security for the FY 2021 FEMA Building Resilient Infrastructure and Communities (BRIC) Program

Introduced by: Mayor Glasser, Council President Johnston and Council Member Dill

WHEREAS, the Federal Emergency Management Agency (FEMA) in the U. S. Department of Homeland Security is offering a new program known as Building Resilient Infrastructure and Communities (BRIC)Program; and

WHEREAS, the BRIC Program aims to shift the federal focus away from reactive disaster spending and toward research-supported, proactive investment in community resilience and;

WHEREAS, FEMA anticipates BRIC funding projects that demonstrate innovative approaches to partnerships, such as shared funding mechanisms, and/or project design; and

WHEREAS, the BRIC Program’s funding is tied to Presidential disaster declarations with a 6 percent set-aside from disaster grants; and

WHEREAS, the City of Somers Point carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

WHEREAS, actions taken through this Program may result in lower flood insurance premiums through the Community Rating System, increase ratables and improved resiliency; and

WHEREAS, this program is available to certain municipalities in the State of New Jersey; and

WHEREAS, this grant program requires a 25 percent local match from the municipality; and

NOW, THEREFORE, BE IT RESOLVED that governing body of the City of Somers Point formally approves that 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 U. S. Department of Homeland Security.

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

Resolution No. 145 of 2021

M/S- Ferreri/Owen

This resolution was adopted by unanimous vote of those present.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

No. 145 of 2021

Subject: Support Submission of a Grant Application SRS-I-2022-Somers Point City-00021 to the NJDOT Safe Routes to School Program

Introduced by: Council President Johnston

WHEREAS, the New Jersey Department of Transportation is accepting applications for the Safe Routes to School Grant Program; and

WHEREAS, the federally funded Safe Routes to School Program strives to empower communities to make walking and bicycling to school a safe and route activity; and

WHEREAS, this Program is available to all municipalities and school districts in the State of New Jersey; and

WHEREAS, this grant program does not require a local match; and

WHEREAS, the City of Somers Point carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

WHEREAS, children are encouraged to walk and bicycle to school and the City wishes to work with the Board of Education to make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy, active lifestyle from an early age; and

WHEREAS, the City of Somers Point is committed to promote activities that encourage walking and biking to school including:

- Public awareness campaigns and outreach to media and community leaders;
- Traffic education and enforcement in the vicinity of schools;
- Student sessions on bicycle and pedestrian safety, health, and the environment; and

WHEREAS, the Safe Routes to School Program facilitates the planning, development and implementation of projects that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools;

NOW, THEREFORE, BE IT RESOLVED that the City of Somers Point formally supports a grant application SRS-I-2022-Somers Point City-00021 for the Safe Routes to School Program.

Resolution No. 146 of 2021

M/S- Owen/Ferreri

This resolution was adopted by unanimous vote of those present.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

No. 146 of 2021

Subject: Certification of Receipt and Review of the Audit for the Year 2020

Introduced by: Council President Johnston, Council Members Dill and McGuigan

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, The Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, The Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled: **General Comments – Recommendations**, and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled: **General Comments – Recommendations** as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body who After a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution No. 147 of 2021

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

No. 147 of 2021

Subject: Release of Bond Posted on 19 MacArthur Boulevard

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

Introduced by: Council President Janice Johnston

WHEREAS, on September 18, 2015, an application was filed with the Somers Point Zoning Board of Adjustment on behalf of Fifth State Capital, LLC, c/o PRA Development Management Corp in connection with its seeking certain variances for its property located at 19 MacArthur Boulevard (Block 1705, Lots 1 & 8, and Block 1815, Lots 3 & 8); and

WHEREAS, on October 5, 2015, this application was heard before the Zoning Board of Adjustment at which time the variances sought were approved with a condition that the landscaping plan for the 37% open space area be reviewed and approved by the Technical Review Committee; and

WHEREAS, November 12, 2016, as a result of such Technical Review, the Zoning Board of Adjustment Engineer, Mathew F. Doran, issued a Memo to the Board setting forth the determination that a Performance Guarantee and Inspection Fee was to be posted with the City Clerk in connection with a Reforestation Plan for the site; and

