

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
May 14, 2015**

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

Roll call was recorded as follows:

**Present:** D'Adamo, Dill, McGuigan, Smith, Tapp & Kern  
**Also Present:** Mayor Glasser, Administrator Swain, Atty. Franklin & Clerk  
Degrassi & Deputy Clerk Samuelsen

**Absent:** Gerety

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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**

The following proclamations were read in full by the City Clerk:

David Hughes, CFO of Shore Medical Center was presented with a copy of the below proclamation by the Mayor Glasser and Council President Kern.

**No. 5 of 2015**

**WHEREAS**, according to the American Cancer Society, in New Jersey alone there will be an estimated 51,000 new cancer diagnoses in 2015; and

**WHEREAS**, a cancer diagnosis is an experience that is unique to every individual; and

**WHEREAS**, Shore Cancer Center responds to each diagnosis with optimism and real solutions; and

**WHEREAS**, The Shore Cancer Center offers a comprehensive, nationally-recognized program that utilizes a multi-disciplinary approach to provide the Atlantic and Cape May county communities with the best experts, technology and quality care; and

**WHEREAS**, Shore Cancer Center is the lead agency for the New Jersey Cancer Education and Early Detection program in Atlantic County and the Atlantic/Cape May Counties coalition of health; and,

**WHEREAS**, Shore Cancer Center is a member of the Association for Community Cancer Centers and is accredited by the American College of Surgeons Commission on Cancer; and

**WHEREAS**, since 1987, Shore Medical Center has received approval from the Commission on Cancer, by meeting or exceeding the organization's stringent standards for patient care, with only one in four community cancer programs nationwide are qualified to earn this level of approvals; and

**WHEREAS**, *A Cause to Celebrate*, Shore Medical Center's inaugural fundraising dinner held on June 12, 2015, aims to raise significant funds to support Shore Cancer Center so it can continue to provide the most advanced healthcare services; and,

**WHEREAS**, the generous philanthropic gifts from individuals and businesses in support of *A Cause to Celebrate* will go far in ensuring our friends, loved ones and neighbors facing a cancer diagnosis receive the quality, compassionate cancer care they deserve, right in their own community;

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**Proclamation No. 5 (Continued)**

**NOW, THEREFORE, BE IT RESOLVED**, that I, John L. Glasser, Jr., Mayor of the City of Somers Point, New Jersey do hereby commemorate *A Cause to Celebrate*, held on June 12, 2015, by proclaiming Shore Medical Center and Shore Cancer Center a vital part of New Jersey's cancer prevention, diagnosis and treatment system.

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**No. 06-2015**

**Supporting the *Click It or Ticket* Mobilization of May 18 – May 31, 2015**

**Whereas**, there were 556 motor vehicle fatalities in New Jersey in 2014; and

**Whereas**, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

**Whereas**, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

**Whereas**, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

**Whereas**, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 18 – May 31, 2015 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

**Whereas**, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 88% to 90%; and

**Whereas**, a further increase in seat belt usage in New Jersey will save lives on our roadways;

**Therefore**, I, Mayor John L. Glasser, Jr., hereby proclaim that the City of Somers Point, County of Atlantic, State of New Jersey, declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 18 – May 31, 2015 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

\*\*\*\*\*

**No. 07-2015**

**Supporting National Police Week  
Of May 10, 2015**

**Whereas**, the Congress and the President of the United States have designated the week of May 10, 2015, as National Police Week; and

**Whereas**, May 15, 2015, has been designated as Peace Officers Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice to their community or have become disabled in the performance of duty; and

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Proclamations (Continued)**

**Whereas**, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices made by their law enforcement agency, and that our law enforcement officers safeguard the lives and property of their fellow Americans; and

**Whereas**, the men and women of the Somers Point Police Department provide a vital public service and an essential role in protecting the rights and freedoms of the residents of the City of Somers Point, State of New Jersey; and

**Whereas**, the Somers Point community extends an open hand of sympathy to the families of all Police Officers who were killed in the line of duty:

“Honoring Courage; Saluting Sacrifice”

**Now, Therefore, I**, John L. Glasser, Jr., Mayor of the City of Somers Point, County of Atlantic, State of New Jersey, do hereby proclaim the week of May 10, 2015, as National Police Week and encourage the community to observe May 15, 2015, as Peace Officers Memorial Day.

