

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

**Meeting called to order at 7:00 p.m. by President McGuigan with a salute to the flag.**

**Roll call was recorded as follows:**

**Present:** Meischker, D’Adamo, Dill, Gerety, Toto, Tapp, McGuigan

**Also Present:** Mayor Glasser, Administrator Swain, Deputy City Clerk Heath, Assistant Emerald Hornig, Police Chief Boyd and Attorney Franklin  
Council President McGuigan welcomed Atlantic County Freeholder Maureen Kern and many members of the Veteran community

**Absent:** None

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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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**Special Presentation:**

Police Chief Boyd thanked Mayor and City Council for the time to acknowledge Fred Vineyard and the members of the AmVets Post 911 for their generous donation of two K-9 trauma kits. Chief Boyd indicated that he is very appreciative of the donation. Council President McGuigan extended his appreciation and stated that the K-9’s are invaluable and respected. He added that the AmVets have become a great addition to the community. Mayor Glasser mentioned that this is not the first time the AmVets have assisted the Police Department. He stated that he is proud to be a member of the AmVets Post 911 along with Councilmen Dill and Toto.

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**Public Portion on Resolution No. 235 of 2017**

The meeting was duly opened to the public and hearing nothing from the public, duly closed.

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**Resolution No. 235 of 2017**

M/S – Dill/Gerety

The resolution was adopted by a unanimous vote of those present.

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

Mayor Glasser, Councilman Dill and Councilman Toto proudly presented the resolution to Mr. Vineyard that was celebrated with a round of applause.

**No. 235 of 2017**

**Thanking AMVETS Post 911 for Donation of K-9 Trauma First Aid Kits**

WHEREAS, American Veterans (AMVETS) Post 911 is based in Somers Point; and

WHEREAS, the stated mission of the post is to serve our veterans, troops and their families, and our communities; and

WHEREAS, the Somers Point Police Department employees two of the finest K-9 Officers, Officer Doc and Officer Erco; and

WHEREAS, the K-9 Officers have proven invaluable as part of the public safety efforts of the department; and

WHEREAS, the health and wellbeing of the K-9 Officers is of the utmost concern of the Police Department, the Mayor, and the City Council; and

WHEREAS, AMVETS Post 911 has donated two K-9 Trauma First Aid Kits to the City's Police Department; and

WHEREAS, the kits feature virtually every item required to apply first aid to our K-9 Officers in the event of an injury, including Celox Hemostatic Granules, which were originally developed to assist military medics with some of the worst wounds imaginable; and

WHEREAS, the local animal hospital has revised limited hours that unfortunately create a gap in available emergency care for our K-9 Officers, these kits will help bridge that gap should advance and immediate care be required; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Somers Point, on behalf of themselves and our community, hereby thank AMVETS POST 911 for their generous and worthy donation.

BE IT FURTHER RESOLVED that the Mayor and City Council recognize the importance of the work of AMVETS Post 911 and wish them continued success with that work.

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**Public Portion on Resolution No. 219 of 2017**

The meeting was duly opened to the public and hearing nothing from the public, duly closed.

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

**Resolution No. 219 of 2017**

M/S – Gerety/D’Adamo

The resolution was adopted by a unanimous vote of those present. Council President McGuigan congratulated and praised the team for winning three championships in a row, which is very impressive, and the team should be proud of that accomplishment for the rest of their lives. Mayor Glasser congratulated the team, and stated he is very proud of them. Additionally, Mayor Glasser stressed to keep up the good work and wished everyone the best of luck in the future. Councilman Tapp stated that the team has made the City very proud. He added that the hard work and dedication on the field has paid off by winning three consecutive championships. Councilman Tapp thanked the coaches and recognized Eric Meyers as the new President of the Somers Point Sharks. Councilman Dill congratulated the players for their hard work, dedication and good sportsmanship that led them to three consecutive championships. He continued to thank the parents and coaches for instilling dedication and good leadership in the team.

Atlantic County Freeholder Maureen Kern thanked the Governing Body for allowing her to present a resolution to the team on behalf of the Atlantic County Board of Chosen Freeholders, which was met with a standing ovation.

**No. 219 of 2017**

**Recognizing the 2017 Atlantic County Junior Football  
League Junior Varsity Champions – The Somers Point Sharks**

WHEREAS, the Atlantic County Junior Football League is comprised of organizations from Atlantic County, Cape May County and Cumberland County that compete at the Varsity, Junior Varsity, Pee Wee and Taxi Squad levels; and

WHEREAS, Somers Point is represented in the Atlantic County Junior Football League by the Somers Point Sharks; and

WHEREAS, the Sharks Junior Varsity scored 250 points and were unscored upon during the regular season; outscored their opponents in the playoffs 74-6; and avenged their only loss of the season, the Conference Championship which they lost 12-19 to Atlantic City, with a 13-6 victory over that same Atlantic City team in the ACJFL Championship game on November 18, 2017; and

WHEREAS, for most of these players this is the third championship they have garnered in as many years; and

WHEREAS, this accomplishment evinces the ability, motivation and attitude of these young men concerning their individual performances and their dedication to the success of their team; and

WHEREAS, this accomplishment brings honor to the City of Somers Point and is worthy of the praise and admiration of our community.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Somers Point, on behalf of themselves and our community, hereby congratulate the 2017

# REGULAR MEETING MAYOR AND CITY COUNCIL December 14, 2017

Atlantic County Junior Football League Champions Somers Point Sharks Junior Varsity Football Team.

Players:

<u>Name</u>	<u>No.</u>	<u>Name</u>	<u>No.</u>	<u>Name</u>	<u>No.</u>
Tre'vor Gist	1	Jalil Gray	11	Aumont Canfield	33
Jacob Meyers	2	LJ Pryor	17	Cohen Cook	34
Josiah Williams	3	Isaiah Henderson	18	Omori Watson	44
Christian Elliot	5	Alex Rivera	20	Sean Bogatin	52
Antonio Tartaglia	6	Khaleeb Foster	22	Daniel Moody	54
Nasir Mahmoud	7	Morris Thompson	23	Jeremiah Sinclair	55
Elijah Mirabale	8	Dylan Ireland	24	Noah Fontana	66
Darrius Shanks	9	Jaevien Swain	28	Salvatore Fireall	80
Jamie Tyson	10	Jaden Remividas	32	Kheegan Stover	81
				Joey Tenaglia	99

Coaches:	Eric Meyers, Head Coach	Amir Mahmoud, Asst. Coach
	Mikal Washington, Asst. Coach	Jake Cook, Asst. Coach
	Wes Swain, Asst. Coach	Sean Bogatin, Asst. Coach

BE IT FURTHER RESOLVED that the Mayor and City Council wish these individuals continued success in all of their future endeavors, both athletic and otherwise.

