

**REGULAR MEETING
MAYOR AND CITY COUNCIL
March 12, 2015**

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

Roll call was recorded as follows:

Present: D'Adamo, Dill, Gerety, McGuigan, Smith, Tapp & Kern
Also Present: Mayor Glasser, Administrator Swain, Atty. Franklin & Clerk
Degrassi & Deputy Clerk Samuelson

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

Communications

City Clerk Degrassi announced that the Free Rabies Clinic will be held on Saturday, March 14, 2015 from 10:00 am - 12 noon at the Public Works Garage on Centre Street. She also added that the Clerk's Office will be open the same hours so that dog and cat licenses can be obtained the same day.

Chief Boyd addressed the governing body with regard to a project they are working on at the schools and have partnered with Linwood Community Church. Linwood Community Church will pick up children grades 1-6 after school and bring them to their facility to work on projects, do homework, crafts and activities. He stated that the Police Department, Schools and Linwood Community Church are working together to get this going and they are hoping for the support of the governing body. Council agreed that this is something good for the community.

Mayor's Report

Mayor Glasser gave the Police Department report in full for the month of February. He also commended the Police Department, schools and the CER Office and everyone who took part in the Chris Herron project last Wednesday night. He stated that he and Councilman McGuigan attended and he was very impressed by this young man. He also noted that he attended another fundraiser over the weekend which was very well attended for the Richard Somers Mural.

Administrator's Report

Council President Kern advised that the City Administrator is not able to be here tonight as he had a family event. She stated, however, that he had given her some information to read regarding a recent newspaper article about our budget that was incorrect. Council President Kern read this for the public, noting that it was a budget work session and the budget was not introduced. It was also noted that the article incorrectly stated the increase and the approximate cost to the average residential property.

Committee Reports

Councilman Dill thanked the Public Works Department for the great job they did with the snow and ice removal during these recent storms. He also noted that they are out there filling numerous potholes and asked the public to call and let them know if they a pothole.

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Committee Reports (Continued)**

Councilman McGuigan stated that going back to the drug and alcohol problem spoken about by Chris Herron at the school, we have a very proactive Police Department. We are fortunate that through this project and the project at the school, we are battling this from both ends and he can't commend the Police Department enough.

Minutes

There were no minutes presented for approval.

ORDINANCES

Ordinance No. 7 - Final Reading

M/S - Tapp/Gerety

Meeting was opened to the public and duly closed. Ordinance No. 7 was then adopted on final reading by a unanimous vote of those present.

Ordinance No. 7 of 2015

**An Ordinance Amending and Supplementing the Municipal Code
Of the City of Somers Point Chapter 120 "Dogs and Other Animals"
By Amending Article I "Animal Licensing And Control" Section 120 – 5 A. (3) and
Amending Article V "Cats" Section 120-32 G. (2) Changing the Date for Imposition of a
Late Fee And Eliminating the Supplemental Late Fee**

FIRST READING: February 26, 2015

PUBLICATION: March 4, 2015

FINAL PASSAGE: March 12, 2015

Ordinance No. 8 - First Reading

M/S - Dill/Gerety

Ordinance No. 8 was approved on first reading by a unanimous vote of those present.

ORDINANCE NO. 8 OF 2015

**ORDINANCE OF THE CITY OF SOMERS POINT, COUNTY OF
ATLANTIC, NEW JERSEY, APPROPRIATING CERTAIN
UNEXPENDED PROCEEDS OF THE SALE OF PREVIOUSLY
ISSUED BONDS AND NOTES TO FINANCE THE COST OF
ADDITIONAL CAPITAL IMPROVEMENTS AND TAKING
RELATED ACTIONS**

WHEREAS, the City of Somers Point, County of Atlantic, New Jersey ("**City**") has, pursuant to the Local Bond Law, Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented ("**Local Bond Law**"), and Ordinance No. 5-2009, finally adopted on April 23, 2009, Ordinance No. 9-2009, finally adopted on November 12, 2009, Ordinance No. 7-2010, finally adopted on June 24, 2010, Ordinance No. 5-2011, finally adopted on May 26, 2011, Ordinance No. 7-2012, finally adopted on May 10, 2012, as amended by Ordinance No. 13-2012, finally adopted on June 28, 2012, Ordinance No. 12-2012, finally adopted on June 28, 2012, and Ordinance No. 13-2012, finally adopted on July 26, 2012 (the aforesaid Ordinances are hereinafter referred to collectively as the "**Ordinances**"), all having been duly published as required by law, authorized, issued and sold general obligation bonds in the year 2012 (the "**2012 Obligations**") to finance the costs of various municipal projects and improvements as are more fully described in the Ordinances (collectively, the "**Prior Projects**"); and

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Ordinance No. 8 (Continued)