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**Mayor's Report**

Mayor Glasser gave the Police Department report in full for the month of April and reported that the AM Vets were in town for their State convention at Sandi Pointe Restaurant. He also reminded everyone that May 25<sup>th</sup> is Memorial Day and invited the Council to walk with him in the parade. He also reported that the County is having their Memorial Day ceremony on May 22<sup>nd</sup> at 2:00 p.m. at the County Park.

**Administrator's Report**

There was no report given.

**Committee Reports**

Councilman McGuigan thanked the governing body for their support of the Green Team stating that they are supporting a Patcong Creek clean up on May 17<sup>th</sup> which is being led by the Linwood Environmental Committee. He added that they are still looking for volunteers and that our Harbor Master is also involved in this effort. He also added that they are working towards having a farmers market on Friday nights between 5:00 pm. and 7:00 pm prior to the beach concerts at the corner of New York Avenue and Bay Avenue. He stated that he will bring them the details when they are finalized. He also updated everyone on the Arts Commission mural that has been started on the side of the Library and encouraged everyone to take a look. He also stated that they are having an event on June 17<sup>th</sup> at Sandy Pointe from 7-9 p.m., a night of the spoken word poetry reading. He stated that this is a fund raiser for the Arts Commission and would need approval from the governing body for this. Councilman Tapp then made a motion, seconded by Councilman Dill to approve this fund raising event. Motion carried by a unanimous vote of those present. Councilman McGuigan also reported that the Green Team is also involved with a fund raiser of collecting old garments and recycling them into rags and the donation boxes will only be there until May 22<sup>nd</sup>.

Councilman Smith thanked Councilman McGuigan for these committee reports stating that technically the governing body needs to approve what the committees are doing. He stated that this is good for the City Council to actually hear what they are doing, and actually approving.

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**Minutes**

The minutes of the April 30, 2015 regular meeting were approved by a 5-0 vote with Councilman Gerety being absent and Councilman D'Adamo abstaining as he was not present at that meeting.

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**Public portion regarding Resolutions No. 85, 86 and 87**

Meeting was opened to the public and duly closed.

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**Resolution No. 85**

M/S - Dill/McGuigan

Adopted by a unanimous vote of those present. Councilman Dill stated that the governing body is very proud to have him with us tonight and thanked him for donating so much of his time. Jim thanked everyone for their support stating that it is greatly appreciated. Mayor Glasser and Council President Kern presented him with a plaque, thanking him for his service. Jim accepted stating that it wouldn't be possible without everyone standing in the back of the room and accepted the plaque on behalf of the members of 911.

**No. 85 of 2015**

**Saluting American Veterans Post 911 Commander Jim Donahue, winner of the 2014  
AMVETS Silver Helmet AMVET of the Year Award**

**WHEREAS**, AMVETS was established in 1948 as a World War II veterans association, but has since been expanded to include all those who have received an honorable discharge from any military branch; and

**WHEREAS**, Commander Jim Donahue is a champion of veterans causes, dedicating many hours to veterans societies and initiatives each year; and

**WHEREAS**, Commander Donahue has been actively involved in AMVETS since 2008, when he co-founded AMVETS Post 911 in Somers Point with Commander Fred Vineyard, a Sliver Hemet AMVET of the Year Award winner in 2012; and

**WHEREAS**, Post 911 has become one of the largest and most prominent of the state's 18 chapters, including over 300 members from throughout the area; and

**WHEREAS**, Commander Donahue spearheaded the opening and operation in 2012 of Patriot House for homeless veterans in Philadelphia which also provides its residents with psychiatric care, drug and alcohol treatment, social work services and access to a medical doctor; and

