

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
May 12, 2016**

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

Roll call was recorded as follows:

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

**Absent:** Dill (Arrived Late)

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**Open Public Meetings Act**

Pursuant to the Open Public Meetings Act, adequate notice of this meeting has been provided. Agenda for this meeting has been provided to two local newspapers and posted in the City Clerk's Office

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**Communications**

The following proclamation was read in full by the City Clerk. Mayor Glasser commended the Police Department for taking this initiative stating that wearing seatbelts saves lives.

**No. 6 of 2016**

**WHEREAS**, there were 560 motor vehicle fatalities in New Jersey in 2015; and

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

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

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

**WHEREAS**, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 23 – June 5, 2016 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

**WHEREAS**, the Division of Highway Traffic Safety has a set a goal of increasing the seat belt usage rate in the state from the current level of 91% to 93%; and

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

**NOW, THEREFORE**, I, Mayor John L. Glasser, Jr., hereby proclaim that the City of Somers Point, County of Atlantic, State of New Jersey, declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 23 – June 5, 2016 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

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**Mayor's Report**

Mayor Glasser announced that we will be getting \$32,500 in clean communities grant funding. He also announced that the Veterans Memorial Day program will be held on May 27<sup>th</sup> at 2 pm at the County Veterans cemetery and also that this Saturday night there will be a benefit for the Atlantic County Veterans Museum at the American Legion on Saturday Night from 4-8 pm.

**Administrator's Report**

No Report.

**Committee Reports**

There were no Committee Reports given.

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**Minutes**

M/S – D'Adamo/Toto

Minutes of the regular meetings of March 24, 2016 and April 14, 2016 were approved by a unanimous vote of those present.

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Council President Tapp asked that Resolution No. 101 be pulled up on the agenda. Meeting was opened to the public and duly closed with regard to Resolution No. 101.

**Resolution No. 101**

M/S – Gerety/Toto

Adopted by a unanimous vote of those present. Councilman D'Adamo stated that this is a great accomplishment and showcases our town, drawing people from all over the East Coast.

Councilman McGuigan stated that he looks forward to this year's event and that our Harbor Master does a great job putting this event together and it's putting Patcong Creek on the map. (Councilman Dill arrived at 7:12 pm) He stated that this event attracts people to our areas who may decide to come back here for vacations, etc.

**No. 101 of 2016**

**Subject: Recognizing and Supporting the Assault on Patcong Creek Crabbing Tournament**

**Introduced By: Councilman McGuigan**

**Whereas,** The Assault on Patcong Creek is a crabbing tournament and barbecue held annually in Somers Point, New Jersey; and

**Whereas,** The event began in 2010 as an on-the-water-gathering of a dozen or so crabbing buddies, and has steadily grown over the years to include the prestigious Largest Crab Trophy presentation, post-crabbing barbecue, crab races, live music, and charitable educational initiatives; and

**Whereas,** the event has grown to become the largest crabbing tournament in the United States with 250 crabbers from nine different states registered to compete in 2016; and

**Whereas,** The goal of the Assault on Patcong Creek is to have fun with friends and family, both on the water and at the post-tournament barbecue and to provide financial support to marine-based educational initiatives; and

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**Resolution No. 101 (Continued)**

**Whereas**, In 2014, the Assault on Patcong Creek began their Youth Educational Initiatives, providing tuition assistance for two 8th grade students to attend NJ Fish and Wildlife's Sedge Island Summer Camps where the students learned about the ecology of the bay, its animals and its plants, in 2015, the tournament partnered with the Great Egg Harbor River Council to help cover a portion of the costs to send over 100 Somers Point's 6th grade students on an educational trawling trip led by biologists aboard the local vessel the Duke of Fluke where students hauled in nets and examined the catch and learned from marine biologists; and

**Whereas**, the Tournament Committee has cooperated with the Atlantic County Utilities Authority and the Linwood Environmental Commission as partners in an organized cleanup effort of Patcong Creek in 2015 and is scheduled to partner in that effort again this year (May 15<sup>th</sup>); and

**Whereas**, the crabbers in the tournament have been asked by the New Jersey Division of Fish and Wildlife to help assess the blue crab population within the Great Egg Harbor Bay region during this year's tournament by collecting data regarding their catch; and

