

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 11, 2010**

Meeting called to order at 7:00 p.m. by President McGuigan. Roll call was recorded as follows:

Present: Kern, Parker, Smith, Triboletti & McGuigan

Also Present: Mayor Glasser, Administrator Swain & Atty. Franklin

Absent: D'Adamo & Dill

Open Public Meetings Act

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

Communications

Council President McGuigan stated that he has received numerous compliments with regard to our Public Works Department and the great job they did with snow removal.

Rob Cozen, Coordinator, OEM, came forward to make a few comments about the snow storm and the bridge closing. He explained that the bridge closing was decided ahead of time and there was no state of emergency declared because our plan was working. Mayor Glasser added that all of the departments met on Friday before the storm.

Mayor's Report

Mayor Glasser gave the Police Department report for the month of January in full. He also commended the volunteers such as the Office of Emergency Management and our Fire Department for their work during the recent snow fall. He also commended the employees, Police and Public Works for a great job.

Administrator's Report:

There was no report given.

Committee Reports

Council President McGuigan explained that Councilman Dill was delayed out of town on vacation and Councilman D'Adamo has been delayed at his place of employment. He further announced that the Somers Point Historical Society Installation Dinner is scheduled for February 22nd at 6:30 p.m. at Gregory's Restaurant.

Minutes

There were no minutes presented for approval...

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ORDINANCES

Ordinance No. 1

The following ordinance was read in title only on final reading. Mayor Glasser recused himself and left the room. Atty. Franklin added that this is an appearance of conflict rather than an actual conflict. Meeting was opened to the public and duly closed. Councilmen Triboletti, Smith and D'Adamo agreed to be on a committee to re-look at this ordinance. Council President McGuigan advised that he would not be voting as he would be acting Mayor for this Ordinance. Ordinance No. 1 was then adopted on final reading by a 4-0 roll call vote with Council President McGuigan not voting and Councilmen D'Adamo and Dill absent.

Ordinance No. 1 of 2010

**REPEALING IN ITS ENTIRETY ORDINANCE NO. 17 OF
2009 AND REPEALING ALL ORDINANCES
HERETOFORE ADOPTED THE PROVISIONS OF WHICH
ARE INCONSISTENT HEREWITH.**

Mayor Glasser returned.

Public Portion (Resolutions)

Meeting was opened to the public and duly closed.

RESOLUTIONS

**Resolution No. 37 - Authorizing Advertising for Bids for the Fiscal Year 2009
Municipal Aid Program to reconstruct Groveland Avenue
From New Road (US Rt. 9) to Bethel Road**

M/S – Parker/Kern – Approved unanimously by those present.

Introduced By: Council President McGuigan

WHEREAS, the governing body of the City of Somers Point has determined that it is in the best interest of the City to apply to the FY 2009 Municipal Aid Program for reconstructing Groveland Avenue from New Road (US Rt. 9) to Bethel Road.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the City Engineer is hereby authorized to prepare plans and specifications for the 2009 Municipal Aid Program; and

BE IT FURTHER RESOLVED that the City Clerk is authorized to advertise for bids, said bids to be received in the City Clerk's Office at 10:00 am on February 23, 2010.

Resolution No. 38 - Re-appointing Public Agency Compliance Officer

M/S – Parker/Kern – Approved unanimously by those present

Introduced By: Council President McGuigan

WHEREAS, the State Affirmative Action Office, Department of the Treasury, requires that an official person be designated as a liaison and to serve as a Public Agency Compliance Officer.

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Resolution No. 38 (Continued)

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby re-appoints Municipal Clerk, Carol L. Degrassi, to act in this capacity for the City of Somers Point.

Resolution No. 39

M/S – Parker/Kern – Approved unanimously by those present.