**WHEREAS**, on March 6, 2015, Commander Donahue at a ceremony held in Alexandria, Virginia, receive the coveted Silver Helmet AMVET of the Year award, the top honor given by the national veterans' association AMVETS; and

**WHEREAS**, Silver Helmet awards have been given annually since 1954, with past honorees including John Wayne, Joe DiMaggio, President Harry S. Truman and the very first recipient, United States Army General George C. Marshall; and

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**Resolution No. 85 (Continued)**

**WHEREAS**, Commander Donahue also valiantly and courageously served this Country as a member of the Air Force serving in Thailand and Nebraska from his enlistment at age 18 in 1966 until his honorable discharge in 1970

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and City Council of Somers Point congratulate Commander Donahue for being recognized and honored by the members of the AMVETS National Honors and Awards Committee comprised of past National Commanders and the winners of the past five AMVET of the Year Award winners; and

**BE IT FURTHER RESOLVED**, that The Mayor and City Council convey their gratitude to Commander Jim Donahue and AMVETS Post 911 for their efforts to provide needed health care and other services to our nation's heroes, the US Military Veterans who gave so much of themselves and fought so bravely for our Country.

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**Resolution No. 86**

M/S - Dill/McGuigan

Adopted by a unanimous vote of those present. Councilman McGuigan congratulated the members present stating that they have done an excellent job. Councilman Tapp stated that they do a tremendous job making Somers Point so much better. Councilman Dill thanked the committee for all of the work that they do to put Somers Point on the map. Mayor Glasser stated that they have already started working on next year stating that it is a year round job and that people come from the tri-state area to attend Bayfest. Council President Kern stated that it gets better each year because of all of the hard work and commitment that the committee puts into this. Mayor Glasser presented the committee with copies of the resolution.

**No. 86 of 2015**

**Saluting the efforts of the Bayfest Committee**

**WHEREAS**, Somers Point's Bayfest Celebration was held this year on April 25, 2015 along Historic Bay Avenue; and

**WHEREAS**, this annual event has been held for the past twenty-seven years and has become a tremendous tradition that appeals to all ages and has grown considerably over the years; and

**WHEREAS**, this year's event brought in over 30,000 people to our city and created a great deal of commerce for many of our businesses, community groups, and service organizations; and

**WHEREAS**, the Bayfest Committee is a volunteer committee that has the responsibility for this event each year; and

**WHEREAS**, the Bayfest Committee consists of the following individuals: Mike Franklin (Chairman), Maria Cabata, Tim Cabata, Muire Cosgrove, Pete Garvey, Lisa Gudauskas, Dave Heib, Geoff Heib, Heidi Hibbs, Patti Kedziora, Diana Raspa,; and

**WHEREAS**, the Bayfest is South Jersey's premier one day festival due to the Bayfest Committee members' professionalism, civic pride, dedication and hard work.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Somers Point hereby supports and commends the efforts of the Bayfest Committee and all of the individuals who worked hard to make Bayfest 2015 a great success and an event that helps make the City of Somers Point proud.

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**Resolution No. 87**

M/S - McGuigan/Tapp

Adopted by a unanimous vote of those present.

**No. 87 of 2015**

**Approving a recommendation made by the Somers Point Green Advisory Committee to sponsor a Health Walk on June 6, 2015**

**Sponsored by: Councilman McGuigan**

**WHEREAS**, the Somers Point Green Advisory Committee was created by City Council to advise the City Council and the City administration on ways to improve municipal operations with green initiatives which are economically and environmentally sound through research and evaluation; and

**WHEREAS**, a recommendation has been presented to City Council on behalf of the Committee to approve and sponsor a Family Fun Walk and Health Fair to be held along the Somers Point Bike Path on June 6, 2015 from 9:00 AM to 11:00 PM to encourage a healthy lifestyle and the use of our wonderful bike path for exercise and recreational purposes; and

**WHEREAS**, Section 31-17 of the Somers Point Municipal Code requires that recommendations for action adopted by a majority vote of the Green Advisory Committee shall be promptly forwarded to City Council, and they shall not be published or disseminated in any way whatsoever until that is accomplished and until and unless reviewed, accepted and approved by City Council by resolution; and

