

**SPECIAL MEETING
MAYOR AND CITY COUNCIL
June 29, 2011**

Meeting called to order at 6:00 p.m. by President McGuigan. Roll call was recorded as follows:

Present: D'Adamo, Dill, Kern, Smith, Tapp, Triboletti & McGuigan

Also Present: Mayor Glasser, Administrator Swain, Atty. Franklin & City Clerk Degrassi, Construction Official McBrien & Fire Chief Denan

Absent: None

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

Meeting was called for the purpose of considering Resolution No. 113 as well as Ordinances No. 12 & 13 of 2011.

RESOLUTIONS

Public Portion on Resolutions

Meeting was opened to the public and duly closed.

Resolution No. 113

M/S – HD/TS

Construction Official McBrien advised that the applicant has passed all inspections and has received a CCO. Fire Chief Denan advised that after speaking with the City Clerk this afternoon, went to the property to ascertain if he was open, and he was open for business. Dr. Trocki thanked the Council for holding a Special Meeting and advised that the Health Department was there this afternoon and gave permission to open. Resolution No. 113 was then adopted by a unanimous vote of those present.

No. 113 of 2011

Subject: LIQUOR LICENSE RENEWAL
Introduced By: COUNCIL PRESIDENT MC GUIGAN

WHEREAS, the application of the following enumerated liquor license for renewal in the City of Somers Point was found to be in good order.

NOW, THEREFORE, BE IT RESOLVED that the below named and numbered application is hereby renewed, effective July 1, 2011 through June 30, 2012:

0121-33-019-017

939 Bay Avenue LLC

Council President McGuigan advised that these ordinances are on first reading, basically put out there for public comment and for the Council to review and consider and the meeting of the 28th of July will be the meeting to vote to adopt them or not.

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ORDINANCES

Ordinance No. 12 – First Reading

M/S – HD/TS – Approved by a unanimous vote of those present.

ORDINANCE NO. 12 of 2011

**REPEALING SECTIONS 1 AND 2 OF ORDINANCE NO. 4
OF 2011 AND REPEALING ALL ORDINANCES
HERETOFORE ADOPTED THE PROVISIONS OF WHICH
ARE INCONSISTENT HEREWITH.**

WHEREAS, On April 28, 2011 the Council of the City of Somers Point did adopt Ordinance No 4 of 2011 “An Ordinance Enacted Under Authority Granted by N.J.S.A. 39:4-197 Regulating the Parking of Vehicles on Certain Streets and Portions thereof”; and

WHEREAS, Section 1 of Ordinance No. 4 of 2011 amended and supplemented Article I Section 250-30. Schedule VI: One –Way Streets to add the following street to the Schedule of One Way Streets within the City of Somers Point:

Name of Street		Direction of	Travel	Limits	Parking Permitted
Center Street		Southbound		From New Jersey Avenue To Somers Avenue (210 feet North of Somers Avenue)	Neither Side at any Time

and

WHEREAS, Section 2 of Ordinance No. 4 of 2011 directed that “One Way” signage shall be installed and placed according to New Jersey Department of Transportation standards as required by Regulation; and

WHEREAS, Upon further review of the terms and conditions of Sections 1 and 2 of said Ordinance, and more specifically the statements from local residents regarding alleged impacts upon the traffic pattern and flow of traffic along Somers Avenue resulting from the change of Centre Street from a two-way to a one-way street; and

WHEREAS, Additional investigation was undertaken by the City Engineer and the Somers Point Police Department to determine alternative means of providing for the proper flow of traffic and public safety; and

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WHEREAS, A recommendation has been made to the governing body of the City of Somers Point to repeal Sections 1 and 2 of Ordinance 4 of 2011 in their entirety

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

SECTION 1. Repealer

Sections 1 and 2 of Ordinance 4 of 2011 adopted by the City Council of the City of Somers Point on April 28, 2011 are hereby repealed in their entirety.

SECTION 2. All Other Sections of Ordinance 4 of 2011 to remain in full force and effect.

No other Section of Ordinance 4 of 2011 shall be affected but shall remain in full force and effect.

SECTION 3. Repeal of all other Ordinances Heretofore Adopted the Provisions of which are Inconsistent Herewith.

To the extent any other Ordinance or provision thereof heretofore adopted by the City Council of the City of Somers Point is inconsistent with the terms, conditions and stated purpose of this Ordinance 12 of 2011, such inconsistent Ordinance or provision thereof is hereby repealed and of no further effect to the extent of such inconsistency.

SECTION 4. Severability Clause.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. Effective Date.

This Ordinance shall take effect upon its final passage and publication as provided by law.

**FIRST READING: 06/29/11
PUBLICATION: 07/06/11
FINAL READING: 07/28/11**

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Ordinance No. 13

M/S – HD/MK

The Engineer’s Office has submitted a report to the Mayor and Council supporting the recommendations contained in the ordinance. Greg Schneider from the Engineer’s Office spoke to the governing body explaining that they plan to install additional signage showing where the bike path actually is. He stated that the street would be make 2-way meeting the minimum width for a two way street. He explained that because of the low level of traffic on Centre Street it was recommended that this could be permitted. He further added that because of the location of the bike path, a 10 mph speed limit would be imposed. He further added that in order to increase safety at the intersection of Shore and Somers, they are eliminating truck traffic on Somers Avenue. Council President McGuigan added that they will be installing some split rail fence to guide the bicyclists onto the bike path. Ordinance No. 13 was then approved on first reading by a unanimous vote of those present.

Ordinance No. 13 of 2011

An Ordinance Enacted Under Authority Granted by N.J.S.A. 39:4-8 and N.J.S.A. 39:4-197 Regulating traffic on Certain Streets and Portions Thereof; Amending and Supplementing the Somers Point Municipal Code Chapter 250 Vehicles and Traffic, Article I Section 250-7, Section 250-28, Section 37 Schedule XIII: Left Turn Prohibitions; Establishing a Reduced Speed Limit on Centre Street and Somers Avenue; and Repealing All Ordinances Heretofore Adopted, The Provisions of Which Are Inconsistent Herewith.

WHEREAS, N.J.S.A. 39:4-8 and N.J.S.A. 39:4-197 authorizes a Municipality, by Ordinance, to regulate traffic and vehicles on municipal streets and portions thereof; and

WHEREAS, a recommendation has been made by the Somers Point City Engineer and by the Somers Point Police Department to regulate the flow of traffic segments of Center Street and Somers Avenue in the interest of public safety, and

WHEREAS, the Governing Body of the City of Somers Point finds it to be in the interest of public safety to establish speed limits for both directions of traffic along the roadways indicated below, pursuant to N.J.S.A. 39:4-8(b); and,

WHEREAS, the City Engineer has submitted and certified all of the legislative requirements, pursuant to N.J.S.A. 39:4-8(b) and the criteria as set forth by the New Jersey Department of Transportation, Bureau of Traffic Engineering and Investigations has been met; and

WHEREAS, it is necessary to amend and supplement Chapter 250 of the Code of the City of Somers Point in order to implement the recommended change in traffic regulations upon certain streets under the control of the Municipality

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

SECTION 1: Somers Point Municipal Code Chapter 250 Vehicles and Traffic, Section 250-28. Schedule V: “Trucks Over Four Tons Excluded” is hereby amended to include the following:

Name of Street	Location
Somers Avenue	From Centre Street to Shore Road

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Ordinance No. 13 (Continued)

SECTION 2: Somers Point Municipal Code Chapter 250 Vehicles and Traffic, Section 250-37. Schedule XII: Left Turn Prohibitions is hereby amended to include the following:

Intersection (Location)

East on Somers Avenue to North on Shore Road

SECTION 3: Somers Point Municipal Code Chapter 250 Vehicles and Traffic is hereby amended to add a new Section 250-19.2 “Restricted Speed Zones” as follows:

Restricted Speed Zones are hereby established and shall be maintained along those streets or parts of streets described in Schedule XVII (Section 250-40.2), attached hereto and made a part of this chapter.

SECTION 4: Somers Point Municipal Code Chapter 250 Vehicles and Traffic is hereby amended to add a new Section 250-40.2 Schedule XVIII “Restricted Speed Limits” as follows:

In accordance with Section 250-19.2 Restricted Speed Zones are hereby established and shall be maintained along the following described streets or parts of streets:

Name of Street	Direction	Speed	Location
Centre Street	Both	10 MPH	Between New Jersey Avenue and Somers Avenue
Somers Avenue	Both	10 MPH	Between Centre Street and Shore Road

SECTION 5: Appropriate signage shall be installed and placed on both sides of Centre Street, on both sides of Somers Avenue and at the intersection of Somers Avenue and Shore Road according to New Jersey Department of Transportation standards with standard spacing as required by Regulation.

SECTION 6: All other provisions of Chapter 250 shall remain in full force and effect and shall apply to this amendment upon the effective date of this Ordinance.

SECTION 7: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 8: Should any section, clause, sentence, phrase or provision or any item in any schedule of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance

SECTION 9: This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

FIRST READING: June 29, 2011
PUBLICATION: July 6, 2011
FINAL PASSAGE: July 28, 2011

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Public Portion

John Romanelli, 905 Shore Road, came forward and addressed the governing body thanking them for the action they are taking stating that the neighborhood appreciates it. He further stated that he felt that the 10 mph may be a little slow.

Mr. Himmelstein from Surfside Casual Furniture came forward and addressed the governing body stating that his delivery truck cannot make the turn onto Centre Street from New Jersey Avenue. Council and the Engineers Office agreed to take a look at this. Mr. Himmelstein further stated that the shrubbery at Somers and Shore Road makes it difficult to pull out onto Shore Road because you can't see. Council agreed to look into this as well. He further expressed concerns about people cutting through his parking lot and is afraid they will hit a bicyclist or a pedestrian. He asked if Centre Street could continue to Braddock Avenue. He further added that he doesn't have any easements along his property. Greg Schneider stated that according to the Tax Map it is a 12 foot right of way.

Betty Isaac, 22 Somers Avenue, came forward and addressed the governing body thanking them for this ordinance and stating that it is very much appreciated.

PJ Leary, 817 Shore Road came forward and addressed the governing body stating that they did a fine job on Centre Street. He explained that everyone at the bars must now go outside to smoke and it can get very loud in the summer when windows are open. He asked if the establishments could put up a sign stating that this is a residential neighborhood and to please keep the noise to a minimum.

Public portion was then closed.

Adjournment

There being no further business, meeting adjourned at 6:37 p.m.

Carol L. Degrassi, RMC/MMC
Municipal Clerk

Approved: 07/28/11