

**REGULAR MEETING
MAYOR AND CITY COUNCIL
November 10, 2016**

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

Roll call was recorded as follows:

Present: D’Adamo, Gerety, McGuigan, Toto & Tapp
Also Present: Mayor Glasser, Administrator Swain, Clerk Samuelsen, and Attorney Franklin

Absent: Smith, Dill

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

Proclamations:

None

Communications:

None

Mayors Report:

Mayor Glasser congratulated the incumbent City Councilmembers on their re-election and looks forward to working with them again. Mayor Glasser announced the Veterans ceremony will be at Patriots Park on 11/11/16 at 11:00 a.m. In addition, there will be another Veterans ceremony at Shore Medical Center at 12:00 noon. The annual holiday parade and tree lighting is scheduled for 12/2/16. On Sunday, 12/4/16, the Pearl Harbor Day ceremony is scheduled on the beach at 1:00 p.m. Mayor Glasser shared a report from Superior Court regarding our municipal court commending a very frugal budget and applauded the court staff’s efforts. Mayor Glasser thanked Court Administrator Wismer and her staff for a job well done.

City Administrator’s Report:

Administrator Swain reported attending a positive FEMA meeting. The City of New York challenged the calculations regarding the new FEMA map. Hence, FEMA maps may not be adopted until 2022. The new maps are probably five years away. Currently, we will continue to use the preliminary maps for grants and applications to FEMA; however, the 1989 flood maps will be used for insurance purposes. The new maps show residences that are going into flood zones that are not in a flood zone now. People who are in a “B zone” presently; will be in a flood zone in the future. Those people will be able to purchase (as long as they purchase their flood insurance before the new maps are adopted) flood insurance at a “new map rate”, and the cost starts out at approximately \$450.00 per year and goes up to approximately \$2,500.00 over a 20 year period.

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Committee Reports:

There were none.

Approval of Minutes:

There were none.

Resolution No. 198 of 2016

Councilmen Gerety moved and Councilman Toto seconded to waive the 48 hour waiver to add Resolution No. 198 of 2016.

Public Portion on Resolutions:

Meeting was opened and duly closed to the public.

Resolutions

No. 192 of 2016

M/S – Toto/Gerety

The resolution was adopted by unanimous roll call vote of those present.

No. 192 of 2016

Subject: Budget Appropriation Transfer

Introduced by: Councilmen McGuigan, Gerety and D'Adamo

WHEREAS, N.J.S. 40A:4-1 et.seq. allows the Governing Body to make budget appropriation transfers after November 1st of the budget year to expend for any of the purposes specified in the budget an amount in excess of the respective sums originally appropriated therefor, provided that the resolution is adopted by not less than a two-thirds vote of the full membership thereof.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, not less than two-thirds of all members thereof affirmatively concurring, that the Chief Financial Officer is hereby authorized to make the following 2016 budget transfer as specified in this resolution.

Current Fund

From:

Legal Services OE	6-01-20-155-200	\$ 43,700
Bureau of Fire Prevention S&W	6-01-25-266-100	<u>9,000</u>

Total \$52,700

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To:

Bureau of Fire Prevention OE	6-01-25-266-200	\$ 2,500
Capital Improvement Fund	6-01-44-901-111	14,000
Public Employee Retirement System	6-01-36-471-111	140
Municipal Prosecutor	6-01-25-275-200	1,000
Vehicle Maintenance	6-01-26-315-200	<u>35,060</u>

Total \$52,700

Ordinances:

No. 19 of 2016 First Reading/Introduction

M/S – Toto/Gerety

The ordinance was adopted by unanimous vote of those present.

Chief Michael Boyd of the Somers Point Police Department thanked the Governing Body for the opportunity to present his report of the existing public safety equipment. He indicated that the current 911 system that operates 24 hours per day is from 2004. Since it is so antiquated, they have experienced intermittent transmissions. If they stay with their current vendor, it will be a cost savings of \$12,000. In addition, the Police Department is using VHF radios versus the 800 MHz system. He added that Buena Borough and Somers Point are the only municipalities in Atlantic County that are using VHF radios. The current vendors have performed studies to address some issues; however, there are some areas where communications are sometimes broken down. Since the County had proposed a paid county-wide 800 Megahertz system, they waited to purchase a new system in hopes of saving money. Some benefits of upgrading the systems are better communications from dispatch to officers and improved communications with neighboring police departments. Furthermore, the proposed upgraded system is encrypted that assists in confidentiality and ability to hold talk groups among other officers. Chief Boyd fielded questions from City Council. Mayor Glasser mentioned that that 800 MHz system has been around for many years and is a needed remedy for public safety issues

