

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 8, 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, Gerety & Kern
Also Present: Mayor Glasser, Administrator Swain, Atty. Franklin & Deputy Clerk Samuelsen

Absent: Tapp

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

Communications

Mayor Glasser shared a letter from Rosemary Evans, Secretary of the Green Thumb Garden, requesting volunteers for the beautification of Rt. 52. Council President Kern applauded their efforts.

Mayor's Report

Mayor Glasser read the Police Report for the month of September. Additionally, he shared a letter of appreciation from the Pastor of the Linwood Community Church. Also, the Mayor announced a grand opening and ribbon cutting for a golf store 10/9/15 at 6:00 p.m. at 450 Bay Avenue. Mayor Glasser reported that the City has acquired a military utility truck and a five ton military truck transport at no cost from Fort Dix for emergency use. The Mayor thanked Wes Swain, City Administrator, Jason Frost, Assistant to City Administrator and Lt. Disciascio for all their efforts. The program known as Law Enforcement Support Office (LESO) program will save the City money.

Administrator's Report

Administrator Swain indicated that he forwarded a report to Standard and Poor and is hopeful that the City will maintain their ratings.

Committee Reports

Councilman Gerety reported that the Economic Development Advisory Commission has initiated a new program called "jobs, jobs, jobs" and is concentrating on creating jobs in Somers Point.

Minutes

Councilman Gerety mentioned a correction of the September 10, 2015, Minutes noting that he was absent and did not vote on Ordinance No. 26. The meetings of August 27, 2015, and September 10, 2015, were approved by a unanimous vote of those present with the correction.

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ORDINANCES

Ordinance No. 26 – Final Reading

M/S – Smith/Gerety

After public hearing, Ordinance No. 26 was then adopted on final reading by a unanimous vote of those present.

Ordinance No. 26 of 2015

**An Ordinance Rescinding Section 2 of Ordinance 26 of 2014 to Remove a Designated Handicapped Parking Space and Signage from a Residence at 43 E. New Jersey Avenue,
Repealing All Ordinances Heretofore Adopted, the Provisions of Which Are Inconsistent Herewith**

**FIRST READING: September 24, 2015
PUBLICATION: September 28, 2015
FINAL PASSAGE: October 8, 2015**

Ordinance No. 27 – Final Reading

M/S – Gerety/Dill

After public hearing, Ordinance No. 27 was then approved on final reading by a unanimous vote of those present.

ORDINANCE NO. 27 of 2015

AN ORDINANCE REPEALING ORDINANCE 12 OF 2015 AND AUTHORIZING THE CITY OF SOMERS POINT TO CREATE A DRAINAGE EASEMENT LOCATED ON A PORTION OF LOTS 4 AND 5 IN BLOCK 510 IN THE CITY OF SOMERS POINT

**FIRST READING: September 24, 2015
PUBLICATION: September 28, 2015
PASSAGE: October 8, 2015**

Ordinance No. 28 – First Reading

M/S – Dill/D'Adamo

Ordinance No. 28 was approved on first reading by a unanimous vote of those present.

ORDINANCE NO. 28 OF 2015

AN ORDINANCE OF THE CITY OF SOMERS POINT AUTHORIZING THE ACQUISITION OF A PORTION OF BLOCK 1815, LOT 1.02 LOCATED WITHIN THE CITY OF SOMERS POINT FROM HIMMELSTEIN ASSOCIATES, L.L.C. FOR THE MUNICIPAL PUBLIC PURPOSE OF EXTENDING THE SOMERS POINT BIKE PATH

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

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Ordinance No. 28 (Continued)

WHEREAS, Himmelstein Associates, L.L.C. is the owner of certain property located within the City of Somers Point designated as Block 1815, Lot 1.02 on Sheet 22 of the Official Tax Map of the City of Somers Point (the "Property"); and

WHEREAS, the City Engineer has determined that a portion of the Property comprising a total area of approximately 2,696.25 square feet (0.062Acres) (the "Subject Parcel") is needed in order to extend the Somers Point Bike Path to connect with the Somers Point Ocean City Bridge and points north and south; and

WHEREAS, the State of New Jersey Department of Transportation ("NJDOT") had retained the engineering Firm of Parsons Brinkerhoff to undertake a Bicycle and Pedestrian Safety Study funded by the NJDOT's Local Bicycle/Pedestrian Planning Assistance Program and a report was prepared which includes recommendations to the City and to the NJDOT and which concur with the findings of the City Engineer; and

WHEREAS, by Resolution Number 215 of 2014 the Somers Point City Council did authorize the preparation of a Phase 1 Environmental Assessment and an Appraisal Report to determine the fair market value of the Subject Parcel in order to acquire the Subject Parcel through negotiation or through the exercise of eminent domain in the event a negotiated sale could not be achieved; and

WHEREAS, on April 30, 2015 the City's appraiser conducted a site evaluation and inspection of the Subject Parcel and of the Property in the presence of a principal of Himmelstein Associates, L.L.C.; and

WHEREAS, on August 13 2105 a copy of the Appraisal was mailed to Himmelstein Associates, L.L.C. together with an offer to purchase the Subject Parcel for the appraised fair market value; and

WHEREAS, prior to August 13, 2015 there had been numerous discussions with the principal of Himmelstein Associates, L.L.C. regarding the purchase of the Subject Parcel; and

WHEREAS, subsequent to August 13, 2015, the City Administrator continued to engage in good faith negotiations in an effort to acquire the Subject Parcel; and

WHEREAS, the fair market value of the Subject Parcel has been determined to be Forty Thousand Four Hundred Dollars (\$40,400.00) (the "Purchase Price"); and

WHEREAS, an Agreement of Sale has been prepared in the amount of the Purchase Price in order to purchase the Subject Parcel without necessity of exercising the power of eminent domain; and

WHEREAS, if the Agreement of Sale is not executed by Himmelstein Associates, L.L.C., the City shall proceed to acquire the Subject Parcel through the exercise of eminent domain as authorized by Resolution Number 215 of 2015; and

WHEREAS, in either event, an ordinance is required to authorize the expenditure of funds to purchase the Subject Parcel; and

WHEREAS, there will be sufficient funds available to pay the Purchase Price at closing;

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

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Ordinance No. 28 (Continued)

SECTION 1. The Mayor of the City of Somers Point is hereby authorized and directed to execute a certain Agreement of Sale of Real Property by and between the City of Somers Point and Himmelstein Associates, L.L.C., substantially in the form presented for the purchase of the Subject Parcel designated as a portion of Block 1815, Lot 1.02 on the Official Tax Map of the City of Somers Point for a total purchase price not to exceed Forty Thousand Four Hundred Dollars (\$40,400.00) (the "Purchase Price") for the municipal public purpose of extending the Somers Point Bike Path.

The City Council hereby authorizes and approves any modifications to the Agreement of Sale as may be recommended and approved by the City Administrator and City Solicitor as being necessary or desirable, prior to execution.

SECTION 2. In the event Himmelstein Associates, L.L.C. does not execute and deliver the Agreement of Sale within the time period specified therein, or in the event any of the conditions of the Agreement of Sale are not satisfied, the Subject Parcel shall be acquired for the Purchase Price through the exercise of the power of eminent domain and the Purchase Price shall be paid into Court in the manner provided under R.73-9.

SECTION 3. The City hereby authorizes the acquisition of the Subject Parcel and the expenditure of an amount up to the Purchase Price in order to acquire the Subject Parcel.

SECTION 4. The appropriate City of Somers Point officials, its employees, professionals and agents are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance, including the execution of documents required to close the above mentioned transaction.

SECTION 5. All ordinances of the City of Somers Point that are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 6. If any subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid in any Court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 7. This Ordinance shall take effect following final passage and publication in accordance with law.

FIRST READING:	October 8, 2015
PUBLICATION:	October __, 2015
FINAL PASSAGE:	October 22, 2015

Resolutions

Meeting was opened to the public and duly closed.

Resolution No. 156

M/S - Dill/Gerety

Adopted by a unanimous vote of those present.

Wes Swain, City Administrator, reported that he forwarded a copy of the Best Practices to City Council for their review. The score of the report is 94%, which enables the city to receive 100% of their State Aid. Councilman Dill mentioned the score of the report reflects how the City is run and thanked Administrator Swain and his office and all City employees for their efforts.

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Resolution No. 156 (Continued)

No. 156 of 2015

Subject: Authorizing the City Clerk to file the 2015
Best Practices Public Meeting Certification Form
Introduced By: Councilmen McGuigan, Gerety, and D'Adamo

WHEREAS, the State of New Jersey Division of Local Government Services has developed a Best Practices Inventory to be completed by each municipality; and

WHEREAS, the completed form must be an agenda item for discussion at a municipal governing body meeting in order to ensure that local officials have been apprised of the response; and

WHEREAS, the City Clerk must certify that the governing body has reviewed the completed Best Practices Inventory at a public meeting; and

WHEREAS, the completed Best Practices Inventory and required certification are attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the City Clerk is hereby authorized to file the Best Practices Public Meeting Certification Form, as required, on behalf of the City.

Resolution No. 157

M/S – D'Adamo/Gerety

Adopted by a unanimous vote of those present.

No. 157 of 2015

**A RESOLUTION SUPPORTING SENATE BILL 2775 AND ASSEMBLY BILL 4215 TO
INCREASE THE ANNUAL FUNDING AMOUNT FOR THE NEW JERSEY SHORE
PROTECTION FUND FROM TWENTY - FIVE MILLION DOLLARS TO FIFTY
MILLION DOLLARS**

SPONSORED BY: MAYOR AND COUNCIL

WHEREAS, the Annual \$25 Million Shore Protection Fund enacted by the New Jersey Legislature in 1992 as part of an amendment to the real estate transfer tax has been successful in protecting life and property along the coast, preserving vital coastal resources of New Jersey, and maintaining safe and navigable waterways throughout the state; and

WHEREAS, New Jersey is recognized as a national leader in shore protection, serving as a model for states throughout the nation; and

WHEREAS, for the past two decades, a \$25 million annual New Jersey Protection Fund has served as a catalyst for the State to acquire 65% federal matching dollars to New Jersey's 35% share for important coastal projects; and

WHEREAS, the dedicated \$25 million annual allocation for the New Jersey Shore Protection Fund has supported a unique and successful cost-sharing partnership with the federal government in replenishing eroded beaches along the 127 mile New Jersey Coast and 83 miles of Raritan and Delaware Bay shorelines which provide a valuable combination of ecological riches, economic opportunity and quality of life for our residents and visitors, and has provided needed funds for the New Jersey Department of Environmental Protection's numerous other county and municipal coastal projects; and

WHEREAS, the preservation and protection of this valuable resource is necessary to continue to provide for the annual migration of approximately 1.5 million shorebirds, robust commercial, sport fishing industries, boating, and water dependent industries; and

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Resolution No. 157 (Continued)

WHEREAS, in order to sustain those resources and preserve the revenues associated with those industries it is imperative to maintain safe and navigable waterways throughout the state; and

WHEREAS, in light of more frequent severe storms, \$25 million is no longer adequate to protect and preserve our fragile coastline that has contributed \$38 billion to the culture and economy of our state through tourism dollars; and

WHEREAS, the State of New Jersey, and the New Jersey Department of Environmental Protection, working with the Army Corps of Engineers, must develop a more comprehensive plan which includes inland waterways that increasingly flood coastal and urban communities, back bays and barrier islands; and

WHEREAS, New Jersey must be prepared to share increasing costs of more complex storm remediation projects which benefit the entire state through tourism dollars, tax revenues associated therewith which are in jeopardy if the coastline cannot be properly protected and preserved, the burden of which cannot be borne entirely by shore communities and their taxpayers; and

WHEREAS, Senate Bill 2775 and the companion Assembly Bill 4215 call for an increase of the amount annually credited from the collection of realty transfer fees to the Shore Protection Fund from \$25 Million to \$50 Million; and

WHEREAS, Assembly Bill 4215 was introduced in the Assembly on 2/23/2015 and referred to Assembly Environment and Solid Waste Committee; and

WHEREAS, Senate Bill 2775 was Introduced in the Senate on 3/9/2015 and referred to Senate Environment and Energy Committee; and

WHEREAS, the Mayor and Council of the City of Somers Point in Atlantic County hereby affirm their support this proposed increase to the Shore Protection Fund and call upon the members of the Senate Environment and Energy Committee and the members of the Assembly Environment and Solid Waste Committee to vote favorably upon S2775 and A4215 in order to bring the legislation forward for a vote; and call upon the Governor to approve the legislation when passed.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Somers Point strongly support the passage of Senate Bill 2775 and Assembly Bill 4215 increasing from \$25 Million to \$50 Million the annual amount credited to the Shore Protection Fund from the collection of realty transfer fees; and

BE IT FURTHER RESOLVED, that the Somers Point City Clerk is directed to forward a certified true copy of this resolution to:

The Governor of the State of New Jersey,

Lieutenant Governor of the State of New Jersey,

Senate President Stephen Sweeney,

Assembly Speaker Vincent Prieto,

Senators Jeff VanDrew, Joseph Kyrillos, Jr., Bob Smith and Christopher Bateman as primary sponsors and co - sponsors of S2775,

Senators Bob Smith, Linda R. Greenstein, Richard Codey, and Samuel D. Thompson as the non-sponsor members of the Senate Environment and Energy Committee,

Assemblypersons Mary Pat Angelini, Thomas P. Giblin, Samuel L. Fiocchi, Sean T. Kean,

David W. Wolf, and John F. McKeon as primary sponsors and co-sponsor of A4215,

Assemblypersons Grace L. Spencer, Daniel R. Benson, Scott T. Rumana, and John S.

Wisniewski as the non – sponsor members of the Assembly Environment and Solid Waste Committee,

Kevil Duhon, Brian Ahrens, Judith L. Horowitz, and Michael R. Molimock, Aides to the Senate Environment and Energy Committee,

Thea M. Sheridan, and Carrie Anne Calvo-Hahn, Aides to the Assembly Environment and Solid Waste Committee,

The Atlantic and Cape May County Legislative Delegations,

The Secretaries of the Atlantic County and Cape May County Board of Chosen Freeholders,

Atlantic County Executive Dennis Levinson,

John C. Lamey, Executive Director of the Atlantic County Improvement Authority,

Max Slusher, Economic Development Director of the Atlantic County Improvement Authority,

Michael Bray, Chairman of the Somers Point Economic Development Advisory Committee,

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Resolution No. 157 (Continued)

The Atlantic County Mayor's Association,
The New Jersey State League of Municipalities,
The Greater Atlantic City Chamber of Commerce, and
The Cape May County Chamber of Commerce.

Resolution No. 158

M/S – Dill/D'Adamo

Adopted by a unanimous vote of those present. Councilman Dill is hopeful that this grant will provide much needed reconstruction to Dawes Avenue.

No. 158 of 2015

Subject: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the FY 2016 Municipal Aid Program – Reconstruction of Dawes Avenue

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 FY 2016 Municipal Aid Program, and

WHEREAS, the City Engineer has recommended that the City apply for the reconstruction of Dawes Avenue from Shore Road to East Atlantic Avenue, and

WHEREAS, these improvements consist of repaving the existing road, the installation of new handicap ramps where required, and new traffic striping

WHEREAS, the City is requesting \$200,000.00 to complete this project

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 that includes a copy of the resolution in this matter in the format prepared by the State and attached hereto and made a part hereof.

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.

Resolution No. 159

M/S – Dill/Gerety

Adopted by a unanimous vote of those present.

No. 159 of 2015

Subject: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the FY 2016 Bikeway Program – Bethel and First Street Improvements

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Resolution No. 159 (Continued)

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 FY 2016 Bikeway Program, and

WHEREAS, these improvements consist of realigning the existing bikepath and intersection to create a safer crossing for pedestrians and bicyclists

WHEREAS, the City is requesting \$100,000.00 to complete this project

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 that includes a copy of the resolution in this matter in the format prepared by the State and attached hereto and made a part hereof.

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.

Resolution No. 160

M/S – D’Adamo/Dill

Adopted by a unanimous vote of those present.

No. 160 of 2015

Subject: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the FY 2016 Safe Streets to Transit Program– Rt.9 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 FY 2016 Safe Streets to Transit Program, and

WHEREAS, these improvements consist of adding pedestrian improvements to the intersections of Rt. 9 and Massachusetts Avenue and Rt.9 and New York Avenue

WHEREAS, the City is requesting \$100,000.00 to complete this project

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 that includes a copy of the resolution in this matter in the format prepared by the State and attached hereto and made a part hereof.

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

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Resolutions (Continued)**

Resolution No. 161

M/S – Gerety/Dill

Adopted by a majority vote of those present with Councilman McGuigan abstaining due to a lengthy business relationship with Concord Atlantic Engineers. City Council President Kern mentioned that it is good to see continued progress regarding the opening of Gateway Theatre Project.

No. 161 of 2015

Subject: Appointing Mechanical, Electrical and Plumbing Engineer for the Gateway Theatre Project

WHEREAS, the City of Somers Point has identified a need for Mechanical, Electrical and Plumbing Engineering Design Services for the Gateway Theatre Project; and

WHEREAS, as a result of a posting of Requests for Proposals for these services, proposals were received on October 6, 2015 from one respondent; and

WHEREAS, it is the intent of the City of Somers Point to appoint a Mechanical, Electrical and Plumbing Engineer for the Gateway Theatre Project to work with the Architect of Record for the Theater Collaborative of South Jersey; and

WHEREAS, this contract is awarded through a fair and open process pursuant to N.J.S.19:44A-20.4 et. Seq.

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

1. Concord Atlantic Engineers of West Atlantic City, New Jersey is hereby appointed as the Mechanical, Electrical and Plumbing Engineer for the Gateway Theatre Project.
2. This appointment is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public contracts Law because public bidding is not required for said service.
3. This appointment is not exclusive during the term of this contract, and the City Council reserves the right to award work of the exact or similar nature as the work described herein to any other qualified professional, at its sole discretion.
4. The Mayor is hereby authorized to execute an agreement with Concord Atlantic Engineers to undertake and perform such services as herein described and as described in the City’s Request for Proposals. The Request for Proposals and the agreement will be attached to this resolution and become a part hereof.
5. As indicated in the division of Local Government Services Local Finance Notice 2006-7, because this is awarded through a Fair and Open process, further public notice per N.J.S.A. 40A:11.5(6) is not required.

Resolution No. 162

M/S – Dill/Gerety

Adopted by a unanimous vote of those present.

No. 162 of 2015

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Resolution No. 162 (Continued)

A Resolution Authorizing the Tax Assessor of the City of Somers Point to Grant to a Permanently Disabled Veteran a Retroactive Tax Exemption for the Period July 1, 2015 through August 20, 2015 for Good Cause Shown

SPONSOR: COUNCILMAN SMITH

WHEREAS, The Somers Point Tax Assessor received an application from a disabled veteran on Form D.V.S.S.E.; and

WHEREAS, said application was determined by the Tax Assessor to be complete and accurate; and

WHEREAS, the Tax Assessor granted the exemption from real property taxation from August 20, 2015, the date on which the application was processed; and

WHEREAS, the Tax Assessor informed the veteran applicant of his right to petition the City Council to grant a retroactive exemption for the period beginning July 1, 2015 when the applicant took title to the property; and

WHEREAS, the applicant submitted a letter request to the Somers Point City Clerk dated September 28, 2015; and

WHEREAS, Somers Point Code Chapter 228 authorizes City Council to grant a retroactive tax exemption for a period not to exceed 120 days; and

WHEREAS, the retroactive period requested is for 51 days

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point authorizes the Tax Assessor to grant the request for retroactive tax exemption to the applicant for the property designated as 166 Jordan Road and further designated as Lot 30 in Block 1129.

Resolution No. 163

M/S – D’Adamo/Dill

Adopted by a unanimous vote of those present.

No. 163 of 2015

Subject: Authorizing lease with Atlantic County Library

WHEREAS, the Somers Point Branch of the Atlantic County Library has been situated at 801 Shore Road; and

WHEREAS, the Atlantic County Board of Chosen Freeholders has approved and authorized a one (1) year extension of a lease between the City of Somers Point and the County of Atlantic for lease of certain City owned property situated at 801 Shore Road for use as the Somers Point Branch of the Atlantic County Library system for the period January 1, 2015 through December 31, 2015; and

WHEREAS, the City of Somers Point desires to continue to lease the property to the County of Atlantic for the period commencing January 1, 2015 through December 31, 2015.

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

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Resolution No. 163 (Continued)

1. The City Administrator is hereby authorized and directed to execute a lease in a form acceptable to the City Solicitor for that time period for a fixed rent in the amount of \$35,000 and payment of certain costs and expenses by the County of Atlantic, and which may include an extension for the period commencing January 1, 2015 through December 31, 2015 between the County of Atlantic and the City of Somers Point subject to negotiation of mutually agreeable terms for the term of the extension.
2. A copy of the draft lease in the form approved by the Atlantic County Board of Chosen Freeholders is attached hereto.
3. Upon execution, a copy of the lease and a copy of the approved 2015 lease will be filed with the City Clerk, attached to this Resolution, and made a part hereof.

Resolution No. 164

M/S – Dill/Smith

Adopted by a unanimous vote of those present.

No. 164 of 2015

A Resolution Authorizing and Directing The Planning Board and the Code Enforcement Office of the City of Somers Point to Waive Payment of Planning Board Application and Permit and Inspection Fees for a Specific Atlantic County Historical Society, Inc. Project

WHEREAS, The Atlantic County Historical Society, Inc. a 501 (c) (3) tax exempt organization had application pending at the Planning Board for a small addition to the rear of an existing building on Shore Road; and

WHEREAS, said application involves fees payable to the City of Somers Point and to the State of New Jersey; and

WHEREAS, a request was received by the Governing Body on or about September 10, 2015 requesting that the City authorize the waiver of the fees (other than the Escrow funds in the amount of \$3,000.00) which would otherwise be payable to the City of Somers Point for said application; and

WHEREAS, a governing body may determine that the best interest of the public may be served by waiving fees payable to the City of Somers Point for said application and by motion made and adopted at a meeting held on September 10, 2015, the request was granted to the Atlantic County Historical Society, Inc.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point affirms the waiver of that portion of the fee payable to the City of Somers Point for such application; and

BE IT FURTHER RESOLVED that the City Council of the City of Somers Point hereby authorizes the waiver of the inspection fee otherwise payable to the City of Somers Point in conjunction with the above-mentioned application inspection and permit; and

BE IT FURTHER RESOLVED that by taking this action the City Council does not intend to set a precedent but will address each application on a case by case basis and will consider the merits of the proposed project and the benefits to the citizens of Somers Point as has been done in prior applications by other not for profit entities.

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Resolutions

Resolution No. 165

M/S – Gerety/Dill

Adopted by a unanimous vote of those present.

No. 165 of 2015

**A Resolution Supporting the Atlantic County Economic Development
Strategy and Action Plan**

SPONSORED BY: Mayor and Council

Whereas, the County of Atlantic, through the auspices of the Atlantic County Improvement Authority retained Angelouconomics to conduct extensive research and receive input from the public and private sectors within Atlantic County through town meetings, individual focus groups, and on-line surveys; and

Whereas, an Atlantic County Economic Development Strategy and Action Plan (the "Action Plan") has been completed; and

Whereas, among other things, the Action plan concludes that without concerted efforts to grow the local economy through business retention, attraction of new and diverse business and industry to limit the reliance upon the entertainment and hospitality industry which is mostly self-contained within Atlantic City the local economy which has experienced significant increase on the poverty level and unemployment compounded by significant loss of jobs, will continue to decline; and

Whereas, the Action Plan identifies certain business sectors for which Atlantic County is strategically placed to attract, and more specifically, the rapidly growing aerospace, avionics, airplane repair and maintenance, and Unmanned Aircraft Systems ("UAS") industry sector due to a) the presence of the FAA William J. Hughes Technical Center, the world's premier aviation, research and development, and test and evaluation facility, b) the under-utilized Atlantic City International Airport, c) the Stockton Aviation and Research Park ("SARP"), and d) the designation of New Jersey, with Maryland and Virginia (Rutgers, University of Maryland, and Virginia Tech) as the MidAtlantic Aviation Partnership, which has been certified by the Federal Aviation Administration as part of the six Unmanned Aircraft Test sites established under the FAA Modernization and Reform Act of 2012; and

Whereas, the three universities which submitted the Mid-Atlantic proposal agreed to work as a team; and

Whereas, the mid-atlantic region was selected by the FAA because the region contains both uncongested and restricted airspace, land and water terrain, access to both sea-level and high altitudes, and an extensive agricultural base, which is considered the primary growth area for unmanned aircraft systems technology; and

Whereas, the goal for the SARP is to develop 400,000 square feet of office space and to attract various commercial, governmental and academic organizations to pursue research and development regarding aviation issues; and

Whereas, Development of the SARP will provide a state-of-the-art, technologically integrated, dynamic environment that promotes modernization and innovation and provides leadership for the future of aviation; and

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Resolution No. 165 (Continued)

Whereas, among other results, the SARP facility will bring year-round technological jobs to South Jersey and is expected to generate more than 2,000 high-paying jobs related to the FAA's Next Gen project of creating a satellite-based air-traffic control system that will transform aviation; and

Whereas, the SARP has the capability and opportunity to become an economic engine for the entire County with adequate funding; and

Whereas, the SARP had received an initial grant from the Casino Reinvestment Development Authority (CRDA) for \$930,000 for operating expenses and a \$3 million commitment from CRDA for a loan/grant for construction of the federal laboratory in the first office building in the research park; and

Whereas, the expedited development of SARP facility has been identified as a crucial element of Atlantic County Development; and

Whereas, the success of the University of Maryland and Virginia Tech participation in the Mid-Atlantic Aviation Partnership has been bolstered through funding from the State of Maryland and the Commonwealth of Virginia; and

Whereas, additional funding and support for the SARP from the CRDA, the State of New Jersey, and the County of Atlantic is critical for success in achieving one of the most significant and critical goals which the Action Plan has identified

Now, therefore, it is hereby **RESOLVED** by the Mayor and Council of the City of Somers Point in the County of Atlantic that:

- 1) The Casino Reinvestment Development Authority is requested to continue to coordinate its funding activities within Atlantic County consistent with the goals of the Action Plan, including authorizing sufficient funding for the Stockton Aviation and Research Park ("SARP") in order to keep Atlantic County at the forefront not only of UAS testing but also to attract research and development activities as part of the overall purpose of the SARP to serve as the critical link between the Federal Aviation Administration, the private and public sectors, and to facilitate cutting edge aviation technology research and development;
- 2) Our state and federal legislators are requested to seek additional funding for development of the SARP;
- 3) The Atlantic County Development Corporation, when formed, is encouraged to work with the State of New Jersey Business Action Center to identify opportunities to retain businesses and to coordinate the target sectors identified in the Action Plan with national and international businesses which may be encouraged to relocate to Atlantic County;
- 4) The Atlantic County Board of Chosen Freeholders and the Atlantic County Improvement Authority is encouraged to work with local municipalities and the Atlantic County Development Corporation to develop creative mechanisms to retain and grow existing businesses and to attract new business;
- 5) Stockton University, Atlantic Cape May Community College, Rutgers University, and the Atlantic County Institute of Technology are encouraged to form a consortium to work with all high schools, and to the extent practicable, the middle schools within the County to identify opportunities for students to have access to the learning tools and materials necessary to develop the skilled work force which will be needed to attract high tech employers with higher paying jobs;

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Resolution No. 165 (Continued)

6) The Atlantic County Executive, the Atlantic County Board of Chosen Freeholders, the Atlantic County Improvement Authority, the Greater Atlantic City Chamber of Commerce, and all those who participated in the development of the Action Plan are sincerely thanked for their efforts and that the Mayor and Council of the City of Somers Point and our Economic Development Advisory Commission are anxious to proceed to work together to achieve implementation of the Action Plan goals; and

It is Further **RESOLVED** that the City Clerk is requested to send certified copies of this Resolution to

The Secretary of the Atlantic County Board of Chosen Freeholders,
Dennis Levinson, Atlantic County Executive,
John Lamey, Atlantic County Improvement Authority Executive Director,
Max Slusher, Atlantic County Improvement Authority Director of
Development,
John E. Palmieri, Executive Director of the Casino Reinvestment Development Authority,
Dr. Harvey Kesselman, President, Stockton University,
Joseph M. Sheairs Sr., Executive Director, Stockton Aviation Research and
Technology Park,
The Governor of the State of New Jersey,
The Lieutenant Governor of the State of New Jersey,
Congressman Frank Lobiondo,
The Atlantic County Legislative Delegation,
The Greater Atlantic City Chamber of Commerce,
Michael Bray, Chairman of the Somers Point Economic Development Advisory Committee, and
The Greater Atlantic City Chamber of Commerce,
The Atlantic County Mayor's Association.

Consent Agenda

There were no items on the Consent Agenda.

Old Business

Councilman Gerety mentioned that the dilapidated house at 20 Chapman Blvd. has been remodeled and is selling for \$269,000. Councilman D'Adamo thanked Jim Franklin, Esq., for preparing minutes for the Steering Committee.

New Business

As a Rule of Necessity the following were approved by a unanimous vote of those present: application for a Raffle License for the Somers Point Historical Society to be held 11/19/15, closing of Harbor Lane for Fall Family Festival for St. Joseph's school on 10/9/15, and the Trail of Two Cities race scheduled for 11/7/15.

Discussion of Bills

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Discussion of Bills (Continued)

City Administrator Swain reported a bill for \$5,000 for postage was paid. The Bill List has a correction on Page 2 decreasing the total to \$293,563.10. Both items were presented for discussion.

Public Portion

Ed O'Donnell of 21 McDonnell Run expressed his concerns regarding unfair media coverage in the United States.

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.

Adjournment

There being no further business, Council adjourned at 7:35 p.m.

Carol L. Degrassi, RMC/MMC
Municipal Clerk

Approved: 10/22/2015