

**REGULAR MEETING
MAYOR AND CITY COUNCIL
December 8, 2016**

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

Roll call was recorded as follows:

Present: D'Adamo, Dill, McGuigan, Smith, Toto
Also Present: Mayor Glasser, Administrator Swain, Clerk Samuelson, Deputy Clerk Mollenkopf and Attorney Franklin

Absent: Mayor Glasser, Council President Tapp and Councilman Gerety

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:

None

City Administrator's Report:

Administrator Swain handed out a report of earnings for the Governing Body to review. Mr. Swain reported bids were taken on bond anticipation notes and the successful bidder was TD Securities at a very good interest rate.

Committee Reports:

None

Approval of Minutes:

M/S – Gerety/Toto

The minutes of the Regular Meeting of September 22, 2016 and Regular Meeting of October 13, 2016, were approved by a unanimous vote of those present. Councilman Smith mentioned that he was not present at the October 13, 2016 meeting.

Ordinances:

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Ordinance No. 13 – Final Reading
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Meeting was opened to the public and duly closed. Ordinance No. 13 was then adopted on final reading by a unanimous vote of those present.

ORDINANCE NO. 13 of 2016

**AN ORDINANCE OF THE CITY OF SOMERS POINT, COUNTY OF
ATLANTIC, NEW JERSEY AMENDING CHAPTER 212 OF THE
CODE OF THE CITY OF SOMERS POINT TO ADD A SUB-
PARAGRAPH E TO CODE SECTION 212-3 AND
TO AMEND CODE SECTION 212-12**

First Reading:	9/8/2016
Publication:	11/17/2016
Second Reading:	12/08/2016

Ordinance No. 19 – Final Reading

Meeting was opened to the public and duly closed. Ordinance No. 19 was then adopted on final reading by a unanimous roll call vote of those present. Councilman Toto stated the importance of the Police Department to have the upgraded communications to keep everyone safe. Council President Pro Tempore Dill reported that Somers Point and one other municipality were the only two cities from Atlantic County that were not on the 800 MHz system. The upgraded system will provide more safety for the police officers and the general public. He thanked City Council for their support of this ordinance.

ORDINANCE 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.

First Reading:	11/10/2016
Publication:	11/17/2016
Second Reading:	12/8/2016
Publication:	12/9/2016

Public Portion on Resolutions:

Meeting was opened and duly closed to the public.

Resolutions

No. 199 of 2016

M/S – Toto/D’Adamo

The resolution was adopted by unanimous vote of those present.

No. 199 of 2016

Subject: **Establishing Certain Fees and Charges of the Somers Point Sewer
Utility**

Introduced by: **Councilmen McGuigan, Gerety and D’Adamo**

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WHEREAS, Somers Point Code Section 212-18 authorizes the Somers Point Sewer Utility to establish rules and regulations as necessary and required in order to facilitate the effective operation of the Sewer Utility and to provide for fees and charges which may be established, approved, or amended from time to time by Resolution of the City Council; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the following fees and charges are hereby established:

1. There shall be no fee to disconnect sewer service, however, the fee to reconnect sewer service shall be \$50.00.
2. All non-residential applications and any residential applications that require an engineer's review shall provide an escrow fee of \$500.00 with the application. The Sewer Utility Engineer may determine that additional escrow payments are necessary. The applicant shall be required to pay all engineering and review costs associated with the applicant's project. Upon completion of the project, and upon submission of a payment voucher to the City, any escrow fund balance remaining shall be returned to the applicant.
3. In any instance where it is required of the Sewer Utility to perform work on behalf of a property owner in an emergency situation, or to address deficiencies or make corrections to the property owner's system which the property owner is unwilling or unable to address, and which, if left unaddressed could cause damage to the City's system, public property or a public right-of-way, or to make repairs to the system necessitated by the actions of a user or users following a determination made as provided in Code Sections 212-6 through 212-8, the charge shall be the total of all actual costs for labor, fringe benefits, materials, subcontracts and any other costs associated with the work, plus an administrative fee of 2%.

No. 200 of 2016

M/S – Toto/McGuigan

The resolution was adopted by unanimous vote of those present.

No. 200 of 2016

Subject: Chapter 159 Resolution
Introduced By: Council President Pro Tempore Dill

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

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

WHEREAS, the City of Somers Point has received a grant of \$5,000.00 and wishes to amend its 2016 budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$5,000.00 which item is now available as a revenue from:

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

Public and Private Revenue Offset with Appropriations: NJ Division of Highway Traffic Safety Drive Sober Year End Crackdown 2016	\$5,000.00
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pursuant to the provision of Statute; and

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations (A) Operations - Excluded from "CAPS" Public and Private Programs Offset by Revenues: NJ DHTS Drive Sober Year End Crackdown 2016	\$5,000.00
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BE IT FURTHER RESOLVED that this resolution be certified and submitted to the Director of Local Government Services for approval.

No. 201 of 2016

M/S – Toto/McGuigan

The resolution was adopted by unanimous vote of those present. Councilman McGuigan mentioned that the Arts Commission submitted a robust list of programs for 2017 and commended them for all their work and commitment. Additionally, he encouraged everyone to attend the upcoming programs. Councilman Toto congratulated Councilman McGuigan and looks forward to 2017.

No. 201of 2016

**SOMERS POINT ARTS COMMISSION
PROPOSED PROGRAMS, PROJECTS, EVENTS FOR 2017**

The following programs, projects and events are proposed for 2017:

The Somers Point Arts Commission recommends to the Somers Point City Council the following proposals for programs, projects and events for 2017. The Commission anticipates that funding will be provided through NJSCA grant and through contributions from foundations, corporations, businesses and individuals; from admissions, donations & registration fees at events and from carry-over funds from trust fund contributions in 2016. The Commission is requesting the amount of \$1200 in the 2017 city budget to help offset the expenses that relate to promotion and operating costs.

The proposed events and programs require expenses relating to planning, publicity, promotion and operating costs; also artistic fees, rentals and technical and insurance costs associated with some events; professional compensation for professional artists. Production of these events will depend on the Arts Commission receiving adequate funds through contributions.

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The Commission has worked and will continue to partner with community resources to provide, promote and cultivate the arts in Somers Point; to build relationships and to increase community spirit, inclusion, and economic growth in Somers Point.

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VISUAL ARTS

1. THE ARTS REACH OUT 2017

The Commission proposes to employ a qualified art instructor who will provide hands-on art experiences for children in the Somers Point after school program (C.A.S.T.L.E program) administered through the CER Program from January – April and for senior citizens through the CER Senior Citizen’s program from April – June; the Senior Social Program at Shore Medical Center TBD. This program will include the use of quality art materials in a variety of media for the arts reach and professional formatting and displaying of the art work created by the children and seniors in the above programs.

In 2016 Council approved Christine O’ Brien for this position. A review of her work with the children as well as a survey by those in charge of the programs indicates that Christine O’Brien is well-qualified and did an excellent work with the children and seniors. The Commission requests that Christine O’Brien be reappointed to this position for 2017.

Estimated budget- \$2000 - \$2500.

2. ART IN THE PARK

A 2nd year event that requires organizing, promoting and producing the 2nd annual art exhibit at Kennedy Park - includes exhibition of amateur & professional artists & plein aire painting competition; children’s art experiences; exhibiting the art work from the children in the CASTLE program; musical performances by professional musicians and students performing selections from the Somers Point student summer musical. Proposed date – June 17, 2017 (Rain date-June 18, 2017).

Estimated budget - \$5000

3. BEAUTIFYING RT. 52 INTERSECTION THROUGH VISUAL ART

The Commission proposes to partner with the Green Thumb Garden Club to involve artists and members of the club to paint florals on the DOT traffic boxes at the Rte. 52 intersection. The Commission needs City Council’s help in obtaining the proper agreements from NJDOT. Neighboring communities have completed this kind of project and it seems that with the City Council help, Somers Point can do this too and add to the beautification of the Rte.52 intersection. Approximate time –April – June.

Estimated budget - \$500.

LITERARY /PERFORMING ARTS

1. POET LAUREATE

The Commission proposes continuing support for the position of Somers Point Poet Laureate. In 2015 the City Council created the position of Poet Laureate for a 2- year term with specific duties. We request that Council position for reappoint Maria Provenzano the Poet Laureate for another 2-year term (January 1, 2017-December 31, 2019). Both the Poet Laureate and the Pop Up Poetry programs have brought attention to the City through articles in the Philadelphia Inquirer as well as in local media.

Budget - \$500/year; \$1000 over 2 years

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A new program for 2017 includes planning, publicizing and presenting “*Writing Poetry Your Way: Foundations of Poetry for All Levels*” - a series of 8 sessions, partnering through the CER Office for high school students and adults, open to

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the community including beginners who want to learn about expression through this art form. Dates - February through March.
Estimated budget \$500.

2. SPRING EVENING OF SPOKEN WORDS AND MUSIC

3rd year program that includes organizing, promoting and producing this event that presents the literary and performing arts through poetry readings in various formats and musical presentations. Approximate date - 2nd week in April (National Poetry Month and National Jazz Month);
Estimated budget - \$600.

MEDIA ARTS

1. 3RD ANNUAL FOODIE FILM FESTIVAL

This program is presented as an “appetizer” prior to Somers Point Restaurant Week and in partnership with Somers Point Business Association; a multiple-film/ multiple evening event presented at a participating restaurant(s) and has become an anticipated feature for Restaurant Week. Dates – Mid to Late October.
Estimated budget- \$800-\$1000.

2. LOVE THE ARTS IN SOMERS POINT

This is an event that introduces the community to the Arts Commission and programs for the coming year while show-casing the programs from the previous year. Its initial event in 2016 was a success and it is to be repeated in 2017 on February 26 from 2-4pm through partnership with Greate Bay Country Club. It will include the photographic exhibit of children & seniors who participated in The Arts Reach Out Program 2016; a presentation of the 2017 programs, recognition of sponsors & supporters of the Arts Reach Out and the Somers Point Arts Commission programs and projects. Date – February 26, 2017.
Estimated budget - \$800.

CONCLUSION

In order to move forward through 2017 in a comprehensive manner and to coordinate and plan in an efficient, expedient, productive and systematic approach, the ARTS Commission requests that the Somers Point City Council pass a resolution to approve the 2017 programs and based on the submitted programs, projects and events and to allow the Commission to employ the recommended professional artists using funds from grants, contributions and donations.

Somers Point Arts Commission – Kathleen M. Arleth, Chair
Date November 10, 2016

No. 202 of 2016

M/S – Toto/McGuigan

The resolution was adopted by unanimous vote of those present.

No. 202 of 2016

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**Approving an Emergency Management Shared Service Shelter Agreement
Among Linwood, Northfield, and Somers Point**

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Sponsored by: Councilmen Toto, Dill and McGuigan

Whereas, in compliance with N.J.S.A. App. A:9 every municipality is obligated to develop a plan for the sheltering of displaced individuals in their community during times of disaster and/or local emergencies (the “Plan”), including the need for warming and/or cooling centers during times of extreme weather conditions; and

Whereas, the City of Somers Point has in place a Plan approved in 2013 which provides for use of the Somers Point Schools as shelter facilities; and

Whereas, due the passage of a School Bond Referendum there is a plan to install generators in each of the three Somers Point Schools in order to continue to allow those facilities to be included as part of the Plan to be used as determined by the Office of Emergency Management; and

Whereas, it is prudent to provide for an alternate facility in the event of the need to shelter more individuals or due to the inability to use one or more of the Somers Point Schools; and

Whereas, to conserve resources, and to achieve maximum efficiency, the City of Northfield, the City of Linwood, and the City of Somers Point, through the efforts of their respective Office of Emergency Management Coordinators propose to enter into a shared service Shelter agreement with the Linwood Community Church (the “Agreement”) to provide said services on behalf of the participating municipalities; and

Whereas, upon approval of the respective governing bodies and upon execution of the agreement by the parties, the Agreement shall be for a term of three (3) years subject to renewal by resolution of each municipality, unless cancelled in writing by any party with 30 day notice to the other parties; and

Whereas, the Agreement will supplement and be incorporated into each municipality’s Emergency Operation Plan (EOP) as a mutual aid agreement to the Shelter, Reception and Care Annex with the entire EOP being approved by Atlantic County and the State of New Jersey every four years; and

Whereas, Linwood Community Church is not receiving any compensation for providing the facility, the financial obligation of each municipality to provide the necessities for shelter of its citizens in the event of such disaster and/or local emergency cannot be predetermined, being fact specific to the event or occurrence, the financial commitment on behalf of Somers Point shall be subject to availability of funds or subject to an Emergency Appropriation; and

Whereas, subject to the passage of resolutions by the governing bodies of Northfield and Linwood, the Mayor is authorized to execute the Agreement on behalf of the City of Somers Point.

Now, therefore, it is hereby resolved that subject to the conditions stated above:

- 1) This governing body approves the Shared Service Agreement among Somers Point, Northfield. Linwood and Linwood Community Church; and
- 2) Mayor John L. Glasser, Jr. is authorized to execute the Agreement on behalf of the City of Somers Point substantially in the form attached hereto.
- 3) The City Clerk is requested to provide a certified copy of this Resolution to the Northfield and Linwood City Clerks.

No. 203 of 2016

M/S – Toto/McGuigan

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

No. 203 of 2016

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Subject: Budget Appropriation Transfer

Introduced by: Councilmen McGuigan, Gerety and D'Adamo

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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	\$ 15,000
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Total \$15,000

To:

Public Buildings and Grounds OE	6-01-26-310-200	\$ 5,000
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Fire Hydrants	6-01-31-445-283	<u>10,000</u>
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Total \$15,000

No. 204 of 2016

M/S – Toto/D'Adamo

The resolution was adopted by unanimous vote of those present.

No. 204 of 2016

Subject: Liquor License Renewal

Introduced by: Council President Tapp

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 through June 30, 2017:

0121-33-014-006

D & S Hospitality Consulting LLC

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No. 205 of 2016
M/S – Toto/D’Adamo

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The resolution was adopted by unanimous vote of those present.

No. 205 of 2016

Subject: Approving Proposals – Network Server and Technology Installation Services 2016 – 2017

Introduced By: Councilmen McGuigan, Gerety and D’Adamo

WHEREAS, the City of Somers Point received proposals for Electrical Contractor services in accordance with the Fair and Open procedure of the New Jersey Pay-to-Play law on December 6, 2016.

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 authorized to issue contracts as may be necessary to the following vendors for services during the period of December 9, 2016 through December 31, 2017:

1. All Covered
2. PCH Technologies

No. 206 of 2016
M/S – Toto/Smith

The resolution was adopted by unanimous vote of those present.

No. 206 of 2016

Subject: Authorizing Purchase on State Contract
Introduced By: Council President Pro Tempore Dill

WHEREAS, the City of Somers Point may by resolution and without advertising for bids purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the City of Somers Point has identified a need to purchase a 800 Mega Hertz radio system and associated equipment for use by the City’s Police and other Public Safety Departments; and

WHEREAS, the Police Chief has researched the equipment available and recommends the purchase of Zetron, Inc. and Harris Corporation Equipment as provided by Tactical Public Safety of West Berlin, New Jersey.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point authorizes the purchase from Tactical Public Safety of a 800 Mega Hertz radio system and associated equipment for the sum of \$214,336.38, State contracts #A83924 (\$82,910.28) and #A83932 (\$131,426.10), subject to Ordinance 19 of 2016 becoming effective after publication of adoption on second reading.

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No. 207 of 2016

M/S – Toto/Smith

The resolution was adopted by unanimous vote of those present.

No. 207 of 2016

Subject: Authorizing the Chief Financial Officer to Cancel Grant Balances

Introduced By: Councilmen McGuigan, Gerety and D’Adamo

WHEREAS, the City Administrator/Chief Financial Officer and the has completed a review of the Grant Fund; and

WHEREAS, as a result of the review, the City Administrator/Chief Financial Officer recommends that the following balances be canceled from The Grant Fund general ledger and

transferred to Current Fund Balance, subject to whatever modifications may be necessary as a result of activity in those accounts occurring on or before December 31, 2016:

<u>Description</u>	<u>Cancel</u>	<u>Cancel</u>
<u>Grants Receivable</u>		
Post Sandy Planning Grant – Zoning Ordinances	\$15,595.00	
Post Sandy Planning Grant – Route 9 West	7,117.50	
Post Sandy Planning Grant – Shared Services CIP	10,532.77	
NJ DOT Delaware Avenue	37,144.52	
Clean Communities	423.67	
<u>Appropriated Reserves</u>		
Post Sandy Planning Grant – Zoning Ordinances		\$15,595.00
Post Sandy Planning Grant – Route 9 West		7,117.50
Post Sandy Planning Grant – Shared Services CIP		10,532.77
NJ DOT Delaware Avenue		37,144.52
CDBG – Post Sandy Planning		.01
Safe & Secure – 2015		10,135.13
	\$70,804.46	\$80524.93

To Current Fund Balance: \$9,720.47

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the City Administrator/Chief Financial Officer is hereby authorized to cancel the aforementioned amounts and make adjustments to the appropriate accounts subject to whatever modifications may be necessary as a result of activity in those accounts occurring on or before December 31, 2016.

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Old Business:

There was none reported.

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New Business:

The Governing Body approved a Bingo License, a Merchandise On Premise Basket Raffle License for St. Joseph Church, a 50/50 On Premise Raffle License and a 50/50 Off Premise Raffle License for St. Joseph Church with Councilman D'Adamo mentioning that he is a member of the church.

Discussion of Bills

Administrator Swain reported a record of payment on 11/14/16 in the amount of \$ 87,249.30 and on 11/15/16 in the amount of \$65.00 and on 11/22/16 in the amount of \$414.72 and also in the amount of \$7,087.50. In addition, there was a record of payment on 12/1/2016 in the amount of \$500.00. He also reported an additional bill list in the amount of \$10,619.10. The bill list dated 12/6/16 is in the amount of \$ 1,538,788.76. Councilman McGuigan recused himself from the bills of Falisca Mechanical on page 12 and Capri Construction on page 1.

Public Portion

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

Payment of Bills

M/S – Smith/Toto

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 to come before Council, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Lucy R. Samuelson, RMC
Municipal Clerk

Approved: 1/26/17