No. 39 of 2010

Subject: SETTING INTEREST RATES FOR DELINQUENT TAXES
Introduced By: COUNCILMAN SMITH

WHEREAS, N.J.S.A. 54:4-67 permits the governing body of a municipality to fix the rate of interest to be charged for the nonpayment of taxes or assessments and sewer charges;

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

1. In the event that payments of taxes or assessments and sewer charges are not paid on the due date, but are paid within a period of ten (10) days in the case of taxes, or thirty (30) days in the case of assessments and sewer charges, the Tax Collector is hereby authorized to charge no interest on all such delinquent payments.

2. In the event that payments of taxes or assessments and sewer charges are not paid within ten (10) days in the case of taxes, or thirty (30) days in the case of assessments and sewer charges, the Tax Collector is hereby authorized to charge interest at the rate of eight percent per annum on the first \$1,500.00 of the delinquency and 18 percent per annum on any amount in excess of \$1,500.00 to be calculated from the date the tax or assessment was payable until the date of actual payment.

3. N.J.S.A. 54:6-67 specifically provides that a governing body may fix a penalty to be charged to a taxpayer where there is a tax and/or other municipal charge delinquency in excess of \$10,000.00 at the end of any calendar year on a given parcel of real estate; and

4. That a penalty equal to six percent of the amount of any delinquency in taxes and other municipal charges on a given parcel of real property shall be and is hereby imposed where the delinquency exceeds \$10,000.00 at the end of each calendar year.

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Collector.

Resolution No. 40

M/S – Triboletti/Parker

M/S – Parker/Triboletti – Amendment to change wording of the “Now Therefore” paragraph to read: the Tax Assessor is hereby authorized to act as the agent for the Taxing District and direct the tax appeal attorney to file a petition of appeal or appeals for the tax year of 2009 with the Atlantic County Board of Taxation to correct errors and raise and/or lower such assessments to the correct value. – Motion carried unanimously by those present.

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Resolution No. 40 (Continued)

No. 40 of 2010 (As Amended)

Subject: AUTH. ASSESSOR TO FILE PETITION OF APPEAL(S)
Introduced By: COUNCILMAN SMITH

WHEREAS, from time to time the Tax Assessor discovers an error in calculating, transposing, measurement, or typographical errors in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for the tax year; and

WHEREAS, the governing body of the Taxing District of Somers Point is desirous that every taxpayer pay his fair share of taxes; and

WHEREAS, if the above discovered errors are not corrected the taxpayers affected would be paying more or less than their fair share of taxes; and

WHEREAS, the method for correcting such errors is to file a petition of appeal for the current tax year with the Atlantic County Board of Taxation; and

WHEREAS, the error was not caused by the taxpayer.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Taxing District of Somers Point that the Tax Assessor is hereby authorized to act as the agent for the Taxing District and direct the tax appeal attorney to file a petition of appeal or appeals for the tax year of 2009 with the Atlantic County Board of Taxation to correct errors and raise and/or lower such assessments to the correct value.

BE IT FURTHER RESOLVED that a copy of any Petition of Appeal filed with the Atlantic County Board of Taxation under this Resolution be filed with the Municipal Clerk.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Atlantic County Board of Taxation.

Resolution No. 41

M/S – Parker/Kern – Approved unanimously by those present.

RESOLUTION NO. 41 of 2010

AUTHORIZING EXECUTIVE SESSION

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, 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

WHEREAS, the Somers Point City Council has determined that One issue permitted by N.J.S.A. 10:4-12(b) is to be discussed without the public in attendance during an Executive Session to be held on February 11, 2010 during a public meeting to be held commencing at 7:00 P.M, and

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

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Resolution No. 41 (Continued)

- “(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion.”** The legal citation to the provision(s) at issue is: _____ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____
_____;
- “(2) Any matter in which the release of information would impair a right to receive funds from the federal government.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____
_____;
- “(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____
_____;
- “(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body”** The collective bargaining contract(s) discussed are between the City and _____
_____;
- “(5) Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____
_____;
- “(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.”** The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____
_____;
- “(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 in order for the attorney to exercise his ethical duties as a lawyer.”** The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed are _____
_____ and
nature of the discussion, described as specifically as possible without undermining the need for confidentiality is _____
- “(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.”** Subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing Co. v. New Jersey Expressway Authority*, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality is:

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Resolution No. 41 (Continued)**

The consideration of certain terms and provisions of a contract of employment between the City of Somers Point and the Chief of Police of the City of Somers Point.

