

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2010**

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

Present: D'Adamo, Dill, Kern, Parker, Smith, Triboletti & McGuigan

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

Absent: None

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 would like to add to the agenda a "Mayor's Report and Administrator's Report". He further added that he would like to move Resolution No. 29 up on the agenda.

Resolution No. 29 – Supporting efforts of "The Point Veteran's Project"

M/S – Parker/Smith - Approved by Unanimous roll call vote.

Ms. Kelly from Community Quest, Inc. addressed the governing body explaining their organization and its plans for the Atlantis Apartments.

Bob Frolow also addressed the Council advising that this project would support the Community and be good for the Veterans.

Council President McGuigan read a letter from the owner of the Atlantis Apartments.

Public Portion – Meeting was opened to the public as follows:

Dan Gudauskas, 18 Gibbs Avenue, came forward and addressed the governing body expressing concerns about the type of veterans that will be moving into the building and the screening process.

Tara Garry, Gibbs Avenue, came forward and addressed the governing body asking for specific criteria as to how they determine that someone is inappropriate

Public portion closed.

WHEREAS, the City of Somers Point and this governing body have always been acutely aware of the plight of our nation's military veterans and have supported the efforts of local veterans groups; and

WHEREAS, the city of Somers Point and this governing body are open to ideas and efforts to provide meaningful opportunities for the betterment of the lives and conditions of military veterans and their families; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2010**

Page 2

Resolution No. 29 (Continued)

WHEREAS, an opportunity intended to provide a comprehensive package of benefits to veterans including housing and employment / counseling services has been proposed by Community Quest, Inc., a nonprofit organization; and

WHEREAS Atlantic County Veterans Services and Community Quest, Inc. is pursuing this opportunity in combination with the ownership group of the Atlantis Apartment complex through an effort designated as The Point Veteran's Project; and

WHEREAS, the goal of The Point Veteran's Project is to welcome veterans and their families into vacant apartments in one building of the Atlantis Apartment complex commencing immediately, while continuing to phase more veterans into each remaining building, one at a time, as existing lease agreements in The Atlantis Apartments complex expire; and

WHEREAS it is further proposed that each building of The Atlantis Apartment complex will be renamed to honor each branch of our nation's military services; and

WHEREAS, each building in the Atlantis Apartment complex has a large common area on the first floor to accommodate room for services and social activities, each of which common rooms will be renovated by the owners of the Atlantis Apartment complex; and

WHEREAS, as the population of veterans in the Atlantis Apartment complex increases the owners will continue to provide upgrades and enhancements to the apartment complex that will further increase the comfort of the veterans and their families as well as the overall appearance of the property; and

WHEREAS, Community Quest, Inc. will provide the veteran residents, through its Career Quest Division, case management and employment services funded by a grant from the United States Veterans Affairs' ("VA") Homeless Veterans Reintegration Program ("HVRP") with case management services being provided through the VA, with a long term goal of developing case management directly on site; and

WHEREAS, Community Quest, Inc. Proposes to act as a liaison between the resident veterans and the local veterans' administration and other local service organizations which offer benefits counseling and other services; and

WHEREAS, the Atlantis Apartment complex is centrally located in the heart of the City of Somers Point on a parcel of land situated just west of the historic Bay Front section which is an ideal location for this proposed project due to its close proximity to our Veteran's Memorial Park, the VFW, Shore Memorial hospital, the American Legion, the Somers Point beach and other recreation areas, with bus route stops directly in front of the complex providing easy access to Ocean City, Atlantic City and local restaurants and businesses; and

WHEREAS, an added benefit of The Point Veteran's Project will be participating in revitalizing an area within the city in need of improvement; and

WHEREAS, a Point Veteran's Project advisory council has been established with the purpose of supporting our veterans and their families in need of permanent housing, employment services, case management, and a town to call their home; and

WHEREAS, Somers Point Councilmen Howard Dill and Sean T. McGuigan have agreed to serve on this council along with members of various veteran advocacy groups, representatives of the ownership group of the Atlantis Apartment Complex, representatives from Community Quest, Inc. and other interested parties; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2010**

**Page 3
Resolution No. 29 (Continued)**

WHEREAS, The Point Veteran's Project will actively work with the Somers Point City Council, various departments of the city's government, the local Veterans Affairs Administrative offices, the property owner, Community Quest, Inc. and other service organizations to pursue the goal of providing a supportive, clean and nurturing environment for our veterans and their families, allowing them to age in a welcoming place as they live out their lives.

