

**REGULAR MEETING
MAYOR AND CITY COUNCIL
October 5, 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 & City Clerk Degrassi

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

The following proclamation was read in full by the City Clerk.

Proclamation No. 11

WHEREAS, Across the nation, traffic crashes caused nearly 34,000 fatalities in 2009, and are the leading cause of death for young people ages 15 to 34; and

WHEREAS, in New Jersey, 583 individuals lost their lives in traffic crashes in 2009; and

WHEREAS, Alcohol-related crashes accounted for 31 percent of the State's traffic fatalities, while 16 percent of all fatal crashes involved traveling at unsafe speeds; and

WHEREAS, Motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and

WHEREAS, 65 motorcyclists, 14 bicyclists and 157 pedestrians were killed in New Jersey in traffic-related crashes in 2009; and

WHEREAS, Safer driving behaviors such as buckling up, every ride; obeying posted speed limits; stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive driving behaviors; never driving impaired; wearing proper safety gear when riding a motorcycle or bicycle; and, focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths;

NOW, THEREFORE, I, John L. Glasser, Jr., Mayor of the City of Somers Point, do hereby proclaim October 10, 2011

PUT THE BRAKES ON FATALITIES DAY

and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

Atty. Franklin reported regarding the request for a street closing by Kid Zone, stating that all of the activities are on the church property and the closing of the street is just to protect the children walking through the neighborhood. He stated that they have provided insurance certificates.

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Committee Reports

There were no Committee Reports given.

Minutes

There were no minutes presented for approval.

ORDINANCES

Ordinance No. 17

M/S – RT/MK

Meeting opened to the public and duly closed. Ordinance No. 17 was then adopted on final reading by a unanimous vote of those present.

ORDINANCE NO. 17 OF 2011

**AN ORDINANCE FIXING THE SALARIES, WAGES AND
COMPENSATION OF THE OFFICERS AND EMPLOYEES
OF THE CITY OF SOMERS POINT, COUNTY OF ATLANTIC,
STATE OF NEW JERSEY.**

FIRST READING:	09/22/2011
PUBLICATION:	09/28/2011
FINAL READING:	10/13/2011

RESOLUTIONS

Waiver of 48-hour Rule

A motion was made and seconded to waive the 48-Hour Rule in order to consider Resolution No. 151. Motion carried by a unanimous vote.

Public Portion on Resolutions

Meeting was opened to the public and duly closed.

RESOLUTIONS

Resolution No. 148

M/S – TS/MK

Resolution No. 148 was adopted by a unanimous vote of those present.

No. 148 of 2011

Subject:	Establishing a Fixed Asset Threshold
Introduced By:	Councilman Smith

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WHEREAS, in accordance with N.J.A.C. 5:30-5.6 the City of Somers Point maintains a Fixed Assets accounting and reporting system; and

WHEREAS, a municipality may establish a capitalization level less than but not in excess of the threshold in the U.S. Office of Management and Budget Circular A-87; and

WHEREAS, the level set in OMB Circular A-87 is currently \$5,000.00; and

WHEREAS the City of Somers Point desires to establish a level that is less than the threshold in the U.S. Office of Management and Budget Circular A-87.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the threshold for Fixed Asset accounting in the City of Somers Point is hereby set at \$3,000.00.

Resolution No. 149

M/S – CD/DT

Adopted by a unanimous vote of those present.

No. 149 of 2011

RESOLUTION APPROVING REQUEST OF TC LANDSCAPE CONSTRUCTION GROUP, INC. FILED PURSUANT TO NJSA 40A:11-23.3 TO WITHDRAW A BID PROPOSAL FOR REPAIRS TO JFK PARK

Introduced By: Councilman Tapp

WHEREAS, the City of Somers Point authorized the City Engineer to prepare specifications and Requests for Bid Proposals for certain repairs to be undertaken within JFK Park in the City of Somers Point; and

WHEREAS, ten (10) Sealed Bids were received in response to the Requests for Bid Proposals which were opened and read on September 15, 2011; and

WHEREAS, of the ten (10) bids, one was determined incomplete; and

WHEREAS, NJSA 40A:11-23.3 sets forth the procedure to be followed by a bidder who has made a mistake in the bid submittal to provide formal notice of the mistake and the withdrawal of the bid proposal based upon that mistake; and

WHEREAS, TC Landscape Construction Group, Inc. has complied with the Notice Requirements of NJSA 40A:11-23.3; and

WHEREAS, the request by TC Landscape Construction Group, Inc. to withdraw its bid proposal has been reviewed by the City Engineer and the City Solicitor; and

WHEREAS, it has been determined that TC Landscaping did make a material error in a material feature of the bid, that enforcement of the proposal by the City would be unconscionable, that the error was made in good faith, and that the proper remedy to the Contractor is the withdrawal of the bid proposal as requested.

