

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

Meeting called to order at 7:00 p.m. by President Johnston with a salute to the flag. Roll call was recorded as follows:

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

Also Present: Mayor Glasser, City Administrator Frost, Deputy Clerk Heath, City Solicitor Thomas Smith, and City Engineer Greg Schneider

Open Public Meetings Act:

Pursuant to the Open Public Meetings Act, adequate notice of this meeting has been provided to two local newspapers. The agenda has been posted at City Hall and on the City's website, somerspointgov.org.

Communications:

Council President Johnston reported she received several communications in reference to short term rentals. She mentioned they will be distributed to City Council.

Mayor's Report:

Mayor Glasser gave kudos to the Good Old Days Committee for their work putting together a great, well attended event. He also thanked the Fire Department and Chief Somers for organizing the 9/11 ceremony. Mayor Glasser reported the Veteran's Advisory Committee met to discuss Veteran's Day on 11/11 with a ceremony at Patriots Park and Pearl Harbor Day with a ceremony at William Morrow Beach on 12/4. He also mentioned a Run for the Wounded that will come through the City and stop at Patriots Park and the MS Bike Run.

Administrator's Report:

Administrator Frost read the Stormwater Report which is attached.

Solicitors Report:

None

Engineers Report:

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

Engineer Schneider reported the Somers Point Mays Landing Road Bike Lane project has been completed. The radar speed signs were installed and the flashing pedestrian crossing sign at Broadway has been installed. The Stormwater Phase I project is scheduled to completed next week. Engineer Schneider also mentioned South Jersey Gas is paving the majority of the streets where gas mains were installed.

Committee Reports:

Council Member Owen reported this month’s Economic Development Advisory Committee meeting will be moved from Gateway Theater to the Senior Center.

Council Member Bruno reported the Historical Society is attempting to have Eddie and the Cruisers come to Somers Point. She also mentioned the Society is organizing the Horse Power by the Bay Car Show and spreading awareness about the event. They are also preparing for the Christmas parade.

Approval of Minutes:

On the motion of Council Member McCarrie, seconded of Council Member Bruno and carried to approve the Regular Meeting Minutes of 9/8/2022 and the Executive Session Minutes of 9/8/2022, as to content only.

Proclamations:

Council Member McCarrie would like to see more should be done to raise awareness regarding Fentanyl.

No. 6 of 2022

**Knock Out Opioid Abuse Day
October 6, 2022**

WHEREAS, New Jersey is in the midst of a life-threatening opioid abuse epidemic; and

WHEREAS, the Partnership for a Drug-Free New Jersey has designated October 6, 2022, as Knock Out Opioid Abuse Day – an initiative with a multiple purposes: to raise awareness of the potential for dependency on prescribed pain medicine and its link to heroin and fentanyl use in our state; to reduce stigma of addiction and shine a light on the need for recovery support; and to communicate to physicians information on safer prescribing messages found in the Centers for

Disease Control and Prevention guidelines for prescribing opioids, which include considering other therapies, setting realistic treatment goals with patients and discussing with patients the positives and negatives of opioids; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

WHEREAS, the State Senate and General Assembly jointly resolved that October 6 shall be permanently designated as Knock Out Opioid Abuse Day in New Jersey in order to raise awareness about the dangers of, and the link between, prescription opioid abuse and heroin addiction and to educate health care providers, community leaders, state lawmakers and members of the public about the opioid abuse epidemic and its effects throughout the State of New Jersey and across the country; and

WHEREAS, Join Together Atlantic County (JTAC) supports initiatives designed to raise awareness about opioid abuse in New Jersey and take steps to prevent addiction;

THEREFORE BE IT RESOLVED, that October 6, 2022, be recognized as Knock Out Opioid Abuse Day in the City of Somers Point, New Jersey.

Ordinances:

Ordinance No. 21 of 2022

M/S- Dill/Bruno

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

(Second Reading/Public Hearing/Adoption)

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

No. 21 of 2022

**AN ORDINANCE AMENDING SECTION 174-6, CERTIFICATION OF
NEW BUSINESSES, OF CHAPTER 174 - MERCANTILE LICENSES OF
THE CITY CODE.**

WHEREAS, the City Code in Chapter 174 requires certain businesses to have a mercantile license; and

WHEREAS, Section 174-6 of said Chapter imposes certain inspection requirements upon those businesses making application for a mercantile license; and

WHEREAS, said inspection requirements are for public safety of a patrons of those businesses; and

WHEREAS, Section 174-6 currently has no requirements for a fire inspection prior to a business being issued a mercantile license; and

WHEREAS, the Construction Official of Somers Point has recommended, for safety purposes, the inclusion of a fire inspection in Section 174-6 of the City Code: and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

WHEREAS, based on the foregoing public safety issue. the City Council of Somers Point wishes to include such a requirement in Section 174-6.

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

1. Section 174-6 of the City Code shall be amended to include the term "Fire Inspector" between "Building Inspector" and "Electrical Inspector."
2. Any article, section, paragraph, subsection, clause, or other provision of the City of Somers Point Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.
3. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.
4. This amended ordinance shall take effect upon its final passage and publication as required by law.

Ordinance No. 22 of 2022

M/S- Owen/McCarrie

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

(Second Reading/Public Hearing/Adoption)

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

No. 22 of 2022

**AN ORDINANCE VACATING A PORTION OF LOVELAND LANE A/K/A PHILMONT
AVENUE IN THE CITY OF SOMERS POINT, COUNTY OF ATLANTIC,
STATE OF NEW JERSEY**

WHEREAS N.J.S.A. 40:67-1(b) authorizes Municipalities to vacate public streets in the public interest; and

WHEREAS, during a regularly scheduled public meeting held on July 21, 2022, a presentation was made by Tim Maguire, Esq. to the Somers Point City Council on behalf of 901 Mays

Landing Road, LLC, the owners of the Greate Bay Country Club, requesting vacation of a portion of Loveland Avenue within Block 1946 in the City of Somers Point; and

WHEREAS, it has been determined by the Somers Point City Council as follows:

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

1. The portion of Loveland Avenue described below is a "paper street" marked on a map or plat recorded with the City of Somers Point that shows the existence of a public right of way (the "Area to be Vacated").
2. It has been confirmed by the City Engineer that the City of Somers Point does not hold title to that portion of the Area to be Vacated.
3. The Area to be Vacated has not been physically improved, does not provide public access, and is not needed for public road purposes.
4. The said portion of the Area to be Vacated lends itself to higher and better use than for public road purposes and that it is in the best interest of the general public and the City of Somers Point that any public easements, rights, and interests in and to same shall be vacated, released, and extinguished.
5. The City Engineer has confirmed that the right – of - way proposed to be vacated is twenty feet (20') in width.
6. The property abutting the Area to be Vacated to which the title to the right – of – way will revert upon vacation is a portion of Block 1946, Lot 1 which is currently owned by a single entity.

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

SECTION 1. A PORTION OF PUBLIC RIGHT OF WAY IS TO BE VACATED SUBJECT TO STATUTORY PRESERVATION OF EASEMENTS:

All public easements, rights and interests to the portion of the Area to be Vacated described below, are hereby vacated, released and extinguished except for all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," N.J.S.A. 48:5A-1 et seq., to maintain, repair and replace their existing facilities in, adjacent to, over and under the street, or any part thereof, to be vacated subject to the conditions described herein, all conditions herein, unless otherwise noted, shall be satisfied prior to said vacation being effective.

SECTION 2. DESCRIPTION OF THE PORTION OF THE AREA TO BE VACATED:

All that certain tract or parcel of land located in the City of Somers Point, County of Atlantic, New Jersey bounded and described as follows:

BEGINNING at the point on the easterly line of Loveland Avenue (60 feet wide) where it is intersected by the northeasterly line of Somers Point – Mays Landing Road; and extending thence

- 1) North 70 degrees 20 minutes and 02 seconds West along the Somers Point – Mays Landing Road 60.00 feet to the westerly line of Loveland Ave.; thence

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

2) North 19 degrees 39 minutes and 58 seconds East along the westerly line of Loveland Ave. 116.00 feet to the northerly line of Loveland Ave., said line being the southerly boundary of Lot 1 in Block 1946; thence

3) South 70 degrees 20 minutes and 02 seconds East along said line 60.00 feet to the easterly line of Loveland Ave.; thence

4) South 19 degrees 39 minutes and 58 seconds West along the easterly line of Loveland Ave. 116.00 feet to the point and place of BEGINNING.

Containing 6,960 sf. (0.160 ac.)

This description is written in accordance with a Parcel Map dated June 06, 2022, prepared by Duffy Dolcy McManus & Roesch, and signed by William P. McManus Professional Land Surveyor, Lic. No. 31660

BEING DESIGNATED AS a portion of Loveland Avenue A/K/A Philmont Avenue on the Official Tax Map of Somers Point, New Jersey.

SECTION 3. STATUTORY PUBLICATION AND NOTICE:

A. The City Clerk is directed to publish notice of the introduction of this Ordinance pursuant to N.J.S.A. 40:49-2; provided, however, that notice as to such introduction and the time and place when and where the Ordinance will be further considered for public hearing and final passage, shall be made, pursuant to N.J.S.A. 40:49-6, at least ten (10) days prior to the public hearing and adoption hereof.

B. At least seven (7) days prior to the time affixed for the consideration of this Ordinance for final passage, a copy thereof, together with a notice of the introduction thereof at a time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance insofar as has been ascertained by

the City engineer. Said notices shall be made by certified mail / RRR by the City Clerk to the record owner of:

Block 1946, Lot 1
901 Mays Landing Road
901 Mays Landing Road, LLC
3603 ATL-BRIGANTINE #8
Brigantine, NJ 08203

C. Within sixty (60) days after adoption of this ordinance, the City Clerk is authorized and directed to cause a certified copy of this ordinance to be filed with the office of the Atlantic County Register of Deeds and to the City Tax Assessor.

SECTION 4. FEES AND COSTS TO BE PAID BY BENEFICIAL OWNER

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

All fees and costs associated with preparation and publication of this ordinance shall be paid by the beneficial owner to which title will revert upon vacation. All such fees, costs, and expenses shall be payable from an escrow account deposited with the Somers Point Chief Financial Officer.

SECTION 5. REPEALER CLAUSE.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

Ordinance No. 23 of 2022

M/S- Owen/Dill

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

(First Reading/Introduction)

Council President Johnston explained this ordinance for a parking spot that obstructs the egress to access the pump station.

No. 23 of 2022

An Ordinance Enacted Under Authority of N.J.S.A. 39:4-197 Regulating the Parking of Vehicles on Certain Streets and Portions Thereof; Amending and Supplementing the Somers Point Municipal Code Chapter 250 Vehicles and Traffic, Article I Section 250-24.1 Schedule 1A and Repealing All Ordinances Heretofore Adopted, The Provisions of Which Are Inconsistent Herewith.

WHEREAS, N.J.S.A. 39:4-197 authorizes a Municipality, by Ordinance, to regulate the parking of vehicles on municipal streets and portions thereof; and

WHEREAS, a determination has been made by the Somers Point City Engineer that due to the potential of an obstruction to access to a Municipal Pump Station on Bay Avenue which has been identified by the Sewer Operator and in the interest of public safety and for the proper access by Municipal vehicles a recommendation to eliminate vehicle stopping, standing and parking adjacent to the Pumping Station area has been made; and;

WHEREAS, the recommendations made by the City Engineer have been reviewed by the Somers Point Police Department and have been deemed appropriate and reasonable; and

WHEREAS, it is necessary to amend and supplement Chapter 250 of the Code of the City of Somers Point in order to implement the recommended change in parking regulations

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:

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

SECTION 1: The Somers Point Municipal Code Chapter 250 Vehicles and Traffic, Article I Section 250-24.1 Schedule 1A “No Parking, Stopping, Standing” at any time is hereby amended and supplemented to add the following described streets or parts of streets:

Name of Street	Side	Location
Bay Ave	East	From the south curb line of Gibbs Avenue to 52 feet south

SECTION 2: “No Parking, Stopping or Standing This Side” signage shall be installed and placed according to New Jersey Department of Transportation standards with standard spacing as required by Regulation and in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways.

SECTION 3: All other provisions of Chapter 250 shall remain in full force and effect and shall apply to this amendment upon the effective date of this Ordinance

SECTION 4: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies

SECTION 5: Should any section, clause, sentence, phrase or provision or any item in any schedule of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 6: This Ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

Ordinance No. 24 of 2022

M/S- Owen/Dill

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

(First Reading/Introduction)

No. 24 of 2022

**AN ORDINANCE GRANTING A LONG-TERM TAX EXEMPTION
FOR PROPERTY IDENTIFIED ON THE OFFICIAL TAX MAP OF
THE CITY OF SOMERS POINT AS BLOCK 2032, LOTS 12.02 AND
12.03, AND AUTHORIZING THE EXECUTION OF A FINANCIAL
AGREEMENT WITH SOMERS POINT PRESERVATION, LP FOR
THE PROPERTY**

WHEREAS SOMERS POINT PRESERVATION, LP is a Limited Liability Company organized in accordance with New Jersey law; and

WHEREAS SOMERS POINT PRESERVATION, LP (“Sponsor”) has applied to the New Jersey Housing and Mortgage Finance Agency pursuant to the New Jersey Housing

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

and Mortgage Finance Agency Law of 1983, as amended and supplemented, N.J.S.A. 55:14K-1 *et seq.* (the "HMFA Law") to finance a project to preserve and significantly rehabilitate a two hundred and twenty-five (225) unit HUD Section 8 housing complex (224 restricted rental units and 1 manager unit) located at 50 Somers Point – Mays Landing Road, and designated as Block 2032, Lots 12.02 and 12.03 on the official Tax Map of the City of Somers Point (the "SPP Property") in furtherance of its affordable housing project on the SPP Property; and

WHEREAS the HMFA Law authorizes Payment in Lieu of Tax ("PILOT) Agreements between the Municipality where the property is located and the Sponsor seeking funding in accordance with N.J.S.A. 55:14k-1 *et seq.*; and

WHEREAS, the City of Somers Point ("Somers Point") City Council passed the requisite Resolution of Need on June 11, 2020, with respect to the proposed project in accordance with N.J.S.A. 55:14k-1 *et seq.*; and

WHEREAS SOMERS POINT PRESERVATION, LP and the City are authorized to enter into a Payment in Lieu of Tax Agreement ("PILOT") pursuant to Section 37 of the HMFA Law" and N.J.S.A. 40A:20-1 *et seq.*; and

WHEREAS SOMERS POINT PRESERVATION, LP has applied to the City

for a long-term tax exemption in furtherance of its affordable housing project on the SPP Property; and

WHEREAS The City Council finds and determines that the Financial Agreement is to the direct benefit of the health, welfare and financial well-being of the City and its citizens because it allows for the preservation and substantial renovation of two hundred and twenty-five (225) HUD Section 8 affordable housing units essential for the provision affordable housing within the City; and the City Council has further determined that: (a) the benefits of the Project, including (i) the construction of the Improvements, (ii) the creation of construction jobs, and (iii) the preservation of full- and part-time permanent jobs at the Project, outweigh any costs associated with the tax exemption; and (b) without the tax exemption granted herein, the Project would not otherwise be undertaken; and

WHEREAS, the City Council has determined that it is appropriate to grant a long-term tax exemption to the SPP Property and to enter into a Financial Agreement with SOMERS POINT PRESERVATION, LP to memorialize the terms and conditions of this long-term tax exemption; and

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the City Council of the City of Somers Point, County of Atlantic, and State of New Jersey that the Mayor is hereby authorized to execute a Financial Agreement with SOMERS POINT PRESERVATION, LP for the SPP Property in a form substantially similar to that attached hereto as **Exhibit A**; and

BE IT FURTHER ORDAINED, that as of the date the Sponsor executes a First Mortgage upon the Project in favor of the Agency (hereinafter referred to as the "Agency

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

Mortgage") and Substantial Completion of the Project as defined in the Financial Agreement, the land and improvements comprising the Project shall be exempt from real property taxes; and

BE IT FURTHER ORDAINED, that all documents prepared and executed in furtherance of the transaction are subject to the review and approval of the City Solicitor and City Business Administrator; and

BE IT FURTHER ORDAINED, in compliance with N.J.S.A. 40A:20-12 within 10 calendar days following the later of the effective date of an ordinance following its final adoption by the governing body approving the tax exemption and the execution of the Financial Agreement the City Clerk shall transmit a certified copy of this ordinance and Financial Agreement to the Chief Financial Officer of the County and to the County Counsel for informational purposes; and

BE IT FURTHER ORDAINED, the executed copy of the final executed Financial Agreement shall be certified by and filed with the Office of the City Clerk. Further, the City

Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the City..

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

The ordinance published herewith was introduced and passed on first reading by the City Council of the City of Somers Point on September 22, 2022, and will be further considered for final passage and adoption at the Somers Point City Council Chambers, 1 West New Jersey Avenue, Somers Point, New Jersey on October 13, 2022, at 7:00 p.m. or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard. During normal business hours copies of said Ordinance, including Exhibit A, will be available at the Clerk's Office in the Somers Point City Hall to the members of the general public who shall request the same.

Resolutions:

Council President Johnston pulled Resolution Number 196 from the agenda.

Deputy Clerk Heath read by title only the list of resolutions.

Public Portion Resolutions:

Council President Johnston duly opened the meeting to the public.

John Helbig of East Dawes questioned the lots involved with Resolution Number 197.

Jim Waniak of Bucknell Road questioned the pulled Resolution Number 196.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

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

Resolution No. 187 of 2022

M/S-Owen/Dill

This resolution was adopted by unanimous vote of those present.

No. 187 of 2022

Subject: Tax Overpayment Refund Block 1924 Lot 11

Introduced by: Council President Johnston and Council Members McGuigan and DePamphilis

WHEREAS, the below listed overpayment for the years designated is held in reserve by the City of Somers Point; and

WHEREAS, the property tax payments were overpaid inadvertently creating an overpayment and;

WHEREAS, the property owners has requested the overpayment be refunded to Surety Title Company.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the following overpayment be refunded to Surety Title Company.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

Block	Lot	Property Owner	Amount	Year
1924	11	Harvey, Gregory & Laura	\$1,746.51	2022
			Total:	\$1,746.51

Resolution No. 188 of 2022

M/S- Owen/Dill

This resolution was adopted by unanimous vote of those present.

No. 188 of 2022

Subject: Resolution Authorizing the Execution of a Contract Renewing Membership in the Atlantic County Municipal Joint Insurance Fund

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

Introduced By: Council President Johnston

WHEREAS, the City of Somers Point (hereinafter the "MUNICIPALITY") is a member of the Atlantic County Municipal Joint Insurance Fund (hereinafter the "FUND"); and

WHEREAS, the MUNICIPALITY'S membership terminates as of January 1, 2023 unless earlier renewed by a Contract between the MUNICIPALITY and the FUND; and

WHEREAS, N.J.S.A. 40A:11-5 (1) (m) provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding

therefor, if the subject matter is for the purchase of insurance coverage and consultant services, provided that the award is in accordance with the requirements for extraordinary unspecifiable services; and

WHEREAS, N.J.S.A. 40A:11-6.1(b) provides that the MUNICIPALITY shall make a documented effort to secure competitive quotations; however, a Contract may be awarded upon a determination, in writing, that the solicitation of competitive quotations is impracticable; and

WHEREAS, in accordance with N.J.A.C. 5:34-2.3, a designated official of the MUNICIPALITY, has filed a certification with the governing body describing in detail, as set forth below in this Resolution, why this Contract meets the provisions of the statutes and the regulations and why the solicitation of competitive quotations is impracticable; and

WHEREAS, it has been determined that the purchase of insurance coverage and insurance consultant services by the MUNICIPALITY requires a unique knowledge and understanding of the municipal exposures and risks associated with the operation of a municipal entity, and many insurance professionals are not qualified to assess these risks and exposures based upon their inherent complexity; and

WHEREAS, insurance coverage for municipal entities can vary greatly in the type, limits, and exceptions to coverage, and therefore particularized expertise in determining and obtaining the appropriate coverage is required to protect the MUNICIPALITY; and

WHEREAS, it is the goal of the MUNICIPALITY to obtain a single integrated program to provide all types of insurance coverage with a plan to limit the MUNICIPALITIES exposure; and

WHEREAS, the FUND has provided comprehensive insurance coverage to member municipalities since 1987; and

WHEREAS, since 1987, the Fund has continually refined all of the types of coverage that it provides to its members so that it offers comprehensive insurance coverage and limits to all members that is unique and cannot be purchased from a single entity in the commercial insurance market; and

WHEREAS, the FUND has also developed and made available to its members Safety, Risk Management and Litigation Management programs that address the specific exposures and risks associated with municipal entities; and

WHEREAS, the FUND provides the MUNICIPALITY with Fund Administration, Claims Review, Claims Processing, Claims Administration, Actuarial and Legal services; and

WHEREAS, the FUND is one of the most financially sound Municipal Joint Insurance Funds in New Jersey, and the FUND operates with strong fiscal controls, member oversight, and meets all of the requirements promulgated by the New Jersey Department of Community Affairs and the Department of Banking and Insurance; and

WHEREAS, as an existing member of the FUND, the MUNICIPALITY would be renewing its membership in an organization with experienced and dedicated FUND Professionals who provide specialized services to the members; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

WHEREAS, the membership of the FUND includes many neighboring municipalities that have uniquely similar exposures to the MUNICIPALITY, and with whom the MUNICIPALITY has existing inter-local arrangements; and

WHEREAS, all of the aforementioned factors categorize the award of this Contract as an "extraordinary, unspecifiable service" that cannot be duplicated, accounted for, accurately detailed, or described in a manner that truly depicts the value of the MUNICIPALITY'S membership in the FUND; and

WHEREAS, for all of the aforementioned reasons, it is impracticable for the MUNICIPALITY to seek competitive quotations for a Contract to provide the procurement of insurance coverage and consultant services; and

WHEREAS, the FUND has been organized pursuant to N.J.S.A. 40A:10-36 et seq., and as such is an agency of the municipalities that created it; and

WHEREAS, N.J.S.A. 40A:11-5(2) also provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the Contract is entered into with a municipality or any board, body, officer, agency or authority thereof; and

WHEREAS, the FUND meets the definition of an agency as set forth in N.J.S.A. 40A:11-5(2); and

WHEREAS, for all of the aforementioned reasons, the MUNICIPALITY desires to enter into a Contract to renew its membership with the FUND for a period of three (3) years, for insurance coverage and consultant services, as an exception to the public bidding requirements of the Local Public Contracts Law.

NOW THEREFORE, be it resolved by the governing body of the MUNICIPALITY as follows:

1. The MUNICIPALITY agrees to renew its membership in the FUND and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the FUND.
2. The Mayor and Clerk of the MUNICIPALITY shall be and hereby are authorized to execute the "Contract to Renew Membership" annexed hereto and made a part hereof and to deliver same to the FUND evidencing the MUNICIPALITY'S renewal of its membership.
3. In accordance with N.J.A.C. 5:34-2.3, the certificate of a designated official of the MUNICIPALITY, which details why the solicitation of competitive quotations is impracticable, is attached hereto and made a part of this Resolution.
4. The Clerk of the MUNICIPALITY is authorized and directed to place a notice of the adoption of this Resolution and the award of this Contract in the official newspaper of the MUNICIPALITY.

This Resolution agreed to this 22nd day of September 2022, by a vote of:

7 Affirmative

0 Negative

0 Abstentions

Resolution No. 189 of 2022

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

Council Member Dill mentioned this is a replacement, not a new employee.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

Subject: Full Time Hiring of Donna Heiler

Introduced By: Council Members Dill, McGuigan and McCarrie

WHEREAS, due to a vacancy it is necessary for the City of Somers Point to consider the hiring of a Account Clerk Typist 5 in the Tax Collection Office in accordance with the New Jersey Civil Service Policies and Procedures; and

WHEREAS, the position was previously advertised and applications received; and

WHEREAS, a review of the applications was completed, and an interview of job applicants was conducted by the City Administrator and Municipal Tax Collector; and

WHEREAS, the Tax Collector and the City Administrator have recommended that Donna Heiler be hired on a full-time basis; and

WHEREAS, adequate funds are available within the Tax Collection Department operations in the 2022 budget for this full time hiring.