NOW THEREFORE, BE IT RESOLVED, that the governing body of the City of Somers Point fully supports the efforts of The Point Veteran's Project and the advisory council and salutes the ownership group of the Atlantis Apartments, Community Quest, Inc., and the various veterans groups for spearheading this innovative initiative that will benefit our nation's veterans and their families and will provide the ancillary benefit of enhancing and supporting the surrounding neighborhoods and business establishments of our city.

BE IT FURTHER RESOLVED, that the governing body of the City of Somers Point calls on its elected representatives in Trenton and Washington, DC to offer their collective support to this project; and to assist with identifying and obtaining additional funding streams, such as grants and veteran assistance programs, to further assist in achieving the intended project goal.

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded to Congressman Frank LoBiondo, New Jersey State Senator Jefferson Van Drew, New Jersey State Assembly members Nelson Albano and Mathew Milam, Atlantic County Executive Dennis Levinson, members of the Atlantic County Freeholder Board, and to the United States Department of Veterans Affairs.

Mayor's Report

Mayor Glasser gave the Police Report in full for the month of December and the end of the year.

Administrator's Report

No report was given.

Committee Reports

Councilwoman Kern read a report from Gerald Toscano, Supt. of Somers Point Schools reporting on the Early Childhood Program, their budget and the special education tuition drop from 1.2 million to approximately \$400,000.

Councilman Dill gave the Zoning Committee Report stating that they have had their Reorganization Meeting, appointed Duran Engineering as their engineer and Robert Cooper, Esq. as their attorney. The two new alternates were sworn in and Tom Innocente was elected Chairman.

Minutes

There were no minutes presented for approval.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2010**

Page 4

Ordinance No. 1 – First Reading – Councilman Dill recused himself.
M/S – Triboletti/Smith – Approved 5-1 – D’Adamo voting no. Dill Recused.

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.**

WHEREAS, On September 10, 2009 the Council of the City of Somers Point did adopt Ordinance No 17 of 2009 “An Ordinance Establishing Rental Housing Registration Permits”; and

WHEREAS, The effective date for implementation of the Registration requirements of Ordinance No. 17 of 2009 was fixed by said Ordinance as January 1, 2010; and

WHEREAS, Upon further review of the terms and conditions of said Ordinance, and more specifically the financial and personnel requirements required of the City of Somers Point and its Construction / Code Department for the implementation and enforcement thereof

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

SECTION 1. Repealer

Ordinance No. 17 of 2009 adopted by the City Council of the City of Somers Point on September 10, 2009 is hereby repealed in its entirety.

SECTION 2. Failure to Register in Compliance with the terms and conditions of Ordinance No. 17 of 2009.

No penalty shall be imposed upon any Person for failure to comply with the registration requirements of Ordinance No. 17 of 2009.

SECTION 2. Reimbursement of Registration Fee(s) Paid.

If any Person shall have paid a Registration Fee to the City of Somers Point between the effective date of Ordinance 17 of 2009 [January 1, 2010], and the effective date of this Ordinance No. 1 of 2010, such fee(s) shall be refunded in full to such person as soon as practicable following the effective date of this Ordinance.

SECTION 3. Repeal of all other Ordinances Heretofore Adopted the Provisions of which are Inconsistent Herewith.

To the extent any other Ordinance or provision thereof heretofore adopted by the City Council of the City of Somers Point is inconsistent with the terms, conditions and stated purpose of this Ordinance 1 of 2010, such inconsistent Ordinance or provision thereof is hereby repealed and of no further effect to the extent of such inconsistency.

SECTION 4. Severability Clause.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. Effective Date.

This Ordinance shall take effect upon its final passage and publication as provided by law.

Public Portion (Resolutions)

Meeting was opened to the public and duly closed.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2010**

**Page 5
RESOLUTIONS**

Resolution No. 27 – Auth. Bids for 2009 Road Program

M/S – Parker/Triboletti – Approved unanimously.

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 reconstruct Somers Avenue, portions of Sunny Avenue, portions of Pleasant Avenue and other miscellaneous road improvements; and

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 Road Improvements; 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 a.m. on February 17, 2010.

Resolution No. 28 – Auth. Bids for CDBG Grant for Road Program

M/S – Parker/Dill – Approved unanimously.

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 2008 & 2009 Community Development Block Grant for reconstructing portions of Colwick Drive, Merion Drive, Vassar Drive and Jordan Road; and

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 2008 & 2009 Community Development Block Grant; 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 a.m. on February 17, 2010.

Resolution No. 30 – Appropriation Reserve Transfer

M/S – Parker/Triboletti = Approved unanimous roll call.