WHEREAS, such a Performance Bond in the amount of \$21,402.00 was issued by Parke Bank on November 23, 2016 (attached); and

WHEREAS, the anticipated development of a hotel by Fifth State Capital, LLC never came to fruition; and

WHEREAS, said property has now been sold by said entity to Coastal Christian Ocean City, Inc.; and

WHEREAS, the City has advised the new owners that it is desirous for it to maintain a Performance Bond on said property to ensure that the Reforestation Plan can be enacted should there be no construction on this site; and

WHEREAS, the new owner has provided proof of a Performance Bond for Reforestation which would replace the attached Performance Bond; and

WHEREAS, this governing body wishes to release the attached Performance Bond subject to the replacement Performance Bond being posted with the City Clerk.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of Somers Point that, subject to a replacement Performance Guarantee and Inspection Fee in the amount of \$22,472.10 for 19 MacArthur Boulevard being posted on behalf of Coastal Christian Ocean City, Inc. with the City Clerk, the Clerk and/or City Administrator are hereby authorized to take such necessary action to release the attached Performance Bond.

Resolution No. 148 of 2021

M/S- Owen/Ferreri

This resolution was adopted by unanimous vote of those present.

No. 148 of 2021

Subject: Authorizing Executive Session

Introduced by: Council President Johnston

WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Somers Point City Council to be held in public, and N.J.S.A.10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in “Executive Session,” i.e. without the public being permitted to attend, and

REGULAR MEETING MAYOR AND CITY COUNCIL August 26, 2021

WHEREAS, the Somers Point City Council has determined that there is one (1) topic which requires the advice and counsel of the Special COAH Counsel and is a matter permitted by N.J.S.A. 10:4-12(b) as an exception to open public meeting requirements; and is necessary to be discussed without the public in attendance during an Executive Session to be held on August 26, 2021, during a public meeting to be held commencing at 7:00 P.M, and

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

3 “(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required for the attorney to exercise his ethical duties as a lawyer.”

The nature of the matters to be discussed, described as fully as possible without undermining the need for confidentiality:

1. Advice of Counsel and attorney client communication regarding the legal and procedural issues pertaining to a proposal for redevelopment of Block 719, Lots 15, 16, and 17, including the negotiation of the terms and conditions of a memorandum of understanding, a redevelopment agreement, and affordable housing obligations in compliance with Somers Point Municipal Code Chapter 69, and the April 26, 2018, Court approved Settlement Agreement between the City and Fair Share Housing Center.

2. Advice of Counsel and attorney client communication regarding the legal and procedural issues pertaining to a proposal for redevelopment of Block 1214, Lots 9, 10, 11, 12, and 16, including the negotiation of the terms and conditions of a memorandum of understanding, a redevelopment agreement, and affordable housing obligations in compliance with Somers Point Municipal Code Chapter 69, and the April 26, 2018, Court approved Settlement Agreement between the City and Fair Share Housing Center.

3. Advice of Counsel and attorney client communication regarding the legal and procedural issues, and status of negotiations, including discussions with Fair Share Housing Center pertaining to a proposal for redevelopment of Block 1211, Lot 2, and the affordable housing obligations in compliance with Somers Point Municipal Code Chapter 69, and the April 26, 2018, Court approved Settlement Agreement between the City and Fair Share Housing Center.

WHEREAS the length of the Executive Session is estimated to be approximately 40 – 60 minutes after which the public meeting of the City Council shall reconvene;

REGULAR MEETING MAYOR AND CITY COUNCIL August 26, 2021

NOW, THEREFORE, BE IT RESOLVED that the City Council of Somers Point will go into Executive Session for **only** the above stated reason;

BE IT FURTHER RESOLVED that the City Council directs the City Clerk to make ten (10) photocopies of this resolution.

BE IT FURTHER RESOLVED that the blank spaces within this form of resolution are to be filled out in conformity with a Consent Judgment and Memorandum of Understanding dated June 8, 2009, that arose that the City Council hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which such disclosure can be made and/or the occurrence that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary)

Subject of Discussion	Estimated Date	Necessary Occurrence
See Exception 7	Unknown at this time	Action by City Council and any required Court approval.

