

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

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

Present: DePamphilis, Dill, Johnston, McGuigan, Slaughter, Gerety

Also Present: Mayor Tapp, Administrator Frost, Deputy City Clerk Giampapa, City Solicitor Smith, and City Engineer Schneider

Absent: Council Member Shields

Council President Gerety requested a moment of silence in honor of Fire Chief Frank Denan.

Open Public Meetings Act:

Pursuant to the Open Public Meetings Act, adequate notice of this meeting has been provided to two local newspapers. The agenda has been posted at City Hall and on the City's website, somerspointgov.org.

Communications:

None

Mayor's Report:

Mayor Tapp thanked city employees and first responders for their work during the snowstorm.

Administrator's Report:

None

Solicitor's Report:

None

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

Engineer’s Report:

City Engineer Schneider reported that the Planning Board is looking into the new flood plain rules and new elevation levels to advise Council on what the standard should be.

Committee Reports:

None

Approval of Minutes:

On the motion of Council Member Dill, seconded of Council Member Johnston, and carried to approve the Regular Meeting Minutes of 2/12/2026.

Ordinances:

Ordinance No. 2 of 2026

(Second Reading/Public Hearing/Adoption)

M/S- Dill/DePamphilis

This ordinance was adopted by a unanimous vote of those present.

Council President Gerety duly opened the meeting to the public.

Patricia Pierson of Somers Point asked for clarification on the ordinance.

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

No. 2 of 2026

An Ordinance Granting Municipal Consent to NetSpeed LLC T/A GONETSPEED LLC for Permission to Non-Exclusive Use of Certain Specified Public Rights-of-Way within the City of Somers Point to Install a Fiber Optic Telecommunications System to be Attached to those Utility Poles for which Consent to Attach or Install has been Granted by Such Utility

WHEREAS, NetSpeed LLC, (“NetSpeed”), is a limited liability company formed under the laws of the State of New York having a principal office address of 77 Canal View Blvd, Suite 600, Rochester, NY 14623; and

WHEREAS, NetSpeed registered to do business in the State of New Jersey as a foreign limited liability company on July 9, 2024 with COGENCY GLOBAL INC as its New Jersey

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

registered agent with a business address at 316 Berrhill Drive, Williamstown, New Jersey 08094; and

WHEREAS, on October 9, 2024, NetSpeed filed with the NJ Department of the Treasury Division of Revenue and Enterprises Services a Certificate of Alternate Name using GONETSPEED as the alternate name under which to do business in the State of New Jersey to provide fiber optic telecommunication service subject to regulation by the Federal Communications Commission; and

WHEREAS, NetSpeed has been approved by the New Jersey Board of Public Utilities to provide local telecommunications services within the State of New Jersey by Order entered by the State of New Jersey Board of Public Utilities on April 23, 2025 "IN THE MATTER OF VERIFIED PETITION OF NETSPEED LLC FOR AUTHORIZATION TO PROVIDE FACILITIES-BASED LOCAL EXCHANGE AND INTEREXCHANGE AND PRIVATE-LINE TELECOMMUNICATIONS SERVICES IN THE STATE OF NEW JERSEY" Docket No. TE24090627 (the "BPU Order") and intends to provide telecommunication services in accordance with that Order and the rules and regulations of the Federal Communications Commission and the New Jersey Board of Public Utilities; and

WHEREAS, NetSpeed has entered into a Joint Use License with Verizon New Jersey Inc. Centralized Licensing Group ("VERIZON") Agreement Number DNJ240008 dated November 19, 2025, which grants NetSpeed the non-exclusive right to attach its fiber-optic facilities which include the VERIZON utility poles within the City Rights-of-Way; and

WHEREAS, NetSpeed entered into an Infrastructure License Agreement with the Atlantic City Electric Company ("ACE") dated May 12, 2025, which permits NetSpeed the non-exclusive right to attach its fiber-optic facilities to ACE's facilities which include the ACE utility poles within the City Rights-of-Way; and

WHEREAS, NetSpeed may entered into additional agreements with parties that have the lawful right to maintain utility poles in the public right-of-way pursuant to which NetSpeed may use such utility poles erected within the public right-of- way in the City of Somers Point ("City"); and

WHEREAS, NetSpeed has requested the consent of the City to place, service and maintain telecommunications facilities on jointly used utility poles located in the public rights-of-way managed and under the control of the City (the City Rights-of-Way"); and

WHEREAS, N.J.S.A. 48:3-18 and N.J.S.A. 48: 3-19 authorize the City to grant municipal consent for the joint use of utility poles that have been lawfully erected within its rights-of-way; and

WHEREAS, the request for municipal consent has been reviewed by the City Solicitor and has been considered by this governing body; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

WHEREAS, the City Council deems it to be in the best interests of the citizens of the City to grant consent to NetSpeed to install telecommunications equipment in the public rights-of-way under the control or jurisdiction of the City subject to the conditions herein set forth; and

WHEREAS, the rights granted to and the obligations imposed upon NetSpeed shall apply equally to GONETSPEED (hereinafter collectively referred to as “NetSpeed”).

