

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
June 28, 2012**

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

**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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**Public portion on Resolutions No. 115, 129 and 130**

Meeting was opened to the public and duly closed.

**Resolution No. 115**

M/S - Kern/Triboletti

Councilwoman Kern congratulated him stating that he has balanced school, a job and his family and wished him all of the best. Council President McGuigan stated that he has known him for quite a few years and it is no surprise that he is first in his class. Mayor Glasser stated that every time someone from Somers Point does well the whole City is proud of you. Councilman Triboletti wished him the best of luck. Resolution No. 115 was then adopted by a unanimous vote of those present. Mayor Glasser and Councilwoman Kern presented him with a certified copy of the resolution.

*No. 115 of 2012*

**Recognizing and Honoring Justin Phillips  
2012 Valedictorian – Holy Spirit High School**

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**WHEREAS**, Justin Phillips has been a life-long resident of Somers Point and attended local schools; and

**WHEREAS**, Justin finished his high school academic career at the top of his class; and

**WHEREAS**, in recognition of being ranked first in his graduating class, he was named the Valedictorian of Holy Spirit High School for 2012.

**NOW THEREFORE, BE IT RESOLVED**, that the dedication and perseverance demonstrated by Justin Phillips that resulted in extraordinary success, reflects his hometown of Somers Point in a positive manner.

**BE IT FURTHER RESOLVED**, that the governing body of the City of Somers Point recognizes and honors the achievements of Justin Phillips.

**ALSO BE IT RESOLVED**, that The City Council conveys their congratulations to Justin Phillips and their best wishes to him as he continues his academic studies at the University of Delaware this coming Fall.

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**Resolutions (Continued)**

**Resolution No. 129 & 130**

M/S - Kern/Tapp

Councilwoman Kern stated that she has known both of them for quite some time and they both go above and beyond. She thanked them for all of their hard work and dedication over the years. Councilman D'Adamo thanked them both stating that he has known Jay since he moved to Somers Point. Mayor Glasser stated that they will be missed and thanked them on behalf of the City of Somers Point and for everything they have done for our children. Council President McGuigan stated that he has a history with both of them and doesn't think they will be disappearing and the contributions they have made cannot be overstated. Councilman Triboletti acknowledged them for all that they have done. Resolutions No. 129 and 130 were both adopted by a unanimous vote of those present. Mayor Glasser presented them each with a certified copy of their resolutions.

**No. 129 of 2012**

**WHEREAS**, Brenda Klock has served on the Somers Point Recreation Commission for a

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number of years; and

**WHEREAS**, Mrs. Klock was honored as the Somers Point Recreation Volunteer of the Year; and

**WHEREAS**, Mrs. Klock has served our community in many ways, with many different organizations becoming a familiar and friendly face to the children of our community; and

**WHEREAS**, Mrs. Klock has decided to step down from her position on the Recreation Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Somers Point, New Jersey, on behalf of themselves and the residents of this community offer their sincere appreciation and best wishes to Brenda Klock.

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**No. 130 of 2012**

**WHEREAS**, Jay Turcotte has served on the Somers Point Recreation Commission for a number of years; and

**WHEREAS**, Mr. Turcotte has served in the leadership role as Chairman of the Recreation Commission; and

**WHEREAS**, Mr. Turcotte has served our community in many ways, with many different organizations becoming well know as a thoughtful and friendly face to the children of our community; and

**WHEREAS**, Mr. Turcotte has decided to step down from his position on the Recreation Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Somers Point, New Jersey, on behalf of themselves and the residents of this community offer their sincere appreciation and best wishes to Jay Turcotte.

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**Communications**

Linda Keyser of the Green Thumb Garden Club came forward and advised that this is their third year of their garden contest. She stated that July 4<sup>th</sup> is the deadline to submit your application and the judging will be the following week. Council President McGuigan stated that he will schedule the announcement of the winners at the July 26<sup>th</sup> meeting.

