

CITY OF EGG HARBOR

RESOLUTION #

2021

RESOLUTION OF SUPPORT TO PHOENIX HEALTH VENTURES, LLC FOR THE OPERATION OF A STATE LICENSED CANNABIS CULTIVATION FACILITY

WHEREAS, Phoenix Health Ventures, LLC has purchased Block 1003, Lots 7 and 8 from the City of Egg Harbor located in the IBP (Industrial) Zone in the City of Egg Harbor; and

WHEREAS, Phoenix Health Ventures, LLC has applied for a state license to operate a cannabis cultivating facility on these parcels.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Egg Harbor, County of Atlantic, State of New Jersey, that the Mayor and Council support the operation of a state licensed cannabis cultivation facility by Phoenix Health Ventures, LLC.

DATED:

ATTEST:

CITY OF EGG HARBOR

Meg Steeb, Municipal Clerk

Lisa Jiampetti, Mayor

**CITY OF EGG HARBOR
RESOLUTION #-2021**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND
OPEN CONTRACT FOR PAVING OF THE CITY HALL PARKING
LOT**

WHEREAS, the City of Egg Harbor has a need to purchase City Hall Parking Lot Paving as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is three months from August 26, 2021 thru November 26, 2021; and

WHEREAS, Concrete Asphalt Services LLC has submitted a proposal indicating they will provide the services at a rate of \$26,750. Concrete Asphalt Services LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Concrete Asphalt Services LLC has not made any reportable contributions to a political or candidate committee in the City of Egg Harbor in the previous one year, and that the contract will prohibit Concrete Asphalt Services LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified the availability of funds requirements – N.J.A.C. 5:30-5.4>.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Egg Harbor authorizes the Mayor to enter into a contract with Concrete Asphalt Services LLC as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Dated: September 9, 2021

City Clerk
Meg Steeb

Non-Fair and Open Contract Contribution Prohibition Language

Political Contribution Disclosure. This contract has been awarded to CONCRETE ASPHALT SERVICES LLC based on the merits and abilities of CONCRETE ASPHALT SERVICES LLC to provide the goods or services as described herein. This contract was not awarded through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that CONCRETE ASPHALT SERVICES LLC, its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the *City of Egg Harbor* if a member of that political party is serving in an elective public office of that *City of Egg Harbor* when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that *City of Egg Harbor* when the contract is awarded.

RESOLUTION NO. _____

RESOLUTION OF _____ APPROVING THE
SECOND JOINDER AGREEMENT ALLOWING THE CITY OF
EGG HARBOR CITY TO WITHDRAW AS A PARTICIPANT
AND INCLUDING NEW JERSEY-AMERICAN WATER
COMPANY, INC. AS A NEW PARTICIPANT

WHEREAS, a Sewage Conveyance and Treatment Agreement dated as of September 1, 1973 was executed among the Atlantic County Utilities Authority and other municipal entities, including _____; and

WHEREAS, the City of Egg Harbor City was included as a participant under the Agreement by an amendment executed in 1990; and

WHEREAS, the City of Egg Harbor City has entered into an agreement with New Jersey-American Water Company, Inc. for the sale of its public water and public sewer infrastructure, real property and related improvements; and

WHEREAS, the conveyance of Egg Harbor City's sewer improvements necessitates the execution of a Second Joinder Agreement which will allow the City of Egg Harbor City to withdraw as a participant and permit New Jersey-American Water Company, Inc. to become a new participant; and

WHEREAS, by New Jersey-American Water Company, Inc. becoming a new participant under the Second Joinder Agreement, it will assume all of the rights and obligations and stand in place of the City of Egg Harbor City under the Sewage Conveyance and Treatment Agreement (as amended);

NOW, THEREFORE, be it resolved that the _____ hereby approves of the Second Joinder Agreement, a copy of which is annexed hereto as Exhibit "A",

supplementing the Sewage Conveyance and Treatment Agreement dated as of September 1, 1973 (as amended);

BE IT FURTHER RESOLVED that _____ is hereby authorized to execute the Second Joinder Agreement for and on behalf of _____.