WHEREAS, payment of all of the costs of the Prior Projects under the Ordinances has been made or provided for and \$66,006.67 of the proceeds of the sale of the 2012 Obligations for the Prior Projects are not necessary for such purposes and remain unexpended (“**Unexpended Proceeds**”); and

WHEREAS, Section 40A:2-39 of the Local Bond Law provides that, if, in the opinion of the City Council of the City (“**Council**”), it is in the best interest of the City, the Unexpended Proceeds may be appropriated to and used to finance the cost of any other purpose or purposes for which bonds may be issued; and

WHEREAS, Council has determined that it is in the best interest of the City to appropriate the Unexpended Proceeds towards the costs of additional capital improvements and projects for the City as hereinafter specified.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOMERS POINT, COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), does hereby ordain as follows:

Section 1. Capital Character of Additional Projects; Authorization. It is hereby determined that the Unexpended Proceeds shall be used to finance the purchase of a standing mower, a dump truck salt spreader, and an articulated wheel loader in the amount of \$66,006.67 (collectively, the “**Additional Projects**”). The Additional Projects constitute purposes for which bonds may be issued pursuant to the Local Bond Law, having a period of usefulness in excess of five (5) years, as required by Section 40A:2-21 of the Local Bond Law. The implementation of the Additional Projects is hereby authorized to be made as general improvements in and for the City.

Section 2. Appropriation of Unexpended Proceeds. It is hereby determined that, in the opinion of Council, it is in the best interest of the City to appropriate the Unexpended Proceeds in the amount of **\$66,006.67** under this Ordinance to finance the costs associated with the Additional Projects, and accordingly, said sum is hereby appropriated.

Section 3. Capital Budget Amendment. The capital budget is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital improvement program as approved by the Director, Division of Local Government Services, are on file with the City Clerk and are available for public inspection.

Section 4. No Additional Indebtedness Authorized. This Ordinance does not authorize any additional indebtedness, but merely appropriates proceeds of the Obligations in excess of the amount required to complete the improvements for the financing of which such 2012 Obligations were originally issued.

Section 5. Repeal of Inconsistent Legislation. All ordinances and resolutions or parts thereof to the extent inconsistent herewith are hereby repealed or rescinded.

Section 6. Effective Date. This Ordinance shall take effect immediately upon final adoption and publication as required by law.

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|------------------------|-----------------------|
| FIRST READING: | March 12, 2015 |
| PUBLICATION: | March 18, 2015 |
| FINAL ADOPTION: | March 26, 2015 |

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RESOLUTIONS

Waiver of 48-Hour Rule

The 48-Hour Rule was waived unanimously in order to consider Resolution No. 63.

Public Portion on Resolutions

M/S - Dill/Gerety

Meeting was opened to the public and duly closed.

Consent Agenda

There were no items on the consent agenda.

Resolutions

Resolution No. 59

M/S - Gerety/Dill

Adopted by a unanimous vote of those present.

No. 59 of 2015

Subject: Community Development Block Grant Program

WHEREAS, the City of Somers Point has opted to participate in the Atlantic County community Development Block Grant (CDBG) Program for FY 2014; and

WHEREAS, as a participant, the City of Somers Point expects to be allocated \$48,552.00 for Fiscal Year 2014 for the project known as Stormwater Improvements; and

WHEREAS, in order to be allocated CDBG funds, the City of Somers Point must enter into an interlocal service agreement with the Atlantic County Improvement Authority, the administrator of the Atlantic County CDBG Entitlement Program.

NOW, THEREFORE, BE IT RESOLVED, that the Agreement by and between the Atlantic County Improvement Authority and City of Somers Point which is attached hereto, is approved and the Mayor and Municipal Clerk are authorized to sign said agreement on behalf of the City.

Resolution No. 60

M/S - Dill/Gerety

Councilman McGuigan stated that this year there are no establishments having an extension of licensed premises for the Bayfest. He explained that the Anchorage always had 60-70 portable toilets and this could be a problem. Chief Boyd addressed the governing body explaining that people will now be more spread out and we may need portable toilets throughout the City and is concerned about the locations. Council asked that the Bayfest Committee advise them of the locations. Resolution No. 60 was then adopted by a unanimous vote of those present.

No. 60 of 2015

Subject: Closing Bay Avenue for Bayfest
Introduced By: Council President Kern

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Resolution No. 60 (Continued)

WHEREAS, the Bayfest 2015 celebration is scheduled for April 25, 2015; and

WHEREAS, the Bayfest Committee has requested that a portion of Bay Avenue be closed for the Bayfest Celebration; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that Bay Avenue be closed from Anna Avenue to Pleasant Avenue, from 6:00 a.m. until 7:00 p.m., in order to accommodate the Bayfest Celebration on April 25, 2015.

Resolution No. 61
M/S - Dill/Gerety
Adopted by a unanimous vote of those present.

No. 61 of 2015

Subject: Recreation Volunteer of the Year
Introduced By: Councilwoman Kern

WHEREAS, the City of Somers Point and the Somers Point Recreation Commission wish to recognize the efforts of Amber Cook for her never ending willingness to serve the Community of Somers Point and the countless hours dedicated to many different organizations in the City; and

WHEREAS, Amber has been the Fundraising Director for the Sharks Football organization, as well as a Cheerleading Coach and Mentor; and

WHEREAS, Amber has also helped with fundraising and the running of the Snack Stand for both the Somers Point Street Hockey and the Little League; and

WHEREAS, Amber has been an active member of the Somers Point School Parent Group; and

WHEREAS, Amber has given unselfishly of her time and energy in a manner that reflects favorably on all Somers Point Volunteers.

NOW, THEREFORE, BE IT RESOLVED that the Mayor, City Council and the Somers Point Recreation Commission name Amber Cook as the recipient of the 2014 Recreation Volunteer of the Year Award.

Resolution No. 62
M/S - Gerety/Tapp
Adopted by a unanimous vote of those present.

**RESOLUTION NO. 62 of 2015
AUTHORIZING EXECUTIVE SESSION**

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, 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 One (1) issue permitted by N.J.S.A. 10:4-12(b) is to be discussed without the public in attendance during an Executive Session to be held on March 12, 2015 during a public meeting to be held commencing at 7:00 P.M, and

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Resolution No. 62 (Continued)

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

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| 1 | “(5) Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.” |
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The nature of the matter, described as specifically as possible without undermining the need for confidentiality are:

1) Potential acquisition of land necessary for public use by the City.

WHEREAS, the length of the Executive Session is estimated to be approximately 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 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 # (5) above | Discussion to follow Executive Session or at a future meeting. | The details shall be disclosed when a decision is made to proceed and prior to approving any action following discussion by the Governing Body. An Ordinance is required to consummate any purchase of real property. |
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Resolution No. 63

M/S - Gerety/Tapp

Adopted by a unanimous vote of those present.

**CITY OF SOMERS POINT
RESOLUTION NO. 63 of 2014
AUTHORIZING EXECUTIVE SESSION**

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, 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 **ONE** topic which involves a report from the Somers Point Chief of Police regarding the elements of the public safety program which has been implemented for school safety which is a matter permitted by N.J.S.A. 10:4-12(b) as an exception to public meetings and is necessary to be discussed in the interest of public safety, health and welfare without the public in attendance during an Executive Session to be held on March 12, 2015 during a public meeting to be held commencing at 7:00 P.M, and

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Resolution No. 63 (Continued)

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.

1 “(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.”

The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

A report to mayor and City Council by the Somers Point Chief of Police regarding the elements of the public safety program which has been implemented for school safety, and the status of the joint task force comprised of representatives from the Police Department and the public and private elementary and high schools within the City; providing an opportunity for a full and thorough presentation to Council, the public disclosure of the means and methods could impair the effectiveness of the protection.

WHEREAS, the length of the Executive Session is estimated to be approximately 30 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 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 6 Above | Details are not to be released in the interest of public safety. | None |
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Old Business

There was no Old Business.

New Business

M/S - Gerety/Tapp

The following applications were approved by a unanimous vote of those present.

Bingo License application for SP Volunteer Fire Co. No. 2, Ladies Auxiliary.

Application for Coast to Coast MS Bike Ride to be held May 17, 2015.

Two applications for Raffle Licenses for Red Hawk Family School Association.

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Discussion of Bills

Bill list in the amount of \$1,568,294.56 as well as a Record of Payment in the amount of \$350.00 were presented for discussion.

Public Portion

Bill Sparks, 105 Braddock Avenue, came forward and addressed the governing body with regard to the very bright signs that some of the businesses are putting up. He was concerned that if everyone starts using these signs that it will look like Los Vegas. He asked if there is anything in the code regarding brightness. Atty. Franklin stated that the whole sign ordinance is being reviewed right now, so this is a good time to bring this up. He was also told to check in with our Code Enforcement Officer.

Jack Franco, Decatur Avenue, came forward and addressed the governing body thanking them for passing the bulkhead ordinance.

Mr. Lorenski, 16 Bucknell, came forward and addressed the governing body regarding the plowing during the recent snow storms explaining that they always push the snow to one side. He explained that this snowed in a senior citizen who needed to get out to a doctor appointment. Councilman Dill stated that he would contact the Public Works Department and discuss this.

Payment of Bills

M/S - Dill/D'Adamo

Bills were approved by a unanimous vote of those present. A complete list of bills is on file in the Office of the City Clerk.

Recess

Council recessed at 7:43 p.m. prior to going into an Executive Session, reconvening at 8:05 p.m. and advising that there was no action taken.

Adjournment

There being no further business, meeting adjourned at 8:05 p.m.

Carol L. Degrassi, RMC/MMC
Municipal Clerk

Approved: