

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
July 22, 2010**

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

**Present: Dill, Kern, Parker, Smith, Triboletti & McGuigan**

**Also Present: Mayor Glasser, Administrator Swain, Atty. Franklin & City Clerk Degrassi**

**Absent: D'Adamo**

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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.

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**Communications**

Mayor Glasser gave the Police Department report for the month of June in full.

**Proclamation No. 8** – Read by the City Clerk.

**No. 8 of 2010**

**WHEREAS**, The National Association of Health Unit Coordinators was founded in 1980 by founding President, Myrna LaFleur-Brooks; and

**WHEREAS**, each year thereafter Health Unit Coordinators Day has been declared by mayors, governors, senate and assemblies of many states across the nation, including the Senate and the Congress in Washington, D.C.; and

**WHEREAS**, over the last 50 years this professional occupation has been known by as many as 75 titles, such as Unit Clerk, Ward Clerk, Unit Secretary and Unit Manager, with the preferred title being Unit Coordinator as it best describes the daily responsibilities at health facilities across the nation; and

**WHEREAS**, Health Unit Coordinators are dedicated to promoting health unit coordinating as a profession through education, certification, complying with the NAHUC standards of practice, standards of Education and Code of Ethics”.

**NOW, THEREFORE, I, JOHN L. GLASSER, JR., MAYOR** of the City of Somers Point, do hereby proclaim August 23, 2010 as

**Health Unit Coordinators Day**

in the City of Somers Point and recognize our local Health Unit Coordinators at Shore Memorial Hospital for the excellent job that they do...

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**Administrator's Report**

Administrator Swain stated that at a previous meeting we had a resident complain about her neighbor's property. He reported that he had asked the Code Enforcement Officer to look at the property with regard to the property maintenance code. He stated that this has been done and there is no violation, however, he will keep an eye on it.

**Committee Reports**

Councilman Triboletti reported that himself, Councilman Dill and Councilman D'Adamo are working on a housing ordinance with Atty. Franklin and hope to have something by the September meeting. He also gave the Planning Board Report in full. He also reported that Shore Memorial Hospital wants to come before the Planning Board and the Council regarding their rezoning request. Council agreed to have a special meeting with the Planning Board on August 18<sup>th</sup>.

Councilman Dill gave the Zoning Board report in full stating that the major issue right now is the billboard applications. He also reported that the Committee met with Linwood and Northfield regarding consolidation of services. He stated that the meeting was just preliminary and they will be having regular meetings.

**ORDINANCES**

**Ordinance No. 8**

M/S – Smith/Kern

Final reading. Meeting opened to the public and duly closed. Adopted by 6-0 roll call vote with Councilman D'Adamo voting no.

**ORDINANCE ENACTED UNDER AUTHORITY GRANTED BY  
N.J.S.A.54:5-54 AND N.J.S.A.54:5-97.1 PERMITTING A MUNICIPALITY  
IN A TAX FORECLOSURE PROCEEDING TO IMPOSE CERTAIN FEES  
UPON PERSONS OR ENTITIES ENTITLED TO NOTICE OF FORE-  
CLOSURE, PARTIES ENTITLED TO REDEEM A TAX SALE CERTIFICATE  
AND LIEN HOLDERS AND AMENDING CHAPTER 132 "FEES" OF THE  
CODE OF THE CITY OF SOMERS POINT AND REPEALING ALL  
ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH  
ARE INCONSISTENT HEREWITH.**

FIRST READING:     JUNE 24, 2010  
PUBLICATION:       JUNE 30, 2010  
FINAL READING     JULY 22, 2010

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**Public Portion regarding Resolutions**

Meeting was opened to the public and duly closed.

**Consent Agenda Resolutions**

Resolutions in the consent agenda were adopted by a unanimous vote of those present.

**Resolution No. 114**

**No. 114 of 2010**

**Subject:       Requesting an extension to award a construction contract for the FY 2009  
NJDOT Bikeway Grant for the Somers Point Bikeway Extension**

**WHEREAS**, on March 23, 2009, the City of Somers Point received an executed grant agreement in the amount of \$200,000.00 for the Somers Point Bikeway Extension; and

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**Resolution No. 114 (Continued)**

**WHEREAS**, the grant agreement states that the City must award a construction contract by September 10, 2010.

**WHEREAS**, due to unforeseen issues with acquiring the necessary easements and property needed for the project, the City will not be able to award a contract for the project by the September 10, 2010 deadline; and

**WHEREAS**, the City fully anticipates awarding a construction contract by March 10, 2011, six (6) months from the original deadline.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point that the City hereby requests to the New Jersey Department of Transportation a six (6) month extension to award a construction contract for the FY 2009 NJDOT Bikeway Grant.

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**Resolution No. 115**

**No. 115 of 2010**

**Subject:                    Approval to submit a grant application and execute a grant Agreement with the New Jersey Department of Transportation For the Somers Point Bikeway Extension – Phase II Project.**

**WHEREAS**, City Council of the City of Somers Point has agreed to apply for an NJDOT Bikeway grant for construction of the Somers Point Bikeway extension – Phase II in the City of Somers Point.

**NOW, THEREFORE, BE IT RESOLVED** that Council of the City of Somers Point, formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as Bike-2011-Somers Point City-00019 to the New Jersey Department of Transportation on behalf of the City of Somers Point.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Somers Point and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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**Resolution No. 116**

**No. 116 of 2010**

**Subject:                    Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the FY 2011 Municipal Aid – South Laurel Drive project.**

**WHEREAS**, City Council of the City of Somers Point has agreed to apply for an NJDOT State Aid grant for reconstruction of South Laurel Drive from West Laurel Drive to Dogwood Drive in the City of Somers Point.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Somers Point, formally approves the grant application for the above stated project.

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Resolution No. 116 (Continued)**

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2011-Somers Point City-00132 to the New Jersey Department of Transportation on behalf of the City of Somers Point.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Somers Point and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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**Resolution No. 117**

**No. 117 of 2010**

**Subject:                   Appointment of Health Insurance Broker**

**WHEREAS**, the City of Somers Point has identified a need for a Health Insurance Broker for 2010; and

**WHEREAS**, this contract is being 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. Innovative Risk Solutions, Inc. be and hereby is appointed as Health Benefits Consultants for the City of Somers Point for the period August 1, 2010 through July 31, 2011, inclusive.
2. This agreement 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. The Mayor is hereby authorized to execute an agreement with Innovative Risk Solutions, Inc., for the sum of \$20,000 per year, in connection with these services, and, upon execution, the contract will be attached to this resolution and become a part hereof.
4. 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.

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**Resolution No. 118**

**No. 118 of 2010**

**Subject:                   Approving Coin Drop for SP Sharks Football Association**

**Introduced By:           Council President McGuigan**

**WHEREAS**, the Somers Point Sharks Football Association, a non-profit Corporation as defined in N.J.S. 45:17A-20 situated in and providing services to the citizens of Somers Point has made application to the Municipal Clerk of the City of Somers Point to conduct a "coin drop" solicitation within the City of Somers Point; and

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**Resolution No. 118 (Continued)**

**WHEREAS**, the Application has been reviewed and approved by the Municipal Clerk and the Somers Point Chief of Police; and

**WHEREAS**, a recommendation has been made to this governing body to approve the application subject to the terms and conditions set forth on the application; and

**WHEREAS**, the “coin drop” solicitation is to be conducted on streets, roads, highways or Intersections which are under the jurisdiction of the County of Atlantic and / or the State of New Jersey; and

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of Somers Point, in the County of Atlantic, State of New Jersey that:

- 1) The information set forth in the Preamble is hereby incorporated herein by reference;
- 2) The application of the Somers Point Sharks Football Association to hold a “coin drop” within the City of Somers Point is hereby approved subject to the following conditions and restrictions:
  - A. Date(s) of Coin Drop limited to: July 24 and 25, 2010
  - B. Time(s) of Coin Drop limited to: 9:00 am – 8:00 p.m.
  - C. Locations of Coin Drop limited to: Rt. 9 & Laurel Drive.
  - D. The requirements of Ordinance # 3 of 2010 enacted by this Governing Body
  - E. Compliance with N.J.S. 39:4-60 and N.J.S. 45:17A-20
  - F. All additional terms and conditions shall be as set forth within the application and shall be further subject to those recommendations, if any, specified by the Chief of Police of Somers Point (or his designee) which are attached hereto and made a part hereof; and
  - G. If the “coin drop” is proposed to take place on or at an intersection with a County or State road or highway and written authorization from the Atlantic County Board of Freeholders (if a County Road is involved) and the Commissioner of the Department of Transportation of the State of New Jersey (if a State Highway is involved) was not provided with the application as filed with the Municipal Clerk.