“(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility.” The nature of the matter, described as specifically as possible without undermining the need for confidentiality is

WHEREAS, the length of the Executive Session is estimated to be approximately 30 - 45 minutes after which the public meeting of the City Council shall reconvene;

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 immediately after it passes and to distribute those photocopies to the public in attendance prior to the Executive Session commencing.

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 # 8 above	Confidential Personnel Matter	Formal Action taken by Council

Resolution No. 42
M/S – Kern/Smith – Approved unanimously by those present.

No. 42 of 2010

Subject: A Resolution encouraging all citizens of Somers Point, New Jersey to respond to the 2010 Census Questionnaire in the best interest of the City and its residents.

Introduced: Council President McGuigan

Whereas more than 435 Billion dollars per year in federal and state funding is allocated to states and communities based, in part, on census data; and

Whereas an accurate census count is vital to our community and the well being of our residents by helping planners to determine, among other things, the need for and allocation of assisted housing, and how the over 4 Trillion dollars to be distributed during the ten year span between census counts will be allocated for schools, job training centers, day care centers, senior citizen centers, roads, bridges, public transit, local emergency response services and training, hospitals and other vital services and liquid fuels funds; and

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Resolution No. 42 (Continued)

Whereas census data helps to determine how many seats each state will have in the U. S. House of Representatives and often is used for the redistricting of state legislatures, county and city councils and voting districts; and

Whereas it has been reported that the overall response rate to the 2000 census was only 68% for the State of New Jersey, 60% for Atlantic County and 70% for Somers Point; and

Whereas if a city, county or state is undercounted in a census it will receive fewer dollars in allocations; and

Whereas the information collected by the census is confidential and protected by law and each Census Bureau worker takes an oath to protect the confidentiality of responses for the violation of which subjects the individual to a jail term of up to five years and/or a fine up to 250,000 dollars; and

Whereas individual census records are not shared with an government agencies or private organizations and are not released for seventy – two years at which time the data is sent to the National Archives; and

Whereas questionnaires will be mailed or delivered using a postage - paid return envelope commencing in March of 2010 which involves answering ten basic questions and takes approximately ten minutes to complete; and

Whereas the U. S. Census Bureau has calculated that for every one percent increase in the response by mail the Bureau will save between 80 and 90 million dollars by avoiding the need to send census workers to obtain information in person

Now therefore it is Hereby Resolved that the Governing Body of the City of Somers Point is committed to partnering with the U. S. Census Bureau to help ensure a full and accurate count in 2010 by:

1. Supporting the goals of the 2010 Census;
2. Encouraging each of our citizens to be aware of the benefits to be received by full participation or lost through lack of participation;
3. Supporting census takers as they help our community achieve a complete and accurate count;
4. Encouraging our citizens to visit 2010.census.gov for more information
5. Encouraging all of our citizens to complete the 2010 Census Questionnaire and return by mail the completed questionnaire on April 1, 2010, which has been declared National Census Day.

Resolution No. 43

M/S – Smith/Kern – Approved unanimously by those present.