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

- 1.) The hiring of Donna Heiler to the full-time position of Clerk 1, New Jersey Civil Service Local Government Job Specification 01245, within the Tax Collection Department is hereby approved effective September 26th, 2022.
- 2.) Effective September 26th, 2022 the salary of Donna Heiler will be in accordance with the designation of Account Clerk Typist 5, White Collar Section of the agreement between the City of Somers Point and Teamsters Union Local No. 115.

Resolution No. 190 of 2022

M/S- Dill/Bruno

This resolution was adopted by unanimous vote of those present.

No. 190 of 2022

Subject: Authorizing Agreement with the Borough of Longport for Shared Services Agreement Utilizing Floodplain Management Software
Introduced By: Council President Johnston and Council Members Dill and McGuigan

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

WHEREAS per Resolution 77 of 2022, the City previously applied for and was recently awarded a LEAP (Local Efficiency Achievement Program) Grant in conjunction with the City of Ventnor, The City of Pleasantville, The City of Brigantine, The Township of Egg Harbor, The township of Hamilton, and the Borough of Longport as the lead entity; and

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, N.J.S.A. 40A:65-5 requires the adoption of a resolution by the local units in order to authorize the execution of a shared services agreement; and

WHEREAS, the City of Somers Point ("City") and the Borough of Longport ("Borough") have determined it to be in the mutual interest of each governing body to share Floodplain Management Software (Forerunner Software); and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:65-1, the City of Somers Point is authorized to enter into a shared services agreement with the Borough of Longport to participate in the use of this floodplain management software.

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

1. The cost for the Forerunner Software shall be shared by the City and the six (6) Municipalities.
2. The Borough of Longport will pay 100% of the program cost for each participating municipality to Forerunner; each of the six (6) Sublicensee municipalities will pay 100% of their cost share to the Borough of Longport for a period of 3 years.
3. The City Administrator is hereby authorized and directed to execute the agreement between the Borough of Longport and the City of Somers Point in the form attached hereto.
4. Upon its execution, the executed copy of the agreement will be attached hereto and made a part hereof.

Resolution No. 191 of 2022

M/S- Dill/Owen

This resolution was adopted by unanimous vote of those present.

No. 191 of 2022

Subject: Resolution of the City Council of the City of Somers Point Authorizing Payment of the Length of Service Award Program on Behalf of Qualified Volunteer Fire Fighters for the Year 2021

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

Introduced By: Council President Johnston and Council Member Dill

WHEREAS, the City of Somers Point contributes to the Somers Point Fire Departments Length of Services Award Program" (LOSAP); and

WHEREAS, the purpose of the LOSAP program is to provide tax-deferred income benefits to active volunteer members of an emergency service organization; and

WHEREAS, the City of Somers Point has previously authorized the LOSAP program for active members of the Two (2) Fire Departments; and

WHEREAS, a list of active members meeting the established criteria for LOSAP has been presented by the Somers Point Fire Chief; and

WHEREAS, the City of Somers Point wishes to award LOSAP benefits of \$800.00 each on behalf of qualified members of the Somers Point Fire Department for the 2021 program year; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the City Administrator is authorized to make a LOSAP payment to the plan administrator on behalf of the Somers Point Fire Department active volunteers in the amount of \$800.00 per qualified member.

Resolution No. 192 of 2022

M/S- Dill/McCarrie

This resolution was adopted by unanimous vote of those present.

Council Member McGuigan mentioned Mary Matricardi has been a crossing guard since 1989 and congratulated her on another year of service.

No. 192 of 2022

Subject: Hiring School Crossing Guards

Introduced by: Council President Johnston and Council Members

WHEREAS, for the 2022-2023 school year there exists a need for the part-time position of School Crossing Guard; and

WHEREAS, in accordance with N.J.S.A. 40A:9-154.1 the Governing Body may appoint adult School Crossing Guards for a term not to exceed one year; and

WHEREAS, the Police Chief of the City of Somers Point has recommended certain individuals for appointment to that position.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the following individuals are hereby appointed for a term of one year to the part-time position of School Crossing Guard:

Name	Effective Date of Hire
Vanita Allen	8/25/2021
Marty Brennan	9/22/2020

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

Karen Bromall	08/26/2014
Cheri Broshard	08/23/2019
Sandy Disciascio	8/24/2014
Mary Matricardi	03/01/1989
Denise McLaughlin	10/08/2007
Paul McLaughlin	11/20/2017
Lynn Moore	12/21/1998
Maryann Parker	08/31/2004
Linda Petti	03/21/2021
Hank Wilhelm	11/16/2015
Jack Shields	09/02/2022

Resolution No. 193 of 2022

M/S- Dill/Bruno

This resolution was adopted by unanimous vote of those present.