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### Public Portion on Resolution Numbers 237 and 228 of 2017

The meeting was duly opened to the public and hearing nothing from the public, duly closed.

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### Resolution No. 237 of 2017

M/S – Dill/Toto

The resolution was adopted by a unanimous vote of those present.

Councilman D'Adamo thanked Wes Swain, City Administrator, for great coaching of his son in the late 1980's and stated that he is still a great coach. Council President McGuigan indicated that Wes is a fine example of dedication. Councilman Toto thanked Wes for his sacrifices and being an active volunteer in the community. Councilman Dill thanked Wes for his dedication as a coach and to the City. Mayor Glasser proudly presented Wes Swain, City Administrator, with the resolution that was met with a round of applause and standing ovation.

### No. 237 of 2017

#### Recognizing the Football Coaching Career of Wes Swain

WHEREAS, the Atlantic County Junior Football League is comprised of organizations from Atlantic County, Cape May County and Cumberland County that compete at the Varsity, Junior Varsity, Pee Wee and Taxi Squad levels; and

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

WHEREAS, Somers Point is represented in the Atlantic County Junior Football League by the Somers Point Sharks; and

WHEREAS, football coaches are an integral and important part of the team, helping players maximize their potential and improve their skills through good instruction and encouragement; and

WHEREAS, football coaches not only help the players develop as football players but as solid and productive citizens; and

WHEREAS, Wes Swain is a member of the current Sharks Junior Varsity coaching staff that has helped their team to a third championship in as many years; and

WHEREAS, this is Wes's second tour of duty with Sharks, as he was member of the coaching staff back in the 1980's and '90's; and

WHEREAS, for most of these players this is the third championship they have garnered in as many years; and

WHEREAS, even at his advancing age, Wes still has the enthusiasm for the game and still possess the ability to motivate the young men and women of the team while imparting his vast knowledge of the game and being an excellent role model to them; and

WHEREAS, Wes's football coaching career which has stretched across two millenniums, is a testament to the excellent volunteerism that helps make Somers Point a great place to live and raise a family.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Council of the City of Somers Point, on behalf of themselves, our community, and the numerous children that have benefited from Mr. Swain's tutelage over the years, hereby thank and congratulate Mr. Wes Swain for his dedication to coaching the sport of football in Somers Point.

BE IT FURTHER RESOLVED that the Mayor and City Council wish Wes Swain continued success in all of his future endeavors, both in youth football and otherwise.

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**Resolution No. 228 of 2017**

M/S – Toto/Dill

The resolution was adopted by a unanimous vote of those present.

Councilman Toto stated that Lawson's Pride raises money for military families. He thanked the group for their commendable and admirable volunteerism. Mayor Glasser and City Councilman

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

Toto presented a resolution to the organization. Everyone applauded their efforts to help military families.

**No. 228 of 2017**

**A Resolution Acknowledging Lawson's Pride of Somers Point**

**Sponsored by: Councilman Toto**

Whereas, the City of Somers Point has a long standing tradition of recognizing and honoring members of the Armed Services who have so valiantly served our Country and our community through events such as the annual Memorial Day and Service, the annual Pearl Harbor Memorial Service, Master Commandant Richard Somers Day, and recognizing the month of May as American Military History Month and National Military Appreciation Month, and designation of the Somers Point Bike Path as Purple Heart Way; and

Whereas, in keeping with our long standing tradition of honoring past, present, and future members of our Armed Forces this governing body has determined to give special recognition to members of the United States Coast Guard by recognizing Lawson's Pride of Somers Point, a nonprofit organization formed here in Somers Point staffed by volunteers who live in our City and which was formed for the express purpose of raising funds and collecting donations to provide financial support for the crew of the US Coast Guard Cutter Lawrence Lawson and their families in time of need or in times of crisis and which the City has adopted as the Cutter's unofficial Home Port; and

Whereas, the Lawrence Lawson was commissioned on March 18, 2017, is based in Cape May Harbor, New Jersey, is recognized as the 20th Sentinel Class Fast Response Cutter supplied to the United States Coast Guard, and will provide aid to search and rescue missions as well as law enforcement tasks related to drug interdiction and immigration laws; and

Whereas, with two officers and 20 crew members, the patrol ship extends 154 feet long and weighs 359 tons with a speed capacity of 28 knots in a range of 2,950 nautical miles.

Now, therefore, it is hereby Resolved by the City Council of the City of Somers Point that the Mayor and City Council members acknowledge the volunteers of Lawson's Pride of Somers Point include service veterans, and the valiant men and women who serve aboard the US Coast Guard Cutter Lawrence Lawson which is often called upon to conduct rescue missions off our coast and do thank them for their service and welcome them to consider Somers Point as their home away from home; and

It is further Resolved that a certified copy of this Resolution be sent by the City Clerk to the Secretary of Lawson's Pride of Somers Point and to the U.S.C.G.C. Lawson's first commanding officer Lt. Cmdr. Joseph E. Rizzo.

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

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**Communications:**

None

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**Mayor's Report:**

Mayor Glasser thanked Sydney Somers of the CER office, the Police Department, the Fire Departments and the Department of Public Works for the fabulous Holiday Christmas parade held on December 1<sup>st</sup>. Mayor Glasser thanked everyone that contributed and participated in the City's Pearl Harbor ceremony. He wished everyone a wonderful holiday, Merry Christmas, and a happy, health New Year.

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**City Administrator's Report:**

None

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**Committee Reports:**

None

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**Approval of Minutes:** None

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**Ordinances:**

**Ordinance No. 21 of 2017**

*Second Reading/Public Hearing/Adoption*

The meeting was duly opened, hearing nothing from the public, this portion was duly closed.

M/S – Gerety/Dill

Councilman Dill thanked everyone involved regarding this project.