**WHEREAS**, Chapter 195 of the Somers Point Municipal Code specifies that no parade (defined as any parade, march, ceremony, show, exhibition, pageant or procession of any kind or any similar display in or upon any street, park or other public place in the City of Somers Point) shall be held within the City of Somers Point unless a permit has been issued by the Chief of Police; and

**WHEREAS**, any parade sponsored by governmental agency acting within the scope of its functions is exempt from the permit requirement

**NOW THEREFORE, BE IT RESOLVED** that the City Council of Somers Point hereby accepts and approves the recommendation received from the Green Advisory Committee and agrees to sponsor the Health Walk to be held on the Somers Point Bike Path on June 6, 2015; and

**BE IT FURTHER RESOLVED**, that the Mayor and City Council thank the members of the Committee for recommending and organizing this event.

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**ORDINANCES**

**Ordinance No. 15 - Final Reading**

M/S - Dill/D'Adamo

Meeting was opened to the public and duly closed. Councilman Smith stated that this is a proactive approach and he is glad to see this was brought to us, stating that it is a work in progress and we should monitor where we are with this in a year.

**ORDINANCE NO. 15 OF 2014  
AN ORDINANCE PROVIDING FOR THE IMPLEMENTATION  
IN THE CITY OF SOMERS POINT OF THE  
“FIVE YEAR TAX EXEMPTION OR ABATEMENT LAW”  
PURSUANT TO N.J.S.A. 40A: 21-1, ET SEQ.**

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**Ordinance No. 15 (Continued)**

|                       |                       |
|-----------------------|-----------------------|
| <b>FIRST READING:</b> | <b>April 30, 2015</b> |
| <b>PUBLICATION:</b>   | <b>May 6, 2015</b>    |
| <b>FINAL PASSAGE:</b> | <b>June 14, 2015</b>  |

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**Ordinance No. 17 - First Reading - Pulled by Council President Kern**

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**Ordinance No. 16A and 16B - First Reading**

M/S - Dill/D'Adamo

Jim Rutala addressed the governing body explaining that this was one of the first priorities discussed with the Planning Board and the Historic Commission during the Master Plan process. He explained that the guidelines are written to give a general idea of the best practices to think about and there is nothing rigid in them. Atty. Franklin explained that Form B was done if Council feels the need to increase the \$1000.00 cap for the waiver of the need to go before the Historic Commission. He stated that because \$1000.00 of storm damage would not amount to much, they may want to increase the amount and if so, they would use Form B. After discussion, Councilman Dill moved, seconded by Councilman Tap to amend Form B, Section 3, 114-98 c. (5) to read as follows: Repairs due to storm damage, weather or infestation so long as the design of the original structure remains unchanged. Motion carried unanimously. Ordinance No. 16 (Form B, as amended) was then approved on first reading by a unanimous vote of those present.

**ORDINANCE 16 OF 2015  
AN ORDINANCE AMENDING CERTAIN  
SECTIONS OF CHAPTER 114 "DEVELOPMENT REGULATIONS"  
OF THE CITY OF SOMERS POINT  
ADOPTING HISTORIC DISTRICT GUIDELINES**

Whereas, Somers Point Master Plan Re-Examination undertaken by the Somers Point Planning Board at the direction of City Council commenced in 2011 with the preparation of a Vision Plan prepared by Brown & Keener which was completed in 2012 and culminated in the adoption by the Planning Board of the Master Plan Re-Examination Report prepared by Rutala Associates in December 2014; and

Whereas, an Historic Preservation Element is contained as Section 5.2.5 in the Master Plan Re-Examination Report; and

Whereas, in satisfaction of that Element Design Guidelines for the Somers Point Historic District were prepared by Rutala Associates following a series of meetings with the members of the Somers Point Historic Commission and the public; and

Whereas, the Design Guidelines for Somers Point Historic Preservation District ("Guidelines") were referred to the Planning Board for review and recommendation as required by N.J.S.A. 40:55D-26; and

Whereas, the Guidelines were reviewed and considered by the Somers Point Planning Board at a public meeting of that board on March 18, 2015 at which time the Board heard and considered all persons who appeared during the public portion; and

Whereas, a formal recommendation dated April 15, 2015 was submitted from the Planning Board to the City Council finding that the Guidelines are consistent with the 2015 Master Plan re-Examination Report and the Historic Preservation Element at Section 5.2.5; and

Whereas, the Somers Point City Council accepts the recommendation from the Planning Board and deems it appropriate to adopt the Guidelines and incorporate them into the Somers Point Development Regulations

Now, therefore, it is hereby Ordained by the City Council of the City of Somers Point in the County of Atlantic and State of New Jersey as follows;

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**Ordinance No. 16 (Continued)**

**SECTION 1. Amend Code Section 114-99, 114-100, 114-101 and 114-102.**

A) Sub-section D, (2) of Section 114-99 Historic Village Commercial (HVC) Zone is hereby amended to add the following sentence:

The height limitations set forth herein must be adjusted to satisfy the requirements of the Somers Point Flood Damage Control Ordinance contained in Sections 146-5.2.1 and 146-5.2.2 of the Somers Point Municipal Code.

B) Sub-section D, (2) of Section 114-100 Historic Village Residential (HVR) Zone is hereby amended to add the following sentence:

The height limitations set forth herein must be adjusted to satisfy the requirements of the Somers Point Flood Damage Control Ordinance contained in Sections 146-5.2.1 and 146-5.2.2 of the Somers Point Municipal Code.

C) Sub-section D, (2) of Section 114-101 Historic Village Waterfront Zone is hereby amended to add the following sentence:

The height limitations set forth herein must be adjusted to satisfy the requirements of the Somers Point Flood Damage Control Ordinance contained in Sections 146-5.2.1 and 146-5.2.2 of the Somers Point Municipal Code.

D) Subsections B, C, and E of Section 114-102 Guidelines for design review are hereby amended to add the following sentence at the end of each introductory paragraph the following sentence:

The Commission shall consider and apply the requirements contained in the Design Guidelines for Somers Point Historic Preservation District prepared by Rutala Associates dated September 2014 which are incorporated herein by reference and which are on file in the Office of the Planning Board Administrative Officer, in the Office of the Somers Point City Clerk and is also available on the Official Somers Point Web Page at [www.somerspointgov.org](http://www.somerspointgov.org) .

**SECTION 2. Amend Code Section 114-209.**

Section 114-209 Guidelines for certificate of appropriateness within Article XXVIII of the Somers Point Municipal Code is amended as follows:

a) Section 114-209 C, D, E, F, G, and H are hereby deleted in their entirety.

b) Section 114-209 I is retained but is re-lettered as sub-paragraph D.

c) a new Section 114-209 C. is hereby added as follows:

In reviewing all applications the Commission shall consider and apply the requirements set forth in Sections 114-102 and 114-103 of this Chapter 114 and shall also utilize those guidelines which are contained in the Design Guidelines for Somers Point Historic Preservation District prepared by Rutala Associates dated September 2014 which are incorporated herein by reference and which are on file in the Office of the Planning Board Administrative Officer, in the Office of the Somers Point City Clerk and is also available on the Official Somers Point Web Page at [www.somerspointgov.org](http://www.somerspointgov.org) .

**SECTION 3. Amend Code Section 114-98.**

Section 114-98 C. (5) is hereby amended to read:

Repairs due to storm damage, weather or infestation so long as the design of the original structure remains unchanged.

**SECTION 4. Inconsistent Ordinances Repealed.**

Should any provision of this ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of such prior ordinances are hereby repealed, but only to the extent of the inconsistencies.

**SECTION 5. Severability.**

In the event that any provision of this ordinance or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

**SECTION 6. Effective Date.**

This Ordinance shall take effect upon final passage, approval, and publication as required by law.

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**Ordinance No. 16 (Continued)**

|                       |                      |
|-----------------------|----------------------|
| <b>FIRST READING:</b> | <b>May 14, 2015</b>  |
| <b>PUBLICATION:</b>   | <b>May 20, 2015</b>  |
| <b>FINAL PASSAGE:</b> | <b>June 11, 2015</b> |

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**Public Hearing on Budget Amendment**

Meeting was opened to the public and duly closed with regard to the budget amendment passed at the previous meeting.

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**RESOLUTIONS**

**Public Portion on Resolutions**

Meeting was opened to the public and duly closed.

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**Resolution No. 91 (Adoption of Budget)**

M/S - Dill/Smith

Adopted by a 6-0 vote with Councilman Gerety being absent.

**No. 91 of 2015**

**Subject:      Budget Adoption**

**BE IT RESOLVED** by the City Council of the City of Somers Point, County of Atlantic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$10,385,267 for municipal purposes.

|                      |                   |                         |
|----------------------|-------------------|-------------------------|
| <b>Recorded Vote</b> | <b>( D'Adamo</b>  |                         |
|                      | <b>( Dill</b>     | <b>Abstained ( None</b> |
|                      | <b>( McGuigan</b> |                         |
| <b>Ayes</b>          | <b>( Smith</b>    | <b>Nays ( None</b>      |
|                      | <b>( Tapp</b>     | <b>Absent ( Gerety</b>  |
|                      | <b>( Kern</b>     |                         |
|                      | <b>(</b>          |                         |

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**Resolution No. 88**

M/S - Dill/Tapp

Adopted by a unanimous vote of those present.

**No. 88 of 2015**

**Subject:      Awarding Bid for the 2015 Sanitary Sewer Gravity Main Rehabilitation Project**

**Introduced by:      Councilman Dill**

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**Resolution No. 88 (Continued)**

**WHEREAS**, on April 30, 2015 the City of Somers Point received bids for the 2015 Sanitary Sewer Gravity Main Rehabilitation Project; and

**WHEREAS**, SWERP, Inc. of Bristol, Pennsylvania was the lowest responsible bidder on the basis of the base bid and alternate bid; and

**WHEREAS**, the Sewer Utility Engineer's office has recommended that the City award the contract to SWERP, Inc. of Bristol, Pennsylvania in the amount of \$195,697.50.

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

- 1.) The Contract for the 2015 Sanitary Sewer Gravity Main Rehabilitation Project is hereby awarded to SWERP, Inc. of Bristol, Pennsylvania in the amount of \$195,697.50.
- 2.) The Mayor and City Clerk are hereby authorized and directed to enter into a formal contract with SWERP, Inc. signing on behalf of the City.

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**Resolution No. 89**

M/S - Tapp/Dill

Adopted by a unanimous vote of those present.

**No. 89 of 2015**

**Subject: Resolution of Support from Local Governing Body Authorizing the Economic Development/Redevelopment Initiative Application**

**Introduced By: Councilmen Dill and McGuigan**

**WHEREAS**, the Atlantic County Improvement Authority has invited municipalities within Atlantic County to apply for assistance in the form of professional services for redevelopment projects; and

**WHEREAS**, the professional services provided may include financial and legal consultants; and

**WHEREAS**, the City of Somers Point strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

**WHEREAS**, City of Somers Point has various redevelopment plans for key parcels throughout the City.

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

1. This grant is in the interest of the City of Somers Point and the City Council of the City of Somers Point hereby authorizes the application for this grant.
2. The City Administrator and/or his designee are hereby authorized to prepare and submit all documents necessary in connection with this grant application.

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**Resolutions (Continued)**

**Resolution No. 90**

M/S - Dill/D'Adamo

Adopted by a unanimous vote of those present.

