

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
February 10, 2011**

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

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

**Also Present: Administrator Swain & Atty. Franklin**

**Absent: Mayor Glasser & Clerk Degrassi**

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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**

Council President McGuigan moved the following resolution forward on the agenda:

**Resolution No. 44**

M/S – Tapp/Kern

Councilman Tapp stated that this is very much deserved. Council President McGuigan stated that he is such a good role model for our children. Meeting was then opened to the public on this resolution, as follows:

Brenda Klock, a member of the Recreation Commission spoke at length recognizing the efforts of Joe Loefflad.

Rick Pitman spoke on behalf of Shore Memorial Hospital, stated that Joe was one of our department heads at the hospital and brings all of those skills with him as well.

Public portion was then closed.

Resolution No. 44 was then adopted by a unanimous vote of those present. Councilman Tapp presented Mr. Loefflad with a copy of the Resolution. Mr. Loefflad spoke thanking the governing body for the honor, as well as his wife for her help.

**No. 44 of 2011**

**Recognizing and Honoring the Recreation Volunteer of the Year  
Mr. Joseph Loefflad**

**WHEREAS**, the City of Somers Point and the Somers Point Recreation Commission wish to recognize the efforts of Joseph Loefflad for his never ending willingness to serve the community and the countless hours dedicated to the children of Somers Point; and

**WHEREAS**, Joe has served both the Somers Point Little League and Babe Ruth Baseball organizations with distinction and dedication; and

**WHEREAS**, Joe has given his time over the years to teach the children of Somers Point the fundamentals of baseball. He could also be found on Saturday mornings coaching for the Somers Point Basketball Program.; and

**WHEREAS**, he also has put considerable time and effort into the Somers Point Street Hockey Program and has assisted with the revitalization of the Eva Anderson Youth Center as well; and

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**Resolution No. 44 (Continued)**

**WHEREAS**, Joe can always be counted on to help out with any recreational activities for the youth of Somers Point, thus making him an easy choice for Volunteer of the Year, and

**WHEREAS**, Joe Loefflad has given unselfishly of his time and energy, performing this service in a manner that reflects favorably on all Somers Point Volunteers.

**NOW THEREFORE, BE IT RESOLVED** that the dedication demonstrated by Joseph Loefflad has significantly impacted the lives of many of the children of Somers Point in a positive manner.

**BE IT FURTHER RESOLVED**, that the Mayor, City Council, and the Somers Point Recreation Commission name Joseph Loefflad as the recipient of the 2010 Recreation Volunteer of the Year Award.

**ALSO BE IT RESOLVED**, that The City Council conveys their gratitude to Joseph Loefflad and their best wishes to him in all his future endeavors and services.

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**Committee Reports**

Council President McGuigan stated that we have received an order from the County to have a Revaluation. Councilman Smith stated that he, Council President McGuigan and Councilman Dill will be meeting with the Tax Counsel, Tax Assessor, City Administrator and Solicitor by the end of the month.

Councilman Dill reported that the Zoning Board will be meeting on the 14<sup>th</sup> at 7:00 p.m. and the Planning Board will be meeting on the 16<sup>th</sup> at 7:00 p.m.

Councilwoman Kern stated that she and Councilman D'Adamo attended the Economic Development Advisory Commission meeting and will probably have more to report after the next meeting.

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**Minutes**

There were no minutes presented for approval.

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**ORDINANCES**

There were no ordinances presented.

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**RESOLUTIONS**

**Public Portion on Resolutions**

Meeting opened to the public and duly closed.

**Resolution No. 43 (Corrected Copy)**

M/S – Kern/Dill

Councilman Dill spoke with regard to the importance of our infrastructure. Resolution was then adopted by a unanimous vote of those present.