Now therefore, be it **ORDAINED** by the Common Council of the City of Somers Point in the County of Atlantic, State of New Jersey that:

SECTION 1. Permission and authority are hereby granted to NetSpeed and its successors a non-exclusive municipal consent to use existing utility poles, and on replacement poles which are of a size and type equal to the poles being replaced and erected by parties that have the lawful right through municipal consent and the approval of the New Jersey Board of Public Utilities to maintain poles and conduits within the public right- of-way on those Somers Point public streets in the City of Somers Point for the construction, installation, operation, repair, maintenance and replacement of a fiber optic telecommunications system subject to the following conditions:

A. NetSpeed and its successors shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.

B. NetSpeed and its successors shall:

- i) Limit the right-of-way within which NetSpeed shall be permitted to install its fiber optic install telecommunications equipment to utility poles situated with right-of-way under the jurisdiction or control of the City along the routes designated on Map 1 attached hereto and incorporated herein as **Exhibit “A”** [a copy of which is on file in the office of the City Clerk and available for public inspection during normal business hours];
- ii) comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the City of Somers Point or by the City of Somers Point Development Ordinances;
- iii) provide the City of Somers Point Construction Official / Code Enforcement Officer and City of Somers Point City Engineer with the location of each pole upon which fiber optic facilities are proposed to be placed together with the pole identification number, the identity of the owner of pole and Geographic Information System (GIS) map;
- iv) not install on any utility pole any device other than a fiber optic attachment which is of the size and type described in **Exhibits “B-1”, B”-2”, and “B-3”** [copies of which are on file in the office of the City Clerk and are available for public inspection during normal business hours];
- v) at all times comply with the terms and conditions of that certain Rights-of-Way Use Agreement between the City of Somers Point and NetSpeed, as same may be supplemented and amended.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

C. NetSpeed shall not install any replacement poles, which will be done only by the utility company owning the pole.

D. This grant of municipal consent is not to be construed as authorizing the erection of any new pole within the right of way nor is it to be construed as authorizing NetSpeed to attach to any pole, structure, or other facility owned by or under the control of the City of Somers Point or any third party other than a New Jersey public utility from which consent to attach to such pole has been granted in writing.

E. Notwithstanding anything to the contrary contained herein, NetSpeed shall adhere to the terms and conditions of the underlying easement granted to the owner of the pole by the owner of the underlying soil, and NetSpeed shall not overburden any existing easement

F. Nothing contained herein shall pre-empt or in any way preclude or constitute a waiver of the City's exercise of its planning or zoning powers under the New Jersey Municipal Land Use Law or other applicable law relative to the placement, regulation, zoning, or suitability of such structures within the City.

G. This grant of municipal consent is limited exclusively to NetSpeed / GONETSPEED for its own fiber optic equipment to provide services to customers using the NetSpeed network.

H. NetSpeed shall not install any of its telecommunication system equipment on any pole within any municipal right-of-way other than described in Section 1. B. iv) of this ordinance without the express consent of the governing body of the City through enactment of a supplemental ordinance granting such use.

I. This municipal consent is hereby given upon the further condition and provision that NetSpeed and its successors, shall to the fullest extent permitted by law, defend, pay on behalf of, indemnify, and hold harmless the City of Somers Point, its elected and appointed officials, its contractors, agents, employees and volunteers, the Atlantic County Joint Insurance Fund, and others working on behalf of the City of Somers Point from and against any and all claims, demands, suits, or loss, including all legal and professional fees, costs and any other expenses connected therewith, and for any damages which may be asserted claimed or recovered against or from the City of Somers Point, its elected and appointed officials, its agents, employees, volunteers, the Atlantic County Joint Insurance Fund, or others working on behalf of the City of Somers Point by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, which arise out of this consent, except to the extent resulting solely from the acts or omissions of the City of Somers Point.

NetSpeed shall at all times maintain a comprehensive liability insurance policy with a single amount of at least One Million Dollars (\$1,000,000.00) covering liability for any death, personal injury, property damage or other liability arising out of the construction and operation contemplated herein, an automobile insurance policy with combined single limits of Two Million Dollars (\$2,000,000.00) for bodily injury (including death) and property damage each occurrence, an excess liability policy (or "umbrella") policy amount in the amount of Five

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

Million Dollars (\$5,000,000.00), and Workers Compensation insurance in compliance with the statutory requirements of the State of New Jersey. The City of Somers Point, its elected and appointed officials, its agents, employees, contractors, volunteers, and the Atlantic County Joint Insurance Fund, shall be included as an "Additional Insured" as their interests may appear under this municipal consent ordinance on all general liability policies; and NetSpeed shall provide the City of Somers Point City Clerk with certificates of insurance (which shall be maintained and kept current at all times during the period of this municipal consent) and which shall provide for not less than thirty (30) days' notice in the event of cancellation or termination; and shall also provide a copy of the Additional Insured, Waiver of Subrogation, and Primary not Secondary Coverage Endorsements to such policies.

