

**REGULAR MEETING
MAYOR AND CITY COUNCIL
May 27, 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 read a letter from Shore Memorial Hospital awarding the City of Somers Point \$100,000 for the purpose of budget relief. Council President McGuigan publicly thanked the Hospital and their Board for their commitment to the community.

Mayor's Report

Mayor Glasser reminded everyone that the Memorial Day Parade is scheduled for Monday, May 29th at 11:00 am beginning at Dawes Avenue and ending at Veterans Park. He asked the City Council to walk with him in the parade. He stated that last week Somers Point welcomed home a veteran who served overseas, Peter Picciano, and thanked everyone who came out to welcome him home.

Committee Reports

Council President McGuigan advised that a meeting is being set up with Northfield and Linwood to discuss shared services.

Council President McGuigan also gave an update regarding the Atlantis Apartments being transformed into veteran housing stating that by June 1st there will be ten apartments rented to veterans and their families. He stated that there have been improvements made and they are continuing to take applications.

Minutes

There were no minutes presented for approval.

ORDINANCES

Ordinance No. 6 – First Reading

M/S – Triboletti/Dill

Approved on first reading by a unanimous vote of those present.

ORDINANCE NO. 6, 2010

AN ORDINANCE AMENDING SECTION 114-141A OF ARTICLE XXII, SITE PLAN REVIEW, OF THE DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF SOMERS POINT and AUTHORIZING THE SOMERS POINT PLANNING BOARD AND SOMERS POINT ZONING BOARD TO PROVIDE AN ADMINISTRATIVE REVIEW PROCEDURE; AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

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Ordinance No. 6 (Continued)

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

SECTION 1: Section 114-141A. of Article XXII, Site Plan Review, of the Development Regulations of the Code of The City of Somers Point is hereby amended as follows:

The following Paragraph 1 shall be added to this section:

1. Administrative review procedures.
 - (a) Applicants requesting administrative review for minor revisions and/or additions to a site plan shall be required to submit a site plan application. This application shall be limited to the changes proposed and shall provide sufficient information to fully describe the changes proposed. No more than two administrative reviews shall be granted per applicant, provided that the City Engineer determines that the cumulative effect of the changes does not significantly alter the plan as originally approved. The City Engineer shall determine if an administrative remedy is appropriate for each particular case and shall be empowered to grant approval in lieu of Planning Board or Zoning Board of Adjustment action, if the application is one of the following and does not require a variance:
 - [1] Building addition to nonresidential use of 1,000 square feet or 15% of total existing floor area, whichever is less.
 - [2] Exterior lighting.
 - [3] Signs.
 - [4] Change in parking of 10 spaces or 10% of the existing parking area, whichever is less.
 - [5] Asphalt paving of existing gravel or stone parking lot provided that drainage will be installed to handle any additional increase of runoff and drainage calculations will be provided to Engineer for review.
 - [6] Revisions to approved plans involving the following items:
 - a. Landscaping.
 - b. Drainage.
 - c. Phasing/staging of construction.
 - [7] Other changes to the site plan or project which the City Engineer deem sufficiently minor in nature so as not to require review by the Planning Board or Zoning Board of Adjustment.
 - [8] A change in use, provided that the desired use is permitted in the subject zone, and further provided that any effects of the change are consistent with Subsection A(1)(a)[1] through [7].
 - b) If the City Engineer determines that the proposed addition(s) or revision(s) do not meet the criteria set forth by this chapter or that such revision and addition is not minor in nature or that such change will significantly alter the plan as originally approved, the applicant shall be directed to proceed with site plan application to the Planning Board/Zoning Board of Adjustment.
 - c) The Zoning Officer may authorize the Construction Official to issue permits for an administratively approved application, but only after the City Engineer have submitted written approval to the minor revision(s) or addition(s). An application for a building permit not classified as either exempt or eligible for administrative review shall require a site plan application.
 - d) Submission requirements for an Administrative Review are listed in section 114-144C Administrative Review Checklist.

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Ordinance No. 6 (Continued)

SECTION 2: Section 114 – 144 Submission of application for Minor Site Plan of Article XXII, Site Plan Review, of the Development Regulations of the Code of The City of Somers Point is hereby amended as follows:

Section 114-144, Submission of application for Minor Site Plan and Administrative Review;

The following paragraph C shall be added:

C. The following checklist is designed to assist applicants in preparing plans for Administrative review. The applicant should check off each item and submit the checklist with the application to ensure that the information is included on the plan. Items omitted will delay consideration by the Planning/Zoning Board Professionals. The site plan shall show the following information and be drawn according to all relevant standards set forth in §114-141A(1).

Submittal materials:

- 1) Five (5) copies of the plans shall be submitted on one of the following sheet sizes: 24 inches by 36 inches or 30 inches by 42 inches. If one sheet is not sufficient to contain the entire territory, the map may be divided into sections and shown on separate sheets of equal size, with reference on each sheet as to the location of all adjoining sheets.
- 2) Five (5) copies of the City of Somers Point Land Development Application Form as well as the original document.
- 3) Five (5) copies of all submitted documents for the application as well as the original document.
- 4) The plan shall be drawn or reproduced at a scale of not less than one inch equals fifty (50) feet.
- 5) The zoning district and zoning requirements.
- 6) North arrow and graphic scale contained on each sheet.
- 7) Name, address and signature of person preparing the plan. The plan shall be prepared, signed and sealed by a licensed N.J. land surveyor, engineer, planner or architect as required by state regulation.
- 8) A certified survey of the property prepared by a New Jersey land surveyor with bearings and distances provided for all property lines. The survey shall be provided with datums in NAD 83 and NGVD 88 for horizontal and vertical datums, respectively or NAD 27 and NAVD 29. The following shall be shown on the survey:
 - a. All existing structures on site with dimensions to property lines.
 - b. All existing easement areas.
 - c. All asphalt, gravel, dirt, sidewalk and curbing areas.
 - d. All existing drainage features on and within 50 feet of property lines.
 - e. All existing utilities located on the property.
 - f. Existing elevation and contours, at one-foot intervals, to determine the natural drainage of land within the subject property and extending 100 feet from the property lines.
 - g. Sight triangles and street sign locations shall be clearly indicated at all intersections to roadways.
 - h. All trees or vegetative areas shall be shown on the survey.

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- 9) All proposed means of vehicular access and egress to and from the site onto public streets and the location of existing driveways on adjacent land if closer than 75 feet.
- 10) Proposed paving cross section, parking stall dimensions and driveway widths shall be provided.
- 11) Locations of all existing structures showing existing and proposed front, rear and side yard setback distances, and an indication of whether the existing structures and uses will be retained or removed.
- 12) Title block containing name of applicant and development, lot and block numbers, date prepared and date of latest revision.
- 13) Proposed connections to existing water supply and sanitary sewerage systems, or alternative means of providing these services.
- 14) Location of existing and proposed wells and septic systems.
- 15) Lighting and signage plan showing the locations of signs and light standards, heights, setbacks, type of light standard, hours of illumination and lighting pattern superimposed onto the plan and noted in footcandles.
- 16) All applicable fees must be paid with submission.

SECTION 3: Section 114 – 201A(2) Site Plan of Article XXVII, FEES, of the Development Regulations of the Code of the City of Somers Point is hereby amended as follows: The following shall be added to this Section:

| Type of Application | Application Fee | Escrow Fee |
|----------------------------|------------------------|-------------------|
| Administrative Review | \$300.00 | \$1,000.00 |

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

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

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

FIRST READING: May 27, 2010

PUBLICATION: May 31, 2010

FINAL PASSAGE: June 10, 2010

Public Portion regarding Resolutions

A resident of Harborview Condominiums came forward and addressed the governing body regarding the Fire Truck resolution, asking of we need such a large piece of equipment. Council President McGuigan explained that this is a capital item and this resolution allows us to get bids.

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Resolution No. 96

M/S – Parker/Triboletti

Adopted by a unanimous vote of those present.