**No. 90 of 2015**

**Subject:**           **Chapter 159 Resolution**  
**Introduced By:**   **Council President Kern**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount; and

**WHEREAS**, the City of Somers Point has received a grant of \$190,000 and wishes to amend its 2015 budget to include this amount as a revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Somers Point hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$190,000 which item is now available as a revenue from:

**Miscellaneous Revenue**

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

|   |              |
|---|--------------|
| Public and Private Revenue Offset with Appropriations:<br>NJDOT Fiscal Year 2015 Municipal Aid Program<br>for the Reconstruction of Delaware Avenue | \$190,000.00 |
|---|--------------|

pursuant to the provision of Statute; and

**BE IT FURTHER RESOLVED** that a like sum of \$190,000.00 be and the same is hereby appropriated under the caption of:

**General Appropriations**

|   |              |
|---|--------------|
| ( C ) Capital Improvements - Excluded from "CAPS"<br>Public and Private Programs Offset by Revenues:<br>NJDOT Fiscal Year 2015 Municipal Aid Program<br>for the Reconstruction of Delaware Avenue | \$190,000.00 |
|---|--------------|

**BE IT FURTHER RESOLVED** that two ( 2 ) copies of this resolution be certified and submitted to the Director of Local Government Services for approval.

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**Resolution No. 92**

M/S - D'Adamo/Smith

Adopted by a unanimous vote of those present.

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**Resolution No. 92 (Continued)**

**Resolution No. 92 of 2015**

**Subject:** **Approving proposals – Goods and Services 2015**  
**Introduced By:** **Council President Kern**

WHEREAS, the City of Somers Point received proposals for various goods and services in accordance with the Fair and Open procedure of the New Jersey Pay-to-Play law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the following proposals, received on March 5<sup>th</sup>, 2015 April 8<sup>th</sup>, 2015 April 14<sup>th</sup>, 2015 April 28<sup>th</sup>, 2015 May 5<sup>th</sup>, 2015 are approved, and that the City Administrator is hereby authorized to issue contracts to the following vendor for goods and services during the period of January 1, 2015 through December 31, 2015:

**a) Emergency Sewer Pumps and Equipment**

KRS Services, Inc.  
Deltronics Corp.  
Longo

**b) Sewer Pump Station Maintenance**

Municipal Maintenance Company  
AC Schultes  
Deltronics  
KRS  
Russel Reid

**c) Sewer Pump Stations, Electrical & Electronics**

Municipal Maintenance Company  
Deltronics  
KRS

**d) Sewer Pump Station Parts & Supplies**

Municipal Maintenance Company  
Contractor Services  
Deltronics  
Evoqua  
Excelsior Blower Systems  
KRS

**e) Sewer System Coating, Lining & Restoration**

SWERP  
Tri State Grouting

**f) Heavy Duty Truck Mechanic Services**

Point Auto  
Cleggs Garage  
Cruzans

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**Resolution No. 92 (Continued)**

- g) Radio Base Stations, Mobile and Portable Parts and Service**  
Birch's Communications
- h) Misc. Fire-Fighting Equipment**  
Professional Safety Services
- i) Misc. Employee Uniforms**  
Action Uniform
- j) Tax Assessment Hardware, Software and Internet Packages**  
Vital Communications
- k) Ceilings, Flooring, Wall Covering and Partition Material, Materials & Installation**  
Erco Ceilings of Somers Point Inc.
- l) Excavation and Pipe Installation and/or Replacement**  
FW Shaw & Son  
Garrison  
Seashore Assoc. Mechanical
- m) Cellular Communications & Mobile Broadband Services**  
Verizon Wireless

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**Resolution No. 93**

M/S - Tapp/D'Adamo

Adopted by a unanimous vote of those present.

**RESOLUTION NO. 93 of 2015**

**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, 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 (1) issue permitted by N.J.S.A. 10:4-12(b) is to be discussed without the public in attendance during an Executive Session to be held on May 14, 2015 during a public meeting to be held commencing at 7:00 P.M., and

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

**2**

"(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting." Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124 N.J. 478, the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality is;

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May 14, 2015**

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**Resolution No. 93 (Continued)**

A DISCUSSION OF TERMS AND CONDITIONS OF EMPLOYMENT OF CERTAIN CURRENT PUBLIC OFFICERS AND EMPLOYEES. [Rice notices have been delivered as required by law]