No. 193 of 2022

Subject: Awarding Bid for the 2022 Stormwater Cleaning & Video Inspection

Introduced By: Council Member Dill

WHEREAS, on September 19, 2022 the City of Somers Point received bids for the 2022 Stormwater Cleaning & 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 \$104,200.00

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

- 3.) The Contract for the 2022 Stormwater Cleaning & Video Inspection is hereby awarded to Mobile Dredging and Video Pipe of Newfield, New Jersey in the amount of \$104,200.00
- 4.) 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.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

Resolution No. 194 of 2022

M/S- Owen/Dill

This resolution was adopted by unanimous vote of those present.

Engineer Schneider mentioned the bids were over the Engineer's estimate.

No. 194 of 2022

Subject: Rejecting Bids for 2022 Stormwater Repairs - Phase II

Introduced by: Council Member Dill

WHEREAS, on September 16, 2022, the City of Somers Point received bids for the 2022 Stormwater Repairs – Phase II; and

WHEREAS, based off an analysis of the bids received, the Engineer's cost estimate, and available funding, the City Engineer has recommended that the City reject all bids and rebid the project;

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

- 1.) All bids received for the 2022 Stormwater Repairs – Phase II on September 16, 2022 are formally rejected.
- 2.) The City Engineer is authorized to rebid the project reducing the project scope.

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

Resolution No. 195 of 2022

M/S- Dill/Bruno

This resolution was adopted by unanimous vote of those present.

No. 195 of 2022

Subject: Awarding Bid for the 2021 Road Program

Introduced By: Council Member Dill

WHEREAS, on September 19, 2022 the City of Somers Point received bids for the 2021 Road Program; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

WHEREAS, Arawak Paving Co., Inc. of Hammonton, New Jersey was the lowest responsible bidder; and

WHEREAS, the City Engineer's office has recommended that the City award the contract to Arawak Paving Co., Inc. of Hammonton, New Jersey in the amount of \$826,900.00

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

- 5.) The Contract for the 2021 Road Program is hereby awarded to Arawak Paving Co., Inc. of Hammonton, New Jersey in the amount of \$826,900.00
- 6.) The Mayor and City Clerk are hereby authorized and directed to enter into a formal contract with Arawak Paving Co., Inc. of Hammonton, New Jersey, signing on behalf of the City.

Resolution No. 196 of 2022

M/S- PULLED

This resolution was pulled from the agenda.

No. 196 of 2022

PULLED

Subject: Awarding Bid for the FEMA Exton Road Pumpstation

Introduced By: Council Member Dill

WHEREAS, on September 22, 2022 the City of Somers Point received bids for the FEMA Exton Road Pump Station; and

WHEREAS, XXXXXXXXX of XXXXXX, New Jersey was the lowest responsible bidder; and

WHEREAS, the City Engineer's office has recommended that the City award the contract to XXXXXXXXX of XXXXXX, New Jersey in the amount of \$XXXXXXXXXX

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

- 7.) The Contract for the FEMA Exton Road Pump Station is hereby awarded to XXXXXXXXX of XXXXXX, New Jersey in the amount of \$XXXXXXXXXX
- 8.) The Mayor and City Clerk are hereby authorized and directed to enter into a formal contract with XXXXXXXX, of XXXXXX New Jersey, signing on behalf of the City.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

Resolution No. 197 of 2022

M/S- Dill/McCarrie

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

No. 197 of 2022

Subject: A Resolution Authorizing the Execution and Delivery of a Memorandum of Understanding Between the City of Somers Point and Walters-Cornerstone Development LLC (as Proposed Redeveloper of Phase I, and Route 152 Partners LLC, and Three Bozos LLC (as Owner of Block 1007 / Lots 1 and 3), and Designating Walters-Cornerstone Development LLC as Interim Conditional Redeveloper the Phase 1 Age Restricted Affordable Housing Proposed to be Constructed Within a Subdivided Lot Within Block 1007/ Lots 1, 2, & 3

Introduced By: Council President Johnston

WHEREAS, on May 26, 2023, during a regularly scheduled public meeting M. Sean Scarborough representing the owners of the Subject Properties Route 152 Partners LLC (as owner of Block 1007 / Lots 1 and 3) and Three Bozos LLC (as owner of Block 1007 / Lot 2, (the "Subject Property") and Joseph A. Del Duca, Partner and Director of affordable Housing for The Walters Group made a presentation to the Somers Point City Council ("City Council"), and the public in attendance, requesting the City Council to negotiate with a Proposed Redeveloper the terms and conditions of a Redevelopment Plan and a Redevelopment Agreement; and

WHEREAS the proposal presented on behalf of the Proposed Redeveloper contemplates the construction of between fifty (50) and sixty (60) age restricted affordable very-low, low- and moderate affordable housing residential rental dwellings consisting of one bedroom units with parking, and related amenities on approximately one acre of land subject to subdivision approval, which is to be Phase 1 of the proposed redevelopment; and proposed commercial uses to be permitted on the remaining approximately 2.2 acre parcel subject to subdivision approval and which shall be Phase 2 of the proposed redevelopment, (collectively the "Proposed Redevelopment Project"); and

WHEREAS the purpose of the Memorandum of Understanding is to permit the City to enter into discussions with Walters-Cornerstone Development LLC, or its designees or assignee as approved in writing by the City (the "Proposed Redeveloper"),(as owner of Block 1007 / Lot 2) (and their successors and assigns) as owners of the Subject Property 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 and an Escrow Agreement 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

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

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 Walters-Cornerstone Development LLC, or a Urban Redevelopment Entity approved by the New Jersey Department of Community Affairs (and their designees or assignee as approved in writing by the City is hereby designated to be the Interim Conditional Redeveloper for the Phase 1 affordable housing project on 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.

Old Business:

None

New Business:

City Council unanimously approved a NJ State Firemen's Association Application for Membership for Nicholas Trout.

Council Member McCarrie mentioned the spotted lantern fly infestation. Council member McGuigan mentioned the Green Thumb Garden Club had an expert present at one of their meetings on this topic and recommended anyone interested in information to reach out to the Club.

Discussion of Bills:

Administrator Frost reported a Record of Payments dated 9/14/2022 in the amount of \$41,965.11 and a Bill List dated 9/20/2022 in the amount of \$1,818,386.32.

Public Portion:

The meeting was duly opened to the public.

Ed O'Donnell of the Econo Lodge mentioned smoking is illegal at NJ bus stops and the dangers of secondhand smoke.

Patricia Pierson of Marks Road requested monthly budget statements. She mentioned inflation and requested more information regarding the paid parking ordinance.

Steve Bassett of Osborne Road reported he will be holding a tribute event to Olivia Newton John to benefit the Gilda's Club Cancer Research and encouraged everyone to sponsor or attend the event.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
September 22, 2022**

Greg Sykora of Horter Avenue commented on the paid parking ordinance and short-term rental properties.

Jim Waniak of Bucknell Road on behalf of his neighbor thanked Council President for her response to her list of questions. He also mentioned his concerns with drainage in his neighborhood.

Dale Premish of Village Drive mentioned his concerns with an abandoned property on his street.

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

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.

Comments from the Governing Body:

None

Adjournment:

There being no further business to come before City Council, Council Member Dill moved, Council Member Bruno seconded and carried to adjourn the meeting at 7:57 p.m.

Respectfully submitted,

Lucy R. Samuelsen, RMC
Municipal Clerk
Approved: 10/13/2022

REGULAR MEETING MAYOR AND CITY COUNCIL September 22, 2022

Stormwater Report

As a result of rules published by the U. S. Environmental Protection Agency, the New Jersey Department of Environmental Protection developed the Municipal Stormwater Regulation Program beginning in 2004.

There are four different types of permits, and because of Somers Point's proximity to the coast, we are considered a Tier A community.

The permits address stormwater quality issues as it relates to new development and existing development by implementing Statewide Basic Requirements that include, among other items, that municipalities adopt and enforce a stormwater management plan.

In April of 2004 Somers Point implemented a Stormwater Pollution Prevention Plan and adopted a Stormwater Management Plan. In March of 2006 we adopted a Stormwater Control Ordinance. The City also has a Stormwater Pollution Prevention Plan that has been periodically updated since 2004, the last time being December 29, 2018.

In conjunction with stormwater pollution management we have also adopted ordinances that regulate

- Pet waste disposal Littering
- Improper Waste Disposal Wildlife feeding
- Yard Waste
- Illicit connections to the stormwater systems and Dumpsters

New ordinances were passed in 2018 concerning Wildlife Feeding and Improper Waste Disposal to further bolster the City's effort to manage stormwater pollution prevention.

In 2018 the City also reached out by letter to all private operators of stormwater facilities to ensure that they are acquainted with the regulations and their continuing maintenance obligations.

Also, beginning in 2018 on line training for stormwater management was made available for members of the governing body, planning board and zoning board.

REGULAR MEETING MAYOR AND CITY COUNCIL September 22, 2022

The City has 43 outfall pipes. Each year they are inspected for evidence illicit connections. In 2019 all 43 were inspected with no evidence of scouring or illicit connections.

In 2021 the City swept 58 miles of streets and collected about 19 tons of debris during our street sweeping. That's a total of about 655 pounds per mile of City Streets. These are materials that could have washed into the storm drains.

The City operates 649 catch basins, and in 2021 we removed 33 tons of debris (double from 2020) while cleaning 45 of the catch basins.

As part of the road work performed in 2021 we replaced 32 storm drain grates with grates that are now better designed to prevent pollutants from entering the storm drains. A total of 227 or roughly 35% of the City's storm drain grates have been converted since 2004.

The City has adopted standard operating procedures that deal with fueling operations, vehicle maintenance and cleaning, road salt storage and annual employee training.

Since approximately 60% of our water pollution problems are attributable to stormwater pollution, and stormwater pollution can often be linked to our daily activities and lifestyles.

Many people who allow motor oil, trash, and pet waste to enter the storm sewer in their street don't realize that that it will probably end up in the bay, just a few blocks away.

It is important that we all make an effort to keep pollutants out of the stormwater system.

**Report delivered to the
Mayor and City Council by City
Administrator Jason Frost at the
public meeting of 9/22/2022**