Dated: _____

By: _____

ATTEST:

Egg Harbor City
Resolution #-2021
Anti-Idling Resolution

WHEREAS, emissions from gasoline and diesel powered vehicles contribute significantly to air pollution, including greenhouse gases, ozone formation, fine particulates, and a multitude of potentially harmful pollutants that can trigger an asthma attack and other ailments;¹ and

WHEREAS, asthma is a significant public health concern in NJ, especially among children (up to 25% of NJ's school age children are asthmatic) and the elderly; and

WHEREAS, for every gallon of gasoline used, the average car produces about 20 pounds of carbon dioxide (CO₂), the largest contributor to greenhouse climate change, with one-third of greenhouse gas emissions coming from the transportation sector;² and

WHEREAS, the U.S. Argonne National Laboratory estimates that about 20 million barrels of diesel fuel are consumed each year by idling long-haul trucks (estimated truck emissions total about 10 million tons of CO₂, 50,000 tons of nitrogen oxides, and 2,000 tons of particulates); and

WHEREAS, we can avoid producing unnecessary greenhouse gas emissions and exposure to air toxics by reducing or eliminating wasteful vehicle idling; and

WHEREAS, petroleum-based gasoline and diesel fuel are nonrenewable fuels and should be used wisely and not wasted; and

WHEREAS, idling is not generally beneficial to a vehicle's engine because it wears engine parts;³ and
WHEREAS, idling more than 10 seconds uses more fuel and emits more pollutants than turning a warm engine off and on again;⁴ and

WHEREAS, idling for 10 minutes uses as much fuel as it takes to travel 5 miles; and

WHEREAS, vehicle idling occurs in locations (e.g. school grounds, parking lots, drive-through windows, business centers, etc.) where New Jerseyans can be exposed to air pollutant emissions; and

WHEREAS, moving beyond New Jersey's existing no-idling code of 3 minutes would significantly improve public health, air quality, reduce costs and greenhouse gas emissions; and

THEREFORE BE IT RESOLVED that this NJ municipality, the City of Egg Harbor supports the adoption of "Idle Free Zones" by government agencies, schools, businesses, and other organizations by:

- Encouraging any gasoline or diesel powered motor vehicle to turn off their engines after 10 seconds if they plan to remain at that location for more than 30 seconds.
- Ensuring idling does not occur at idle-frequent locations such as school drop-off and pick up, drive through windows, gas stations, parking lots, business centers, etc.
- Maintaining municipal vehicles to eliminate any visible exhaust, granting an exception where safety is a concern.
- Enforcing existing violations and penalties under NJ's existing no-idling code.
- Supporting broad education of the public about the health, environmental and economic impacts of idling and ways to reduce idling.

Dated: September 9, 2021

Meg Steeb, City Clerk

RESOLUTION

REFUND OVERPAYMENT OF UTILITY BILL

WHEREAS, SOUDERS EXCAVATING LLC OPENED AN ACCOUNT FOR HYDRANT USAGE WATER FOR A CONSTRUCTION PROJECT ON ROUTE 30, KNOWN AS ACCOUNT NUMBER 60024-0

WHEREAS, AACOUNT 60024-0 WAS INCORRECTLY BILLED AS A COMMECIAL ACCOUNT, RESULTING IN A BILL OF \$350.00 FOR THE THIRD QUARTER OF 2021, AND

WHEREAS, THE WATER BILL IN THE AMOUNT OF \$350.00 WAS PAID IN ERROR BY SOUDERS EXCAVATING LLC, BY CHECK NUMBER 14931 ON 6/21/21, AND

NOW, THEREFORE, BE IT RESOLVED by Mayor and Common Council of Egg Harbor City, New Jersey that a refund in the amount of \$350.00 be issued to SOUDERS EXCAVATING LLC, 500 CENCO BLVD, CLAYTON NJ 08312.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Chief Financial Officer and the Utility Collector are authorized to take all action necessary to facilitate this refund.

Resolution

Lien Premium to Escheat to Egg Harbor City

Whereas, A Lien on block 324 LOT 7.01 was sold at a Tax Sale on 12/17/2013 by Bridget Hayes, Tax Collector to US Bank Cust FNA Jersey BOI, and assigned Tax Sale Certificate 13-00041

Whereas, The property owner Carmen Barrera subsequently filed for bankruptcy on 1/20/2016, and

Whereas, The bankruptcy trustee has provided documentation that the lien 13-00041 was paid off as of August 4, 2020 on the property block 324, lot 7.01, known as 716 Campe Street and assessed to Barerra, Carmen, and

Whereas, a Premium of \$3400.00 was paid for this Lien by US Bank Cust FNA Jersey BOI, and as per N.J.S.A. 54: 5-33, if redemption is not made within 5 years of the date of the sale of a Tax Sale Certificate, the Premium shall escheat to the Municipality,

Now, therefore let it be resolved by Mayor and Common Council, that the Tax Collector shall issue a check in the amount of \$3400.00, payable to Egg Harbor City Current Fund in accordance with N.J.S.A 54:5-33