No. 43 of 2010

A RESOLUTION OF THE CITY OF SOMERS POINT, ATLANTIC COUNTY, STAET OF NEW JERSEY, AUTHORIZING THE RE-SUBMISSION OF THE 2009 APPLICATION FOR A LOAN FROM THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FOR RECONSIDERATION UNDER THE 2010 FINANCING PROGRAM

**Applicant: CITY OF SOMERS POINT, COUNTY OF ATLANTIC
1 WEST NEW JERSEY AVENUE, SOMERS POINT, NEW JERSEY**

Loan Number: S340618-01

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Resolution No. 43 (Continued)

WHEREAS, the City of Somers Point, in the County of Atlantic, submitted an application to the New Jersey Department of Environmental Protection (“**DEP**”) and the New Jersey Environmental Infrastructure Trust (the “**Trust**”) for the financing of a clean water project involving the rehabilitation and replacement of existing sanitary sewer gravity mains at six (6) locations in the City of Somers Point, all as more particularly described in the application (collectively, the “**2009 Project**”) under the 2009 New Jersey Environmental Infrastructure Trust Financing Program (the “**2009 NJEIF Program**”); and

WHEREAS, the 2009 Project did not receive funding under the 2009 NJEIF Program and may be resubmitted to DEP and the Trust for funding under the 2010 New Jersey Environmental Infrastructure Trust Financing Program (the “**2010 NJEIF Program**”); and

WHEREAS, the City of Somers Point, in the County of Atlantic, would like to resubmit the applications to DEP and the Trust for the financing of the 2009 Project under the 2010 NJEIF Program as required by the Trust and DEP.

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

Section 1. That William E. Swain, Administrator, and John Hansen, Chief Financial Officer of the City, are each hereby authorized to act as the Authorized Representative to represent the City of Somers Point in all matters relating to the 2009 Project undertaken pursuant to the above referenced 2010 NJEIF Program to be executed with DEP and the Trust. The Authorized Representative may be contacted at the City of Somers Point, One West New Jersey Avenue, Somers Point, New Jersey 08244, Phone No. 609-927-9088, ext. 128.

Section 2. That the Authorized Representative shall forthwith file all applications as may be required for the City of Somers Point to remain as an applicant for financing under the 2010 NJEIF Program for the 2009 Project and shall execute and deliver all applications, certifications, instruments and other documents as may be required in connection with such loan program.

Section 3. This Resolution shall take effect immediately upon adoption this 11th day of February, 2010.

Resolution No. 44

M/S – Parker/Smith – Approved unanimously by those present.

No. 44 of 2010

Subject: **Emergency temporary appropriation**
Introduced by: **Council President McGuigan**

Whereas, an emergent condition has arisen with respect to an anticipated delay in adopting the local budget and no adequate provision has been made in the 2010 temporary appropriations for the aforesaid purpose; and

Whereas, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

Whereas, the total emergency temporary resolutions adopted in the year 2010 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20), including this resolution total \$4,000.00 for the Sewer Utility.

Now, therefore, be it resolved by the City Council of the City of Somers Point, not less than two-thirds of all of the members thereof affirmatively concurring, that, in accordance with the provisions of N.J.S. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for individual items outlined below in the total amount of \$4,000.00 for the Sewer Utility and

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2. That said emergency temporary appropriation will be provided for in the 2010 budget under the titles as outlined below.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

Temporary
Emergency
#1

APPROPRIATIONS - Sewer Utility

OPERATING

Salaries and Wages	S&W	
Other Expenses	OE	
Deficit in Operations		
Atlantic County Utility Authority	OE	4,000.00
FICA/SS		

CAPITAL IMPROVEMENTS

Down Payment on Improvements
Capital Improvement Fund
Capital Outlay

DEBT SERVICE

Payment of Bond Principal		
Payment on BANS and Capital Notes		
Interest on Bonds		-
Interest on Notes		

TOTAL AMOUNT		4,000.00
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Resolution No. 45

M/S – Parker/Smith – Approved unanimously by those present.

No. 45 of 2010

Subject: A Resolution approving the use of a “Consent Agenda” for unanimous Approval of certain routine and non-controversial resolutions and Providing for the entire slate of proposed resolutions to be approved Through a single motion, second and vote.