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

**AN ORDINANCE OF THE CITY OF SOMERS POINT AUTHORIZING THE  
ACCEPTANCE OF A LICENSE AGREEMENT AND ACCESS EASEMENT LOCATED  
ON AND WITHIN A PORTION OF LAND OWNED BY DAVID AND DEBORAH ERB  
WHICH ARE NECESSARY FOR THE CONSTRUCTION OF A RESILIENCY  
EMBANKMENT WITHIN THE CITY OF SOMERS POINT AND THE DREDGING OF  
A PORTION OF THE GREAT EGG HARBOR BAY ABUTTING CITY OWNED  
PROPERTY**

**SECTION 1. STATEMENT OF INTENT AND PURPOSE.**

WHEREAS, the City of Somers Point applied for and received from the New Jersey Department of Transportation a National Boating Infrastructure Grant (NBIG) in the amount of \$1,448,449 to fund a portion of a Transient Marina on the site of the Higbee Pier to accommodate boaters travelling north and south along the Inter - Coastal Waterway; and

WHEREAS, the City of Somers Point applied for and received a National Fish and Wildlife Foundation Grant to partially fund the dredging of that portion of Great Egg Harbor Bay adjacent to City owned property; and

WHEREAS, dredging of the shipping channel within the bay is essential to the transient marina; and

WHEREAS, the Angelou Economics Report prepared on behalf of the County of Atlantic recognized the need for the County and each municipality within the County to identify projects and initiatives to successfully migrate reliance upon casino gaming to a more robust and viable economy based upon tourism, technology, education and healthcare; and

WHEREAS, the City through its Economic Development Committee, Arts Commission, Green Team and other efforts has diligently pursued opportunities to improve the economy of the City and the rejuvenation and revitalization of the Bay Avenue area; and

WHEREAS, the dredging grant requires an environmental enhancement utilizing the dredge materials; and

WHEREAS, the City has developed plans and specifications for the construction of a Resiliency Embankment within the City of Somers Point and, after examining alternate sites has determined that a portion of the embankment needs to be constructed along and within certain of the uplands areas of land owned by David and Deborah Erb (the "Owner"), which property was formerly known as the Gateway Marina and now having a mailing address of 95 Mays Landing Road, also designated as Block 1953, Lot 1.01 as shown on the official Tax Map of the City of Somers Point (the "Property"); and



**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

WHEREAS, pursuant to N.J.S.A. 40A:12-1, et seq., the City of Somers Point (“City”) may acquire such interest or rights in and to lands as may be necessary and suitable for municipal public purposes; and

WHEREAS, the Owner has agreed to grant to the City a Right of Way License Agreement and Access Easement (the “Agreement”) for the purpose of access to, construction, and maintenance of the embankment.

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

**SECTION 2.** The City hereby accepts the licensed interest in and to the use of the Property described below and as further set forth with the Agreement:

ALL THAT CERTAIN tract or parcel of land and premises lying, being and situate in City of Somers Point, Atlantic County, and State of New Jersey being more particularly described as follows:

BEGINNING in the formerly Northwesterly line of Oak Lane (60 feet wide) at the division line between Lots 1 and 2, Block 88, Plan 1 of Del-Rey and extending:

- 1.) North 74 degrees 23 minutes 01 seconds West, 7.00 feet; thence
- 2.) South 60 degrees 36 minutes 59 seconds West, 56.57 feet; thence
- 3.) North 04 degrees 32 minutes 35 seconds East, 228.41 feet; thence
- 4.) North 27 degrees 14 minutes 23 seconds East, 151.96 feet; thence
- 5.) South 46 degrees 15 minutes 11 seconds East, 67.60 feet; thence
- 6.) South 01 degrees 57 minutes 37 seconds West, 256.86 feet; thence
- 7.) South 15 degrees 36 minutes 59 seconds West, along said former Southeasterly line of Oak Lane, 36.57 feet; thence
- 8.) North 74 degrees 23 minutes 01 seconds West, 60.00 feet to the former Northwesterly line of Oak Terrace; thence
- 19.) South 15 degrees 36 minutes 59 seconds West, 15.00 feet to the point and place of beginning, BEING premises No. 95 Mays Landing Road, Somers Point, New Jersey 08244.  
BEING Block: 1953, Lot: 1.01 on the official tax map of Somers Point City, New Jersey

For the sum of one dollar and other good and valuable non-monetary compensation the adequacy and sufficiency of which is accepted by the Grantors.

**SECTION 3.** The actions of the appropriate City of Somers Point officials, its employees, professionals and agents to take any and all steps necessary to effectuate the purposes of this Ordinance, including the execution of documents required to proceed with the acceptance of the license agreements and continuation with the embankment project are hereby approved, affirmed and ratified.

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

**SECTION 4.** All ordinances of the City of Somers Point that are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

**SECTION 5.** If any subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid in any Court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

**SECTION 6.** This Ordinance shall take effect following final passage and publication in accordance with law.

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**Ordinance No. 22 of 2017**

*Second Reading/Public Hearing/Adoption*

The meeting was duly opened, hearing nothing from the public, this portion was duly closed.

M/S – Tapp/D’Adamo

**AN ORDINANCE AUTHORIZING AND APPROVING THE EXECUTION AND  
DELIVERY OF AMENDMENT #1 TO A LONG TERM TAX ESEMPTION AND  
CAPITAL CONTRIBUTION AGREEMENT AND AMENDMENT #1 TO A  
REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF SOMERS POINT AND  
BAYVIEW COURT URBAN RENEWAL ENTITY, LLC**

Whereas, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* by Resolution 183 of 2014 adopted on October 23, 2014 the Somers Point City Council accepted the recommendation of the Somers Point Planning Board and designated the area consisting of Block 1114, Lots 3, 4.01, 4.02, 4.03 and 4.04 as a non- condemnation area in need of redevelopment (the Redevelopment Area); and

Whereas, by Ordinance 5 of 2015 adopted on February 26, 2015 a Redevelopment Plan for Bayview Court (the "Redevelopment Project") was approved and adopted; and

Whereas, by Resolution 61 of 2016 adopted on February 25, 2016 Bayview Court Urban Renewal Entity, LLC was designated as the Redeveloper for the Redevelopment Area and the execution and delivery of a Redevelopment Agreement (the "Redevelopment Agreement") between the City of Somers Point and Bayview Court Urban Renewal Entity, LLC was approved and authorized which incorporated the Redevelopment Plan; and

Whereas, on March 24, 2016 by Ordinance 2 of 2016 a Long Term Tax Exemption and Capital Contribution Agreement (the "Long Term Agreement") was authorized to be entered into

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

between the City of Somers Point (the "City") and Bayview Court Urban Renewal Entity, LLC (the "Redeveloper"); and

Whereas, the Redeveloper has diligently pursued the Redevelopment Project as contemplated by the Redevelopment Plan; and

Whereas, due to circumstances beyond the control of the Redeveloper including, but not limited to, relocation of tenants to rehabilitate and improve the individual units as specified in the Redevelopment Plan, increased capital costs due to structural conditions which needed to be addressed but which were not evident until the Redevelopment Project had commenced, phasing in of the improvements, and other necessities, the construction schedule which had been originally submitted, has been delayed; and

Whereas, as a result, although the budget submitted by the Redeveloper has been significantly exceeded, the Redeveloper is absorbing the additional cost and is not requesting any additional capital contribution from the City; and

Whereas, as a result of the unforeseen delays and cost increases which necessitated Redeveloper obtaining additional financing, the Redeveloper has submitted a request that the City Council amend the construction schedule which had been included as Exhibit D to the Long Term Agreement and the Redevelopment Agreement granting an extension of time for achieving Substantial Completion, modifying the dates for completion of certain of the Redevelopment Project elements, increasing the number of completed units to achieve substantial completion, and extending the date of final completion of the entire Redevelopment Project until June 30, 2029; and

Whereas, this governing body, the Code Enforcement Officer and the City Administrator have reviewed the scope of work completed to date, the annual certified audit and other financial details submitted to the City as required by the Redevelopment and Long Term Agreements, and has taken into consideration the achievement of the Redeveloper in vastly improving the property but also the beneficial improvement to the entire neighborhood for which Redeveloper has been nominated by the New Jersey Apartments Association and the 2017 Garden States Award Committee as a finalist and won the award for the Bayview Court Exterior Visual Restoration / Curb appeal and Management; and

Whereas, the requested amendment will not result in any incremental cost to the City; and

Whereas, this governing body has determined that it is in the best interest of the City, the Redeveloper, and the community to grant the requested amendment.

Now, therefore, it is hereby Ordained by the City Council of the City of Somers Point, County of Atlantic, State of New Jersey that the Mayor is authorized to execute and the City Clerk is authorized to witness and deliver a First Amendment to the Long Term Tax Exemption and

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

Capital Contribution Agreement between the City of Somers Point and Bayview Court Urban Renewal Entity, LLC dated May 3, 2016 (the "First Amendment") substantially similar to the form of the First Amendment attached hereto and made a part hereof, subject to such modifications as may be deemed necessary or desirable by the City Solicitor and City Administrator; and

It is further Ordained that the Mayor is authorized to execute and the City Clerk is authorized to witness and deliver a First Amendment to the Redevelopment Agreement between the City of Somers Point and Bayview Court Urban Renewal Entity, LLC dated May 3, 2016 consistent herewith; and

It is further Ordained that all other terms and conditions of the Ordinances, Resolutions and Agreements heretofore enacted, adopted, and executed shall remain in full force and effect; and

It is further Ordained that that if any portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this article, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered; and

It is further Ordained that this Ordinance shall become effective following final passage and publication as required by law.

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**Resolutions:**

**Public Portion on Resolutions**

The meeting was duly opened to the public and hearing nothing from the public, it was duly closed.

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A motion was made, seconded and carried to waive the 48-hour rule to add **Resolution No. 236** of 2018 to the agenda.

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**Resolution No. 224 of 2017**

M/S – Tapp/Gerety

The resolution was adopted by a majority vote of those present, with Councilman D’Adamo voting no.

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

Councilman Tapp indicated this is a recommendation from the Personnel Committee.

**No. 224 of 2017**

**Subject: Authorizing Contract with City Administrator**  
**Introduced By: Councilmen Tapp and Gerety**

**WHEREAS**, it is necessary for the City to approve and authorize the execution of personal services contracts on behalf of the City by an appropriate City Official; and

**WHEREAS**, the existing agreement between the City and the City Administrator has an effective date of January 1, 2012; and

**WHEREAS**, the City Administrator and representatives of the City have negotiated a successor agreement, a copy of which, upon execution, will be attached hereto and made a part hereof.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Somers Point hereby authorizes and directs the Mayor to execute the successor agreement between the City of Somers Point and the City Administrator and by that act the City does hereby approve said agreement effective January 1, 2017.

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**Resolution No. 225 of 2017**

M/S – Gerety/Dill

The resolution was adopted by a unanimous vote of those present.

**No. 225 of 2017**

**A Resolution Authorizing the Execution and Delivery of a License Agreement and Access Easement Between the City of Somers Point and David and Deborah Erb**

**Sponsored by: Councilman Dill and Councilman D’Adamo**

Whereas, by enactment of Ordinance 21 of 2017 the acceptance of a License Agreement and Access Easement between the City of Somers Point and David and Deborah Erb on and within a portion of land owned by David and Deborah Erb which are necessary for the construction of a resiliency embankment was approved and authorized.

Now, therefore, it is hereby RESOLVED by the governing body of the City of Somers Point that following final publication of Ordinance 21 of 2017 the that the Mayor is authorized to execute

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

and the City Clerk is authorized to witness and deliver a License Agreement and Access Easement substantially in the form attached hereto subject to such modifications as may be deemed necessary or desirable by the City Administrator, the City Solicitor or the City Engineer; and

It is further, RESOLVED, that the City Administrator, City Engineer and City Solicitor are authorized to take such further action as may be required to effectuate the intent of this resolution

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**Resolution No. 226 of 2017**

M/S – Tapp/Gerety

The resolution was adopted by a unanimous vote of those present.

**No. 226 of 2017**

**A Resolution Authorizing the Execution and Delivery of Amendment #1 to the May 3, 2016  
Redevelopment Agreement Between the City of Somers Point and Bayview Court Urban Renewal  
Entity, LLC**

**Sponsored by: Council President McGuigan and Councilman Tapp**

Whereas, by Resolution 61 of 2016 adopted on February 25, 2016 Bayview Court Urban Renewal Entity, LLC was designated as the Redeveloper for the Redevelopment Area and the execution and delivery of a Redevelopment Agreement between the City of Somers Point and Bayview Court Urban Renewal Entity, LLC was approved and authorized which incorporated the Redevelopment Plan; and

Whereas, on May 3, 2016 the City and Redeveloper executed and delivered A Long Term Tax Exemption and Capital Contribution Agreement and a Redevelopment Agreement; and

Whereas, due to circumstances beyond the control of the Redeveloper including, but not limited to, relocation of tenants to rehabilitate and improve the individual units as specified in the Redevelopment Plan, increased capital costs due to structural conditions which needed to be addressed but which were not evident until the Redevelopment Project had commenced, phasing in of the improvements, and other necessities, the construction schedule which had been originally submitted, has been delayed; and

Whereas, as a result of the unforeseen delays and cost increases which necessitated Redeveloper obtaining additional financing, the Redeveloper has submitted a request that the City Council amend the construction schedule which had been included as Exhibit D to the Long Term Agreement and the Redevelopment Agreement granting an extension of time for achieving Substantial Completion, modifying the dates for completion of certain of the Redevelopment Project elements, increasing the number of competed units to achieve substantial completion, and extending the date of final completion of the entire Redevelopment Project; and

Whereas, the governing body, the Code Enforcement Officer and the City Administrator have reviewed the scope of work completed to date, the annual certified audit and other financial details submitted to the City as required by the Redevelopment and Long Term Agreements, and have taken into consideration the achievement of the Redeveloper in vastly improving the property but also the beneficial improvement to the entire neighborhood; and

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

Whereas, this governing body by Ordinance 22 of 2017 did approve and authorize the execution and delivery of Amendment # 1 to the May 3, 2016 Long Term Tax Exemption and Capital Contribution Agreement.

