

**REGULAR MEETING
MAYOR AND CITY COUNCIL
May 28, 2020**

Meeting called to order via ZOOM at 7:00 p.m. by President McGuigan with a salute to the flag. Roll call was recorded as follows:

Present: Johnston, D'Adamo, Toto, Owen, Dill, Gerety, McGuigan

Also Present: Mayor Glasser, Administrator Swain, Assistant Administrator Frost, City Clerk Samuelsen, Deputy City Clerk Heath, City Solicitor Thomas Smith, City Engineer Schneider

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 and on the City's website, somerspointgov.org. The meeting was held via ZOOM platform due to the pandemic of COVID-19. Council President McGuigan announced the instructions for joining the meeting electronically.

Communications:

None

Mayor's Report:

Mayor Glasser reported that he held a meeting regarding COVID-19 and will submit a proposal to the Governor.

Administrator's Report:

None

Solicitors Report:

Thomas Smith, Esq., City Solicitor, noted that Resolution No. 11 deals with a Memorandum of

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Agreement regarding the PBA and Dispatchers. He thanked Administrator Swain, the police union and representatives for their efforts.

Committee Reports:

Councilman Gerety encouraged everyone to sign up for the second blood drive at Jordan Road School on 6/5/20.

Approval of Minutes: On the motion of Councilman Owen, seconded of Councilman D'Adamo and carried, the regular meeting minutes 5/14/2020 was approved.

Ordinances:

Ordinance No. 2 of 2020
(Second Reading/Public Hearing)
M/S- Gerety/Dill

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

The Public Portion was duly opened.

Resident Patricia Pierson questioned the subject of the ordinance. Council President McGuigan explained the details of the ordinance.

Hearing nothing further from the public, this portion was duly closed.

**ORDINANCE No. 2 of 2020
CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the City Council of the City of Somers Point in the County of Atlantic finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the City Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$123,545.24 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the City Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Somers Point, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the City of Somers Point shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$432,408.33, and that the CY 2020 municipal budget for the City of Somers Point be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Public Portion on Resolutions:

The Public Portion was duly opened.

Hearing nothing further from the public, this portion was duly closed.

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No. 102 of 2020

Subject: Read Budget by Title Only

Introduced By: Council President McGuigan, Councilmen Dill and Gerety

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 the City Clerk affirms hereto that these two conditions have been met; and

WHEREAS City Council hereby declares 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.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the budget shall be read by title only.

Resolution No. 103

M/S-Gerety/D'Adamo

The resolution was adopted by unanimous vote of those present.

No. 103 of 2020

Subject: Self-Examination of the 2020 Budget

Introduced By: Council President McGuigan, Councilmen Dill and Gerety

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

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Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2020 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.

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.

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PUBLIC HEARING/ADOPTION OF THE 2020 MUNICIPAL BUDGET

The Public Hearing was duly opened.

Ms. Patricia Pierson of 587 Marks Road questioned if the Governing Body worked to bring the tax rate down. Council President McGuigan explained that work is continually being done throughout the year. Additionally, the Budget and Finance Committee recently recommended to lower the Budget by approximately \$114,000, which is on the agenda this evening as Resolution No. 103A. Ms. Pierson thanked them for their efforts and expressed her concern regarding the hospital's annual contributions and other increases from the State.

Gina Heller of 110 Ocean Avenue questioned if there could be more time to review the budget. Council President McGuigan explained that the City is obligated by the State to pass the Budget following their guidelines.

Greg Sykora of 2 Horter Avenue complimented the Governing Body, City Administrator Swain for their efforts and is satisfied with the Budget.

Thomas Smith, Esq., City Solicitor, complimented the Tax Collection Department for their efforts.

Bill Collins of 814 Bay Avenue thanked the Governing Body for lowering the tax rate.

Resident Joe Mc Carrie questioned if there is a process of tracking the progress of the budget. City Administrator Swain indicated that he provides budget updates to the Governing Body monthly.