Whereas, the use of a “Consent Agenda” is an accepted practice utilized by municipal bodies and governmental agencies within the State of New Jersey to streamline the meeting process and to allow for adoption of more than one resolution through a single motion, second and vote; and

Whereas, the Governing Body of the City of Somers Point believes it is an appropriate procedure to deal with routine and non-controversial matters which from time to time come before the Governing Body; and

Whereas, any Council Person or the City Clerk may request that a resolution be included within the Consent Agenda and such resolution will be so listed by the City Clerk unless any Council Person requests otherwise; and

Whereas, the Governing Body believes that in the best interest of the Public in the event at the time of the meeting any Council Person or Person(s) requests that a resolution or resolutions be removed from the Consent Agenda and be separately addressed the Governing Body unanimously agrees that as a condition to the utilization of the consent Agenda such a request will be honored without objection.

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Resolution 45 (Continued)**

NOW, Therefore, it is Hereby Resolved that:

- 1) The Governing Body of the City of Somers Point hereby directs and authorizes the Clerk of the City of Somers Point to utilize a Consent Agenda as an integral part of each Council Meeting;
- 2) At the request of any Council Person or the City Clerk a Resolution will be listed for approval under the heading "Consent Agenda" unless any Council Person shall object, in which event the Resolution will be separately listed for consideration;
- 3) In the event a Council Person at the time of meeting and prior to adoption of the Consent Agenda determines that one or more Resolutions listed under the heading "Consent Agenda" should be separately considered, the Clerk shall remove the matter from the "consent Agenda" and shall call for a separate motion and vote on such Resolutions(s) subsequent to the adoption of the remaining items listed within the "Consent Agenda".
- 4) The Clerk of the City of Somers Point shall hereafter include as part of each meeting agenda the following heading with the language specified, which shall comprise the "Consent Agenda".

CONSENT AGENDA RESOLUTIONS:

All matters listed under this heading "Consent Agenda" are considered by City Council to be routine in nature, and will be enacted by one motion for adoption of the entire list of Resolutions as listed below. Any items requiring an expenditure of funds are to be supported by a Certification of Availability of Funds; and any item requiring discussion will be removed from the Consent Agenda and discussed separately. All Consent Agenda items will be reflected in full in the minutes of the meeting and copies of each Resolution listed as part of the Consent Agenda will be available for review by the public at the time of the meeting.

(Here follows the list of resolution(s) by Number and Purpose)"

Resolution No. 46 – Pulled from Agenda

Resolution No. 47

M/S – Triboletti/Smith – Approved unanimously by those present.

No. 47 of 2010

Subject: Sewer overpayment Refund
Introduced By: Councilman Smith

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

WHEREAS, a credit exists on the sewer account for the former Ocean Point property;
and

WHEREAS, the building has been removed and the sewer account made inactive;
and

WHEREAS, the property owner has requested the overpayment be refunded to them;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the following overpayment be refunded to the property owner;

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

BLOCK	LOT	QUAL.NAME	AMOUNT	YEAR
1212	2.10	Shore Health Services	\$2,328.69	08/09

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Resolution No. 48

M/S – Parker/Smith – Approved unanimously by those present.

No. 48 of 2010

Subject: Correcting Resolution No. 35 of 2010
Introduced By: Councilman Smith

WHEREAS, Resolution No. 35 of 2010 was adopted on January 25, 2010; and

WHEREAS, the subject of Resolution No. 35 of 2010 was incorrectly listed as “Sewer Balances Cancelled”; and

WHEREAS, the subject of Resolution No. 35 of 2010 should have been listed as “Tax Balances Cancelled”.

NOW, THEREFORE, BE IT RESOLVED that the subject of Resolution No. 35 of 2010 is hereby corrected to read “Tax Balances Cancelled”.

Resolution No. 49

M/S – Parker/Kern – Approved unanimously by those present.