No. 19 of 2016

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND ACQUISITIONS IN AND BY THE CITY OF SOMERS POINT, IN THE COUNTY OF ATLANTIC, NEW JERSEY APPROPRIATING \$280,000 THEREFOR AND AUTHORIZING THE ISSUANCE \$266,000 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. Appropriation for Projects-Down Payment

The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Somers Point, Atlantic County, New Jersey (the "City"), as general improvements. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$280,000 including the sum of \$14,000 as the down payment required by the Local Bond Law. It is hereby determined and stated that the amount of the down payment is not less than five percent (5%) of the obligations authorized by this bond ordinance and that the amount appropriated as a down payment has been made available prior to final adoption of this bond ordinance by provisions in prior or current budgets of the City for capital improvements and down payments, including also monies received from the United States of America, the State of New Jersey or the County of Atlantic, or agencies thereof, as grants in aid of financing said improvements or purposes.

SECTION 2. Authorization of Bonds and Notes

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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 \$266,000 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. Description of Projects

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:

Purpose	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
a.) Acquisition by purchase of Police Department public safety equipment including 911 system, 800 megahertz radios, mobiles and portables, including installation, and necessary information technology hardware and software, and all attachments and appurtenances applicable thereto.	\$280,000	\$266,000	7 years

The excess of the appropriation made for 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.

SECTION 4. Issuance of Notes

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. 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

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approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

SECTION 6. Additional Matters

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 7 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 an executed copy thereof has been electronically executed and 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 \$280,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.
- (d) An aggregate amount not exceeding \$39,900 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

SECTION 7. Application of Grants

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. Full Faith and Credit

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. Official Intent to Reimburse Expenditures

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 9 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. Tax Covenants

The City hereby covenants as follows:

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(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;

(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. Ratification of Prior Acts

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 bond ordinance and shall be deemed to have been taken pursuant to this bond ordinance.

SECTION 12. Inconsistencies

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

SECTION 13. Effective Date

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

Resolutions Continued:

No. 189 of 2016

M/S – Toto/Gerety

The resolution was adopted by unanimous vote of those present.

No. 189 of 2016

Introduced by: Councilmen Dill, Toto and Gerety

Subject: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Local Aid Infrastructure Fund – Reconstruction of Bethel Road

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 Local Aid Infrastructure Fund, and

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WHEREAS, the City Engineer has recommended that the City apply for the reconstruction of Bethel Road from Ocean Heights Avenue to Shore Road, and

WHEREAS, these improvements consist of repaving the existing road, the installation of new handicap ramps where required, new sidewalk to connect pedestrian areas, reconfiguration of the bikepath crossing, and new traffic striping.

WHEREAS, the City is requesting \$750,000.00 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.

No. 190 of 2016

M/S – Toto/Gerety

The resolution was adopted by unanimous vote of those present.

No. 190 of 2016

Subject: Authorizing Advertising for Bids for Computer System Installation

Introduced by: Council President Tapp

WHEREAS, the Governing Body of the City of Somers Point has determined that it is in the best interest of the City to replace various components of the City's computer system; and

WHEREAS, the installation, networking and integration of the components may exceed the bid threshold.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the City Administrator is hereby authorized to prepare bidding specifications, if necessary, for the installation, networking and integration of computer components necessary to upgrade the City's system.

BE IT FURTHER RESOLVED that the City Clerk is authorized to advertise for bids in conformance with N.J.S.A. 40A:11-1 et seq., if necessary, said bids to be received in the City Clerk's office at a time established thereafter in accordance with the specifications and in conformance with N.J.S.A. 40A:11-1 et seq.

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No. 191 of 2016

M/S – Toto/Gerety

The resolution was adopted by unanimous vote of those present.

No. 191 of 2016

Subject: Change Order - Michael Baker International, Inc.

Introduced by: Councilmen Dill, Gerety and D’Adamo

WHEREAS, in accordance with Resolution 105 of 2016, Michael Baker International, Inc. of Hamilton, NJ was awarded the contract for professional engineering and permitting services in connection with the Beneficial Reuse of Dredge Materials for an Embankment construction project for the sum of \$100,000.00; and

WHEREAS, during the course of this project it has been ascertained that additional services are required in order to obtain the necessary permits; and

WHEREAS, the additional services are described in the Michael Baker International, Inc. letter of October 31, 2016 with attachments that is attached hereto and made a part hereof; and

WHEREAS, the additional services include obtaining a United States Army Corps of Engineers Jurisdictional Determination, preparation of Adaptive Management Plans for Erosion and Invasive Species Control, and preparation of a New Jersey Department of Environmental Protection Freshwater Wetlands Protection Act General Permit 16 ; and

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

Base Contract	\$100,000.00
Change order 1 (to reflect additional scope of work)	\$14,893.05
Revised Contract Amount	\$114,893.05

Total Deduction: \$0 Total Additional: \$14,893.05 Net Change: +14.893%

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the above listed change to the contract for professional engineering and permitting services in connection with the Beneficial Reuse of Dredge Materials for an Embankment construction project is hereby approved and that the City Administrator is hereby authorized to execute all documents in this regard on behalf of the City.

No. 193 of 2016

M/S – Gerety/Toto

The resolution was adopted by unanimous vote of those present.

No. 193 of 2016

Subject: Taxes Cancelled and Refunded

Introduced by: Councilman Smith

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WHEREAS, the property owner at 212 Pennsylvania Ave is the widow of a 100% permanently and totally disabled veteran; and

WHEREAS, the owner has filed all of the forms and provided all the necessary documentation for tax exemption; and

WHEREAS, the owner is now entitled to total real estate tax exemption beginning on January 1st 2016; and

WHEREAS, the taxes for 2016 from January 1, 2016 to December 31, 2016 should be canceled in the amount \$4406.70 and the 2017 taxes should be canceled in the amount \$2203.35; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, that the above taxes be canceled.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

Block	Lot	Qual.	Owner	Amount	Year
1617	12		Nancy Wyatt	4406.70	2016
				2203.35	2017

No. 194 of 2016

M/S – Toto/Gerety

The resolution was adopted by unanimous vote of those present.

No. 194 of 2016

Subject: 2013 Tax Homestead Rebate Overpayment Refund

Introduced by: Councilman Smith

WHEREAS, the below listed overpayment for the year designated is held in reserve by the City of Somers Point; and

WHEREAS, the credit was from 2013 Homestead Rebate and applied to the second quarter 2015 and since the property owner was a Tax Exempt Veteran this created an overpayment, and;

WHEREAS, the property owner has requested the overpayment be refunded.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the following overpayment be refunded to the property owner

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

Block	Lot	Property Owner	Amount	Year
1717	8	Wayne King	\$219.38	2015

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No. 195 of 2016

M/S – Toto/Gerety

The resolution was adopted by unanimous vote of those present.

No. 195 of 2016

Subject: Tax Overpayment Refund

Introduced by: Councilman Smith

WHEREAS, the below listed overpayment for the years designated is held in reserve by the City of Somers Point; and

WHEREAS, the property tax payments were paid by the homeowner and by the mortgage company creating an overpayment on the 4th quarter 2015, as well as the 1st and 3rd quarter 2016 and;

WHEREAS, the mortgage company has requested the overpayment be refunded to them.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the following overpayment be refunded to the mortgage company.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

Block	Lot	Previous Property Owner	Amount	Year
1212	1-c0008	Stephen Castellani	\$1264.10	2015
			\$2464.48	2016
			Total:	\$3,728.58

No. 196 of 2016

M/S – Toto/Gerety

The resolution was adopted by unanimous vote of those present.

No. 196 of 2016

Subject: Taxes Cancelled and Refunded

Introduced by: Councilman Smith

WHEREAS, the property owner at 3 Farragut Road is a 100% permanently and totally disabled veteran as of June 8th 2015; and

WHEREAS, the owner has filed all of the forms and provided all the necessary documentation for tax exemption; and

WHEREAS, the owner is now entitled to total real estate tax exemption beginning on June 8th 2016; and

WHEREAS, the taxes from June 8th 2015 to December 31, 2016 should be canceled in the amount of \$8890.32.

WHEREAS, the owner has paid his 2015 and 2016 taxes creating an overpayment in the amount \$8890.32.

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, that the above taxes be canceled, and overpayment be reimbursed.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

Block	Lot	Qual.	Owner	Amount	Year
1629	30		Robert K. Ellis	\$3251.84	2015
				\$5561.36	2016
TOTAL.....				\$8890.32	

No. 197 of 2016

M/S – Toto/Gerety

The resolution was adopted by unanimous vote of those present.

No. 197 of 2016

A RESOLUTION SUPPORTING SENATE BILL 2663 and ASSEMBLY BILL 4234

Introduced by: Councilman Dill

Whereas, almost all local units of government and Boards of Education in New Jersey including City of Somers Point secure insurance through governmental entities known as joint insurance funds (hereinafter JIFs); and

Whereas, existing law limits JIFs to investments otherwise authorized for local governmental entities and Boards of Education; and

Whereas, insurance mechanisms such as JIFs have different cash flow needs than local government and Boards of Education; and

Whereas, existing law greatly limits the potential investment earnings, currently less than 1% on investments of approximately \$1 billion; and

Whereas, S-2663 and A-4234 would permit JIFs to invest in debt obligations of any governmental entity established under the laws of the State of New Jersey and federal agencies or governmental corporations; and

Whereas, while the range of investments permitted by S-2663 and A-4234 is still very conservative, it would save the taxpayers at least \$10 million per year; and

Whereas, S-2663 and A-4234 would also reduce interest expense for local units of government and Boards of Education by creating an additional purchaser of their bonds; and

Whereas, S-2663 and A-4234 would also permit JIFs to join together and create a joint investment and cash management program further increasing investment income.

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

1. The Legislature is urged to adopt S-2663 and A-4234 and;
2. A copy of this resolution shall be sent to all area legislators as well as the Governor, Commissioner of the Department of Banking and Insurance and the Commissioner of the (Department of Community Affairs or Department of Education as appropriate).

No. 198 of 2016

M/S – D’Adamo/Toto

The resolution was adopted by unanimous vote of those present.

**No. 198 of 2016
AUTHORIZING EXECUTIVE SESSION**

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WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Somers Point City Council to be held in public, and N.J.S.A.10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in “Executive Session,” i.e. without the public being permitted to attend, and

WHEREAS, the Somers Point City Council has determined that there is **ONE** (1) topic which requires the advice and counsel of the City Solicitor / Special COAH Counsel which is a matter permitted by N.J.S.A. 10:4-12(b) as an exception to public meetings and are necessary to be discussed without the public in attendance during an Executive Session to be held on November 10, 2016 during a public meeting to be held commencing at 7:00 P.M, and

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

X “(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.”

The nature of the matters to be discussed, described as fully as possible without undermining the need for confidentiality

Advice of Counsel and attorney client communication In the Matter of the Application of the City of Somers Point, Docket No. L-1538-15.

WHEREAS, the length of the Executive Session is estimated to be approximately 15 - 20 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)

Subject of Discussion	Estimated Date	Necessary Occurrence
See Exception 7 Above	Unknown at this time	City Council and / or Court Approval by Ordinance and / or Court Order.

Old Business:

Kathy Arleth, Chair of the Arts Commission submitted the proposed programs for 2017 to City Council for their consideration. City Councilman Toto congratulated the Arts Commission regarding the Art in the Park, beautifying the intersections and the painting of the boxes programs. Councilman Gerety requested consideration from City Council and the Budget Committee to increase the Arts Commission annual budget. Councilman Gerety reported that he and Mayor Glasser rode around the town with a reporter from Huffington Post who will be writing a story about Somers Point focusing on travel and destinations. He mentioned that art is very trendy and suggested researching how to promote it further. After a thorough discussion among the Governing Body; City Administrator, Wes Swain; Jim Franklin, Esq.; and Kathy Arleth; City Council concurred with the proposal that Ms. Arleth provided. City Councilman McGuigan motioned to accept the proposal, Councilman Toto seconded and all were in favor. Mr. Franklin mentioned that at the next City Council meeting a resolution will be presented to City Council.

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New Business:

The Governing Body approved a Calendar Raffle License for the Rotary Club of Somers Point, and an On-Premise Merchandise Draw, On-Premise 50/50 and Bingo License for Bright Stars Gymnastics Academy Parents Group. In addition the Governing Body approved an Off-Premise 50/50 for American Legion Post 524 Morvay-Miley

Discussion of Bills

Administrator Swain reported a record of payment on 11/3/16 in the amount of \$ \$4,465.68 and on 11/3/16 in the amount of \$ \$132,121.00. The bill list dated 11/7/16 is in the amount of \$1,198,398.90. Mr. Swain noted a correction on the bill list on Page 9 regarding payment of Robert K. Ellis, which shows \$8,813.20, but should be \$8,890.32.

Public Portion

Public portion was duly opened and hearing nothing from the public, accordingly it was closed.

Payment of Bills

M/S – D’Adamo/Gerety

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.

Recess

Council recessed at 7:50 p.m. prior to going into Executive Session.

Adjournment

There being no action taken in Executive Session and no further business to come before Council, the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Lucy R. Samuelsen, RMC
Municipal Clerk

Approved: 1/26/17