

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
September 9, 2021**

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, McCarrie, McGuigan, Owen, Johnston

**Absent:** Ferreri

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

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**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.

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**Presentations:**

- **Provco Partners, L.P., and Designating Provco Partners, L.P (ALDI) Steven Nehmad, Esq, of Nehmad, Davis, and Goldstein Law Firm, presented on behalf of Provco Partners, LP for a redevelopment agreement for a proposed ALDI supermarket chain (replacing the Walgreens on Route 9).**

Mr. Nehmad discussed project issues of stormwater management and traffic control as well as applicant-proposed solutions.

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**Resolutions:**

Clerk Samuelsen read by title Resolutions 156 and 157 of 2021.

**Public Portion Resolutions:**

*Council President Johnston duly opened the meeting to the public regarding Resolution No. 156.*

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

# **REGULAR MEETING MAYOR AND CITY COUNCIL September 9, 2021**

**Resolution No. 156 of 2021**

**M/S-** Dill/McCarrie

This resolution was adopted by unanimous vote of those present.

Council Member McGuigan mentioned the resolution is to open negotiations of the finer points of the redevelopment agreement, not full approval of the agreement. City Solicitor Smith confirmed Council Member McGuigan's understanding.

**No. 156 of 2021**

**Subject: A Resolution Authorizing the Execution and Delivery of a Memorandum of Understanding Between the City of Somers Point and Provco Partners, L.P., and Designating Provco Partners, L.P., as Interim Conditional Redeveloper of Block 719, Lots 15, 16, And 17**

**Introduced by: Council President Johnston**

**WHEREAS** the Local Redevelopment and Housing Law, N.J.S.. 40A:12A-1, et seq., as amended and supplemented ("Redevelopment Law"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of rehabilitation or redevelopment; and

**WHEREAS**, on November 20, 2014, the City Council of the City of Somers Point adopted Resolution No. 186 of 2014 declaring the entire area of the City of Somers Point to be an Area in Need of Rehabilitation pursuant to N.J.S.A. 40A:12A-14, accepting a recommendation from the Somers Point Planning Board based upon a City-Wide Rehabilitation Study and Report concluding the that the entire area of the City of Somers Point be determined to be an Area in Need of Rehabilitation; and

**WHEREAS**, the Redevelopment Law authorizes, among other things, the rehabilitation and/or demolition of existing improvements and construction of new improvements; and

**WHEREAS**, on March 9, 2021, and July 28, 2021, inquiries were made to the Somers Point Finance and Redevelopment Subcommittee regarding a proposal by Provco Partners, L.P. (the "Proposed Redeveloper") to redevelop Block 719 / Lots 15, 16, and 17 comprising approximately 2.74 acres, and situated along New Road (Rt. 9) at the intersection with Groveland Avenue within the City of Somers Point (the "Subject Property"); and

**WHEREAS**, on August 26, 2021, Special COAH and Redevelopment Counsel, during an executive session held in compliance with N.J.S. 10:4-12(b), discussed with City Council the legal and procedural issues pertaining to the proposal for a redevelopment project for the Subject Property; and

**WHEREAS**, during a regularly scheduled public meeting on September 9, 2021, Proposed Redeveloper made a presentation to the Somers Point City Council ("City Council"), and the public in attendance, requesting the City Council to 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 demolition the existing Walgreen's structure, reconfiguration of the site, and construction of an ALDI

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grocery store consisting of approximately 21,659 SF Building with 102 parking spaces, and 1 loading dock. The Proposed Project will also include a full movement driveway on West Groveland Avenue and a left turn out restriction from the driveway on RT 9. The project consists of a new signalized intersection with RT 9 and West Groveland Avenue along with road widening and dedicated left turn lanes on West Groveland Avenue. The project will also incorporate both an on-site and an off-site drainage system to improve the West Groveland Avenue drainage conditions (the "Proposed Redevelopment Project"); and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law, a municipality has the authority to adopt, by ordinance, a Redevelopment Plan for a property located in an area in need of rehabilitation; and

**WHEREAS** the City Council has determined that it is in the best interest of the City to enter into discussions with the Proposed Redeveloper to explore the feasibility of the Proposed Redevelopment Project, and to the adoption of a mutually agreed upon Redevelopment Plan and the terms and conditions of an agreement or agreements to provide for the Redevelopment of the project consistent with the Redevelopment Plan (the "Redevelopment Agreement"); and

**WHEREAS** the purpose of the Memorandum of Understanding is to permit the City to enter into such 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 a Redevelopment 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 Provco Partners, L.P., substantially in the form attached hereto subject to such modifications as may be deemed necessary or desirable by the City Administrator, Chief Financial Officer, City Solicitor, or Special Counsel.