Introduced by: Council President McGuigan

Whereas, N.J.S. 40A:4-1 et.seq. allows budget appropriation reserve transfers during the first three months of the year succeeding the budget year.

Page 5

Resolution No. 30 (Continued)

Now, therefore, be it resolved that the City Council of the City of Somers Point hereby authorizes the Chief Financial Officer to make the following budget transfer as specified in this resolution.

Current Fund

From:

Finance S&W	9-01-20-130-100	\$ 5,000
Legal Department OE	9-01-20-155-200	5,000
Other Code Enforcement S&W	9-01-22-200-100	5,000
Recreation Facilities S&W	9-01-28-375-100	5,000
Gasoline	9-01-31-460-273	<u>5,000</u>
	Total	\$25,000

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2010**

**Page 6
Resolution No. 30 (Continued)**

To:

Apartment Trash Collection 9-01-26-326-200 25,000

Resolution No. 31 – Authorizing purchase of Police Cars
M/S – Smith/D’Adamo – Approved unanimously.

Introduced By: Council President McGuigan

WHEREAS, the Police Department will have need to purchase three police cars for 2010; and

WHEREAS, Winner Ford of Cherry Hill, New Jersey has been awarded New Jersey State Contract for 2010 Ford Crown Victoria Police Package Vehicles; and

WHEREAS, delivery of these vehicles requires approximately ninety days from the date of order; and

WHEREAS, the payment for this order is not required until after delivery, which will be in 2010.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point hereby authorizes the City Administrator to enter into an agreement with Winner Ford of Cherry Hill, New Jersey, to purchase three police cars on State Contract #A72467 at a cost not to exceed \$72,000.00.

Resolution No. 32 – Subject: Appointing Attorney to represent the City of Somers Point in matters involving New Jersey Council on Affordable Housing and Fair Housing Act matters, regulations and compliance.

M/S – Dill/Smith – Approved unanimously.

WHEREAS, the City of Somers Point has identified a need for an attorney to provide advice, counsel and representation to the City of Somers Point on matters involving New Jersey Council on Affordable Housing and Fair Housing Act matters, regulations and compliance including but not limited to certain matters pending before the Superior Court of the State of New Jersey; and

WHEREAS, it is the intent of the City of Somers Point to appoint counsel to undertake and perform such services and provide such advice, counsel and representation as the City Council shall from time to time direct, but in any event not for a period to exceed calendar year 2010; and

WHEREAS, this contract is awarded through a fair and open process pursuant to N.J.S.19:44A-20.4 et. Seq.

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

1. Randy C. Lafferty of Youngblood, Lafferty & Sampoli, P.A. is hereby appointed as an attorney to represent, advise and counsel the City of Somers Point on certain matters involving New Jersey Council on Affordable Housing and Fair Housing Act matters, regulations and compliance including but not limited to certain matters pending before the Superior Court of the State of New Jersey; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
January 14, 2010**

**Page 7
Resolution No. 32 (Continued)**

2. This appointment is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public contracts Law because public bidding is not required for said service.
3. This appointment is not exclusive during the term of this contract, and that City Council reserves the right to award work of the exact or similar nature as the work described herein to any other qualified professional, at its sole discretion.
4. The Mayor is hereby authorized to execute an agreement with Randy C. Lafferty of Youngblood, Lafferty & Sampoli, P.A. to undertake and perform such services and provide such advice, counsel and representation as the City Council shall from time to time direct, but in any event not for a period to exceed calendar year 2010. The agreement will be attached to this resolution and become a part hereof.
5. As indicated in the division of Local Government Services Local Finance Notice 2006-7, because this is awarded through a Fair and Open process, further public notice per N.J.S.A. 40A:11.5(6) is not required.

New Business

Raffle Licenses for the Somers Point Historical Society and the Upper Township Soccer Association were approved unanimously.

An application for membership in the New Jersey State Firemen's Association was approved for William Ritcher.

Public Portion

Mr. Hank Marek, 748 Second Street, came forward and addressed the governing body regarding the rental registration ordinance that was repealed. Council President McGuigan explained that they will be taking a look at it again as it does have some merit. He also asked if the Police could be notified when anyone is planning a large party of 50-100 people so that the Police are aware.

Greg Sykora, 2 Horter Avenue, came forward and addressed the governing body commending Administrator Swain and the Engineer for their work towards the City receiving grants for road programs.

Payment of Bills

There were no bills presented for payment.

Adjournment

There being no further business, meeting adjourned at 8:18 p.m.

Carol L. Degrassi, MMC
Municipal Clerk

Approved: 03/11/10