**Whereas**, this year's event will include the Atlantic City Aquarium's Travelling Touch Tank and a display by Bass Pro Shops as well as the support of many sponsors; and

**Whereas**, this year's edition of the event features a two day format, with crabbing starting at 6:00 AM on Friday June 24<sup>th</sup> and Saturday June 25<sup>th</sup>, the awards ceremony, barbeque and after party will begin at approximately 1:00 PM on Saturday at Somers Point Fire House #1 on Bethel Road; and

**Whereas**, the City Council of Somers Point recognizes the importance of these types of events that not only utilize and highlight one of our greatest natural resources, the back bay areas of the city, but also create a great deal of commerce for our local business community through encouraging and attracting visitors to the city who stay in our fine motels and hotels, dine in our many first class restaurants, and shop in the wide variety of stores in the city; and

**Now, Therefore, Be It Resolved** by the City Council of the City of Somers Point that they support and recognizes the effort of the Assault on Patcong Creek Crabbing Tournament and it's committee for their educational initiatives, efforts to help keep the environment clean and healthy, generating much needed commerce, and for providing a world class crabbing tournament to the area; and

It is **Further Resolved** that the City Council wishes to express their gratitude to the Assault on Patcong Creek Crabbing Tournament Committee for selecting the City of Somers Point as the location to have this wonderful event and to convey their best wishes for success with the tournament for years to come.

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**ORDINANCES**

**Ordinance No. 4 – Final Reading**

Meeting was opened to the public and duly closed. Councilman Dill made a motion to adopt, seconded by Councilman Toto. Ordinance No. 4 was then adopted on final reading by a unanimous vote of those present.

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Ordinance No. 4 (Continued)

**Ordinance No. 4 of 2016**

**An Ordinance Enacted Under Authority of N.J.S.A. 39: 4-197.6. and N.J.S.A. 39: 4-197.7, granting the Authority to establish a Restricted Parking Zone in Front of a Residence Occupied by a Handicapped Person Under Certain Conditions; Amending and Supplementing Section 250-50 of the Somers Point City Code;  
Repealing All Ordinances Heretofore Adopted, the Provisions of Which are Inconsistent Herewith**

*FIRST READING:* April 14, 2016  
*PUBLICATION:* April 20, 2016  
*FINAL PASSAGE:* May 12, 2016

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**Ordinance No. 5 – Final Reading**

Meeting was opened to the public and duly closed. Councilman Toto made a motion to adopt, seconded by Councilman Dill. Ordinance No. 5 was then adopted on final reading by a unanimous vote of those present.

**ORDINANCE NO. 5 of 2016**

**AN ORDINANCE SUPPLEMENTING AND AMENDING  
MUNICIPAL CODE SECTION 120-9 TO INCLUDE A  
PROVISION FOR TETHERING AND DEFINING ACCESS  
TO ADEQUATE PROTECTION FROM THE WEATHER**

**FIRST READING:** April 14, 2016  
**PUBLICATION:** April 20, 2016  
**PASSAGE:** May 12, 2016

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**Ordinance No. 6 – First Reading**

M/S – Toto/D'Adamo  
Approved on first reading by a unanimous vote of those present.

**ORDINANCE NO 6 OF 2016**

**An Ordinance Supplementing and Amending Certain Sections of Article VI Mortgage Registration Requirement of Chapter 169 of the Municipal Code of the City of Somers Point**

Statement of Intent and Purpose.

Whereas, on August 28, 2014 the City of Somers Point adopted by Ordinance No. 24 of 2014 a Mortgagee Registration Ordinance which has been included in the Somers Point City Code as Article VII of Chapter 169 as same has been subsequently amended and supplemented; and

Whereas, by Resolution No. 46 of 2016 the City of Somers Point authorized participation in a Shared Services Agreement between the City of Somers Point and The Atlantic County Improvement Authority (ACIA) pursuant to which Community Champions Corporation (Community Champions) will administer the registration, inspection, and property maintenance enforcement on behalf of the City of Somers Point as part of a county-wide program and in accordance with the terms of the agreement between Community Champions and ACIA; and

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Ordinance No. 6 (Continued)

Whereas, in furtherance of that obligation Community Champions has recommended certain modifications to the City's Mortgagee Registration ordinance; and

Whereas, the purpose of the recommended changes is for consistency in administration of the Registration Program by Community Champions.

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Somers Point, Atlantic County, New Jersey, that Article VII of Chapter 169 of the Municipal Code be supplemented and amended as follows:

**SECTION 1.** The definition of Abandoned Real Property in Section 169-72 is repealed in its entirety and is amended as follows:

“Abandoned Real Property” means any real property that is vacant and that has had a lis pendens filed against it by the Lender holding a mortgage on the property, and/or is subject to an ongoing foreclosure action by the Lender, and/or is under a notice of mortgagee's sale, tax collector's lien sale and/or properties that have been the subject of a foreclosure sale where title is retained by the beneficiary of a mortgage involved in the foreclosure, and any properties transferred under a deed in lieu of foreclosure sale, a short sale or any other legal means.

For purpose of registration and enforcement, Abandoned Real Property also means any real property that is occupied and that has had a lis pendens filed against it by the Lender holding a mortgage on the property, and/or is subject to an ongoing foreclosure action by the Lender, and/or is under a notice of mortgagee's sale, tax collector's lien sale and/or properties that have been the subject of a foreclosure sale where title is retained by the beneficiary of a mortgage involved in the foreclosure, and any properties transferred under a deed in lieu of foreclosure sale, a short sale or any other legal means.

The designation of a property as 'abandoned' shall remain in place until such time as the property is sold or transferred to a new owner, or the foreclosure action has been dismissed.

**SECTION 2.** Section 169-72 is amended to add the following definition of Blighted Property: “**Blighted Property**” means:

a) Properties that have broken or severely damaged windows, doors, walls, or roofs or other code deficiencies which create hazardous conditions and encourage trespassing;  
b) Properties cited for a public nuisance pursuant to the Somers Point City

Code; or

c) Properties that endanger the public's health, safety, or welfare because the properties or improvements thereon are dilapidated, deteriorated, or violate minimum health and safety standards or lacks maintenance as required by the Municipal and Zoning Codes.

**SECTION 3.** Section 169-72 is amended to add the following definition of Public Nuisance:

“**Public Nuisance**” means that all abandoned property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the City of Somers Point.

**SECTION 4.** Section 169-74 E. Annual Registration is hereby deleted in its entirety and replaced with the following:

E. Annual Registration.

(1)

All property registrations are valid for one year from the date the property was required to have been registered.

(a)

The initial registration fee is \$500 and must accompany the registration form.

(b)

Subsequent annual registration fees are \$500 and must accompany the registration form.

(c)

All applications and fees are due by the registration date specified in Code § 169-74. All renewal applications and fees are due on the expiration of the prior annual registration. Registration fees and renewal fees will not be prorated or refunded; and are in addition to any fines, penalties or assessments which may be imposed under Code § 169-79 including penalties for late registration.

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(d)

All registration fees must be paid directly from the Mortgagee, Servicer, Trustee, or Owner. Third Party Registration fees are not allowed without the consent of the City and/or its authorized designee.

(2)

No governmental agency is required to pay the annual registration fee.

(3)

Properties subject to this section shall remain under the annual registration requirement, inspection, security, and maintenance standards of this section as long as they remain abandoned as defined herein, or are vacant.

**SECTION 5.** Section 169-75 D. (1) Posting of Notice is deleted in its entirety and amended as follows:

(1)

When a property becomes vacant, within not less than 10 calendar days following the date it becomes vacant, the property shall be posted with the name and twenty-four-hour contact telephone number of the local property manager. The posting shall be no less than 18 inches by 24 inches, and shall be of a font that is legible from a distance of 45 feet. The posting shall contain the following language: "THIS PROPERTY IS MANAGED BY (Name of Local Property Manager). TO REPORT PROBLEMS OR CONCERNS, CALL (Telephone number of Local Property Manager)." The sign shall be kept properly maintained and legible during the period of the vacancy.

**SECTION 6.** Section 169-77 Additional Authority is deleted in its entirety and is amended as follows:

169-77 Additional authority; penalty.

A. The Code Enforcement Officer or Somers Point Police Officer or other designee, or authorized representative, shall have authority to require the owner of any property affected by this article to implement additional maintenance and/or security measures including, but not limited to, securing any and all door, window or other openings, employment of an on-site security guard, or other measures as may be reasonably required to help prevent further decline of the property.

B. Whoever interferes with, obstructs or resists any enforcement officer or any person authorized by the enforcement office in the discharge of duties as provided in this chapter shall be punishable as provided in this Article, by any applicable code, or as determined by court of competent jurisdiction.

**SECTION 7.** All other provisions of Article VII of Chapter 169 remain in full force and effect except to the extent amended herein.

**SECTION 8. REPEALER CLAUSE.** All Ordinances or portions thereof inconsistent with this Ordinance are repealed to the extent of such inconsistency.

**SECTION 9. SAVINGS CLAUSE.** If any portion of this Ordinance is declared to be invalid by a Court of competent jurisdiction, it shall not affect the remaining portions of the Ordinance which shall remain in full force and effect.

**SECTION 10. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon final passage and publication and adoption in the manner prescribed by law.

<b>FIRST READING:</b>	<b>May 12, 2016</b>
<b>PUBLICATION:</b>	<b>May 16, 2016</b>
<b>PASSAGE:</b>	<b>May 26, 2016</b>

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**Public portion on Resolutions**

Bill Lewis, a resident of Somers Point, came forward and addressed the governing body regarding the repaving of Centre Street, asking if there will be curbing and if so, would the residents be required to pay for it. Councilman Dill advised that he doesn't believe curbing is included, but if it is, the residents would not be required to pay for it.

**Consent Agenda**

There were no items on the Consent Agenda.

**Resolutions**

**Resolution No. 88**

M/S – Gerety/Toto

Adopted by a unanimous vote of those present.

**No. 88 of 2016**

**RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF  
A FINANCIAL DONATION AGREEMENT BETWEEN SHORE MEMORIAL  
HOSPITAL D/B/A SHORE MEDICAL CENTER AND ITS AFFILIATES AND THE  
CITY OF SOMERS POINT**

**Sponsored by: Councilman**

**WHEREAS**, N.J.S.A. 40A:5-29 authorizes and empowers any local unit to accept bequests, legacies and gifts and donations and to utilize same for any use which is designated by the donor or is not inconsistent with the laws of this State and of the United States; and

**WHEREAS**, since 2012 Shore Memorial Hospital ("Shore") as a good corporate citizen has made annual donations to the City which are paid into the General Fund and which understanding expires this year; and

**WHEREAS**, there is pending before the legislature a bill (A1797) which would amend N.J.S.A. 54:4-3.6 and which, if enacted, would establish an annual community service contribution based upon the number of licensed beds; and

**WHEREAS**, Shore and City wish to enter into an Agreement continuing and increasing for 2016 the donations to be made by Shore to the City; and

**WHEREAS**, in addition to the \$100,000.00 donation to be made, Shore agrees to pay to the City an additional \$106,000 during 2016 and which shall also be in addition to payments made by Shore on those properties which are not subject to exemption in 2016; and

**WHEREAS**, it is the intent of the Parties that if such legislation including substitute, revised, or alternate legislation addressing the tax exemption of hospital properties or amending N.J.S.A. 54:4-3.6 shall be enacted during 2016 or 2017, if any annual community service contribution or other payments required to be made by Shore to the City during 2016 under such legislation is in excess of the amount of the donations made by Shore, Shore shall pay the excess amount to the City; and if the required payment is less than the amount of the donations, no credit or refund shall be due to Shore; and

**WHEREAS**, in the event no legislation is enacted during 2016 which would amend N.J.S.A. 54:4-3.6, the Parties preserve their rights to file tax appeals (including added or omitted assessments) in 2017;

Now, therefore, it is hereby **RESOLVED** by this governing body that the Mayor is hereby authorized to execute and deliver an agreement between the City and Shore Memorial Hospital and its affiliates substantially in the form attached hereto subject to such modifications as may be deemed necessary or desirable by the Chief Financial Officer and City Solicitor; and It is further **RESOLVED** that the City agrees to accept the gift of donations made by Shore to the City for the purposes and uses intended.

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Resolutions (Continued)**

**Resolution No. 89**

M/S – Gerety/Toto

Adopted by a unanimous vote of those present.

**No. 89 of 2016**

**Subject: Read Budget by Title**

**WHEREAS**, N.J.S 40A:4-8 provides that the budget be read by title only at the time of the public hearing if the resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of the hearing a complete copy of the approved budget as advertised has been posted in City Hall and copies have been made available by the City Clerk to persons requiring them; and

**WHEREAS** these two conditions have been met;

**NOW THEREFORE, BE IT RESOLVED** that the budget shall be read by title only.

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**Resolution No. 90**

M/S – Gerety/Toto

Adopted by a unanimous vote of those present.

**No. 90 of 2016**

**Subject: Self-Examination of the 2016 Budget**

**Introduced By: Council President Tapp**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the City of Somers Point has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2016 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the City of Somers Point that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.



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**Resolution No. 90 (Continued)**

4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Approved: 5/12/16

Vote recorded as follows: 7 Yeas 0 Nays 0 Abstain

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**Public Hearing on the Budget**

Meeting was opened to the public as follows:

Steven Brown, 11 Landing Lane, came forward and addressed the governing body with regard to the cost of his taxes on Landing Lane, adding that there have been homes there for sale for a long time that do not sell because of the cost of the taxes. Administrator Swain explained the breakdown of the taxes stating that only about thirty percent is the City, fifty percent is schools and twenty percent being the County taxes.

Bill Lewis, a resident of Somers Point, came forward and addressed the governing body asking about Sheriff's sales. Council explained that this is not something that is handled by the City.

Bill Sparks, 105 Braddock Avenue, came forward and addressed the governing body stating that he supports the first gentleman who spoke regarding taxes. He further stated that he doesn't see how giving money to an apartment complex does anything for the City of Somers Point. He further added that we have lost population according to the census and feels that our budget should be reduced five percent – we need to spend less, not more.

Public portion was then closed.

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**Resolution No. 91 (Budget)**

M/S – Dill/D'Adamo

Councilman Dill thanked the Budget Committee, stating that he has served on it in the past and it is a tough job. He stated that when he was first elected seven years ago he promised to maintain services, protect the citizens and try to keep taxes under control. He stated that he feels this Council has accomplished this. He stated that the cost of taxes for the average property is probably less than most people's cable bill. He further added that the City has brought a grantsman on board and we have done a lot of good things with grants. He stated that he is very proud of the job this Council has done. Resolution No. 91 (Budget) was then adopted by a unanimous roll call vote of those present.

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**Page 10  
Resolution No. 91 (Continued)**

**No. 91 of 2016**

**Subject: Budget Adoption**

**BE IT RESOLVED** by the City Council of the City of Somers Point, County of Atlantic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$10,628,278.01 for municipal purposes.

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

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**Resolution No. 92**

M/S – Toto/Smith

Councilman Dill noted that this resolution was recommended by the Master Plan Steering Committee and it also enables us to be able to apply for additional grants because we have done this. Resolution No. 92 was then adopted by a unanimous vote of those present.

**No. 92 of 2016**

**AUTHORIZING PARTICIPATION IN A SUSTAINABLE JERSEY COMMUNITY  
VULNERABILITY ASSESSMENT**

**Sponsored by: Councilpersons Dill and D'Adamo**

**WHEREAS**, a presentation has been made to the members of the Master Plan Steering Committee by Jack Heide, Resiliency Manager for Sustainable Jersey and other team members from The College of New Jersey, to perform a Community Vulnerability Assessment ("CVA") for the City of Somers Point; and

**WHEREAS**, The College of New Jersey will undertake the CVA under a mini-grant from the New Jersey Department of Environmental Protection (DEP) at no cost to the City of Somers Point; and

**WHEREAS**, the CVA is an integral part of a broader program which starts locally and will include other regional, state wide, national, and global assessments and initiatives; and

**WHEREAS**, the CVA will enable local government officials to assess the exposure and vulnerability to increasing sea level heights, sinking of the land mass (subsidence), and of storms and hurricanes, assess preparedness for flood hazards, and use the data to prioritize future actions; and

**WHEREAS**, participation in the DEP's CVA Pilot Program will assist the City in obtaining future DEP and federal grants; and

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Resolution No. 92 (Continued)**

**WHEREAS**, participation in the CVA Program may enable the City to earn additional points in FEMA's Community Rating System, reducing the cost of flood insurance to property owners; and

**WHEREAS**, this governing body in combination with our Green Team have committed to pursuit of local initiatives and actions that will lead to Sustainable Jersey Municipal Certification; and

**WHEREAS**, the City achieved Sustainable Jersey Bronze Certification status on October 20, 2015 and currently has 165 points (350 are needed to achieve Silver status); and

**WHEREAS**, this Program is an element of the City's ongoing storm preparedness, flood protection, and storm resiliency long term planning; and

**WHEREAS**, by participating in this exercise the City will be awarded twenty (20) additional points in the Sustainable Jersey Program; and

**WHEREAS**, due consideration has been given to the information provided by Jack Heide.

Now, therefore, it is hereby **RESOLVED** that this governing body supports the CVA Program and authorizes participation by the City of Somers Point in this Sustainable Jersey Program.

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**Resolution No. 93**

M/S – Gerety/Toto

Adopted by a unanimous vote of those present.

**No. 93 of 2016**

**Subject:                   Rejecting Gateway Theatre Bid Proposals Received April 19, 2016**  
**Introduced By:         Councilman McGuigan**

**WHEREAS**, the City of Somers Point ("City") owns the Gateway Theatre property located at 738 Bay Avenue; and

**WHEREAS**, the City of Somers Point received bids from five (5) bidders on January 29, 2016 for renovations of the Gateway Theatre and those bids were rejected in accordance with Resolution 50 of 2016; and

**WHEREAS**, the project was re-bid on April 19, 2016 and bids were received from two (2) bidders; and

**WHEREAS**, upon review it has been determined that both bids are not reasonable as to price on the basis of cost estimates prepared by the project architect; and

**WHEREAS**, since the Project is a vital part of the vision plan for Bay Avenue and the governing body would like to proceed with the Project to the extent practicable using the available funds.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point City Council that the bids received on April 19, 2016 are hereby rejected.

**BE IT FURTHER RESOLVED** that the City Administrator is hereby authorized to negotiate this contract in accordance with the Local Public Contracts Law, N. J. S. A. 40A11-1 et seq.

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**Resolution No. 94**

M/S – Dill/McGuigan

Adopted by a unanimous vote of those present.

**No. 94 of 2016**

**Subject: Authorizing Advertising for Bids for Sanitary Sewer Pump Station No. 1 Force Main Replacement**

**Introduced by: Councilmen Dill, Toto and Gerety**

**WHEREAS**, the Governing Body of the City of Somers Point has determined that it is in the best interest of the City to solicit bids for the replacement of sanitary sewer force main and associated appurtenances of the Sewer Pump Station No. 1 system.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point that the Sewer Utility Engineer is hereby authorized to prepare specifications for the replacement of sanitary sewer force main and associated appurtenances of the Sewer Pump Station No. 1 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., 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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**Resolution No. 95**

M/S – Toto/Smith

Adopted by a unanimous vote of those present.

**No. 95 of 2015**

**Subject: A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY**

**Introduced By: Council President Tapp**

**WHEREAS**, the City of Somers Point wishes to apply for funding of approximately \$23,373.00 with a match of \$179,445.00 for an approximate project total cost of \$202,828.00 for a project under the State of New Jersey Safe and Secure Communities Grant Program (Grant #P-6449-16); and

**WHEREAS**, the City Council has reviewed the accompanying application and has approved said request; and

**WHEREAS**, the project is a joint effort between the Department of Law and Public Safety and the City of Somers Point for the purpose described in the application.

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

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**Resolution No. 95 (Continued)**

- 1) As a matter of public policy the City of Somers Point wishes to participate to fullest extent possible with the Department of Law and Public Safety.
- 2) The Attorney General will receive funds on behalf of the applicant.
- 3) The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
- 4) The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

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**Resolution No. 96**

M/S – Toto/D’Adamo

Adopted by a unanimous vote of those present.

**No. 96 of 2016**

**Subject:                    Supporting Participation in the Multi-Jurisdictional Program for Public Information to Meet the Goals of the National Flood Insurance Program’s Community Rating System**

**Introduced by:        Councilmen Dill, Toto and Gerety**

**WHEREAS**, the National Flood Insurance Program’s (NFIP) Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements; and

**WHEREAS**, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community actions meeting the three goals of the CRS:

1. Reduce flood damage to insurable property.
2. Strengthen and support the insurance aspects of the NFIP.
3. Encourage a comprehensive approach to floodplain management.

**WHEREAS**, the Community Rating System credits local initiatives to advise people about flood hazards, flood insurance, the natural functions of floodplains and flood loss reduction measures;

**WHEREAS**, in order to implement a Program for Public Information (PPI) for the municipalities in our region a Multi-Jurisdictional Program for Public Information is being formed; and

**WHEREAS**, the PPI will coordinate all of the flood-related public information in the community, both public and private; and

**WHEREAS**, the City of Somers Point floodplain managers will be actively involved in the PPI planning and implementation process and attend required meetings; and

**WHEREAS**, this action will result in CRS credits that will result in lower flood insurance premiums for the residents and business of the City of Somers Point.

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**Resolution No. 96 (Continued)**

**NOW, THEREFORE, BE IT RESOLVED** that City Council of the City of Somers Point formally supports Participation in the Multi-Jurisdictional Program for Public Information to Meet the Goals of the National Flood Insurance Program's Community Rating System.

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**Resolution No. 97**

M/S – Dill/Toto

Adopted by a unanimous vote of those present.

**No. 97 of 2016**

**Subject: Authorizing Advertising for Bids for Sanitary Sewer Emergency Repairs and Miscellaneous Maintenance**

**Introduced by: Councilmen Dill, Toto and Gerety**

**WHEREAS**, the Governing Body of the City of Somers Point has determined that it is in the best interest of the City to solicit bids for a contractor that will provide emergency repairs and miscellaneous maintenance work for the Sewer Utility, including miscellaneous lateral installations when requested: and

**WHEREAS**, the bid will establish unit prices of labor, material and equipment for various categories of anticipated emergency repairs and miscellaneous repairs to the sanitary sewer system.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Somers Point that the Sewer Utility Engineer is hereby authorized to prepare specifications for sanitary sewer emergency repairs and miscellaneous maintenance work for the Sewer Utility, including miscellaneous lateral installations when requested.

**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., 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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**Resolution No. 98**

M/S – Dill/Toto

Adopted by a unanimous vote of those present.

**No. 98 of 2016**

**Subject: Community Development Block Grant Program**

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

**WHEREAS**, the City of Somers Point has opted to participate in the Atlantic County community Development Block Grant (CDBG) Program for FY 2016; and

**WHEREAS**, as a participant, the City of Somers Point expects to be allocated \$44,415.00 for Fiscal Year 2016; and

**WHEREAS**, the City of Somers Point desires to allocate these CDBG funds toward the re-paving of Centre Street from Bethel Road to Connecticut Avenue; and

**WHEREAS**, it is anticipated that the complete cost of the project will be approximately \$61,550.00; and

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**Resolution No. 98 (Continued)**

**WHEREAS**, the re-paving of Centre Street from Bethel Road to Connecticut Avenue is in the capital plan of the City of Somers Point.

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

1. This resolution shall serve to indicate the commitment of the City of Somers Point to provide any necessary anticipated matching funds for this project.
2. The Mayor and City Administrator are authorized to prepare and sign the FY 2016 CDBG grant application on behalf of the City.

\*\*\*\*\*

**Resolution No. 99 - TABLED**

M/S – D’Adamo/Toto

Council President Tapp noted that this needs to be amended to take out “general information”.

Councilman Dill then made a motion to table this resolution, seconded by Councilman Smith.

Resolution No. 99 was then tabled by a unanimous vote of those present.

**No. 99 of 2016    TABLED**

**Subject:                    Amending Personnel Policies and Procedures Manual**  
**Introduced By:            Councilmen McGuigan and D’Adamo**

**WHEREAS**, it is the policy of City of Somers Point to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General’s guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

**WHEREAS**, the City Council has determined that there is a need to amend the personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

**NOW, THEREBY, BE IT RESOLVED** by the City Council of the City of Somers Point that the Personnel Policies and Procedures Manual is hereby amended to include the policies, procedures and forms attached hereto and made a part hereof as follows:

<u>Item</u>	<u>PPPM Page Number</u>
General Information	I-20
Recruitment Policy	III-1
Recruitment Procedure	III-2a

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**Resolution No. 100**

M/S – D’Adamo/Toto

Adopted by a unanimous vote of those present.

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Resolution No. 100 (Continued)**

**No. 100 of 2016**

**Subject: Approval to Submit a Grant Application and Execute a Grant Agreement with the U. S. Department of Homeland Security for the FY 2016 Pre-Disaster Mitigation Program**

**Introduced By: Councilmen Dill and D'Adamo**

**WHEREAS**, the U. S. Department of Homeland Security for the FY 2016 Pre-Disaster Mitigation Program; and

**WHEREAS**, this program is available to certain municipalities in the State of New Jersey; and

**WHEREAS**, this grant program requires a 25 percent local match from the municipality; and

**WHEREAS**, the City of Somers Point carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

**WHEREAS**, the Pre-Disaster Mitigation Program may fund generators for critical facilities identified in a FEMA approved Mitigation Plan among other priorities; and

**WHEREAS**, actions taken through the Pre-Disaster Mitigation Program may result in lower flood insurance premiums through the Community Rating System.

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

**BE IT FURTHER RESOLVED** that the Mayor, City Administrator and City Clerk are hereby authorized to submit a grant application to the U. S. Department of Homeland Security.

**BE IT FURTHER RESOLVED** that the Mayor and City 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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**Resolution No. 102**

M/S – D'Adamo/Toto

Adopted by a unanimous vote of those present.

**No. 102 of 2016**

**Subject: Support Submission of a Grant Application SRS-I-2016-Somers PointCity-00014 to the New Jersey Department of Transportation for the Safe Routes to School Program**

**Introduced By: Councilmen Dill and D'Adamo**

**WHEREAS**, the New Jersey Department of Transportation is accepting applications for the Safe Routes to School Grant Program; and



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Resolution No. 102 (Continued)

**WHEREAS**, the federally funded Safe Routes to School Program strives to empower communities to make walking and bicycling to school a safe and route activity; and

**WHEREAS**, this Program is available to all municipalities and school districts in the State of New Jersey; and

**WHEREAS**, this grant program does not require a local match; and

**WHEREAS**, the City of Somers Point carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

**WHEREAS**, children are encouraged to walk and bicycle to school and the City wishes to work with the Board of Education to make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy, active lifestyle from an early age; and

**WHEREAS**, the City of Somers Point is committed to promote activities that encourage walking and biking to school including:

- Public awareness campaigns and outreach to media and community leaders;
- Traffic education and enforcement in the vicinity of schools;
- Student sessions on bicycle and pedestrian safety, health and the environment; and

**WHEREAS**, the Safe Routes to School Program facilitates the planning, development and implementation of projects that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Somers Point formally supports a grant application SRS-I-2016-Somers Point City-00014 for the Safe Routes to School Program.

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**New Business**

Council President Tapp stated that he received a call from our CER Director advising him that another City was noted in the newspaper that they are having their volunteer Boards meet with the City Attorney, or the Clerk to go over things like Roberts Rules of Order, Open Public Meeting Act and OPRA. He stated that he would like to get something like this set up for us to protect our volunteer boards. Atty. Franklin stated that he gave EDAC a little manual. Administrator Swain advised that he has written a volunteer manual, which would need to be adopted. Council agreed that Councilman Tapp would look into this and get together with the City Administrator.

Council agreed to add the following items to the agenda:

Two applications for membership in the NJ State Firemen's Association for David Robbins & Daniel Ravese.

Two applications for Social Affairs permits for Somers Point Volunteer Fire Co. No. 2 and the Sons of the American Legion.

Application for Raffles License for Charity League

Application for Raffles License for Community Partnership for Egg Harbor Township Schools, Inc.

All the applications were approved by a unanimous vote of those present.

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**Old Business**

There was no Old Business.

**Discussion of Bills**

The following bills were presented for discussion, Records of payments in the amounts of \$39,971.17, \$15,333.18, \$1,000.00, and \$40,400.00, as well as the regular list of bills in the amount of \$1,324,004.48. Councilman McGuigan noted that there are bills on page 5 from Falasco Mechanical which is his primary employer and therefore he will be recusing himself from voting on those bills.

**Public Portion**

Meeting was opened to the public and duly closed.

\*\*\*\*\*

**Payment of Bills**

M/S – Dill/Smith

Bills were approved by a unanimous vote of those present, with Councilman McGuigan recusing himself from voting on the bill from Falasco Mechanical. A complete list of bills is on file in the Office of the City Clerk.

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**Adjournment**

There being no further business, meeting adjourned at 8:20 p.m.

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Carol L. Degrassi, RMC/MMC  
Municipal Clerk

Approved: 05/26/16