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 Provco Partners, L.P. is hereby designated to be the Conditional Developer 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.

It is further **RESOLVED** that any redevelopment plan approved by the governing body shall be referred to the Somers Point Planning Board to determine if the proposed redevelopment plan is consistent with the overall intent of the City's Master Plan prior to adoption of an ordinance approving a Redevelopment Plan; and

It is further **RESOLVED** that no redevelopment plan shall be effective until approved by ordinance in the manner provided by law.

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- **Jack and Scott Leonard, and Scott Taylor Regarding Shore Road and Pleasant Avenue Proposed Redevelopment Plan**

Cheryl Lynn Walters, Esq, of Nehmad, Davis, and Goldstein Law Firm, presented on behalf of Jack Leonard and Scott Leonard who are the contract purchasers for Block 1214, Lots 9-12, 16 located at the intersection of Shore Road and Pleasant Avenue for a memorandum of understanding for a redevelopment agreement for a proposed 12 single family homes with associated 73 space parking area alleviating a lack of parking for Bay View Court.

Mr. Jack Leonard discussed the project to replace 11 currently vacant units with 12 twin-style dwelling units.

Council Member McGuigan inquired about the demolition of the existing dwelling units. Mr. Leonard commented the agreement would include his firm's demolition of the existing dwellings.

Council Member McGuigan inquired about the start of the project. Mr. Leonard commented that upon final approvals of the redevelopment agreement, he would begin the project pending all other required approvals.

Council Member McCarrie questioned the proposed crosswalk and commented on a possible different location. Mr. Leonard commented on the proposed plan and alterations to address crosswalk concerns.

Mayor Glasser questioned the traffic plan out of St Joseph's School. Mr. Leonard commented on the proposed plan and that he was in contact with the school.

Council President Johnston questioned the installation of security cameras and lighting. Mr. Leonard commented there would be security cameras and a lighting plan.

Council Member McCarrie questioned the number of bedrooms of the new homes. Mr. Leonard stated they would be 3-bedroom units.

Council Member Bruno commented on the current parking at the site and the number of parking lots on Shore Road. Mr. Leonard commented there would be plantings and onsite parking.

Council Member Dill questioned the assignment of parking spots. Mr. Leonard commented they would be assigned.

Council President Johnston commented this resolution would allow the City to negotiate the proposed redevelopment agreement. This is not an approval of a final agreement.

*Council President Johnston duly opened the meeting to the public regarding Resolution No. 156.*

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Marlaine Saunders, 531 Sunny Avenue, commented about the trees in the rear of her lot and if they will be removed.

John Helbig, 67 Bayview Drive, commented about the off-street parking, Sunset Avenue right-of-way, developer's responsibility of basin and landscaping and the site environmental concerns.

Hugh Sharp, 538 Sunny Avenue, commented about stormwater runoff.

Ann Marie Gibbs, 549 Sunny Avenue, commented about construction during the school year, current number of parking spaces on site, neighborhood parking lots, placing the housing units on Shore Road, and impervious stormwater runoff onto local streets.

Patricia Pierson, 587 Marks Road, commented her neighbors were in favor of the new parking lot.

Elizabeth Bender, 1304 Atkinson Avenue, commented on the ownership of the fire company, parking rentals at the firehouse and property taxes if homes are built on the proposed parking lot area.

Donovan Saunders, 531 Sunny Avenue, commented that he likes the proposed plan and would like to view the proposed new dwelling plans.

Hearing nothing further, the public hearing was duly closed.

**Resolution No. 157 of 2021**

**M/S- Dill/McCarrie**

This resolution was adopted by unanimous vote of those present.

Council Member Dill commented on the stormwater concerns of the public and stated that the City Engineer would work to limit new stormwater runoff or reduce any existing stormwater runoff.

**No. 157 of 2021**

**Subject: A Resolution Authorizing the Execution and Delivery of a Memorandum of Understanding Between the City of Somers Point and Jack and Scott Leonard, and Designating Sunset Ave Redevelopment, LLC, as Interim Conditional Redeveloper of Block 1214, Lots 9, 10, 11, 12, and 16**

**Introduced by: Council President Johnston**

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**WHEREAS** the Local Redevelopment and Housing Law, N.J.S.. 40A:12A-1, et seq., as amended and supplemented (“Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of rehabilitation or redevelopment; and

**WHEREAS**, on November 20, 2014, the City Council of the City of Somers Point adopted Resolution No. 186 of 2014 declaring the entire area of the City of Somers Point to be an Area in Need of Rehabilitation pursuant to N.J.S.A. 40A:12A-14, accepting a recommendation from the Somers Point Planning Board based upon a City-Wide Rehabilitation Study and Report concluding the that the entire area of the City of Somers Point be determined to be an Area in Need of Rehabilitation; and

**WHEREAS**, the Redevelopment Law authorizes, among other things, the rehabilitation and/or demolition of existing improvements and construction of new improvements pursuant to a duly adopted Redevelopment Plan; and

**WHEREAS**, on August 12, 2021, a presentation was made to the Somers Point Redevelopment / Finance sub-committee by Jack and Scott Leonard the “Contract Purchaser” and “Proposed Redeveloper”) regarding the potential for developing Block 1214, Lots 9, 10, 11, 12, and 16 situated at the corner of Shore Road and Pleasant Avenue extending to Sunset Avenue in the City of Somers Point comprised of approximately 1.7 acres (the "Subject Property"); and

**WHEREAS**, on August 26, 2021, Special COAH and Redevelopment Counsel, during an executive session held in compliance with N.J.S. 10:4-12(b), discussed with City Council the legal and procedural issues pertaining to the proposal for a redevelopment project for the Subject Property; and

**WHEREAS**, during a regularly scheduled public meeting on September 9, 2021, Proposed Redeveloper made a presentation to the Somers Point City Council (“City Council”), and the public in attendance, requesting the City Council to 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 demolition of eleven (11) existing vacant and dilapidated dwelling units and the construction of twelve (12) single family attached residential dwellings and seventy-three (73) off street parking spaces (the "Proposed Redevelopment Project") to be used as overflow parking in conjunction with the two hundred-two (202) unit Bayview Court Apartment complex located across Shore Road on Block 1114, Lots 3, 4.01, 4.02, 4.03, and 4.04; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law, a municipality has the authority to adopt, by ordinance, a Redevelopment Plan for a property located in an area in need of rehabilitation; and

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**WHEREAS** the City Council has determined that it is in the best interest of the City to enter into discussions with the Proposed Redeveloper to explore the feasibility of the Proposed Redevelopment Project, the adoption of a mutually agreed upon Redevelopment Plan and the terms and conditions of an agreement or agreements to provide for the Redevelopment of the Proposed Redevelopment Project consistent with the Redevelopment Plan (the "Redevelopment Agreement"); and

**WHEREAS** the purpose of the Memorandum of Understanding is to permit the City to enter into such 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 a Redevelopment 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; and

**WHEREAS**, the Redevelopment Law authorizes, among other things, the City to designate a redeveloper for any project area within an area in need of rehabilitation for the purposes of rehabilitating and/or demolishing existing improvements and constructing new improvements pursuant to a duly adopted Redevelopment Plan; and

**WHEREAS**, the Contract Purchasers have formed Sunset Avenue Redevelopment, LLC as a special purpose redevelopment entity.

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 Sunset Ave Redevelopment, LLC, substantially in the form attached hereto subject to such modifications as may be deemed necessary or desirable by the City Administrator, Chief Financial Officer, City Solicitor, or Special Counsel.

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 Sunset Ave Redevelopment, 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.

It is further **RESOLVED** that any Redevelopment Plan approved by the governing body shall be referred to the Somers Point Planning Board to determine if the proposed redevelopment plan is consistent with the overall intent of the City's Master Plan prior to adoption of an ordinance approving such Redevelopment Plan; and

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It is further **RESOLVED** that no Redevelopment Plan shall be effective until approved by ordinance in the manner provided by law.

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## **Communications:**

None.

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## **Mayor's Report:**

Mayor Glasser reported on the upcoming events and encouraged everyone to attend:

- Saturday, September 11, Good Old Days Festival;
- Saturday, September 11, 9-11 Service at Patriot's Park at 8:30 a.m.;
- Wednesday, September 15, Richard Somers Day at 10:00 a.m.;
- Friday, September 17 at 7:00 PM, POW-MIA Service at Patriot's Park.

Mayor Glasser praised the beach concerts for their success and event staff for all their hard work to make the concerts successful.

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## **Administrator's Report:**

None

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## **Solicitors Report:**

None

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## **Committee Reports:**

President Johnston reported the Public Safety Committee met and discussed the ambulance service. Council President Johnston, Council Members McCarrie and Dill, Chief Somers, and Administrator Frost met with Egg Harbor Ambulance, the Egg Harbor Township Mayor and Business Administrator for updates and improvements.

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## Approval of Minutes:

On the motion of Council Member Dill, seconded of Council Member McCarrie and carried to approve the Regular Meeting Minutes of 8/26/2021 and the Executive Session Minutes of 8/26/2021 as to content only.

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## Proclamations:

### No. 9 of 2021

**Subject: Naval Hero Master Commandant Richard Somers**

**WHEREAS**, Richard Somers was born at the intersection of Bethel and Shore Road in Somers Point, on September 15, 1778; and

**WHEREAS**, his Grandfather built Somers Mansion, which is the oldest home in Atlantic County and still standing in Somers Point, New Jersey; and

**WHEREAS**, Richard Somers was appointed as a midshipman in 1797 and eventually rose to the rank of Master Commandant in the U. S. Navy; and

**WHEREAS**, on Master Commandant Richard Somers' final mission, he and twelve other sailors courageously volunteered to take an explosive laden ship called The U.S.S. Intrepid into Tripoli Harbor in the darkness, set it on fire and then escape while the rest of the fleet would enter the harbor to attack the Barbary pirates; and

**WHEREAS**, unfortunately The U.S.S. Intrepid exploded prematurely and all 13 men were killed on September 4, 1804; and

**WHEREAS**, to this day they lie in a cemetery in Libya, however; descendants, the City of Somers Point and other U. S. diplomats have requested the return of these men to their beloved Country and those efforts are ongoing.

**WHEREAS**, seven naval ships have been named U.S.S. Somers commemorating Master Commandant Somers' heroism along with four ships named The U.S.S. Intrepid honoring him and his crew for their ultimate sacrifice while serving their Country; and

**WHEREAS**, the City of Somers Point recognizes and honors the 10<sup>th</sup> anniversary reunion of the U.S.S. Somers Crewmembers Association visiting Somers Point on September 15, 2021, who are veterans from across the United States that served on the U.S.S. Somers DD381, DD947 and DDG34 with a mission to solidify the camaraderie known only to military veterans who have served their Country honorably during wartime and peacetime; and

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**WHEREAS**, the first ever war monument to be erected in the United States honors Master Commandant Richard Somers and his comrades, which stands on the ground of the U. S. Naval Academy in Annapolis, Maryland; and

**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 the name Somers is Nationally recognized and honored in remembrance of our Naval Hero Master Commandant Richard Somers and calls “all hands on deck” to participate in the celebration to learn about the U. S. naval history while honoring all those who have served our Country.

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**Resolutions:**

Clerk Samuelsen read by title only the list of resolutions.

**Public Portion Resolutions:**

Council President Johnston duly opened the meeting to the public.

Elizabeth Bender, 1304 Atkinson Avenue, questioned the purpose of resolution 155. Administrator Frost commented that Egg Harbor City was selling their sewer system to New Jersey American Water and all other associated municipalities with the Atlantic County Municipal Utilities Authority must agree to the sale.

After public comment, the public portion was duly closed.

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**Resolution No. 153 of 2021**

**M/S- Owen/McCarrie**

This resolution was adopted by unanimous vote of those present.

Council Member Dill questioned the number of crossing guards hired for the Route 9 sidewalk project. Council President Johnston commented two more crossing guards would be hired.

**No. 153 of 2021**

**Subject: Hiring School Crossing Guards**  
**Introduced by: Council President Johnston and Council Members McCarrie and Ferreri**

**WHEREAS**, for the 2021-2022 school year there exists a need for the part-time position of School Crossing Guard; and

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**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:

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

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**Resolution No. 154 of 2021**

**M/S- McCarrie/Owen**

This resolution was adopted by unanimous vote of those present.

Council President Johnston commented this will be a great event, and there is a lot of wonderful history in the town. She thanked everyone who worked on this event.

**No. 154 of 2021**

**Subject: Richard Somers Day Ceremony**

**Introduced By: Council President Johnston**

**WHEREAS**, Richard Somers was born in Somers Point in 1778, and was the great grandson of John Somers, the original settler of the area now known as Somers Point; and

**WHEREAS**, Richard Somers received his warrant as midshipman in the United States Navy in 1798 and rose to the rank of Master Commandant and served during the war between the United States and Tripoli from 1801 to 1805; and

**WHEREAS**, Master Commandant Richard Somers lost his life aboard the ship Intrepid during a battle in Tripoli harbor in 1804; and

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**WHEREAS**, in recognition of his service to his country and his bravery, numerous memorials were given to Master Commandant Somers, including the honor of having seven ships named U.S.S. Somers and a monument at the US Naval Academy at Annapolis, Maryland; and

**WHEREAS**, for many years the City of Somers Point and the Somers Point Historical Society has honored the memory of our local hero by commemorating him on Richard Somers Day; and

**WHEREAS**, the Governing Body of the City of Somers Point believes it to be in the best interest of our citizens to encourage events such as the Richard Somers Day Celebration; and

**WHEREAS**, this Governing Body further finds it fitting and proper for this celebration to be held on the grounds of the Richard Somers Memorial Park which the City in 2013 dedicated in honor and memory of Master Commandant Somers whose remains, and the remains of his courageous crew, continue to languish in foreign soil in a cemetery in Libya; and

**WHEREAS**, the City will be honored by the presence of many members of the U.S.S. Somers Crewmembers Association at the ceremony as part of their 10<sup>th</sup> Anniversary Reunion; and

Now, therefore, it is hereby **RESOLVED**, the City Council of the City of Somers Point would like to formally acknowledge the Richard Somers Day Ceremony scheduled for September 15, 2021, at 10 AM to be held at the Richard Somers Monument next to the Atlantic County Library (801 Shore Road, Somers Point, NJ 08244) sponsored by the City of Somers Point and the Somers Point Historical Society; and

It is further **RESOLVED**, that the City Council encourages all of our residents to participate in this celebration in order to learn more about Master Commandant Somers, his crew, the mission of the Intrepid, the historical significance of his actions, and to honor the men and women who have served this Nation aboard the ships that have bared the name of the greatest Naval Hero that this Country has seen.

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**Resolution No. 155 of 2021**

M/S- Owen/McCarrie

This resolution was adopted by unanimous vote of those present.

**No. 155 of 2021**

**Subject: Resolution of City of Somers Point Approving the Second Joinder Agreement Allowing the City of Egg Harbor City to Withdraw as a Participant and including New Jersey American Water Company, Inc., as a New Participant**

**Introduced By: Council Members Dill, McGuigan and Owen**

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**WHEREAS**, a Sewage Conveyance and Treatment Agreement dated as of September 1, 1973 was executed among the Atlantic County Utilities Authority and other municipal entities, including the City of Somers Point; and

**WHEREAS**, the City of Egg Harbor City was included as a participant under the Agreement by an amendment executed in 1990; and

**WHEREAS**, the City of Egg Harbor City has entered into an agreement with New Jersey-American Water Company, Inc. for the sale of its public water and public sewer infrastructure, real property and related improvements; and

**WHEREAS**, the conveyance of Egg Harbor City's sewer improvements necessitates the execution of a Second Joinder Agreement which will allow the City of Egg Harbor City to withdraw as a participant and permit New Jersey-American Water Company, Inc. to become a new participant; and

**WHEREAS**, by New Jersey-American Water Company, Inc. becoming a new participant under the Second Joinder Agreement, it will assume all of the rights and obligations and stand in place of the City of Egg Harbor City under the Sewage Conveyance and Treatment Agreement (as amended);

**NOW, THEREFORE**, be it resolved that the City of Somers Point hereby approves of the Second Joinder Agreement, a copy of which is annexed hereto as Exhibit "A", supplementing the Sewage Conveyance and Treatment Agreement dated as of September 1, 1973 (as amended);

**BE IT FURTHER RESOLVED** that the City Administrator is hereby authorized to execute the Second Joinder Agreement for and on behalf of the City of Somers Point.

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**Resolution No. 158 of 2021**

**M/S-** Owen/McCarrie

This resolution was adopted by a vote of those present with Council Member Dill voting no. Solicitor Smith commented this agreement permits the City to obtain ownership of the shelters, the City is obligated to maintain them, and the City must defend any lawsuits arising at the bus shelters structure only.

Council Member Dill questioned the creation of a homeless shelter in the bus shelters, as well as, trash collection and maintenance adding to the Public Works Department current obligations.

Council Member McGuigan commented on the concerns of the police department and would like more information.

Council Member Dill commented he spoke with members of the police department who shared concerns. He also commented the City has the right to remove the bus shelters if warranted.

Council President Johnston commented she has received numerous requests for the bus shelters.

Council Member McCarrie commented on the City's responsibilities to provide bus shelters and the ability to correct any issues.

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Council President Johnston commented on the trash removal. She stated most, if not all, of the locations already have trash removal and a bench.

Council Member Dill commented on the bus stop on Route 9 near the ACME. He observed trash overflowing and questioned who collected the trash. Council President Johnston commented the ACME is maintaining that location.

**No. 158 of 2021**

**Subject: Requesting Bus Shelters**  
**Introduced By: Council President Johnston and Council Members Dill and Ferreri**

**WHEREAS**, NJ TRANSIT has funds for the purchase of bus shelters throughout the State of New Jersey; and

**WHEREAS**, the governing body of a municipality in New Jersey or the Board of Chosen Freeholders of a county may apply to the New Jersey Transit Corporation for the purchase and installation of bus shelters at legally designated bus stops; and

**WHEREAS**, the **City of Somers Point**, in the interest of promoting public transportation, conservation of energy, traffic safety, and for the convenience of the public, endorses the concept of providing bus shelters within its jurisdiction.

**NOW, THEREFORE, BE IT RESOLVED** be it resolved, that the application is hereby made by the City of Somers Point to the New Jersey Transit Corporation for the purchase and installation of **two** bus shelter(s) as set forth in Exhibit A, made a part hereof.

**BE IT FURTHER RESOLVED** be it resolved that the Mayor and the City Clerk be authorized to execute an agreement or agreements with NJ Transit to arrange for the purchase and installation of the shelters.

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**Resolution No. 159 of 2021**

M/S- Owen/McCarrie

This resolution was adopted by a vote of those present with Council Member Dill voting no.

**No. 159 of 2021**

**Subject: Requesting Bus Shelters along CR 559 (Mays Landing Road) and Shore Road (585)**

**Introduced By: Council President Johnston and Council Member Dill and Ferreri**

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**WHEREAS**, NJ TRANSIT has funds for the purchase of bus shelters throughout the State of New Jersey; and

**WHEREAS**, the governing body of a municipality in New Jersey or the Board of Chosen Freeholders of a county may apply to the New Jersey Transit Corporation for the purchase and installation of bus shelters at legally designated bus stops; and

**WHEREAS**, the **City of Somers Point**, in the interest of promoting public transportation, conservation of energy, traffic safety, and for the convenience of the public, endorses the concept of providing bus shelters within its jurisdiction; and

**WHEREAS**, the proposed bus shelters are located on County Route 559 (Mays Landing Road) and Shore Road (CR585); and

**WHEREAS**, the Atlantic County Board of Commissioners must also pass a Resolution requestion the installation of bus

**NOW, THEREFORE, BE IT RESOLVED** be it resolved, that the application is hereby made by the City of Somers Point to the New Jersey Transit Corporation for the purchase and installation of **three** bus shelter(s) as set forth in Exhibit B, made a part hereof.

**BE IT FURTHER RESOLVED** be it resolved that the Mayor and the City Clerk be authorized to execute an agreement or agreements with NJ Transit to arrange for the purchase and installation of the shelters.

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**Resolution No. 160 of 2021**

**M/S- Dill/McCarrie**

This resolution was adopted by unanimous vote of those present.

Council Member Dill questioned the purpose of the grant. Administrator Frost commented on the obligation of the City and the police department to provide the mandatory body cameras. Council Member Dill questioned if the City already has cameras for officers, what will the grant be used for. Administrator Frost commented on the ongoing upgrades and expenses, and additional units needed for service. Council Member McGuigan questioned the match of the grant. Administrator Frost explained there is no City match.

**No. 160 of 2021**

**Subject: A Resolution Approving Participation with the Body-Worn Camera Grant Program Administered by the Office of the Attorney General of the State of New Jersey, Department of Law and Public Safety**

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**Introduced By:** Council President Johnston and Council Members McCarrie and Ferreri

**WHEREAS**, the City of Somers Point application for funding for a project under the Body-Worn Camera Grant Program (Grant #BFY21-100-066-1010-495) award number 21-BWC-402 has been accepted; and

**WHEREAS**, the Body-Worn Camera Grant Program is a program of the office of the Attorney General of the State of New Jersey.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point, that:

- 1) The project is a joint effort between the Office of the Attorney General and the City of Somers Point (Recipient: Somers Point Police Department) for the purpose described in the application.
- 2) The Body-Worn Camera Grant Program #BFY21-100-066-1010-495 is for the period beginning January 1, 2021, through December 31, 2025.
- 3) The City of Somers Point is authorized to accept and does accept this grant award.
- 4) The amount of the grant is \$30,570.00 and the cash match by the City of Somers Point is \$0.00 for a total project cost of \$30,570.00.
- 5)
- 6) The grant funds of \$30,570.00 are accepted for the purpose described in the grant application.
- 7) The Mayor and City Administrator are hereby authorized and directed to sign, complete and file all necessary documents in connection with this award on behalf of the City.

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**Old Business:**

Council President Johnston commented on county court consolidation and mentioned she is waiting for a response from the County regarding additional questions that she had forwarded.

Council Member Dill commented on letter he received from County Administrator Levinson that the County will be supplying buses for shuttle service for the Good Old Days Festival from 11:30 AM to 6:30 PM. Council Member Dill thanked the County for the service and support.

# REGULAR MEETING MAYOR AND CITY COUNCIL September 9, 2021

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## **New Business:**

Council President Johnston requested approval for social affairs permit for St Joseph's Regional School for October 21, 2021 from 5PM to 8PM. Clerk Samuelsen stated all documents have been received and the police department is aware of the event. President Johnston received unanimous approval for the social affairs permit.

Council President Johnston requested approval for a foot race for New Jersey Run for the Fallen on September 24, 2021, from 6:30AM to 7:30AM. Clerk Samuelsen stated this permit would be contingent on the event organizers providing the proper insurance. Council President Johnston received unanimous approval for the permit with conditions.

Council President Johnston requested approval for Cross River Fiber for use of the public right of way to attach telecommunications fiber optic cable. Attorney Smith stated this approval was for the drafting of an ordinance for regulatory purposes. Council Member McGuigan questioned if revenue would be generated from the installer for use of the public right of way. Council Member Owen questioned if Cross River Fiber was a subsidiary of Verizon Wireless. Attorney Smith stated they were not and the City would not receive revenue. Council President Johnston received unanimous approval to move to ordinance drafting.

President Johnston requested approval for social affairs permit for an event at Gateway Playhouse on September 16, 2021, from 7PM to 9PM. Clerk Samuelsen stated all required documents have been received. President Johnston received unanimous approval for the social affairs permit.

Council President Johnston recognized Recreational Director Doug Shallcross to provide an update. Mr. Shallcross stated the City website, event board, and the Facebook page have been updated with all upcoming event information, and Press releases have been sent out. Research into boosting the Facebook page is ongoing. Council Member Owen questioned website development. Mr. Shallcross explained how he is managing the City website.

Council Member Dill requested the right of way projects to be placed on the City website.

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## **Discussion of Bills:**

Administrator Frost reported a Bill List dated 9/7/2021 in the amount of \$1,254,694.35.

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## **Public Portion:**

The meeting was duly opened to the public.

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
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Ed O'Donnell, 24 MacArthur Blvd, commented on the positive assistance he received from Clerk Samuelsen and former Administrator Swain.

Patricia Pierson, 587 Marks Road, had positive comments regarding the bus shelters and commented on Target.

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

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**Payment of Bills:**

**M/S** – Dill/Owen

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.

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**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 8:41 p.m.

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Submitted by:

Lucy R. Samuelsen, RMC  
Municipal Clerk  
Approved: 9/23/2021