Ms. Natalie Bailey residing at 825 Bay Avenue questioned where the budget cut came from. City Council President McGuigan explained that the funds were cut from health insurance. Ms. Bailey suggested the budget versus the savings report be posted on the website. Additionally, she suggested City Council make adjustments to City services to save money. Council President McGuigan appreciated her suggestion and indicated that City Council works year-round regarding the Budget. Additionally, he encouraged her to share her suggestion of services she would like to omit. Ms. Bailey questioned if there was a deadline for the Budget to be adopted. City Administrator Swain indicated that this evening's meeting meets the deadline requirement.

Hearing nothing further from the public, the Public Portion was duly closed.

On the motion of Councilman Dill, seconded of Councilman Owen to adopt the Budget. City Council will consider Resolution No. 103 A, which is an amendment to the Budget.

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Resolution No. 103 A

M/S- Gerety/Dill

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

No. 103A of 2020

CITY OF SOMERS POINT

RESOLUTION 103A TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2020 was approved on the 23rd day of April, 2020 and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget, now

THEREFORE BE IT RESOLVED, by the City Council of the City of Somers Point, C

following amendments to the approved budget of 2020 be made:

<u>Recorded Vote</u>	((
	((
	Ayes(Nays(
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	((

CURRENT FUND:

ANTICIPATED REVENUES:

1. Surplus Anticipated
 - Total Surplus Anticipated

6. Amount to be Raised by Taxes for Support of Municipal Budget
 - Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes

7. Total General Revenues

ANTICIPATED APPROPRIATIONS:

8. General Appropriations:
 - a) Operations - within "CAPS"
 - Insurance

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Employee Group Health

Total Operations within "CAPS"

Total Operations Including Contingent - within "CAPS"

Detail: Other Expenses

H-1 Total General Appropriations for Municipal Purposes within "CAPS"

l) Subtotal General Appropriations (Items (H-1) and (O))

9. Total General Appropriations

BE IT FURTHER RESOLVED,

that two certified copies of this resolution be filed

of the Director of Local Government Services for his certification of the local municipal budget so amended.

It is hereby certified that all additions and math in this amendment are correct.

Leon P. Costello, CPA, RMA

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 28th day of May 2020.

Lucy R. Samuelsen, RMC, City Clerk

Ordinance No. 3 of 2020
(First Reading/Introduction)

M/S- Gerety/Dill

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

ORDINANCE NO. 3 of 2020

Bond Ordinance Providing for Various Improvements and Acquisitions in and by the City of Somers Point, in the County of Atlantic, New Jersey, Appropriating \$2,900,000 Therefor and Authorizing the Issuance \$2,755,000 of Bonds or Notes of the City to Finance Part of the Cost Thereof.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERS POINT, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

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SECTION 1. Appropriation for Projects-Down Payment

The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Somers Point, Atlantic County, New Jersey (the "City"), as general improvements. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,900,000 including the sum of \$145,000 as the down payment required by the Local Bond Law. It is hereby determined and stated that the amount of the down payment is not less than five percent (5%) of the obligations authorized by this bond ordinance and that the amount appropriated as a down payment has been made available prior to final adoption of this bond ordinance by provisions in prior or current budgets of the City for capital improvements and down payments, including also monies received from the United States of America, the State of New Jersey or the County of Atlantic, or agencies thereof, as grants in aid of financing said improvements or purposes.

SECTION 2. Authorization of Bonds and Notes

In order to finance the cost of the improvements or purposes not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,755,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. Description of Projects

The improvements hereby authorized and the purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

Purpose	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
a.) Acquisition by purchase of Fire Department public safety equipment including power rescue tools, turnout gear, fire hose and nozzles, and all attachments and appurtenances applicable thereto.	\$92,000	\$87,400	10years
b.) Acquisition by purchase of a refuse truck, street sweeper, and a vactor unit for an existing street			

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sweeper for the Public Works Department including all attachments and appurtenances applicable thereto.	\$499,000	\$474,050	15 years
c.) Improvements to municipal facilities including roofing, flooring, and painting of City Hall and the Construction Department Building , together with all materials and work necessary therefore, and incidental thereto. including without limitation all building construction costs, demolition costs, fixtures, project design, consulting services, contract management, surveying, planning, architectural, engineering, permits and approvals, preparation of plans and specifications, bid documents and construction inspection and administration.	\$110,000	\$104,500	15 years
d.) Acquisition by purchase of a new sound system for Council Chambers together with all appurtenances and attachments necessary therefore and incidental thereto.	\$22,000	\$20,900	7 years
e.) GIS mapping of the storm sewer system together with all appurtenances and attachments necessary therefore and incidental thereto.	\$50,000	\$47,500	5 years
f.) Acquisition by purchase of computers, computer tablets, and radios for the Office of Emergency Management and including all attachments and appurtenances applicable thereto.	\$8,000	\$7,600	7 years
g.) Improvements to various recreational facilities in the City including playground equipment upgrades together with all materials and work necessary			

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therefore and incidental thereto, including without limitation all building construction costs, demolition costs, fixtures, project design, consulting services, contract management, surveying, planning, architectural, engineering, permits and approvals, preparation of plans and specifications, bid documents and construction inspection and administration.

	\$70,000	\$66,500	15 years
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h.) Acquisition by purchase of Police Department public safety equipment including speed counter sign, camera systems, storage unit, furniture, and computers and all attachments and appurtenances applicable thereto.

	\$59,000	\$56,050	10 years
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i.) Acquisition by purchase of an outdoor movie screen system for Recreation, and all attachments and appurtenances applicable thereto.

	\$10,000	\$9,500	15 years
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j.) Various Municipal Roadway Improvements in the City including milling and overlay, paving and curbs, such new roadway pavement to be at least equal in useful life or durability to a road of Class B construction, as referred to in Section 40A:2-22 of the Local Bond Law, together with the construction or reconstruction of drainage facilities, pavement preparation, pavement construction or reconstruction, asphalt concrete resurfacing, driveway, curb, sidewalk and shoulder restoration, handicapped accessible curb ramps, and all other necessary or desirable structures, appurtenances and

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work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.

	\$1,980,000	\$1,881,000	10 years
TOTAL	<u>\$2,900,000</u>	<u>\$2,755,000</u>	<u>11.86 Years</u>

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated is the amount of the said down payment for said purpose.

SECTION 4. Issuance of Notes

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the notes sold, the price obtained, and the name of the purchaser. If so designated by the Chief Financial Officer, the City Administrator may act on behalf of the Chief Financial Officer in any or all capacities described in this section.

SECTION 5. Capital Budget

The applicable capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

SECTION 6. Additional Matters

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The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The average period of usefulness of the improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 11.86 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and an executed copy thereof has been electronically executed and filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,755,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.
- (d) An aggregate amount not exceeding \$435,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

SECTION 7. Application of Grants

Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

SECTION 8. Full Faith and Credit

The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9. Official Intent to Reimburse Expenditures

The City reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such

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bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City, or any member of the same "control group" as the City, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended.

SECTION 10. Tax Covenants

The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the bond ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

SECTION 11. Ratification of Prior Acts

Any action taken by any officials of the City in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this bond ordinance and shall be deemed to have been taken pursuant to this bond ordinance.

SECTION 12. Inconsistencies

All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

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SECTION 13. Effective Date

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

Ordinance No. 4 of 2020
(First Reading/Introduction)
M/S- Gerety/Dill

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

ORDINANCE NO. 4 OF 2020

Bond Ordinance Providing for Various Sewer Utility Capital Improvements in and by the City of Somers Point, in the County of Atlantic, New Jersey, Appropriating \$1,075,000 Therefor and Authorizing the Issuance of \$1,075,000 Bonds or Notes of the City for Financing the Cost Thereof.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERS POINT, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. Appropriation for Projects-Down Payment

The acquisitions or improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Somers Point, Atlantic County, New Jersey (the "City"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,075,000. No down payment is required as the purposes authorized herein are deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the City, as more fully explained in Section 6(e) of this ordinance.

SECTION 2. Authorization of Bonds and Notes

In order to finance the cost of the improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,075,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. Description of Project

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The several acquisitions or improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each acquisition or improvement, and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each acquisition or improvement and the period of usefulness of each are as follows:

Purpose	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
a.) Replacements, improvements and renovations to various pump stations, mains, and other system components and all other necessary or desirable structures appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$920,000	\$920,000	40 years
b.) Acquisition by purchase of a bypass pump and an influent grinder and including all attachments and appurtenances applicable thereto.	90,000	90,000	15 years
c.) GIS mapping of the sewer system together with all appurtenances and attachments necessary therefore and incidental thereto.	65,000	65,000	5 years
Total	\$1,075,000	\$1,075,000	35.79 years

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SECTION 4. Issuance of Notes

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the notes sold, the price obtained, and the name of the purchaser. If so designated by the Chief Financial Officer, the City Administrator may act on behalf of the Chief Financial Officer in any capacities described in this section.

SECTION 5. Capital Budget

The applicable capital budget of the City is hereby amended to conform with the provisions of this ordinance. The resolution in the form promulgated by the Local Finance Board showing full detail of the capital budget and capital program is on file with the Clerk and is available there for public inspection.

SECTION 6. Additional Matters

The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes that the City may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 35.789 years.

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(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and an executed copy thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,075,000, and that the net debt of the City determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

(e) This bond ordinance authorizes obligations of the City solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

SECTION 7. Ratification of Prior Actions

Any action taken by any officials of the City in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this ordinance and shall be deemed to have been taken pursuant to this ordinance.

SECTION 8. Application of Grants

Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

SECTION 9. Full Faith and Credit

The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 10. Official Intent to Reimburse Expenditures

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The City reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City, or any member of the same "control group" as the City, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section 10 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended.

SECTION 11. Inconsistencies

All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

SECTION 12. Effective Date

This bond ordinance shall take effect twenty days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Resolution No. 101

M/S-Dill/Toto

The resolution was adopted by unanimous vote of those present.

No. 101 of 2020

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 McGuigan and Councilmen Dill and Gerety

WHEREAS, the City of Somers Point desires to make application and receive funding for a project under the 2020 Safe and Secure Communities Program (Grant #20-

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0121); and

WHEREAS, the Safe and Secure Communities Program is a program of the State of New Jersey Department of Law and Public Safety, Division of Criminal Justice.

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

- 1) 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.
- 2) The Safe and Secure Communities Program Grant #20-0121 is for the period beginning in August 1, 2019 through July 31, 2020.
- 3) The amount of the grant is \$23,373.00 and the cash match by the City of Somers Point is \$187,471.00, for a total project cost of \$210,844.00.
- 4) The City of Somers Point is authorized to accept and does accept this grant award.
- 5) The grant funds of \$23,373.00 are accepted for the purpose described in the grant application.
- 6) The Mayor and City Administrator are hereby authorized and directed to sign, complete and file all necessary documents in connection with this award on behalf of the City.

Resolution No. 104

M/S-Dill/Owen

The resolution was adopted by unanimous vote of those present.

No. 104 of 2020

Subject: Waiving Late Fees for Dog and Cat Licenses

Introduced by: Council President Sean McGuigan

WHEREAS, pursuant to City Ordinances Nos. 120-3 and 120-4, any person who owns, keeps or harbors a dog of licensing age in the City of Somers Point shall apply for and procure from the city clerk an annual license between January 1 and March 31 of each year; and

WHEREAS, pursuant to City Ordinance No. 120-5, a late fee in the amount of \$20 shall be assessed in addition to the license fee for any license which is not paid by July 1 of each registration calendar year; and

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WHEREAS, pursuant to City Ordinance Nos. 120-31 and 120-32, any person who owns, keeps, harbors or maintains a cat of licensing age in the City of Somers Point shall apply for and procure from the City Clerk an annual license after January 1 of each year; and

WHEREAS, pursuant to City Ordinance No. 120-32, a late fee in the amount of \$20 shall be assessed in addition to the license fee for any license which is not paid by July 1 of each registration calendar year; and

WHEREAS, this governing body has previously recognized that residents of the City of Somers Point may be suffering from one or more financial hardships caused by or related to the COVID-19 pandemic, including but not limited to a substantial loss of or drop in income, and additional expenses such as those relating to necessary healthcare; and

WHEREAS, it is recognized by this governing body that the COVID-19 outbreak has caused substantial economic disruption for many of the residents of the City of Somers Point, making it difficult for many residents to meet the July 1, 2020, late fee deadline for applying for and procuring annual licenses for dogs and cats; and

WHEREAS, the governing body of the City of Somers Point believes that it is appropriate to undertake certain action to alleviate the financial hardship of its residents during this COVID-19 outbreak and resulting State of Emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of Somers Point that the city clerk shall, for the year 2020 only, waive late fees for residents purchasing dog and/or cat licenses after July 1, 2020.

Resolution No. 105

M/S-Gerety/Dill

The resolution was adopted by unanimous vote of those present.

No. 105 of 2020

Subject: Taxes Canceled and Refunded

Introduced by: Council President Sean McGuigan and Councilwoman Janice Johnston

WHEREAS, the property owner at 1 Merion Drive qualifies as a disabled veteran.

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WHEREAS, the owner has filed all of the forms and provided all the necessary documentation for tax exemption; and

WHEREAS, the owner is now entitled to total real estate tax exemption beginning on November 28, 2019; and

WHEREAS, a portion of the taxes for 2019 should be refunded in the amount \$472.36 and the 2020 taxes should be canceled in the amount \$2,562.80; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, that the above taxes be canceled and the tax overpayments be refunded to the property owner.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

Block	Lot	Qual.	Owner	Amount	Year
1627	12		Gerard and Mona Hennessy	\$472.36	2019
TOTAL				\$472.36	

Resolution No. 106

M/S-Gerety/Dill

The resolution was adopted by unanimous vote of those present.

No. 106 of 2020

Subject: Taxes Canceled and Refunded
Introduced by: Council President Sean McGuigan and Councilwoman Janice Johnston

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WHEREAS, the property owner at 598 Mays Landing Road #202 qualifies as a disabled veteran.

WHEREAS, the owner has filed all of the forms and provided all the necessary documentation for tax exemption; and

WHEREAS, the owner is now entitled to total real estate tax exemption beginning on January 23, 2020; and

WHEREAS, a portion of the taxes for 2020 should be refunded in the amount \$1,784.25 and the 2020 taxes should be canceled and;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, that the above taxes be canceled and the tax overpayments be refunded to the property owner.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

Block	Lot	Qual.	Owner	Amount	Year
2020	1.02		James B. Care	\$1,784.25	2020
TOTAL				\$1,784.25	

Resolution No. 107

M/S-Gerety/Dill

The resolution was adopted by unanimous vote of those present.

No. 107 of 2020

Subject: Taxes Canceled and Refunded
Introduced by: Council President Sean McGuigan and Councilwoman Janice Johnston

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WHEREAS, the property owner at 12 Cedar Court qualifies as a disabled veteran.

WHEREAS, the owner has filed all of the forms and provided all the necessary documentation for tax exemption; and

WHEREAS, a portion of the taxes for 2019 should be refunded in the amount \$2,077.90;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, that the above tax overpayments be refunded to the property owner.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

Block	Lot	Qual.	Owner	Amount	Year
524-04	3		Gerard Grindrod	\$2,077.90	2019
TOTAL				\$2,077.90	

Resolution No. 108

M/S-Gerety/Dill

The resolution was adopted by unanimous vote of those present.

No. 108 of 2020

Subject: Taxes Canceled and Refunded

Introduced by: Council President Sean McGuigan and Councilwoman Janice Johnston

WHEREAS, the property owner at 6 Woodlawn Avenue qualifies as a disabled veteran.

WHEREAS, the owner has filed all of the forms and provided all the necessary documentation for tax exemption; and

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WHEREAS, a portion of the taxes for 2019 should be refunded in the amount \$304.90 and a portion of the 2020 taxes should be refunded in the amount of \$8.23; and 2020 taxes should be canceled in the amount of \$5,376.22 and;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point, that the above taxes be canceled and the tax overpayments be refunded to the property owner.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

Block	Lot	Qual.	Owner	Amount	Year
2142.02		2.02	Anthony J. Celli	\$304.90	2019
				\$8.23	2020
TOTAL				\$313.13	

Resolution No. 109

M/S-Gerety/D'Adamo

The resolution was adopted by unanimous vote of those present.

No. 109 of 2020

Subject: Revising Prior Authorization to the Planning Board to Approve a Redevelopment Plan Regarding Block 1214, Lots 9, 10, 11, 12, & 16 Pursuant to N.J.S.A. 40A:12A-1 Et Seq.

Introduced by: Council President McGuigan

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., provides a mechanism to empower and assist local governments in efforts to promote programs of rehabilitation and redevelopment; and

WHEREAS, the City Council has previously declared, after review and recommendation of the Planning Board and Public Hearing, the entire area of the City of Somers Point to be an "Area in Need of Rehabilitation," with said declaration being embodied in Resolution 186 of 2014; and

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WHEREAS, a request was previously made by Keith A. Davis, Esquire, on behalf of his clients John F. Leonard and Scott Leonard (or their designated entity, hereinafter referred to as “Developer”) that the area referred to herein be designated as an area in need of redevelopment and the City Council did, by Resolution 158 of 2019, authorize the Planning Board to undertake a preliminary investigation to determine whether the real property located on Shore Road and Sunset Avenue, and more commonly known Block 1214, Lots 9, 10, 11, 12, & 16 on the Tax Map of the City of Somers Point, inclusive of any and all streets, “paper” streets, private drives and right of ways, qualifies for designation of an area in need of redevelopment; and

WHEREAS, the Developer, again through Keith A. Davis, Esquire, subsequently withdrew the Developer’s request for a designation of the area as one in need of redevelopment and modified the request to one of an approval of a plan of rehabilitation or redevelopment in a designated rehabilitation area, so as to eliminate substandard structural or housing conditions and arrest the deterioration of said area; and

WHEREAS, the City Council, by Resolution 229 of 2019, did direct the Planning Board to conduct such hearings as necessary to prepare a redevelopment plan for this area in need of rehabilitation, which would replace or supplement existing zoning ordinances, and prepare an associated Ordinance to be recommended to City Council for consideration and adoption; and

WHEREAS, City Council has previously recognized that the aforesaid proposed rehabilitation/redevelopment was and still is in an area which has been declared as an area in need of rehabilitation by virtue of Resolution 186 of 2014; and

WHEREAS, the aforesaid application was and has not been presented to the Planning Board due issues of timeliness, as well issues of relative to the Developer obtaining a rehabilitation/redevelopment plan; and

WHEREAS, the Developer has now submitted to the City a rehabilitation/redevelopment plan dated May 12, 2020, AND prepared by Taylor Design Group, Inc. (Attached as Exhibit A); and

WHEREAS, the City Council finds that the aforesaid rehabilitation/redevelopment in this area in need of rehabilitation will provide for a program of rehabilitation which may be expected to promote the overall rehabilitation of this portion of the City, as well as the broader community; and

WHEREAS, the City Council desires to have said rehabilitation/redevelopment plan submitted by the Developer of this area in need of rehabilitation reviewed by the Planning Board, and that the Planning Board for the City of Somers Point conduct such hearings as necessary to approve, with or without recommendations, or disapprove the aforesaid rehabilitation/redevelopment plan of Taylor Design Group Inc., as to its consistency with the

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current Master Plan of the City, and prepare an associated Ordinance to be recommended to City Council for consideration and adoption wherein existing zoning ordinances would be replaced or supplemented.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point hereby revises, amends and clarifies Resolution 229 of 2019, and hereby directs the Somers Point Planning Board to conduct the necessary public hearings so as to approve, with or without recommendations, or disapprove the attached Taylor Design Group, Inc.'s rehabilitation/redevelopment plan as to its consistency with the current Master Plan of the City for this area in need of rehabilitation, which would replace or supplement existing zoning ordinances, and furthermore prepare an associated Ordinance to be recommended to City Council for consideration and adoption.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the City Clerk, Chief Financial Officer and City Planning Board and Planning Board Secretary.

Resolution No. 110

M/S-Gerety/Dill

The resolution was adopted by unanimous vote of those present.

No. 110 of 2020

Subject: Resolution Urging Governor Murphy to Allow Small Businesses to Open

Introduced By: Council President McGuigan and Councilman D'Adamo

WHEREAS, the crisis created by the COVID-19 outbreak has been a hardship on many citizens and businesses in New Jersey; and

WHEREAS, the economy of Somers Point consists of many small businesses that employ many of our citizens;

WHEREAS, the pandemic has taken a huge toll on businesses, especially those small businesses which have been prohibited from opening to sell many of the same goods and services offered by the big box competitors that have been allowed to remain open during this crisis; and

WHEREAS, this Governing Body believes that Somers Point businesses can be just as responsible, if not more so, than their larger competitors, as it far easier for them to enforce

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social distancing, use of face masks, and hygiene and sanitation safety procedures just by the virtue of the smaller numbers of customers and employees; and

WHEREAS, a safe reopening will include many of the effective social distancing policies that Somers Point citizens have embraced as part of a united effort to defeat the Coronavirus, and must continue in order to protect our senior citizens and residents with preexisting conditions who are most vulnerable to Covid-19; and

WHEREAS, bringing employment and wages back will provide citizens with income and hope in order to avoid the ruining of lives and livelihoods leading to abuse of drugs, alcohol, and household members; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point urges the Governor and the legislature of the State of New Jersey to allow all small businesses to reopen while following all protocols that will ensure the safety of all customers and employees.

BE IT FURTHER RESOLVED by the City Council of the City of Somers Point that a copy of this resolution be sent to the Governor of New Jersey, Philip Murphy, New Jersey State Senator Chris A. Brown, New Jersey State Assemblyman Vincent Mazzeo, and New Jersey State Assemblyman John Armato.

Resolution No. 111

M/S-Gerety/D'Adamo

The resolution was adopted by unanimous vote of those present.

No. 111 of 2020

**Subject: Memorandum of Agreement – Police Benevolent Association
Patrol Officers and Dispatchers**

Proposed By: Mayor John L. Glasser

Introduced By: Councilpersons Johnston and Toto

WHEREAS, the City of Somers Point and the Mainland PBA, Local 77, Somers Point Patrol Officers and Dispatchers were parties to a Collective Bargaining Agreement (“Agreement”) which term was set from January 1, 2012 through December 31, 2017; and

WHEREAS, the City of Somers Point and the Mainland PBA, Local 77, Somers Point Patrol Officers and Dispatchers have continued to operate pursuant to that Agreement since its expiration on December 31, 2017 and have continued to negotiate for a successor agreement; and

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WHEREAS, those negotiations have concluded and the terms and conditions have been memorialized in a Memorandum of Agreement which is attached hereto and made a part hereof; and

WHEREAS, the term of the successor agreement shall be from January 1, 2017 through December 31, 2021; and

WHEREAS, that Memorandum of Agreement is hereby agreed to by this governing body.

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

1. Mayor John L. Glasser, Jr. is hereby authorized to sign the attached Memorandum of Agreement on behalf of the City which will then be incorporated into the full, formal written agreement.
2. Once the formal written agreement is prepared in conformance with the Memorandum of Agreement Mayor John L. Glasser, Jr. is hereby authorized to sign the agreement between the City of Somers Point and the Mainland PBA, Local 77, Somers Point Police Patrol Officers and Dispatchers on behalf of the City and a copy thereof will be attached hereto.

Resolution No. 112

M/S-Gerety/D'Adamo

The resolution was adopted by unanimous vote of those present.

No. 112 of 2020

Subject: Resolution of Support – Relocation of Route 52 Directional Signs

WHEREAS, Resolution 170-2019 requested that the New Jersey Department of Transportation conduct an evaluation of the Route 52 directional signs at Bay Avenue and Somers Avenue to be relocated to direct the traffic to utilize East New York Avenue to turn left onto Shore Road southbound to access Route 52; and

WHEREAS, the New Jersey Department of Transportation has approved the request to relocate the Route 52 directional signs at Bay Avenue and Somers Avenue to direct the traffic to utilize East New York Avenue to turn left onto Shore Road southbound to access Route 52; and

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WHEREAS, the New Jersey Department of Transportation must receive a resolution of support from the City to relocate the directional signs; and

WHEREAS, the City Engineer's office and the Police Department have recommended that the City support the relocation of the directional signs to direct the traffic to utilize East New York Avenue to turn left onto Shore Road southbound to access Route 52.

NOW, THEREFORE, BE IT RESOLVED by the City of Somers Point that the City supports the New Jersey Department of Transportation's relocation of the directional signs to direct the traffic to utilize East New York Avenue to turn left onto Shore Road southbound to access Route 52.

NOW, THEREFORE, BE IT FUTHER RESOLVED that a certified copy of this Resolution shall be mailed to Jaime Oplinger, Executive Manager, Traffic Engineering, NJDOT, PO Box 600, Trenton, NJ 08625-0600

Resolution No. 113

M/S-Gerety/D'Adamo

The resolution was adopted by unanimous vote of those present.

No. 113 of 2020

Subject: Tax Overpayment Refund

Introduced by: Council President Sean McGuigan and Councilwoman Janice Johnston

WHEREAS, the below listed overpayment for the years designated is held in reserve by the City of Somers Point; and

WHEREAS, the property tax payments were paid by the title company creating an overpayment on the 1st quarter 2020 and;

WHEREAS, the title company has requested the overpayment be refunded to Kenneth L. Denski.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the following overpayment be refunded to Kenneth L. Denski.

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BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Tax Collector and the Finance Officer by the City Clerk.

Block	Lot	Previous Property Owner	Amount	Year
213	3.02	Kenneth L. Denski	\$1,508.54	2020
			Total:	\$1,508.54

Old Business:

None

New Business:

None

Public Portion

The Public Portion was duly opened to the public. Hearing nothing from the public, the Public Portion was duly closed.

Discussion of Bills:

Administrator Swain reported a Record of Payment dated 5/18/2020 in the amount of \$ \$518.20 and \$23,787.39, and a Bill List dated 5/26/2020 in the amount of \$ \$950,390.04.

Payment of Bills

M/S – Gerety/Toto

The Bill List was approved by a unanimous vote of those present. A complete list of bills is on file in the Office of the Municipal Clerk.

Adjournment

There being no further business to come before Council, Councilman Gerety moved, Councilman Toto seconded and carried to adjourn the meeting at 9:23 p.m.

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Respectfully submitted,

Lucy R. Samuelsen, RMC
Municipal Clerk
Approved: 12/23/2020