Now, Therefore, it is hereby **RESOLVED** by the Governing Body of the City of Somers Point that the request by TC Landscaping to withdraw its bid proposal for repairs of JFK Park is hereby approved; and

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Resolution No. 149 (Continued)

Further, **RESOLVED**, that the City Engineer is directed to present to Council for its consideration, approval of the bid submitted by the lowest responsible bidder.

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Resolution No. 150

M/S – CD/MK

Councilman Dill asked if the money left over from Phase I can be used to start the Phase II CAFRA permit portion. Council agreed. Resolution No. 150 was then adopted by a unanimous vote of those present.

No. 150 Of 2011

RESOLUTION APPROVING AWARD OF A CONTRACT TO ML RUBERTON CONSTRUCTION CO, INC. AS THE LOWEST RESPONSIBLE BIDDER TO UNDERTAKE REPAIRS IN JFK PARK PURSUANT TO A RESPONSE TO REQUEST FOR PROPOSALS

Introduced By: Councilman Tapp

WHEREAS, the City of Somers Point authorized the City Engineer to prepare specifications and Requests for Bid Proposals for certain repairs to be undertaken within JFK Park in the City of Somers Point; and

WHEREAS, sixteen (16) Bid Proposal Packets were picked up by prospective bidders; and

WHEREAS, ten (10) Sealed Bids were received in response to the Requests for Bid Proposals, which were opened and read on September 15, 2011; and

WHEREAS, of the ten (10) bids, one was determined incomplete and one was withdrawn by the bidder in compliance with the requirements of NJSA 40A:11-23.3; and

WHEREAS, the City Engineer has reviewed the remaining eight (8) Bid Proposals and has determined that ML Ruberton Construction Co. Inc. of Hammonton, NJ is the lowest responsible bidder, having submitted an bid in the amount of \$104,700.00; and

WHEREAS, the Somers Point Recreation Commission has considered the recommendation of the Engineer's Office and requests that the Governing Body approve the recommendation that the City award the contract to ML Ruberton Construction Co., Inc. in the total amount of \$104,700.00; and

WHEREAS, it has been certified by the Chief Financial Officer of the City of Somers Point that sufficient funds are available for payment of the Contract Price

Now, therefore, it is hereby **RESOLVED** by the Governing Body of the City of Somers Point that the Mayor is hereby authorized to execute and deliver and the City Clerk is authorized to certify to a contract with ML Ruberton Construction Co., Inc. in the amount of \$104,700.00 for repairs to JFK Park, subject to review and approval of the contract terms by the City Engineer and City Solicitor.

Resolution No. 151

M/S – CD/DT

Adopted by a unanimous vote of those present.

No. 151 of 2011

Subject: Authorizing Application for Municipal Alliance

Introduced By: Council President McGuigan

WHEREAS, it is the intent of the governing body of the City of Somers Point to provide a drug free environment for its citizens; and

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Resolution No. 151 (Continued)

WHEREAS, the Municipality of Somers Point is eligible to receive funding for a Municipal Alliance project, as administered by the Governor's Counsel on Alcoholism and Drug Abuse; and

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WHEREAS, to be eligible for this funding the Governing Body must submit an application.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Somers Point that the Mayor and City Administrator are hereby authorized to apply to the Governor's Counsel on Alcoholism and Drug Abuse for funding a Municipal Alliance project for the year 2012 and to execute all documentation necessary for funding of approximately \$14,355.00 for State funding and \$3,588.75 for Municipal funding.

BE IT FURTHER RESOLVED that the Municipality will submit to the Governor's Counsel on Alcoholism and Drug Abuse an application upon execution by the Mayor.

New Business

A Raffle License application for the MRHS parent organization was approved by a unanimous vote of those present.

A Social Affairs permit for Fire Company No. 2 was approved unanimously.

Old Business

Councilman Triboletti motioned to bring Ordinance No. 14 back on the table for the next meeting on the 27th. Council President McGuigan seconded the motion which carried by a 6-1 vote with Councilman Dill voting no. Ordinance to be readvertised and Elaine Connelly notified.

Administrator Swain reported that we received favorable quotes on Bond Anticipation Notes and we settled on the 4th without a glitch.

Discussion of Bills

Bills in the amount of \$106,343.38 were presented for discussion.

Public Portion

Dr. Galler came forward and addressed the governing body on behalf of himself and other physicians on Shore Road regarding the Residential Parking passes. He stated that he would like to see the permits changed to allow parking for several hours around doctor's offices. He stated that he is looking for a compromise.

Payment of Bills

A motion was made and seconded to approve the bills. Motion carried unanimously. 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 6:36 p.m.

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Carol L. Degrassi, RMC/MMC
Municipal Clerk

Approved: 11-17-11