Now, therefore, it is hereby RESOLVED by the governing body of the City of Somers Point that following final publication of Ordinance 22 of 2017 the that the Mayor is authorized to execute and the City Clerk is authorized to witness and deliver a First Amendment to the May 3, 2016 Redevelopment Agreement between the City of Somers Point and. Bayview Court Urban Renewal Entity, LLC Agreement substantially in the form attached hereto subject to such modifications as may be deemed necessary or desirable by the City Administrator, the City Solicitor or the City Engineer; which Amendment shall be executed and delivered contemporaneous with the execution and delivery of Amendment #1 to the May 3, 2016 Long Term Tax Exemption and Capital Contribution Agreement.

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**Resolution No. 229 of 2017**

M/S – Gerety/Dill

The resolution was adopted by a unanimous vote of those present.

**No. 229 of 2017**

**AUTHORIZING EXECUTIVE SESSION**

**Introduced by: Council President McGuigan**

**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, and 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** topic which involves the status of certain pending Tax Appeals which may be discussed and a recommendation for settlement of claims for reduction in assessed tax valuations or other resolution of claims for reduction in assessed tax valuations which have been asserted against the City in the Tax Court which require the advice and counsel of the City Solicitor and / or Special Tax Counsel to the City of Somers Point and are matters permitted by N.J.S.A. 10:4-12(b) as an exception to public meetings and are necessary to be discussed without the public in attendance during an Executive Session to be held on December 14, 2017 during a public meeting to be held commencing at 7:00 P.M, and

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

**1** “(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

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.”

A report by the Somers Point City Solicitor acting as Tax Counsel on the status of certain tax appeals filed or pending against the City of Somers Point, and explanation of the basis for settlement or other resolution recommendations made by the Tax Assessor and Counsel. The list of the matters pending before the Tax Court of New Jersey for which such recommendation has been made and which may be discussed is:

**CAPTION and TAX COURT DOCKET NO. WHERE KNOWN; OR BY TAX YEAR IF NO DOCKET NUMBER ASSIGNED:**

<b>DOCKET # YEAR</b>	<b>CAPTION</b>	<b>BLOCK / LOT</b>	<b>TAX</b>
008997-2010	Harbour Cove Marina, LLC v. City of Somers Point	Block- 1211 Lot - 2	2010
011651-2011	Harbour Cove Marina, LLC v. City of Somers Point	Block- 1211 Lot - 2	2011
006813-2012	Harbour Cove Marina, LLC v. City of Somers Point	Block- 1211 Lot - 2	2012
005012-2013	Harbour Cove Marina, LLC	Block- 1211 Lot - 2	2013

Assessments for the properties for the 2014 through 2017 tax years may also be discussed.

**WHEREAS**, the length of the Executive Session is estimated to be approximately 15 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)



**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

Subject of Discussion	Estimated Date	Necessary Occurrence
See Exception 7 Above	Cannot be determined at this time.	City Council Approval by Resolution or Order of the New Jersey Tax Court following a trial of the matter.

\*\*\*\*\*

**Resolution No. 230 of 2017**

M/S – Gerety/Dill

The resolution was adopted by a unanimous vote of those present.

**No. 230 of 2017**

**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, and 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 there is one (1) topic which requires the advice and counsel of the City Solicitor / Special COAH Counsel and is a matter permitted by N.J.S.A. 10:4-12(b) as an exception to open public meeting requirements; and is necessary to be discussed without the public in attendance during an Executive Session to be held on December 14, 2017 during a public meeting to be held commencing at 7:00 P.M, and

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

**1** “(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 nature of the matters to be discussed, described as fully as possible without undermining the need for confidentiality:

**Advice of Counsel and COAH Planner with attorney client communication In the Matter of the Application of the City of Somers Point, Docket No. L-1538-15, negotiations, and the status of the declaratory judgment proceedings as affecting Somers Point.**

**WHEREAS**, the length of the Executive Session is estimated to be approximately 20 – 30 minutes after which the public meeting of the City Council shall reconvene;

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

**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.

**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 Exception 7	Unknown at this time	Approval by City Council Action / Hearing / Court Order / Ordinance(s).

\*\*\*\*\*

**Resolution No. 231 of 2017**

M/S – Gerety/Meischker

The resolution was adopted by a unanimous vote of those present.

Councilman Meischker indicated the resolution urges the State Legislator to take action to open recreational clamming on Sundays to promote recreation in our area.

**No. 231 of 2017**

**A Resolution Calling Upon Our Legislators to Adopt  
and the Governor to Sign Into Law S3450 / A5213 Which  
Removes the Geographical Limitation and Prohibition of Recreational Clamming on  
Sundays, Extending the Same Recreational Benefit to Residents and Visitors in Other  
Counties, Which Is Now Limited to and Enjoyed Only Within Monmouth County**

Sponsored by: Mayor and Council

Whereas, NJS 50:2-11 prohibits recreational clamming on Sundays within the entire State of New Jersey with the exception of four specific bodies of water situated within Monmouth County: namely the waters of Raritan Bay, Sandy Hook Bay, Shrewsbury River and Navesink River; and

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

Whereas, recreational clamming is a vital economic component which all shore and river communities which have healthy shellfish beds should be able to offer to their residents and visitors; and

Whereas, by Resolution 165 of 2017 this governing body called upon our legislators to amend the law by removing the restriction prohibiting recreational clamming on Sundays, thus extending the same benefit to residents and visitors to other Counties which are now available only within Monmouth County; and

Whereas, in response to that request Senator Elect Colin Bell on November 9, 2017 introduced in the Senate S3450 which was referred to Senate Environment and Energy Committee and on December 4, 2018 Assemblyman Vincent A. Mazzeo introduced A5213 which was referred to Assembly Environment and Solid Waste Committee

Now, therefore, it is hereby Resolved by the Mayor and Council of the City of Somers Point, County of Atlantic, State of New Jersey that we call upon the members of the Senate Environment and Energy Committee: Senators Bob Smith- Chair, Linda R. Greenstein - Vice-Chair, Christopher Bateman, Richard J. Codey, and Samuel D. Thompson, and the members of the Assembly Environment and Solid Waste Committee Assemblymen Tim Eustace – Chair, John F. McKeon – Vice Chair, Robert J. Karabinchak, Kevin J. Rooney, John S. Wisniewski, and David W. Wolf to approve and release the bills and for our legislators to act upon the bills to remove the geographical restriction prohibiting recreational clamming on Sundays; and

It is further Resolved that we call upon our legislators to adopt and for the Governor to sign into law this legislation which will enhance economic development and tourism within Atlantic County and in New Jersey.

County and in New Jersey; and

It is further Resolved that the Deputy City Clerk is directed to send a certified copy of this resolution to:

Governor Chris Christie  
Senator Colin Bell  
Senator - Elect Chris A. Brown  
Assemblyman - Elect John Armato  
Assemblyman Vincent Mazzeo  
Senator Bob Smith, Chair - Senate Environment and Energy Committee  
Assemblyman Tim Eustace, Chair - Assembly Environment and Solid Waste Committee  
The Cape May County Chamber of Commerce  
The Greater Atlantic City Chamber of Commerce  
The Atlantic County Economic Alliance

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

The Somers Point Economic Development Committee  
Sonya Harris, Clerk of the Atlantic County Board of Chosen Freeholders for distribution to the Board of Chosen Freeholders and the County Executive  
The City Clerk of the City of Absecon  
The City Clerk of the City of Atlantic City  
The City Clerk of the City of Margate  
The City Clerk of the Township of Galloway  
The City Clerk of the City of Longport  
The City Clerk of the City of Linwood  
The City Clerk of the City of Margate  
The City Clerk of the City of Northfield  
The City Clerk of the City of Pleasantville  
The City Clerk of the City of Ventnor City

\*\*\*\*\*

**Resolution No. 236 of 2017**

M/S – Meischker/Tapp

The resolution was adopted by a unanimous vote of those present.

**No. 236 of 2017**

**Subject: Governor’s Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle July, 2014 - June 30, 2019**

**Introduced by: Council President McGuigan**

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, the City Council of the City of Somers Point, County of Atlantic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages and, therefore, has an established Municipal Alliance Committee; and

**WHEREAS**, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in the community; and

**WHEREAS**, the City Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Atlantic.

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

**NOW, THEREFORE, BE IT RESOLVED** that the City of Somers Point, County of Atlantic, State of New Jersey herby recognizes the following:

1. The City Council does hereby authorize the submission of a strategic plan for the Somers Point Municipal Alliance for fiscal year 2019 in the amount of:

DEDR            \$15,038.00

Cash Match     \$3,760.00

In-Kind        \$11,278.00

2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

\*\*\*\*\*

**Resolution No. 227 of 2017**

M/S – Gerety/Tapp

The resolution was adopted by a majority vote of those present with Council President McGuigan recusing himself. Council President Pro Tempore Tapp received a motion, which was seconded and carried, with Councilman Dill recusing himself.

**No. 227 of 2017**

**A Resolution Urging Governor Chris Christie and the New Jersey State Legislature to Enact Legislation That Will Permanently Extend The 2% Cap on Binding Interest Arbitration Awards Before December 31, 2017.**

**Sponsored by: Councilman D’Adamo**

**WHEREAS**, pursuant to the sunset provision contained in P.L. 2014, c. 11 the 2% cap on interest arbitration awards is set to expire on December 31, 2017; and,

**WHEREAS**, this law empowers municipal governments throughout the State to effectively control public safety employment salaries and personnel costs by capping interest arbitration awards at 2% for base salaries, which includes step increments and longevity pay; and,

**WHEREAS**, municipal governments dedicate a substantial portion of their overall annual operating expenses for employee salaries, wages, health benefits, and other personnel costs; and,

**WHEREAS**, municipal governments face a restrictive 2% property tax cap levy; and,

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

**WHEREAS**, failure to extend the 2% cap on interest arbitration awards will force municipal governments to further reduce or even eliminate essential services, critical personnel, and long-overdue infrastructure improvement projects; and,

**WHEREAS**, it is in the best interest of municipal governments and property taxpayers throughout the State struggling to make ends meet to permanently extend the 2% cap on interest arbitration awards.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of Somers Point in the County of Atlantic, does in fact hereby urge Governor Chris Christie and the New Jersey State Legislature to enact legislation that will permanently extend the 2% cap on interest arbitration awards before December 31, 2017; and,

**BE IT FURTHER RESOLVED** that certified copies of this Resolution are forwarded to the Governor of the State of New Jersey Chris Christie, the President of the New Jersey State Senate Steve Sweeney, the Speaker of the General Assembly Vincent Prieto, and Senate Republic Leader Thomas Kean  
Assembly Republican Leader Jon Bramnick  
Assembly Speaker-Designate Coughlin  
Governor-Elect Murphy  
Senator Colin Bell  
Assemblyman / Senator Elect Chris Brown  
Assemblyman Vincent Mazzeo  
Assemblyman Elect John Armato  
The New Jersey Association of Counties.  
The New Jersey State League of Municipalities  
Sonya Harris, Clerk of the Atlantic County Board of Chosen Freeholders.

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**Consent Agenda:**

M/S – Tapp/D’Adamo

The resolutions were adopted by a unanimous vote of those present.

**Resolution No. 218 of 2017**

**No. 218 of 2017**

**Subject: A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY**

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

**Introduced By: Councilmen Tapp, Toto and Gerety**

**WHEREAS**, the City of Somers Point wishes to apply for funding for a project under the Safe and Secure Communities Program (Grant #P-18-0121); and

**WHEREAS**, the City Council has reviewed the accompanying application and has approved said request; and

**WHEREAS**, the project is a joint effort between the Department of Law and Public Safety and the City of Somers Point for the purpose described in the application.

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

- 1) As a matter of public policy the City of Somers Point wishes to participate to fullest extent possible with the Department of Law and Public Safety.
- 2) The Attorney General will receive funds on behalf of the applicant.
- 3) The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
- 4) The Division of Criminal Justice shall initiate allocations to each applicant as authorized by law.
- 5) The Mayor and City Administrator are hereby authorized and directed to complete and submit the application on behalf of the City.
- 6) The amount of grant funds applied for herein is \$23,373.00

\*\*\*\*\*

**Resolution No. 220 of 2017**

**No. 220 of 2017**

**Resolution Authorizing Ocean First Bank to Honor, Pay Any and All Drafts, Checks or Orders of The City of Somers Point Drawn and Countersigned by the Proper Officers of The City**

**Sponsored by: Council President McGuigan and Councilmen Dill and Gerety**

Whereas, by Resolution 6 of 2017 the governing body of the City of Somers Point designated Ocean First Bank, Somers Point, NJ as an official depository of City funds; and

Whereas, Ocean First Bank has closed the Somers Point office transferring all accounts to their Linwood, NJ office; and

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

Whereas, Ocean First Bank has requested that Resolution 6 of 2017 be supplemented and amended to substitute the Linwood, NJ branch for the Somers Point, NJ branch and also to provide for authorization for Ocean First Bank to honor checks, drafts, or other orders for the payment of money which bear preprinted and facsimile signatures made by machine or other mechanical device up to a maximum of Fifteen Thousand Dollars (\$15,000.00) before requiring at least one original authorized signature.

Now, therefore, it is hereby RESOLVED by the City Council of the City of Somers Point, County of Atlantic, State of New Jersey that Resolution 6 of 2017 is supplemented and amended to identify Ocean First Bank, Linwood, NJ as the designated branch office (the “BANK”); and

It is further RESOLVED that all checks, drafts, or orders drawn against the City of Somers Point General Disbursement Account drawn and signed by William Swain, Chief Financial Officer, or William Swain, City Administrator, or Jason Frost, Assistant City Administrator, countersigned by Mayor John L. Glasser, Jr and Lucy Samuelsen, City Clerk shall be honored by the BANK; and

It is further RESOLVED that all drafts, checks or orders shall be drawn only upon proper authorization of the Somers Point City Council subject, however, that for the purpose of payroll, when said checks are prepared by CASA Payroll Services, they may be honored by the BANK when said check bears the preprinted signature of William Swain, Chief Financial Officer, or the original signature of Jason Frost, Assistant City Administrator, and the facsimile signature of Mayor John L. Glasser, Jr.; and

It is further RESOLVED that with respect to the signature of the Chief Financial Officer, City Administrator, City Clerk and the Mayor, those individuals may utilize a stamp bearing a facsimile of their signatures and utilization of such stamps by the Chief Financial Officer, City Administrator, City Clerk and Mayor is hereby approved and confirmed by this City Council; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution, duly executed, be delivered to the proper officers of the BANK together with a true copy of each of the facsimile signatures as evidence of the BANK’s authority to act in accordance therewith and in accordance with applicable State Law N.J.S.A. 12A:4-401 et seq.

\*\*\*\*\*

**Resolution No. 221 of 2017**

**No. 221 of 2017**

**Subject:                   Canceling Outstanding Checks & Bank Reconciliations Items**

**Introduced By:       Council President McGuigan, Councilmen Dill and Gerety**

**WHEREAS**, the CFO has determined that certain outstanding checks and bank reconciliation items should be cancelled.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point that the following outstanding checks and bank reconciliation items are hereby cancelled:



**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

General Account

<u>Check Number</u>	<u>Amount</u>
12294	\$35.00
12679	\$42.00
12680	\$42.00
14026	\$322.75
14925	\$900.00
14946	\$1,040.00
 Total	 \$2,381.75

\*\*\*\*\*

**Resolution No. 222 of 2017**

**No. 222 of 2017**

**Subject: Authorizing the Chief Financial Officer to Cancel Grant Balances**

**Introduced By: Council President McGuigan, Councilmen Dill and Gerety**

**WHEREAS**, the City Administrator/Chief Financial Officer and the has completed a review of the Grant Fund; and

**WHEREAS**, as a result of the review, the City Administrator/Chief Financial Officer recommends that the following balances be canceled from The Grant Fund general ledger and transferred to Current Fund Balance, subject to whatever modifications may be necessary as a result of activity in those accounts occurring on or before December 31, 2017:

<u>Description</u>	<u>Cancel</u>	<u>Cancel</u>
<u>Grants Receivable</u>		
Municipal Drug Alliance 2015-2016	\$ 477.33	
Municipal Drug Alliance 2016-2017	2,538.86	
Post Sandy Planning Grant – Community Rating System	114.72	
OAG Body Camera Grant	7,500.00	
Drive Sober Year End 2016	300.00	
NJDOT Dawes Avenue FY 2016	20,220.55	
 <u>Appropriated Reserves</u>		
Municipal Drug Alliance 2015-2016		\$ 414.19
Municipal Drug Alliance 2015-2016 City Match		3,760.00
Municipal Drug Alliance 2016-2017		2,538.86
NJ DOT Dawes Avenue FY 2016		20,220.55

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

Post Sandy Planning Grant – Community Rating System	114.72	
Drive Sober Labor Day 2015	275.00	
Drive Sober Year End 2015	5,000.00	
Safe & Secure – FY 2016 City Share	38.31	
	\$31,151.46	\$32,361.63

To Current Fund Balance:        \$1,210.17

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point that the City Administrator/Chief Financial Officer is hereby authorized to cancel the aforementioned amounts and make adjustments to the appropriate accounts subject to whatever modifications may be necessary as a result of activity in those accounts occurring on or before December 31, 2017.

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**Resolution No. 223 of 2017**

**No. 223 of 2017**

**Subject:                    Change Order – Contract No. 42 – 2017 Road Program Phase I**

**WHEREAS**, in accordance with Resolution 105 of 2017, Arawak Paving Co., Inc. of Hammonton, NJ was awarded the contract for the 2017 Road Program – Phase I for the sum of \$508,700.00; and

**WHEREAS**, during the course of construction changes were made to reflect as-built quantities; and

**WHEREAS**, the City Engineer has recommended approval of these changes; and

**WHEREAS**, those changes have resulted in a change of the contract amount as follows:

Contract Amount	\$508,700.00	
Change order 1 (to reflect as-built quantities)	-\$38,723.44	
Revised Contract Amount	\$469,976.56	
Total Deduction: \$38,723.44	Total Additional: \$0	Net Change: -7.61%

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point that the above listed change to the contract for 2017 Road Program – Phase I is hereby approved and that the Mayor is hereby authorized and directed to execute all documents in this regard on behalf of the City.

\*\*\*\*\*

**Resolution No. 232 of 2017**

**No. 232 of 2017**

**Subject: Rejecting Bid Proposals Received December 7, 2017**

**Introduced By: Council President McGuigan, Councilmen Dill and Gerety**

**WHEREAS**, the City of Somers Point received bids from two (2) bidders on December 7, 2017 for the 2017 Sanitary Sewer Gravity Main Rehabilitation Project; and

**WHEREAS**, upon review it has been determined that both bids are not reasonable as to price on the basis of cost estimates prepared by the Sewer Utility Engineer; and

**WHEREAS**, the Sewer Utility Engineer has recommended that the bids be rejected and the project re-bid.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point City Council that the bids received on December 7, 2017 are hereby rejected.