**Committee Reports**

Mayor Glasser stated that last Saturday at the Somers Mansion he presented a copy of the Proclamation honoring Richard Somers, who was a hero of the Revolutionary War. He stated that the Mansion is in need of some repairs and the State has promised to take care of these repairs. He also reported that the beach concerts started two weeks ago and also advised that the National Night Out is scheduled for August 7<sup>th</sup>. Mayor Glasser also advised that there was an insert in the Current today placed by the Community Education/Recreation Office giving information about all of their programs and classes, especially for the Seniors. Lastly, he informed everyone that Michael Blee, our Planning Board Attorney, has been nominated by the Governor to be appointed to the Superior Court Bench. He congratulated Mike Blee and stated that we will have a vacancy for the Planning Board attorney position, asking Administrator Swain to issue RFQ's for this position.

Administrator Swain reported that we are going out to bid for storm water improvements, Chapman Blvd. reconstruction and the 2012 Road Program. He stated that these bids are due on July 19<sup>th</sup> at 11:00 am. He stated that he is working with the Tax Assessor and Tax Attorney regarding the specs for the Revaluation Project and will be moving forward with those as well.

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**Minutes**

The minutes of the regular meetings of March 8, 2012, April 26, 2012, May 10, 2012 and the Executive Session minutes of April 26, 2012 as to the content only, were approved unanimously.

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**ORDINANCES**

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**Ordinance No. 10 – Final Reading**

Mayor Glasser and Councilman Dill both recused themselves and left the room. Council President McGuigan sat as Acting Mayor and President Pro-Tempore Kern sat as Council President to chair the meeting during this ordinance.

M/S – Triboletti/D’Adamo

Meeting opened to the public and duly closed.

Councilman Triboletti thanked the Committee for their hard work on this ordinance and Councilman D’Adamo thanked Atty. Franklin as well. Atty. Franklin went over the highlights of the changes proposed in this ordinance advising that we are getting software to administer this program. Ordinance No. 10 as then adopted by a 6-0 vote with Councilman Dill and Mayor Glasser recusing themselves.

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**Ordinances (Continued)**

**Ordinance No. 10 of 2012  
An Ordinance Amending Ordinance No. 6 of 2012  
by Amending and Supplementing  
Article V of Chapter 169 of the Municipal Code  
Of the City of Somers Point Which Established a Registration Requirement for Rental  
Units, Apartment Units and Certain Dwelling Units.**

**Ordinance No. 11 - Final Reading**

M/S - Kern/Tapp

Meeting opened to the public and duly closed. Adopted by a unanimous roll call vote of those present.

**ORDINANCE NO. 11 OF 2012**

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**AN ORDINANCE AMENDING BOND ORDINANCE NO. 7 OF  
2012 ADOPTED ON MAY 10, 2012, BY THE CITY OF SOMERS  
POINT, IN THE COUNTY OF ATLANTIC, NEW JERSEY,  
WHICH PROVIDES FOR VARIOUS IMPROVEMENTS AND  
ACQUISITIONS IN AND BY THE CITY OF SOMERS POINT,  
TO AMEND THE DESCRIPTION OF A CAPITAL  
IMPROVEMENT PROJECT SPECIFIED THEREIN**

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**Ordinance No. 12 – Final Reading**

M/S – Triboletti/Kern

Meeting opened to the public and duly closed.

Adopted on final reading by a unanimous roll call vote of those present.

**ORDINANCE NO. 12 of 2012**

**BOND ORDINANCE PROVIDING FOR VARIOUS ACQUISITIONS IN  
AND BY THE CITY OF SOMERS POINT, IN THE COUNTY OF  
ATLANTIC, NEW JERSEY APPROPRIATING \$125,000 THEREFOR  
AND AUTHORIZING THE ISSUANCE \$118,750 OF BONDS OR  
NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.**

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**Ordinance No. 13 - First Reading**

M/S - Dill/Kern

Adopted by a unanimous vote of those present.

**ORDINANCE NO. 13 of 2012**

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**Ordinance No. 13 (Continued)**

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND ACQUISITIONS IN AND BY THE CITY OF SOMERS POINT, IN THE COUNTY OF ATLANTIC, NEW JERSEY APPROPRIATING \$1,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE \$1,520,000 OF BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERS POINT, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:**

**SECTION 1**

The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Somers Point, New Jersey, as general improvements. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,600,000 including the sum of \$80,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets or by virtue of a contribution that is in hand with the City.

**SECTION 2.**

In order to finance the cost of the improvements or purposes not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,520,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**SECTION 3.**

The improvements hereby authorized and the purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

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Purpose	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
a.) Acquisition by purchase of a leaf machine, a trash truck, and necessary equipment including all attachments and appurtenances applicable thereto.	\$275,000	\$261,250	15 years
b.) Acquisition by purchase of self-contained breathing apparatus, turn-out gear and other Fire Department			
public safety equipment, including all attachments and appurtenances applicable thereto.	\$75,000	\$71,250	15 years
c.) Upgrading computers, servers and network enhancements at municipal facilities together with all materials and work necessary therefore and incidental thereto.	\$50,000	\$47,500	7 years

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d.) Improvements to various recreational facilities in the City including: Kennedy Park Slope Stabilization; Bike Path additions and enhancements; Kern Field paving, street hockey and tennis courts; together with all materials and work necessary therefore and incidental thereto.

	\$400,000	\$380,000	15 years
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e.) Acquisition by purchase of sport utility vehicles for public safety use together with all appurtenances and attachments necessary therefore and incidental thereto.

	\$150,000	\$142,500	5 years
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f.) Improvements to portions of various streets in the City including, but not limited to paving, sidewalks, curbing, drainage, signage, surfacing or resurfacing and any related work, together with all materials and work necessary therefore and incidental thereto in accordance with a list on file with the City Clerk.

	\$650,000	\$617,500	10 years
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The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated is the amount of the said down payment for said purpose.

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**Ordinance No. 13 (Continued)**

**SECTION 4.**

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial

Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof

upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the notes sold, the price obtained, and the name of the purchaser. If so designated by the Chief Financial Officer, the City Administrator may act on behalf of the Chief Financial Officer in any or all capacities described in this section.

**SECTION 5.**

The City hereby certifies that it has adopted a capital budget. The applicable capital budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**SECTION 6.**

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The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The average period of usefulness of the improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 11.72 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,520,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.
- (d) An aggregate amount not exceeding \$240,000 for items of expense listed in and

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Ordinance No. 13 (Continued)**

- (a) permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

**SECTION 7.**

Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**SECTION 8.**

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The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

**SECTION 9.**

The City reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City, or any member of the same "control group" as the City, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section 10 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended.

**SECTION 10.**

The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

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(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**SECTION 11.**

All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

**SECTION 12.**

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

**First Reading: June 28, 2012  
Publication: July 4, 2012  
Second Reading: July 26, 2012  
Publication: August 1, 2012**

**Ordinance No. 14 - First Reading**

M/S - Tapp/Kern

Adopted by a unanimous vote of those present.

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ORDINANCE NO. 14 OF 2012

**BOND ORDINANCE PROVIDING FOR  
VARIOUS SEWER UTILITY CAPITAL  
IMPROVEMENTS IN AND BY THE CITY OF  
SOMERS POINT, IN THE COUNTY OF  
ATLANTIC, NEW JERSEY,  
APPROPRIATING \$300,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$300,000  
BONDS OR NOTES OF THE CITY FOR  
FINANCING THE COST THEREOF.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERS POINT,  
IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all the  
members thereof affirmatively concurring) AS FOLLOWS:**

**SECTION 1.**

The acquisitions or improvements described in Section 3 of this bond ordinance are

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Ordinance No. 14 (Continued)**

hereby authorized to be undertaken by the City of Somers Point, New Jersey. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$300,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the City, as more fully explained in Section 6(e) of this ordinance.

**SECTION 2.**

In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$300,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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**SECTION 3.**

The several acquisitions or improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each acquisition or improvement, and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each acquisition or improvement and the period of usefulness of each are as follows:

Purpose	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
a.) Acquisition by purchase of a dump truck including all attachments and appurtenances applicable thereto.	\$60,000	\$60,000	5 years
b.) Replacements, improvements and renovations to various pump stations, mains, and other system components together with all materials and work necessary therefore and incidental thereto .	\$100,000	\$100,000	40 years
c.) Improvements to facilities including the construction of records storage facilities and fencing and security upgrades at the DeFeo Lane facility			

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together with all materials

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and work necessary therefore  
and incidental thereto.

\$140,000

\$140,000

10 years

**SECTION 4.**

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the notes sold, the price obtained, and the name of the purchaser.

**SECTION 5.**

The capital budget of the City of Somers Point is hereby amended to conform with the provisions of this ordinance. The resolution in the form promulgated by the Local Finance Board showing full detail of the capital budget and capital program is on file with the Clerk and is available there for public inspection.

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**SECTION 6.**

The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes that the City may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 19 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$300,000, and that the net debt of the City determined as provided in the Local Bond Law is not increased by this Bond ordinance.

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The obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$45,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the City solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

**SECTION 7.**

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Any action taken by any officials of the City in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this ordinance and shall be deemed to have been taken pursuant to this ordinance.

**SECTION 8.**

Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**SECTION 9.**

The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

**SECTION 10.**

The City reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City, or any member of the same "control group" as the City, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section 10 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended.

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**SECTION 11.**

This bond ordinance shall take effect twenty days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**FIRST READING: June 28, 2012  
PUBLICATION: July 4, 2012  
FINAL READING: July 26, 2012  
PUBLICATION: August 1, 2012**

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**Ordinance No. 15 - First Reading**

M/S - Triboletti/Kern

Atty. Franklin explained that it turns out that there is one property that the Hospital doesn't own, however, the physical address is on Harbor Lane and not Brighton. He explained that the Hospital holds title to substantially all of the property and does hold title to all of the property that uses Brighton Avenue as a mailing address. After discussion, a motion was made to amend by Councilman D'Adamo, seconded by Councilman Triboletti to removed the Parenthesis on page 1, #2 and to change the wording to reflect that the Hospital holds title to substantially all of the property and does hold title to all of the property that uses Brighton Avenue as a mailing address. Amendment was approved unanimously and Ordinance No. 15 was approved on first reading, as amended.

**CITY OF SOMERS POINT  
ORDINANCE No. 15 of 2012 (As Amended)**

**AN ORDINANCE CHANGING THE NAME OF BRIGHTON AVENUE  
TO MEDICAL CENTER WAY FROM SHORE ROAD TO BAY AVENUE**

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**WHEREAS**, Municipalities have the authority to name public streets and, for good cause shown and where there will be no adverse interest to the general health, welfare or quiet enjoyment of the traveling public or of residents, to change the name of streets or portions of public streets in the public interest; and

**WHEREAS**, it has been determined by the Somers Point City Council as follows:

1. That a formal written request has been received from Shore Medical Center that the City Council change the name of Brighton Avenue to Medical Center Way, a copy of which request is on file in the Office of the Somers Point City Clerk;
2. It has been confirmed by the City Engineer and the Somers Point Tax Assessor that with the exception of Block 1410, Lot 2, Shore Medical Center or its affiliated entities does hold title all of the properties abutting the portion of Brighton Way proposed for the name change; and that there are no property owners other than Shore Medical Center or its affiliated entities whose legal address would be subject to change as a result of the renaming of the street;
3. That the costs to effectuate the change including but not limited to: review of the request by the City Engineer, preparation and publication of this Ordinance, appearances

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Ordinance No. 15 (Continued)**

before the City Council by the City Engineer, modifications to City and County Tax Maps, notification to the United States Post Office, the State of New Jersey Department of Transportation, the Atlantic County Planning Board, the Atlantic County Board of Health, the Somers Point Police Department and 911 Emergency Dispatch Service, the Somers Point Planning Board, the Somers Point Zoning Board of Adjustment, , the Somers Point Tax Assessor, the Somers Point Tax Collector, the Somers Point Public Works Department, the Somers Point Office of Emergency Management, and the Somers Point Fire Department, and all charges which may be imposed by any of those entities, together with the cost to dismantle and remove existing signage and to purchase and install replacement signage estimated to be between \$3,500 and \$5,000 shall be paid by Shore Medical Center which has agreed to be responsible for all such costs and expenses;

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and

4. The portion of Brighton Avenue to Medical Center Way has not been determined to have any special historical or local significance which outweighs the interest of the public or of Shore Medical Center in granting this request.

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

**SECTION 1.** The street name change is as follows:

**PRESENT STREET NAME:** BRIGHTON WAY

**NEW STREET NAME CHANGE:** MEDICAL CENTER WAY

**BETWEEN:** SHORE ROAD AND BAY AVENUE.

**SECTION 2. STATUTORY PUBLICATION AND NOTICE:**

A. The City Clerk is directed to publish notice of the introduction of this Ordinance pursuant to N.J.S.A. 40:49-2; provided, however, that notice as to such introduction and the time and place when and where the Ordinance will be further considered for public hearing and final passage, shall be made at least seven (7) days prior to the public hearing and adoption hereof.

B. At least ten (10) days prior to the date scheduled for public hearing and final passage the City Clerk is directed to send written notice of the introduction of this Ordinance to the United States Post Office, the State of New Jersey Department of Transportation, the Atlantic County Planning Board, the Atlantic County Board of Taxation, the Somers Point Police Department and 911 emergency Dispatch Service, the Somers Point Planning Board, the Somers Point Zoning Board of Adjustment, the Atlantic County Board of Health, the Somers Point Tax Assessor, the Somers Point Tax Collector, the Somers Point Public Works Department, the Somers Point Office of Emergency Management, and the Somers Point Fire Department.

C. Within ten (10) business days after adoption of this ordinance, the City Clerk is authorized and directed to cause a certified copy of this ordinance to be filed with the United

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States Post Office, the State of New Jersey Department of Transportation, the Atlantic County Planning Board, the Atlantic County Board of Taxation, the Atlantic County Registrar of Deeds, the Somers Point Tax Assessor, the Somers Point Police Department and 911 emergency

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Resolution No. 124 (Continued)**

dispatch Service, the Somers Point Planning Board, the Somers Point Zoning Board of Adjustment, the Atlantic County Board of Health, the Somers Point Tax Assessor, the Somers Point Tax Collector, the Somers Point Public Works Department, the Somers Point Office of Emergency Management, and the Somers Point Fire Department.

**SECTION 3. REPEALER CLAUSE.**

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION 4. EFFECTIVE DATE.**

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.

***FIRST READING: June 28, 2012***  
***PUBLICATION: July 4, 2012***  
***FINAL PASSAGE: July 26, 2012***

\*\*\*\*\*

**RESOLUTIONS**

**Public Portion on Resolutions (including Resolution No. 123)**

Meeting was opened to the public and duly closed.

\*\*\*\*\*

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**Resolution No. 124**

M/S – Kern/Triboletti

Adopted by a unanimous roll call vote of those present.

**No. 124 of 2012**

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

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

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

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

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of

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**Resolution No. 125 (Continued)**

Somers Point, in the County of Atlantic, State of New Jersey that:

- 1) The information set forth in the Preamble is hereby incorporated herein by reference;
- 2) The application of the Somers Point Marine Unit to hold a “coin drop” within the City of Somers Point is hereby approved subject to the following conditions and restrictions:
  - A. Date(s) of Coin Drop limited to: July 6 & 7, 2012
  - B. Time(s) of Coin Drop limited to: Daylight Hours

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C. Locations of Coin Drop limited to: Rt. 9 & Rt. 52  
D. The requirements of Ordinance # 3 of 2010 enacted by this Governing Body  
E. Compliance with N.J.S. 39:4-60 and N.J.S. 45:17A-20  
F. All additional terms and conditions shall be as set forth within the application and shall be further subject to those recommendations, if any, specified by the Chief of Police of Somers Point (or his designee) which are attached hereto and made a part hereof; and

G. If the “coin drop” is proposed to take place on or at an intersection with a County or State road or highway and written authorization from the Atlantic County Board of Freeholders (if a County Road is involved) and the Commissioner of the Department of Transportation of the State of New Jersey (if a State Highway is involved) was not provided with the application as filed with the Municipal Clerk, then the approval herein granted is further subject to receipt by the applicant of such approval(s) which the applicant shall provide to the Municipal Clerk prior to commencing the “coin drop”.

\*\*\*\*\*

**Resolution No. 125**

M/S – Kern/Dill

Adopted by a unanimous vote of those present.

**No. 125 of 2012**

**Subject: LIQUOR LICENSE RENEWALS**  
**Introduced By: COUNCIL PRESIDENT MC GUIGAN**

**WHEREAS**, the applications of the following enumerated liquor licenses for renewal in the City of Somers Point were found to be in good order.

**NOW, THEREFORE, BE IT RESOLVED** that the below named and numbered applications are hereby renewed, effective July 1, 2012 through June 30, 2013:

0121-33-018-003

CSJ Ross, LLC

0121-33-011-007

Clancys by the Bay, Inc.

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0121-33-014-006

D & S Hospitality Consulting LLC  
t/a Sandi Pointe

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**Resolution No. 127**

\*\*\*\*\*

**Resolution No. 126**  
M/S - D'Adamo/Tapp  
Adopted by a unanimous vote of those present.

**No. 126 of 2012**

**Subject: Partial Security Deposit Refund**  
**Introduced By: Council President McGuigan**

**WHEREAS**, by Resolution 74 of 2012 the City Council of the City of Somers Point authorized the lease of the Municipal Pier at Higbee Avenue to Brook Koenke, T/A The Duke O'Fluke; and

**WHEREAS**, the lease requires certain repairs to be performed by the Lessee; and

**WHEREAS**, the lease provides that the security deposit of \$1,000 will be reduced by half upon satisfactory completion of the work; and

**WHEREAS**, the City Engineer has determined that the required work has been satisfactorily completed; and

**WHEREAS**, the Lessee has requested that one-half of the security deposit be refunded to him.

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

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Point that one-half of the security deposit, amounting to \$500.00, be refunded to Brook Koeneke, T/A The Duke O'Fluke as provided in the lease of the Municipal Pier at Higbee Avenue.

\*\*\*\*\*

M/S - D'Adamo/Kern

Adopted by a unanimous vote of those present.

**No. 127 of 2012**

**Subject: Recreation Commission Appointment**

**WHEREAS**, Ordinance No. 1 of 1975 has authorized the establishment of a Board of Recreation; and

**WHEREAS**, the Mayor of the City of Somers Point may appoint not less than three (3) nor more than seven (7) members as Commissioners to said Board of Recreation; and

**WHEREAS**, a vacancy exists due to the resignations of Brenda Klock, said term expiring December 31, 2013 and Jay Turcotte, said term expiring December 31, 2014; and

**WHEREAS**, Mayor John L. Glasser, Jr. wishes to appoint Eric Meyers to fill the

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Resolution No. 128 (Continued)**

unexpired term of Brenda Klock, said term expiring December 31, 2013; and

**WHEREAS**, Mayor John L. Glasser, Jr. wishes to appoint Russ Baab to fill the unexpired term of Jay Turcotte, said term expiring December 31, 2014.

**NOW, THEREFORE, BE IT RESOLVED** that the above appointments are hereby confirmed by the City Council.

**THE RECREATION COMMISSION**, as of this date, consists of the following members with their expiration dates noted:

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**MEMBER**

**EXPIRATION OF TERM**

Christopher Hutton  
Brian Hartley  
Jeanette Cellucci  
Eric Meyers

December 31, 2012  
December 31, 2012  
December 31, 2012  
December 31, 2013

December 31, 2013

Russ Baab  
Al Becker  
James Waniak

December 31, 2014  
December 31, 2015  
December 31, 2015

\*\*\*\*\*

**Resolution No. 128**

M/S - Kern/D'Adamo

Adopted by a unanimous vote of those present.

**No. 128 of 2012**

**Subject:                    Authorizing Application for Municipal Alliance**  
**Introduced By:            Council President McGuigan**

**WHEREAS**, it is the intent of the governing body of the City of Somers Point to provide a drug free environment for its citizens; and

**WHEREAS**, the Municipality of Somers Point is eligible to receive funding for a Municipal Alliance project, as administered by the Governor's Counsel on Alcoholism and Drug Abuse; and

**WHEREAS**, to be eligible for this funding the Governing Body must submit an application.

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**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Somers Point that the Mayor and City Administrator are hereby authorized to apply to the Governor's Counsel on Alcoholism and Drug Abuse for funding a Municipal Alliance project for the year 2012 and to execute all documentation necessary for funding of approximately \$14,355.00 for State funding and \$3,588.75 for Municipal funding.

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Resolution No. 131 (Continued)**

**BE IT FURTHER RESOLVED** that the Municipality will submit to the Governor's Counsel on Alcoholism and Drug Abuse an application upon execution by the Mayor.

\*\*\*\*\*

**Resolution No. 132**

M/S - Kern/Dill

Councilman Dill stated that Greg Schneider of the Engineer's Office has been successful in finding grants for the City and if we get this grant we can improve the lighting along the bike path and create additional parking on Atlantic Avenue near the Dawes Avenue School. Resolution No. 132 was then adopted by a unanimous vote of those present.

**No. 132 of 2012**

**Subject:                    Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Transportation Enhancement Program – Bikepath Improvements**

**WHEREAS,** the governing Body of the City of Somers Point has determined that it is the best interest of the City to apply to the New Jersey Department of Transportation for the Transportation Enhancement Program for Bike path Improvements, and

**WHEREAS,** these improvements consist of upgrading all existing light fixtures to LED fixtures, the installation of additional lights where needed, and the installation of additional public parking along West Atlantic Avenue, and

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**WHEREAS**, this grant application will be reviewed and approved by the Recreation Commission, and

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

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit a grant application to the New Jersey Department of Transportation on behalf of the City of Somers Point.

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

\*\*\*\*\*

**Consent Agenda**

M/S - Kern/D'Adamo

Adopted by a unanimous vote of those present.

**No. 131 of 2012**

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Subject: **Approving proposals – Goods and Services 2012**

Introduced By: **Council President McGuigan**

**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 are approved, and that the City Administrator is hereby

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authorized to issue contracts to the following vendor for goods and services during the period of January 1, 2012 through December 31, 2012:

- a) Sewer Pump Station Parts & Supplies**  
Excelsior Blower Systems, Inc.

\*\*\*\*\*

**Old Business**

Atty. Franklin explained that Resolution No 123 was adopted at the last meeting; however, it didn't appear on the agenda. He explained that it was listed tonight, opened to the public for comment, and was previously approved.

**New Business**

Council President McGuigan announced that the Somers Point Sharks will be having a car wash on July 7<sup>th</sup> at the New Covenant Church parking lot.

A Raffle License Application for the Alcove Center for Grieving Children and families, Inc. and two Raffle License Applications for the Auxiliary of Shore Memorial were approved unanimously.

**Discussion of Bills**

Bills in the amount of \$1,167,343.09 were presented for discussion.

**Public Portion**

Rick Pitman, Shore Medical Center, came forward and addressed the governing body advising them that the Green Thumb Garden Club has developed and maintained a healing garden at the hospital.

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**Payment of Bills**

Bills were approved in the amount of \$1,167,343.09. Administrator Swain reported on bills that were already paid in the amount of \$102,331.72 for health benefits and \$303,118.73 for debt service payment.

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**Adjournment**

There being no further business, meeting adjourned at 8:00 p.m.

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Carol L. Degrassi, RMC/MMC  
Municipal Clerk

Approved: 7/26/2012