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**Resolution No. 119**

**No. 119 of 2010**

**Subject:                   Increasing Bid Threshold**  
**Introduced By:         Council President McGuigan**

**WHEREAS**, pursuant to N.J.S.A. 40A:11-9(b) the City of Somers Point has appointed William E. Swain as its Qualified Purchasing Agent; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-3(a) the City of Somers Point has established its bid threshold at \$29,000.00; and

**WHEREAS**, on July 1, 2010 pursuant to N.J.S.A. 40A:11-3c the bid threshold will be increased from \$29,000. to \$36,000.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the City of Somers Point, in the County of Atlantic, in the State of New Jersey hereby increases its bid threshold to \$36,000.

**BE IT FURTHER RESOLVED** that the City Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Director of the Division of Local Government Services.

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**Resolution No. 120**

**Subject:                   Liquor License Renewal for Brick Township Pubs, Inc.**  
**Introduced By:         Council President McGuigan**

**WHEREAS**, an Application for Renewal of Plenary Retail Consumption License No. 0121-33-012-008 has been properly filed with the Clerk of the City of Somers Point on behalf of Brick Township Pubs, Inc., (T/A TGI Fridays); and

**WHEREAS**, a special ruling to permit renewal of inactive license has been issued by the Division of Alcoholic Beverage Control.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Somers Point do hereby approve the renewal of Plenary Retail Consumption License No. 0121-33-012-008 for the license year July 1, 2010 through June 30, 2011.

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**Resolution No. 121**

**Subject:                   Taxes Cancelled & Refunded**  
**Introduced By:         Councilman Smith**

**WHEREAS**, Richard L. DeVries is a 100% permanently and totally disabled veteran.

**WHEREAS**, Richard L. DeVries has filed all of the forms and provided all the necessary documentation for tax exemption.

**WHEREAS**, Richard L. DeVries is now entitled to total real estate tax exemption beginning June 1, 2009, and;

**WHEREAS**, Richard L. DeVries has paid his 2009 taxes and the first quarter of 2010, and;

**WHEREAS**, Richard L. DeVries is due a partial refund for 2009 and a full refund for the first quarter of 2010,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point, that the real estate taxes for Block 610 Lot 7 in the amount \$2,519.54 for 2009 and all 2010 taxes along with the preliminary 2011 be cancelled, and;

**BE IT FURTHER RESOLVED** by the City Council of the City of Somers Point, that the real estate taxes in the amount \$3,593.88 be refunded to Richard L. DeVries.

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

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**Resolution No. 122**

**Subject:                   Taxes Cancelled & Refunded**  
**Introduced By:         Councilman Smith**

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Resolution No. 122 (Continued)

**WHEREAS**, Robert Weiler is a 100% permanently and totally disabled veteran.

**WHEREAS**, Robert Weiler has filed all of the forms and provided all the necessary documentation for tax exemption.

**WHEREAS**, Robert Weiler is now entitled to total real estate tax exemption beginning October 23, 2009, and;

**WHEREAS**, Robert Weiler has paid his 2009 taxes and the first half of 2010, and;

**WHEREAS**, Robert Weiler is due a partial refund for 2009 and a full refund for the first half of 2010,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point, that the real estate taxes for Block 517 Lot 11 in the amount \$1,047.94 for 2009 and all 2010 taxes along with the preliminary 2011 be cancelled, and;

**BE IT FURTHER RESOLVED** by the City Council of the City of Somers Point, that the real estate taxes in the amount \$3,786.42 be refunded to Robert Weiler.