No. 49 of 2010

**Subject: Supporting Senate Bill #2805 and Assembly Bill #960
The Jessica Lunsford Act for New Jersey**

Introduced by: Councilman Ralph Triboletti and Councilman Sean T. McGuigan

WHEREAS, the city of Somers Point herein expresses its support of Senate Bill #2805 and Assembly Bill #960 which enacts the “Jessica Lunsford Act”; and

WHEREAS, the act was named for Jessica Lunsford, the Florida child who was sexually assaulted and murdered by a sex offender; and

WHEREAS, this act imposes a mandatory term of imprisonment for certain sex offenses and for those persons who harbor or conceal sex offenders; and

WHEREAS, under this act if aggravated sexual assault is committed on a victim under the age of 18 the actor would be punishable by a mandatory term of imprisonments of 25 years to life; and

WHEREAS, this act creates the new crime of first degree sexual assault where the victim is less than 18 years of age and an offense is committed under specific circumstances the person convicted of said crime would be sentenced to a term of between 25 years to life of which the convicted must serve 25 years before being eligible for parole; and

WHEREAS, this act provides for mandatory term of imprisonment of three years without eligibility for parole if an actor harbored or concealed a person who is the subject to the registration requirements of Megan’s Law and who the actor has reason to believe is not complying or has not complied with the Megan’s Law registration process.

NOW THEREFORE, BE IT RESOLVED, that the governing body of the City of Somers Point calls on its elected representatives in Trenton, Senator Jefferson Van Drew and Assembly members Nelson Albano and Mathew Milam, to work with their colleagues in the Legislature and with their Governor to take affirmative action to pass these bills and have the “Jessica Lunsford Act” made in to law for the State of New Jersey.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor Chris Christie, Senator Jefferson Van Drew and Assembly members Nelson Albano and Mathew Milam, and to the New Jersey State League of Municipalities.

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Resolution No. 50
M/S – Parker/Smith

No. 50 of 2010

**Subject: Municipality and County Records Management
Shared Services Resolution**

Introduced By: Council President McGuigan

Be it resolved by the Mayor and Council of the City of Somers Point, THAT:

WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and

WHEREAS, a top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities that do not have the resources to create one for themselves; and

WHEREAS, in the 2010-2011 grant cycle, priority funding will be given to County Sponsored Municipal Inventory Continuation and Records Reorganization projects; and

WHEREAS, the City Council of the City of Somers Point desires to collaborate with Atlantic County in the performance of County Sponsored Municipal Inventory Continuation and Records Reorganization projects; and

WHEREAS, the City Council of the City of Somers Point is acknowledging that their eligible funding of \$40,000.00 will be leveraged with Atlantic County; and

WHEREAS, the City Council of the City of Somers Point is acknowledging that Atlantic County would be both the lead agency and the applicant for such a proposal; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Somers Point, that the City of Somers Point does support and commit to cooperation and participation in the PARIS grant for the purposes set forth above, and to execute and deliver all documents required incident thereto.

Waiver of 48-Hour Rule

The 48-Hour Rule was waived unanimously in order to consider the following Resolution No. 51.

Resolution No. 51
M/S – Smith/Parker

Subject: Grace period extension on taxes
Introduced by: Councilman Smith

WHEREAS, taxes were due on February 1st with a grace period through February 10th; and

WHEREAS, the area was struck by a blizzard and had limited mail service making it difficult for our residents to get their payments in by February 10th;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Somers Point that the grace period be extended through Friday, February 12th.

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Resolution No. 51 (Continued)**

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

New Business

Social Affairs Permits were approved for the Auxiliary of Shore Memorial Hospital and the Ocean City Education Foundation.

Application for Raffle License was approved for the Ocean City Fine Arts League.

Application for St. Patrick's Day Plunge to benefit Arthur Elwell Scholarship was approved.

Discussion of Bills

Bills were presented for discussion in the amount of \$544,864.65.

Public Portion

Meeting was opened to the public and duly closed.

Payment of Bills

Bills were approved for payment in the amount of \$544,864.65. A complete list of bills is on file in the Office of the Municipal Clerk.

Adjournment

Council moved to go into Executive Session and reconvened in open session at 9:05 p.m. to adjourn.

Carol L. Degrassi, MMC
Municipal Clerk

Approved: 03/25/10