No. 96 of 2010 (Revised Copy)

Subject: Place to Place Liquor License Transfer
Introduced By: Council President McGuigan

WHEREAS, an Application has been filed for a Place - to - Place Transfer of Plenary Retail Consumption License Number 0121-33-017-006, heretofore issued to R.A. Ranalli Enterprises, LLC as a “Pocket License” which has been inactive; and

WHEREAS, the Application is based upon the purchase by Dr. Ira M. Trocki of the entire ownership interest of Richard Ranalli as the sole member of R. A. Ranalli, LLC resulting in a Change of Corporate ownership of the Limited Liability Company pursuant to a Membership Interest Purchase Agreement dated October 26, 2009 which purchase was consummated and made effective on October 26, 2009; and

WHEREAS, the submitted application form, as revised, has been deemed complete in all respects as of May 13, 2010, the transfer fees have been paid, the license has been properly renewed for the current license term, and it having been determined that the provisions of the Alcoholic Beverage Control Handbook for Municipal Issuing Authorities provide that a Tax Clearance Certificate from the New Jersey Division of Taxation is not required to be submitted by this entity as a condition precedent to transfer approval; and

WHEREAS, the Applicant, is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local Ordinances and conditions consistent with Title 33 of the New Jersey Statutes and is obligated to satisfy the requirements of NJAC 33 including but not limited to NJAC 13:2-35.1(a) concerning the specific requirements for the sale of “Package Goods” on the licensed premises; and

WHEREAS, the Police Department of the City of Somers Point has conducted a full and thorough investigation of the Applicant and the information provided with the Application, inclusive of the source of all funds used in the purchase of the license and all additional financing obtained in connection with the licensed business and has reported to the Issuing Authority that the results of the investigation are satisfactory; and

WHEREAS, Applicant falls within the exemption to the two (2) License limit imposed by NJS 33:1-12.31 because Applicant’s other Licenses which are held in wholly owned separate corporate entities are Hotel / Motel (“36”) Licenses (each having in excess of 100 sleeping rooms) which are exempt pursuant to NJS 33:1-12.32;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Somers Point City Council does hereby approve, effective May 27, 2010, the Place – to – Place transfer of Plenary Retail Consumption License Number 0121-33-017-006 for R. A. Ranalli, LLC from inactive Pocket License with no location designation to its new location at 800 Bay Avenue, Somers Point, NJ 08244; and does

FURTHER direct the Somers Point City Clerk and the Alcoholic Beverage Control Board Secretary to endorse the License Certificate as follows: “This License, subject to all of its terms and conditions, is hereby transferred to premises located at 800 Bay Avenue, Somers Point, New Jersey.

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Resolution No. 97

M/S – Parker/Triboletti

Adopted by a unanimous vote of those present.

No. 97 of 2010

Subject: Authorization to prepare RFP for (1) 75 foot Quint Aerial Fire Truck with Pump and Water Tank

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 purchase one (1) 75 foot Quint Aerial Fire Truck with pump and water tank.

NOW, THEREORE, BE IT RESOLVED by the City Council of the City of Somers Point that the City Administrator, in conjunction with the Fire Chief, is hereby authorized to prepare specifications for one (1) 75 foot Quint Aerial Fire Truck with pump and water tank.

BE IT FURTHER RESOLVED that the City Administrator is authorized to solicit requests for proposals, or to advertise for bids, as may be necessary and in conformance with N.J.S.A. 40A:11-1 et.seq., with said proposals or bids to be received at the earliest possible time hereafter.

Old Business

Administrator Swain reported that the Historical Commission received a grant for the historic preservation portion of the Master Plan.

New Business

An application for a Social Affairs Permit for Somers Point Volunteer Fire Co. No. 2, Inc.

Waiver of 48-Hour Rule

The 48-Hour Rule was waived in order to consider a Raffle License for the Knights of Columbus and an application for a Race to benefit the Leukemia and Lymphoma Society.

A Raffle License application for the Knights of Columbus was approved with Councilman D'Adamo abstaining. .

An application for a Race to benefit the Leukemia and Lymphoma Society was approved unanimously.

Public Portion

A resident of Harborview Condominiums came forward and addressed the governing body commending them for moving forward with Linwood and Northfield to seek shared services. He also stated that he was happy to hear the report regarding the Atlantis Apartments which is another positive thing for the City.

Payment of Bills

There were no bills presented for payment

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Adjournment

There being no further business, meeting adjourned at 7:50 p.m.

Carol L. Degrassi, RMC/MMC
Municipal Clerk

Approved: 10/28/10