**BE IT FURTHER RESOLVED** that the Sewer Utility Engineer is hereby authorized to prepare plans and specifications for the re-bid of the 2017 Sanitary Sewer Gravity Main Rehabilitation - Contract No. 7 Project, and that the City Clerk is authorized to advertise for bids in conformance with N.J.S.A. 40A:11-1 et seq., said bids to be received in the City Clerk's office at a time established thereafter in accordance with the specifications and in conformance with N.J.S.A. 40A:11-1 et seq.

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**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

**Resolution No. 233 of 2017**

**No. 223 of 2017**

**Subject: Change Order – Contract No. 42 – 2017 Road Program Phase I**

**WHEREAS**, in accordance with Resolution 105 of 2017, Arawak Paving Co., Inc. of Hammonton, NJ was awarded the contract for the 2017 Road Program – Phase I for the sum of \$508,700.00; and

**WHEREAS**, during the course of construction changes were made to reflect as-built quantities; and

**WHEREAS**, the City Engineer has recommended approval of these changes; and

**WHEREAS**, those changes have resulted in a change of the contract amount as follows:

Contract Amount	\$508,700.00
Change order 1 (to reflect as-built quantities)	-\$38,723.44
Revised Contract Amount	\$469,976.56

Total Deduction: \$38,723.44    Total Additional: \$0    Net Change: -7.61%

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point that the above listed change to the contract for 2017 Road Program – Phase I is hereby approved and that the Mayor is hereby authorized and directed to execute all documents in this regard on behalf of the City.

\*\*\*\*\*

**Resolution No. 234 of 2017**

**No. 234 of 2017**

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

**Subject:**                   **Resolution of the City of Somers Point, County of Atlantic, State of New Jersey authorizing the Sale of Surplus Property No Longer Needed for Public Use on an Online Auction Website.**

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

WHEREAS, the City of Somers Point has determined that surplus items including but not limited to, Vehicles from the Police Department, Vehicles from the Fire Department, and miscellaneous computer equipment are property no longer needed for public use; and

WHEREAS, the State of New Jersey permits the sale of surplus property no longer needed for public use through the use on an online auction services, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30; and

WHEREAS, the City of Somers Point has the property listed in schedule A, attached to this Resolution, and desires to sell this property online.

NOW, THEREFORE, BE IT RESOLVED by the City of Somers Point’s Governing Body that the City of Somers Point is hereby authorized to post an offer to sell the items listed on schedule A, on an auction website as follows:

Online Auction Site: [www.govdeals.com](http://www.govdeals.com)

Length of Auction: 12 Days.

Start Date: Monday January 15<sup>th</sup>, 2018 (see schedule A)

End Date: Friday January 26<sup>th</sup>, 2018 (see schedule A)

Auction Fees: 7.5% of the winning bid amount, paid through proceeds of the sale.

Shipping All shipping arrangements and shipping costs are the responsibility of the buyer. Item pickup on location: 1 West New Jersey Avenue, Somers Point, New Jersey, 08244.

Possession: Within 10 business days (excluding holidays) of winning bid and at pickup location.

Other Terms: All items are being sold “as is, where is”.

Payment by the bidder must be submitted to the City of Somers Point within 5 business days (excluding holidays) of winning the bid. Pickup of items auctioned must be made within 10 business days (excluding holidays) of winning bid unless other arrangements have been made prior.

Minimum Bid: There is no minimum bid and no reserve requirements for the vehicles to be auctioned

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

**Schedule A**

1. **Auction 1:** 1997 Hyundai Sonata VIN KMHC24F6VU831035

**Bid Start: Monday January 15<sup>th</sup>, 2018 : 9:00AM**

**Bid Stop: Friday January 26<sup>th</sup>, 2018 : 9:00AM**

2. **Auction 2:** 2005 Chevy Cobolt VIN IGIAK12F357564707

**Bid Start: Monday January 15<sup>th</sup>, 2018 : 9:00AM**

3.

**Bid Stop: Friday January 26<sup>th</sup>, 2018 : 10:00AM**

4. **Auction 3:** 2010 Ford Expedition VIN IFMJUIG55AEAY7927

**Bid Start: Monday January 15<sup>th</sup>, 2018 : 9:00AM**

**Bid Stop: Friday January 26<sup>th</sup>, 2018 : 11:00AM**

5. **Auction 4:** 2010 Ford Expedition VIN IFMJUIG53AEAY7926

**Bid Start: Monday January 15<sup>th</sup>, 2018 : 9:00AM**

**Bid Stop: Friday January 26<sup>th</sup>, 2018 : 12:00PM**

6. **Auction 5:** 2010 Ford Crown Victoria PD VIN 2FABP7BY8AXLL3760

**Bid Start: Monday January 15<sup>th</sup>, 2018 : 9:00AM**

**Bid Stop: Friday January 26<sup>th</sup>, 2018 : 1:00PM**

7. **Auction 6:** 2010 Ford Crown Victoria FD VIN 2FAFP71WXYX10140

**Bid Start: Monday January 15<sup>th</sup>, 2018 : 9:00AM**

**Bid Stop: Friday January 26<sup>th</sup>, 2018 : 2:00PM**

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

**8. Auction 6: Misc Computer Components**

**Bid Start: Monday January 15<sup>th</sup>, 2018 : 9:00AM**

**Bid Stop: Friday January 26<sup>th</sup>, 2018 : 3:00PM**

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**Old Business:**

None

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**New Business:**

City Council President McGuigan set the date of January 5, 2018, as the Reorganization Meeting at 6:00 p.m.

City Councilman Dill motioned, seconded by Councilman Gerety and carried to waive the fee for the American Legion Post #352 for the pull tab raffle.

\*\*\*\*\*

**Discussion of Bills:**

Administrator Swain reported a bill list dated 12/12/17 in the amount of \$ 406,165.13 with an additional bill list in the amount of \$3,590.78. Councilman Meischker recused himself from all bills payable to ERCO.

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**Public Portion**

Public Portion was duly opened. Hearing nothing from the public, accordingly the Public Portion was duly closed.

\*\*\*\*\*

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
December 14, 2017**

**Payment of Bills**

M/S – Gerety/D’Adamo

The bills were approved by a unanimous vote of those present. A complete list of bills is on file in the Office of the Municipal Clerk.

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**Recess:**

City Council recessed at 8:05 p.m. prior to going into Executive Session.

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**Adjournment**

There being no further business to come before Council, the meeting was adjourned at 8:49 p.m.

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Respectfully submitted,

Lucy R. Samuelsen, RMC  
Municipal Clerk  
Approved: 12-13-18