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Resolution No. 43 (Continued)**

**No. 43 of 2011**

**Subject:       Awarding bid for Sanitary Sewer Rehabilitation & Replacement Project**

Whereas, on January 25, 2011 the City of Somers Point received five (5) bid proposals for the Sanitary Sewer Rehabilitation and Replacement Project, New Jersey Environmental Infrastructure Financing Program Project No. S340618-01; and

Whereas, Pipevision Products, Inc. of LaSalle, Illinois was the lowest responsible bidder meeting in full the requirements of the bid documents; and

Whereas, Polistina and Associates, LLC, the City Sewer Utility Engineer has reviewed all of the bids for administrative completeness and recommends that the contract be awarded to Pipevision Products, Inc.

Now therefore be it resolved by the City Council of the City of Somers Point that contingent upon the approval of the New Jersey Department of Environmental Protection (NJDEP) the contract for the Sanitary Sewer Rehabilitation and Replacement Project shall be awarded to Pipevision Products, Inc. in conformance with the bid documents for the amount of \$1,332,000.00,

Be it further resolved that upon receipt of the required authorization from the NJDEP, the Mayor is hereby authorized to enter into a contract with Pipevision Products, Inc. on behalf of the City in a form satisfactory to and approved by the City Solicitor and City Business Administrator which shall include delivery of a Certificate of Insurance demonstrating the required coverage limits, naming the City of Somers Point as an Additional Insured and the delivery of the requisite Performance Bonds in amount(s) satisfactory to and approved by the City Sewer Utility Engineer; and that, subject thereto, the City Administrator is hereby authorized to execute any and all other documents deemed necessary or desirable to consummate this Agreement on behalf of the City.

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**Resolution No. 45**

M/S – Kern/Tapp

Adopted by a unanimous vote of those present.

**No. 45 of 2011**

**New Jersey Anti-Idling Laws and  
Regulations**

**WHEREAS**, emissions from gasoline and diesel-powered vehicles contribute significantly to air pollution, including greenhouse gases, ozone formation, fine particulates; and

**WHEREAS**, numerous scientific studies have found links between exposure to fine particles and health effects including premature death, and increased incidents of asthma, allergies, and other breathing disorders; and

**WHEREAS**, the United States Environmental Protection Agency has classified diesel exhaust as likely to be carcinogenic to humans; and

**WHEREAS**, vehicle idling occurs in locations (e.g. school grounds, parking lots, distribution centers, strip malls, construction sites, business centers, etc.) where our residents can be exposed to concentrated sources of air pollutant emissions; and

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**Resolution No. 45 (Continued)**

**WHEREAS**, asthma is a significant public health concern in New Jersey, especially among children (up to 25% of New Jersey's school-age children are asthmatic) and the elderly; and

**WHEREAS**, the reduction of fine-particle emissions from diesel engines could also prevent 16,000 new asthma cases annually and save \$770 million to \$10 billion in health care and related costs in the State; and

**WHEREAS**, for every gallon of gasoline used, the average car produces about 20 pounds of carbon dioxide (CO<sub>2</sub>), the largest contributor to greenhouse climate change, with one-third of greenhouse gas emissions coming from the transportation sector; and

**WHEREAS**, petroleum-based gasoline and diesel fuel are nonrenewable fuels and should be used wisely and not wasted; and

**WHEREAS**, idling is not generally beneficial to a vehicle's engine because it wears engine parts; and

**WHEREAS**, idling more than 10 seconds uses more fuel and emits more pollutants than turning an engine off and on again; and

**WHEREAS**, current state law prohibits generally the idling of vehicles for more than three minutes and studies have shown that an anti-idling policy will save fuel, prolong engine life, and improve air quality.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Somers Point, County of Atlantic, State of New Jersey supports the adoption of a strong anti-idling policy by government agencies, schools, businesses, and other organizations by:

1. Making enforcement of existing violations and penalties under New Jersey's no-idling law a priority for all Peace Officers pursuant to C. 39:3-70.2 and C. 26:2C-1;
2. Encouraging any gasoline or diesel-powered motor vehicle to turn off their engines immediately at schools and off-site school related events to minimize exposure of children to vehicle emissions;
3. Promoting the widespread use of emission controls in construction contracts (for example, see the "Diesel Emission Controls in Construction Projects: Model Contract Specification" developed by the Northeast Diesel Collaborative);
4. Supporting broad education of the public about the health, environmental and economic impacts of idling and ways to reduce idling; and
5. Encouraging our citizens to obtain additional information by visiting the NJDEP website at [stopthesoot@listserv.state.nj.us](mailto:stopthesoot@listserv.state.nj.us) or by calling the Diesel Risk Reduction Program at (609-292-7953).

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**Resolution No. 47**

M/S – Dill/Tapp

Council wished Mr. Federman well in his retirement. Resolution No. 47 was then adopted by a unanimous vote of those present.

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Resolution No. 47 (Continued)

No. 47 f 2011\_\_

**Subject: Authorizing agreement with Burton Federman**  
**Introduced By: Council President McGuigan**

**WHEREAS**, after dedicated service to the City of Somers Point, Construction Official Burton Federman retired effective January 31, 2011; and

**WHEREAS**, upon retirement Burton Federman is entitled to certain payments and benefits in accordance with the agreement effective January 1, 2008 between the City of Somers Point and Burton Federman; and

**WHEREAS**, the City of Somers Point has determined that Burton Federman had an accumulated, reimbursable total of 157.75 days of unused sick leave, subject to the contractual cap of \$31,586.52, and 2.75 unused vacation days as of the effective date of his retirement; and

**WHEREAS**, Burton Federman's last regular day of work was January 31, 2011 and he received his last regular pay on January 28, 2011; and

**WHEREAS**, pursuant to the agreement between the City of Somers Point and Burton Federman, the City of Somers Point shall tender to Burton Federman a lump-sum payment for unused sick leave and authorized leave.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City Somers Point hereby authorizes the City Administrator to enter into the agreement with Burton Federman that is attached hereto and made a part of this Resolution which memorializes all rights and entitlements of Burton S. Federman upon his retirement.

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**Consent Agenda – Resolution No. 46**

The consent agenda consisting of Resolution No. 46 was approved by a unanimous vote of those present.

**No. 46 of 2011**

**Subject: Appropriation Reserve Transfer**  
**Introduced by: Council President McGuigan**

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

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

Current Fund

From:

Administration S&W	0-01-20-100-100	\$ 2,000
City Clerk S&W	0-01-20-120-100	1,000
Tax Assessment S&W	0-01-20-150-100	3,000
Code Enforcement OE	0-01-22-200-200	2,000
Sanitation OE	0-01-26-305-200	7,900
Waste Water	0-01-31-445-282	1,000
Fire Hydrants	0-01-31-445-283	<u>1,000</u>

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Total \$17,900

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Resolution No. 46 (Continued)**

<u>To:</u>		
Mayor and City Council OE	0-01-20-110-200	\$ 8,400
Electric	0-01-31-430-275	6,000
Streetlights	0-01-31-435-276	<u>3,500</u>
		\$17,900

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**Old Business**

There was no old business presented for discussion.

**New Business**

Council President McGuigan stated that the Parking Committee met to come up with ideas and the first step was to have an informal public forum with the Subcommittee. After discussion, Council agreed to hold a special meeting to discuss the parking issues and set the date at the next Council meeting.

Council President McGuigan stated that CASA (Court Appointed Special Advocates) has requested use of our Council Chambers on February 28<sup>th</sup> for a graduation ceremony for their volunteers. He stated that they will provide the City with a certificate of insurance. Council agreed unanimously.

**Discussion of Bills**

Bills in the amount of \$121,703.43 and an additional bill list in the amount of \$28,365.70 were presented for approval. Administrator Swain corrected the first list to add shipping costs to one of the items in the amount of \$9.51 making the new total bill list in the amount of \$121,712.94.

**Public Portion**

Meeting was opened to the public and duly closed.

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**Payment of Bills**

A motion was made and seconded to approve the bills in the amount of \$121,712.94 and \$28,365.70. Motion carried. 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 7:30 p.m

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Carol L. Degrassi, RMC/MMC  
Municipal Clerk

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Approved: