

**SPECIAL EMERGENCY MEETING
MAYOR AND CITY COUNCIL
September 10, 2018**

Meeting called to order at 6:30 p.m. by President McGuigan with a salute to the flag. Roll call was recorded as follows:

Present: Toto, Dill, Meischker, Tapp, D’Adamo, McGuigan

Also Present: Mayor Glasser, Administrator Swain, Assistant Administrator Frost, Deputy City Clerk Heath, Assistant City Solicitor Rebecca

Absent: Gerety

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.

Public Portion:

Council President McGuigan called for a motion to open the Public Portion, which was duly opened and hearing nothing from the public, the Public Portion was closed.

Resolutions:

Public Portion on Resolutions:

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

Resolution No. 153 of 2018

M/S- Dill /Toto

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

**SPECIAL EMERGENCY MEETING
MAYOR AND CITY COUNCIL
September 10, 2018
No. 153 of 2018**

**Subject: A Resolution to Hold a Special Meeting on Monday, September 10, 2018
at 6:30 PM to be Held at City Hall for the Limited Purpose of Appointing
a Municipal Prosecutor**

Introduced by: Council President McGuigan

WHEREAS, N.J.S.A. 2B:12-27 provides that the governing body of a municipality may appoint a municipal prosecutor for the purposes of representing the municipality, county and State in the Municipal Court regarding matters within the jurisdiction of said Court; and

WHEREAS, the Somers Point City Council has determined that it is in the best interests of the City of Somers Point that a Municipal Prosecutor be appointed; and

WHEREAS, City Council has previously appointed Christopher S. Lipari, Esquire, of Pleasantville, New Jersey, as Municipal Prosecutor for the City of Somers Point; and

WHEREAS, Mr. Lipari has tendered his resignation from the position of Municipal Prosecutor effective September 10, 2018; and

WHEREAS, it could not have reasonably been foreseen that Mr. Lipari would resign during the one (1) year appointment term, and that there would be a need to appoint a successor Municipal Prosecutor, in sufficient time so as to provide notice of a Special Meeting of City Council in accordance with the requirements of N.J.S.A. 10:4-8; and

WHEREAS, there exists an immediate need to fill the position of Municipal Prosecutor commencing at the Municipal Court session on September 11, 2018, and continuing thereafter until December 31, 2018; and

WHEREAS, the next regular meeting of the City Council is scheduled for September 13, 2018, which would result in there not being a Municipal Prosecutor present for the already scheduled session of the Municipal Court on September 11, 2018; and

WHEREAS, it is required that there be a Municipal Prosecutor in attendance for the Municipal Court to conduct court in an orderly and complete fashion; and

WHEREAS, three quarters of the members present of City Council have determined that a Special Meeting is required in order to deal with this urgent matter, the importance of which is as set forth above, and that a delay in the appointment of a Municipal Prosecutor is likely to result in substantial harm to the public interest.

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Resolution No. 154 of 2018

M/S- Dill /Toto

The resolution was adopted by unanimous vote of those present. City Administrator Swain reported that he received a letter of resignation this afternoon from Mr. Lipari.

No. 154 of 2018

Subject: A Resolution Appointing Thomas G. Smith, Esquire, as the Municipal Prosecutor for the City of Somers Point Pursuant to N.J.S.A. 2B:12-27

Introduced by: Council President McGuigan

WHEREAS, N.J.S.A. 2B:12-27 provides that the governing body of municipality may appoint a municipal prosecutor for the purposes of representing the municipality, county and State in the Municipal Court regarding matters within the jurisdiction of said Court; and

WHEREAS, the Somers Point City Council has determined that it is in the best interests of the City of Somers Point that a Municipal Prosecutor be appointed; and

WHEREAS, City Council has previously appointed Christopher S. Lipari, Esquire, of Pleasantville, New Jersey, as Municipal Prosecutor for the City of Somers Point; and

WHEREAS, Mr. Lipari has tendered his resignation from the position as Municipal Prosecutor effective September 10, 2018; and

WHEREAS, City Council is desirous of appointing Thomas G. Smith, Esquire, as Municipal Prosecutor; and

WHEREAS, Thomas G. Smith, Esquire, fulfills all of the requirements of N.J.S.A. 2B:12-27 to serve as Municipal Prosecutor.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Somers Point that Thomas G. Smith, Esquire, shall be and is hereby appointed as Municipal Prosecutor to serve as the Municipal Prosecutor for the City of Somers Point, pursuant to N.J.S.A. 2B:12-7, commencing September 11, 2018, and continuing through December 31, 2018, or until such time as a successor is appointed.

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Public Portion

The Public Portion was duly opened. After hearing from the public, it was closed.

Adjournment

There being no further business to come before Council, the meeting was adjourned at 6:37 p.m.

Respectfully submitted,

Lucy R. Samuelsen, RMC
Municipal Clerk
Approved: 9/27/2018