Resolution No. 149 of 2021

M/S- Owen/Dill

This resolution was adopted by unanimous vote of those present.

No. 149 of 2021

Subject: A Resolution Authorizing the Execution and Delivery of a Memorandum of Understanding Between the City of Somers Point and Somers Point Paddle Club, LLC, and Designating Somers Point Paddle Club, LLC, as Interim Conditional Redeveloper of Block 1211, Lot 2

Introduced by: Council President Johnston

WHEREAS, on June 15, 2021, a presentation was made to the Somers Point Redevelopment / Finance sub-committee by M. Sean Scarborough on behalf of Somers Point Paddle Club, LLC(the "Proposed Redeveloper") regarding the potential for developing a portion of Block 1211, Lot 2, located at Bay and Pleasant Avenues in the City of Somers Point comprised of approximately 2.75 acres (the "Subject Property"); and

WHEREAS, on June 24, 2021, during a regularly scheduled public meeting M. Sean Scarborough made a presentation on behalf of the Proposed Redeveloper to the Somers Point City Council ("City Council"), and the public in attendance, requesting the City Council to

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

negotiate with the Proposed Redeveloper the terms and conditions of a Redevelopment Plan and a Redevelopment Agreement; and

WHEREAS the proposal presented by the Proposed Redeveloper contemplates the construction of three (3) affordable housing residential dwellings with parking on the first floor, off street parking spaces, and a Paddle Club consisting of a private club with restaurant, kitchen area, two (2) saltwater pools, with a spa and sliding board, cabanas, restrooms, and related amenities (the "Proposed Redevelopment Project"); and

WHEREAS the purpose of the Memorandum of Understanding is to permit the City to enter into discussions with the Proposed Redeveloper to explore the feasibility of the Proposed Redevelopment Project, and the negotiation of a mutually agreed upon Redevelopment Plan and the terms and conditions of an agreement or agreements to provide for the Redevelopment of the Subject Property, and to provide for deposit of funds into an escrow account to reimburse the City for fees, costs, and expenses incurred by the City and its professionals during the process. Now, therefore, it is hereby **RESOLVED** by this governing body that the Mayor is hereby authorized to execute and deliver the Memorandum of Understanding between the City and Proposed Redeveloper, substantially in the form attached hereto subject to such modifications as may be deemed necessary or desirable by the City Administrator, Chief Financial Officer, and City Solicitor.

It is further **RESOLVED** that the Mayor, Administrator, Clerk, Chief Financial Officer, Attorney, and other appropriate officers, employees, and professionals are hereby authorized and directed to prepare and execute any and all other documents regarding the Memorandum of Understanding and Escrow agreements herein approved and authorized, and to take any and all further acts necessary to accomplish the intended purpose, other than any action or agreement which shall require further action by this governing body.

It is further **RESOLVED** that Somers Point Paddle Club, LLC is hereby designated to be the Interim Conditional Redeveloper of the Subject Property during the period of discussion and negotiation, and until such time as a Redeveloper, if any, may be designated by this governing body.

Resolution No. 150 of 2021

M/S- McCarrie/Owen

This resolution was adopted by unanimous vote of those present.

Council President Johnston mentioned this has been a very arduous task to get the bus stops done, but she is hopeful this is the last step. She thanked John Helbig and City Engineer Greg Schneider for their hard work on this project.

No. 150 of 2021

Subject: Resolution of Support – Rt.9 Bus Stops

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

Introduced By: Councilmen Dill, Councilwoman Ferreri, Council President Johnston

WHEREAS, US Rt.9 is under jurisdiction of the New Jersey Department of Transportation; and

WHEREAS, there are several bus stops along US Rt.9 and

WHEREAS, the New Jersey Department of Transportation and NJ Transit have conducted a survey to inventory all existing bus stop locations along US Rt.9 within the City of Somers Point; and

WHEREAS, in order for the New Jersey Department of Transportation to update their regulation files of all existing bus stop locations along US Rt.9, a Resolution of support must be submitted by the City; and

WHEREAS, the list of bus stop locations along US Rt.9 is as follows:

Along Route US 9 (New Road), northbound, on the easterly side at:

A. Rhode Island Avenue (near side) (NJ Transit ID# 10892)
Beginning at the southerly curb line of Rhode Island Avenue and extending 105 feet southerly therefrom.