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

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**No. 123 of 2010**

**RESOLUTION IN SUPPORT OF WAIVER OF CONSTRUCTION PERMIT FEES  
ON BEHALF OF THEATER COLLABORATIVE OF SOUTH JERSEY,  
A NEW JERSEY NON-PROFIT CORPORATION**

**Introduced By: Council President McGuigan**

**WHEREAS**, The City of Somers Point ("City") is the owner of property situated at 101 Higbee Avenue, Somers Point, New Jersey designated as Block 1511, Lot 1 and also known as the Gateway Theater property; and

**WHEREAS**, The Governing Body of the City of Somers Point entered into a Lease Agreement dated September 3, 2009 with the Theater Collaborative of South Jersey, a New Jersey non-profit corporation ("Lessee") for a term of twenty (20) years under the terms and conditions set forth therein for consideration of One Dollar (\$1.00) per year; and ;

**WHEREAS**, Lessee is obligated to undertake repairs and improvements upon the property in accordance with plans approved by the City in order to create a facility to enhance Bay Avenue and spur economic interest and development within that area and within the City;" and

**WHEREAS**, Lessee has prepared the appropriate plans and obtained the necessary approvals to commence construction; and

**WHEREAS**, Lessee has petitioned this Governing Body to waive payment of the Construction Permit fees which would be due and payable in accordance with Chapter 100 of the Code of the City of Somers Point since the development is of City owned property and all such improvements to the property shall be for the benefit of and shall be owned by the City, for good cause shown it is:

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**Resolution No. 123 (Continued)**

**RESOLVED**, by the City Council of the City of Somers Point that the City of Somers Point does hereby authorize the Construction Code office to waive the Construction Permit fee to enable the Lessee to proceed with the construction of the repairs and improvements to the premises and property; and

**BE IT FURTHER RESOLVED**, that the basis for the action taken herein is limited to the facts and circumstances of this particular request based upon improvements to be made to City owned property for the benefit of the City; and the action taken is not intended to establish a precedent for waiver of Construction Permit fees.

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**Waiver of 48-Hour Rule**

The 48-Hour Rule was waived in order to consider Resolution No. 124.

**Public Portion regarding Resolutions 124**

Meeting opened to the public and duly closed.

**Resolution No. 124**

M/S – Triboletti/Smith

Adopted by a unanimous vote of those present.

**No. 124 of 2010**

**Subject: Authorization to prepare bids for Dump Trucks**

**Introduced By: Councilman Dill**

**WHEREAS**, the governing body of the City of Somers Point has determined that it is in the best interest of the City to purchase up to a total of three Ford F350 and F450 Dump Trucks.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point that the City Administrator, in conjunction with the Public Works Supervisor is hereby authorized to prepare specifications for the purchase of up to a total of three Ford F350 and F450 Dump Trucks.

**BE IT FURHTER RESOLVED** that the City Administrator is authorized to advertise for bids 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 thereafter/

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**Waiver of 48-Hour Rule**

Waiver of 48-Hour Rule in order to consider Resolution No. 126

**Public Portion on Resolution No. 126**

Meeting was opened to the public and duly closed.

**Resolution No. 126**

M/S – Dill/Smith

Adopted by a unanimous vote of those present.

**No. 126 of 2010**

**Subject: Rejecting bid and Authorizing sale of property**

**Introduced By: Council President McGuigan**

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Resolution No. 126 (Continued)**

**WHEREAS**, bids were received by the City of Somers Point for the sale of (1) 1997 Pierce Saber Custom Pumper Fire Truck on July 16, 2010; and

**WHEREAS**, only one bid was received and it was in the form of a trade-in or sale that was an optional bid made in connection with bids received for the purchase of a new fire truck; and

**WHEREAS**, the amount bid for the sale was below the amount anticipated for the sale.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Somers Point hereby rejects the one and only bid received for the sale of the fire truck. In doing so, the City Council is not rejecting the bid for the purchase of a new fire truck or taking any other action in regard to the balance of that bid by this resolution. The City will continue to take under advisement the proposal for sale to the City of the new fire vehicle for which quotes were solicited.

**BE IT FURTHER RESOLVED** that the City Council hereby authorizes a new sale and that the item of personal property set forth below will be sold in accordance with the terms set forth below:

1. The item for sale is:
  - (1) 1997 Pierce Saber 1500/1000 custom Pumper Fire Truck
2. For information and an appointment to inspect the apparatus and a list of equipment being included on the apparatus please contact Fire Chief Frank Denan at (609) 927-9088 x132.
3. Sealed bids shall be submitted on said item to be received at the City Clerk's Office, City Hall, 1 W. New Jersey Avenue, Somers Point, New Jersey 08244, at or before 11:00 a.m. prevailing time on August 19, 2010.
4. The full purchase price shall be paid by the successful bidder in cash, by certified check or pre-approved wire transfer upon delivery of the purchased item, which shall be on a date mutually agreeable to the City and the bidder. (Delivery to occur in Somers Point, New Jersey where the vehicle is located).
5. The City of Somers Point makes no warranties, expressed or implied as to the condition of said items, which are being sold in "as is" condition.
6. The City of Somers Point reserves the right to reject any and all bids if it determines that such rejection would be in the public interest.
7. The City Clerk is hereby authorized and directed to publish notification of this sale not less than seven nor more than fourteen days before August 19, 2010.

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**Old Business**

Council President McGuigan stated that the Council needs to take some action on the request for a donation to the Mainland Channel. After discussion, Councilman Parker made a motion to donate \$3,000. 00 to the Mainland Channel, seconded by Councilman Smith. Motion carried by a unanimous vote of those present.

Councilman Dill asked if a letter could be sent to the County with regarding to negotiating a lease with them for the Library. Administrator Swain advised that he will send them a letter to let them know we are interested in negotiating.

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**New Business**

Councilman McGuigan advised that he has been contacted by the owner of Sunset Marina and met with him today. He has made a proposal to sell the marina which was appraised in 2005 for two million dollars. The City could apply for Green Acres money and the property owner would accept whatever amount Green Acres would fund. Council President McGuigan pointed out that this would give the City a recreation facility with a dock area and potential income. There is also a business that rents a good portion of this property. He explained that he is putting this resolution forward tonight as the Green Acres application deadline is July 30<sup>th</sup>. Councilman Smith advised that he represents the tenants, however, does not see any conflict. Atty. Franklin agreed.

**Waiver of 48-Hour Rule**

The 48-Hour Rule was waived in order to consider Resolution No. 125.

**Public Portion regarding Resolution No. 125**

Patricia Pierson, 587 Marks Road, came forward and addressed the governing body stating that she feels this is worth looking into.

Public portion was then closed.

**Resolution No. 125**

After discussion, Resolution No. 125 was defeated by a 4-2 vote with Councilman Smith and Council President McGuigan voting in favor and Councilman D'Adamo being absent.

***City of Somers Point***  
**RESOLUTION**

No. 125 of 2010 (DEFEATED 4-2)

**Subject:**                    **Enabling Resolution Authorizing Filing of an Application with The New Jersey Department of Environmental Protection Green Acres Program for a Grant to Purchase an Outdoor Recreation Property Subject to the Terms and Conditions Specifically set forth Herein**

**Introduced By:**        **Council President McGuigan**

WHEREAS, at a regularly scheduled meeting of the Common Council of the City of Somers Point, in the County of Atlantic, State of New Jersey (the "City") held on July 22, 2010, a preliminary presentation was made by \_\_\_\_\_ an authorized representative of \_\_\_\_\_ the Owner of a property situated within the City and more specifically designated as Lot(s) \_\_\_\_\_ in Block \_\_\_\_\_ as shown on the Tax Map of the City, also being known as the Sunny Point Marina located off of the Somers Point Mays Landing Road; and

WHEREAS, the property is used as a marina and boat slip facility; and

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**Resolution No. 125 (Continued)**

WHEREAS, the Owner proposes to sell to the City the above described Real Property and all improvements thereon and thereto (the "Property") at no cost to the City; and

WHEREAS, the Owner proposes to prepare on behalf of the City an application for a Grant to be submitted to the New Jersey Department of Environmental Protection, Green Acres Program ("State" or "Green Acres") which provides grants to municipal governments for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Owner represents that the deadline for filing of the necessary Application is July 30, 2010; and

WHEREAS, the City has not had an opportunity to conduct any due diligence with regard to the Property and has not had an opportunity to publish a notice of Public Hearing in the official newspaper of the municipality in which the proposed project is located, which must be advertised as a display ad at least 15 days before such hearing; and

WHEREAS, the Public Hearing is to precede the filing of any Application with Green Acres but the State has advised that an Application may be filed prior to the Public Hearing so long as a Public Hearing is properly noticed and held within a reasonable time following submission of the application; and

WHEREAS, the Owner represents and warrants to the City that the Owner will bear all costs associated with the preparation, filing and processing of the Application and will pay all expenses which the City may incur as they are billed to owner; and

WHEREAS, the Owner further represents and warrants to the City that the purchase of the Property by the City, if the City elects to proceed with the acquisition, will be at no cost to the City and the Applicant will accept in payment the sum of One Million Dollars (\$1,000,000.00) which is the amount to be requested in the Grant Application; and

WHEREAS, Owner will pay for any and all improvements, remedial actions, and other costs and expenses associated with either the obtaining and award of the Grant from Green Acres, all costs of transfer of title to the property, and any and all other expense of any nature whatsoever, with the express understanding that the City shall have no out of pocket expense associated with the Application or the purchase of the Property; and

WHEREAS, Owner presented this proposal to the Governing Body of the City for the first time on July 22, 2010 and the City has not had an opportunity to conduct any due diligence of the Property or of the desirability of purchasing said Property, even at no cost, or the ongoing economic impact to the City resulting from either loss of a ratable, cost of ongoing operation and maintenance, an examination of the books and records of the Property to determine if the Property is self – supporting and such other reasonable and necessary investigation the City deems appropriate to conduct; and

WHEREAS, Owner accepts these conditions and agrees to cooperate with the City to undertake any and all such investigation and inquiry at no cost to the City; and

WHEREAS, Owner accepts and agrees that the City may, at any time and for whatever reason elect to withdraw the Application from consideration by Green Acres and further decline to close on the sale of the Property if an absolute grant in the full amount of One Million Dollars (\$1,000,000.00) is not obtained from Green Acres; and

WHEREAS, this Resolution and each of the conditions set forth herein shall be included with and made a part of the Application to Green Acres;

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**Resolution No. 125 (Continued)**

WHEREAS, the Owner shall provide a copy of the Application prior to filing to the City Administrator, the City Solicitor and any subcommittee of the Governing Body which may now or hereafter be appointed to participate in the review and investigation of this proposal and Project:

NOW, THEREFORE, It is RESOLVED

The City of Somers Point desires to further the public interest by filing an application to obtain a Grant [not a Loan or combination of Loan and Grant] in the amount of One Million Dollars (\$1,000,000.00) from the State of New Jersey Green Acres to fund the project hereinabove described at a total all inclusive cost to the City of One Million Dollars (\$1,000,000.00) (the "Project Cost) further subject to each of the terms and conditions hereinabove set forth: and

Further RESOLVED

The governing body/board resolves that Honorable Jack Glasser or the successor to the office of Mayor of the City of Somers Point is hereby authorized to:

- (a) make application for such a grant subject to the conditions set forth herein,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, if the Application is not withdrawn by the applicant, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and, subject to the terms and conditions set forth within this Resolution including the preamble and Whereas Clauses, is willing to enter into an agreement with the State for the above named project

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE GOVERNING BODY OF THE CITY OF SOMERS POINT

1. That in the event the City determines it is appropriate and in the best interest of the City and the residents of the City, the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as \_\_\_\_\_ ("project name");
2. That, in the event the State's funds are less than the total project cost specified above, the applicant has absolutely no obligation to pay the balance of funding necessary to complete the project;
3. That if the applicant proceeds with the project, the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
4. That this resolution shall take effect immediately.

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Councilwoman Kern stated that she just attended a fundraiser for a gentlemen who recently underwent brain surgery. She stated that this City really comes out for people in need and its heart warming. She also stated that Jack Thomas and his family came out in full force for this individual as well.

Social Affairs Application for the Good Old Days was presented. Council President McGuigan advised that he is Chairman of this Committee. Atty. Franklin advised that he would not have to recuse himself for this. Social Affairs permit was then approved by a unanimous vote of those present.

Two raffle license applications for Shore Memorial Hospital were approved unanimously.

Two raffle license applications were approved for St. Joseph's Church.

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**Discussion of Bills**

Bills were presented for discussion in the amount of \$654,975.72 and \$2,233,939.95.

**Public Portion**

Ms. Sarran, Sixth Street, came forward and addressed the governing body regarding the property next door to her property stating that nothing has been done. She stated that the man has made a dump of his property with his lawn business. Council President McGuigan explained that the City sent the Code Enforcement Officer to inspect the property.

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**Payment of Bills**

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, meeting adjourned at 9:10 p.m.

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Carol L. Degrassi, RMC/MMC  
Municipal Clerk

Approved: 10/28/10