A DISCUSSION OF ACTIONS TO BE TAKEN AS A RESULT OF THE LOSS OF LICENSE OF A CURRENT EMPLOYEE. [Rice notices have been delivered as required by law]

**WHEREAS**, the length of the Executive Session is estimated to be approximately 30 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)

| <b>Subject of Discussion</b> | <b>Estimated Date</b>                    | <b>Necessary Occurrence</b>                |
|------------------------------|--|--|
| See # 8                      | <b>Unable to determine at this time.</b> | <b>Formal Action taken by City Council</b> |
|                              |  |  |
|                              |  |  |
|                              |  |  |

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**Resolution No. 94**

M/S - Smith/McGuigan

Adopted by a unanimous vote of those present. Councilman Dill noted that he has received complaints about these vehicles taking up parking in the City Hall lot. Administrator Swain stated that he would look into this.

**No. 94 of 2015**

**Subject:** **Authorizing the discard of personal property**  
**Introduced By:** **Council President Kern**

**WHEREAS**, the City of Somers Point is in possession of personal property that is no longer needed for public use because it does not function properly; and

**WHEREAS**, the condition of this property is such that the cost of repair and/or storage exceeds the value of the property; and

**WHEREAS**, the property is specifically described as follows:

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**Resolution No. 94 (Continued)**

1. Various Computer/Office Equipment – Administration
2. 1994 Dodge Caravan – Administration
3. 2002 Chevy – Police Department
4. (3) Trek Bicycles – Police Department
5. 2008 Ford Expedition – Police Department
6. 2010 Ford Crown Victoria – Police Department
7. 2010 Ford Crown Victoria – Police Department
8. 2005 Volkswagen Jetta – Police Department\*
9. 2004 Nissan Maxima – Police Department\*
10. 1985 Billy Goat Vacuum – Public Works
11. Approx. 1995 Toro Workman – Public Works
12. 1991 Ford E-350 Ambulance – Sewer Department
13. Deutz Mobile Generator – Sewer Department
14. Toshiba Laptop Computer – Sewer Department
15. Aries CCTV Inspection System – Sewer Department

NOW, THEREFORE, BE IT RESOLVED that the City Administrator is hereby authorized to discard this property in the most expeditious manner.

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**Consent Agenda**

There were no items on the Consent Agenda.

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**Old Business**

Special Events Ordinance - Atty. Franklin stated that this is still a work in progress and that he needs to see the application form that is being recommended.

**New Business**

A bingo license application for the Community Partnership for Egg Harbor Township Schools, Inc. was approved by a unanimous vote of those present.

**Discussion of Bills**

A bill list in the amount of \$305,587.14, along with an additional bill list in the amount of \$5,500.00 were presented for discussion.

**Public Portion**

Kathleen Arleth, 829 Bay Avenue, came forward and addressed the governing body stating that she has a small business and home across the street from Somers Point Marina and the former Bayshores II Restaurant which has been a vacant lot since October of 2014. She stated that people are asking what is going to go there. She stated that she is sure that it won't be another one story breakfast place. She stated that she is anticipating that when a developer wants to build there they will be requesting a number of variances and feels that these variances would compromise the integrity of the bay front. She stated that she feels that there should be more access to the bay visually and this property could represent additional open space and act as a key location for people to begin their evening along the bay front. She pointed out that the City has been successful in obtaining a variety of grants and feels that this is an opportunity that will not come again. She stated that she is submitting this as a possibility to be considered.

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**Public Portion (Continued)**

Patti Cianci, Higbee Avenue, came forward and addressed the governing body asking if anyone has been in touch with the DEP with regard to this property. She also asked that the streets that are repaved in the Historic District get slate curbing to match what is currently there.

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**Payment of Bills**

M/S - Dill/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**

Council recessed at 8:25 p.m. prior to going into Executive Session.

**Adjournment**

Council reconvened in open session to adjourn at 9:41 p.m. No action was taken at the Executive Session.

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Carol L. Degrassi, RMC/MMC  
Municipal Clerk

Approved: 06/25/15