B. Massachusetts Avenue - (near side) (NJ Transit ID# 10891)
Beginning at the southerly curb line of Massachusetts Avenue and extending 105 feet southerly therefrom.

C. Between Chapman Boulevard and Bethel Road- (midblock) (NJ Transit ID# 10888)
Beginning at a point 165 feet north of the prolongation of the northerly curb line of Chapman Boulevard and extending 135 feet northerly therefrom.

D. Between Bethel Road and Ocean Heights Avenue (CR559A)- (mid-block) (NJ Transit ID# pending)
Beginning at a point 290 feet north of the northerly curb line of Bethel Road and extending 135 feet northerly therefrom.

Along Route US 9 (New Road) southbound, on the westerly side at:

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

A. Ocean Heights Avenue (CR 559A) - (far side) (NJ Transit ID# 10886)
Beginning at the southerly curb line of Ocean Heights Avenue and extending 140 feet
southerly
therefrom.

B. Between Chapman Boulevard and Groveland Avenue-(midblock) (NJ Transit ID#
10884)
Beginning at a point 265 feet south of the southerly curb line of Chapman Boulevard and
extending
135 feet southerly therefrom.

C. Massachusetts Avenue- (near side) (NJ Transit ID# 10878)
Beginning at the northerly curb line of Massachusetts Avenue and extending 105 feet
northerly
therefrom.

D. Between Connecticut Avenue and New York Avenue- (midblock) (NJ Transit ID#
10879)
Beginning at a point 85 feet south of the southerly curb line of Connecticut Avenue and
extending
135 feet southerly therefrom.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the City supports these bus stop locations along US Rt.9; and

BE IT FURTHER RESOLVED The City of Somers Point concurs that any approved bus stop locations or traffic regulations in conflict with or inconsistent with the provisions of this resolution be rescinded upon approval of the Traffic Regulation Order.

BE IT FURTHER RESOLVED that the City Clerk will provide a sealed and signed copy of this Resolution to Ms. Jamie Oplinger, Executive Manager, New Jersey Department of Transportation, PO Box 600, Trenton, NJ 08625-0600

Resolution No. 151 of 2021

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

Council Member Dill mentioned this is long overdue and would like to see it done as soon as possible.

No. 151 of 2021

Subject: Awarding a Contract for the Demolition of 5 and 7 Seashore Lane

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

Introduced by: Council President Janice Johnston and Councilmen Howard Dill and Joseph McCarrie

WHEREAS, the properties commonly known as 5 Seashore Lane and 7 Seashore Lane are separate, residential properties located in the same structure; and

WHEREAS, these two properties are owned by separate individuals; and

WHEREAS, as a result of fire, both units sustained significant damage so as to make them uninhabitable, structurally unsound and as such, dangerous to human life and public welfare; and

WHEREAS, James McBrien, while still employed with the City as the Construction/Zoning Official and Code Enforcement Officer, determined that there was an actual and immediate danger of collapse and structural failure of the building, and as a result had same posted pursuant to N.J.A.C. 5:23-2.32; and

WHEREAS, Donald Dunleavy, since becoming employed as the City's Code Enforcement Officer, has determined that there is an actual and immediate danger of collapse and structural failure of the building, and as a result has had same posted pursuant to N.J.A.C. 5:23-2.32; and

WHEREAS, notification by certified mail pursuant to N.J.A.C. 5:23-2.32 is being given to both unit owners of said property relative to advising them of their obligations to abate said condition and notifying them that if there is no compliance, the City will proceed forward in demolishing the structure so as to make same safe; and

WHEREAS, the City is desirous in having the aforesaid structure demolished so as to abate a public nuisance which is a danger to human life and public welfare should there be no compliance by the owners; and

WHEREAS, the Business Administrator of the City has sought out bids for the demolition of the property, with the lowest bid provided by American Demolition Corp. of Egg Harbor Township.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of Somers Point that the Mayor is hereby directed to enter into an agreement with American Demolition Corp. for the demolition of that building identified as 5 & 7 Seashore Lane should the condition of same not be abated within fifteen (15) days of notice, as well as execute any and all necessary documents to accomplish same.

NOW, THEREFORE, BE IT FURTHER RESOLVED that upon the City having the property demolished, the City Solicitor shall take such action, including the filing of a *Lis Pendens* on the property, so as to ensure that the cost of said demolition becomes a lien on the property.

Resolution No. 152 of 2021

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

No. 152 of 2021

Subject: Awarding Bid for 2021 Stormwater Pipe Cleaning and Video Inspection

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

Introduced By: Council Member Dill

WHEREAS, on August 24, 2021 the City of Somers Point received bids for the 2021 Stormwater Pipe Cleaning and Video Inspection; and

WHEREAS, Mobile Dredging and Video Pipe, of Newfield, New Jersey was the lowest responsible bidder; and

WHEREAS, the City Engineer's office has recommended that the City award the contract to Mobile Dredging and Video Pipe, of Newfield, New Jersey in the amount of \$72,100.00

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

- 1.) The Contract for the 2021 Stormwater Pipe Cleaning and Video Inspection is hereby awarded to Mobile Dredging and Video Pipe, of Newfield, New Jersey in the amount of \$72,100.00.
- 2.) The Mayor and City Clerk are hereby authorized and directed to enter into a formal contract with Mobile Dredging and Video Pipe, of Newfield, New Jersey, signing on behalf of the City.

Old Business:

None

New Business:

- Bike Race Application for National Multiple Sclerosis Society on September 25 and 26, 2021, was unanimously approved by City Council.
- Mayor Glasser gave kudos to Emergency Management Coordinator Phil Gafney, Deputy Coordinator Roger Tees and the Emergency Management crew for putting together the Somers Point Emergency Operation Plan for 2021-2025 that recently received State Approval. Council President Johnston mentioned a lot of work goes into getting this approved, and the Office of Emergency Management did a very good job.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

Discussion of Bills:

Administrator Frost reported a Bill List dated 8/24/2021 in the amount of \$3,369,444.67, a record of payment dated 8/2/2021 in the amount of \$148,251.01 and a record of payment dated 8/2/2021 in the amount of \$142,777.33.

Public Portion:

The meeting was duly opened to the public.

Jud Moore of Bay Avenue thanked City Council for the nice bike path in the City. He also expressed his concern regarding consolidation of the Municipal Court and is a proponent.

Ann Marie Gibbs of 549 Sunny Avenue had questions regarding the proposed redevelopment of Block 1214 Lots 9, 10, 11, 12 and 16, specifically, the current zone and procedures to change zoning.

John Romanelli of 905 Shore Road expressed his concern regarding the need for a stop sign at the corner of Somers Avenue and Centre Street.

Patricia Pierson of Marks Road suggested the City send a letter to Ocean City congratulating them on being named best beach in N.J. She also voiced her support of court consolidation.

Bill Collins of 814 Bay Avenue thanked the Mayor and City Council for a great job on this year's budget with zero tax increase. He also urged City Council to consider all the estimates before making a decision on the court consolidation.

Theresa Dougherty of 26 Dogwood Drive asked that more information be listed on the agenda. She also requested the meetings be returned to ZOOM. Ms. Dougherty also voiced her support of the court consolidation.

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

Recess:

The Governing Body recessed briefly before going into Executive Session at 9:35 p.m.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
August 26, 2021**

Reconvene:

Council President Johnston reconvened the Governing Body to Open Session at 10:23 p.m.

Council President Johnston stated that City Council concurred to move forward with both redevelopment proposals and will present a resolution at the September 9th City Council meeting regarding ALDI and will continue to discuss the Shore and Pleasant proposal.

Payment of Bills:

M/S – McCarrie/Dill

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

Adjournment:

There being no further business to come before City Council, Council Member Dill moved, Council Member Ferreri seconded and carried to adjourn the meeting at 10:28 p.m.

Submitted by:

Lucy R. Samuelson, RMC
Municipal Clerk
Approved: 9/9/2021