In the event NetSpeed shall utilize third party contractors and / or subcontractors to perform any of the work contemplated by this Agreement, NetSpeed shall require such contractors / subcontractors to procure and provide the same policies of insurance with the same terms and conditions set forth in the prior paragraph.

Insurance maintained by any contractor / subcontractor shall not relieve NetSpeed of its obligation to defend, indemnify and hold harmless the City as set forth above.

J. NetSpeed shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations arising from its construction, installation, or maintenance of its facilities.

K. NetSpeed and its successors shall file with the Clerk of the City of City of Somers Point true and complete copies of all agreements between NetSpeed and the owner(s) of the poles to which NetSpeed proposes to attach.

L. As authorized by N.J.S. A. 48:3-15, the permission and authority hereby granted shall continue for a term of fifteen (15) unless the underlying connection agreements between NetSpeed and VERIZON, and ACE, or any other utility pole attachment agreement which NetSpeed / GONETSPEED shall have entered shall be earlier terminated, and is further subject to continuation of a municipal consent by the City of Somers Point granted to those parties whose utility poles to which NetSpeed is attaching its fiber optic facilities and, to the extent required, approval of such municipal consent by the New Jersey Board of Public Utilities (or its successor agency).

N. The Mayor and the City Clerk are authorized to execute and deliver such documents as necessary to effectuate this grant of municipal consent.

O. Upon final passage the City Clerk shall send certified copies of this Ordinance to NetSpeed, GONETSPEED, and to the Atlantic County Clerk.

SECTION 2. Upon adoption this Ordinance shall be codified in the City of Somers Point Municipal Code as Appendix A270 "NetSpeed Municipal Consent".

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

SECTION 3. In the event any section, clause, sentence, phrase or provision or any item in this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4. All other ordinances inconsistent herewith are hereby repealed.

SECTION 5. This Ordinance shall take effect after final passage, approval, and publication as required by law.

Ordinance No. 4 of 2026
(Second Reading/Public Hearing/Adoption)
PULLED

No. 4 of 2026

PULLED

**An Ordinance Deleting and Replacing Article I – Purpose, Definitions;
Development Fees; Affordable Housing Trust Fund of Chapter 69 – Affordable
Housing**

Whereas, the City of Somers Point filed a Declaratory Judgment Action on January 23, 2025 seeking a certification of compliance with the Fair Housing Act; and

Whereas, the Somers Point Planning Board adopted the 2025 Housing Element & Fair Share Plan for the Fourth Round on June 26, 2025, which was duly endorsed by the City Council, and timely filed with the Affordable Housing Dispute Resolution Program; and

Whereas, the City has entered into a Consent Order with Fair Share Housing Center that requires all of the implementing documents, including an Affordable Housing Ordinance, to be adopted by March 15, 2026; and

Whereas, new N.J.A.C. 5:99 regulations were adopted in December of 2025; and

Whereas, the City seeks to delete and replace its existing Development Fee Ordinance to reflect the new regulations.

Now therefore, it is hereby ORDAINED by the City Council of the City of Somers Point as follows:

SECTION 1: Chapter 69 “Affordable Housing”, Article I “Purpose, Definitions; Development Fees; Affordable Housing Trust Fund” is hereby deleted in its entirety and replaced as follows:

Article I Affordable Housing Development Fees
§69-1 Purpose.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

- A. This section establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with the Mount Laurel doctrine, including but not limited to the amended Fair Housing Act (P.L.2024, c.2), N.J.A.C. 5:99, as well as the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7). Fees collected pursuant to this section shall be used for the sole purpose of providing very low-, low- and moderate-income housing in accordance with a Court-approved Spending Plan.

§69-2 Basic Requirements.

- A. The municipality previously adopted a development fee ordinance, which established the Municipal Affordable Housing Trust Fund.
- B. The municipality shall not spend development fees until the court has approved a plan for spending such fees.
- C. Nothing herein shall be construed to create municipal liability for good-faith estimates of equalized assessed value.

§69-3 Definitions.

- A. The following terms when used in this Article shall have the following meanings:

AFFORDABLE HOUSING DEVELOPMENT

A development included in a municipality's housing element and fair share plan, and includes, but is not limited to, an inclusionary development, a municipally sponsored affordable housing project, or a 100 percent affordable development. This includes developments with affordable units on-site, off-site, or provided as a payment in-lieu of construction only if such a payment-in-lieu option has been previously approved by the Program or Superior Court as part of the HEFSP.

AFFORDABLE HOUSING MONITORING SYSTEM OR AHMS

The Department's cloud-based software application shall be the central repository for municipalities to use for reporting detailed information regarding affordable housing developments, affordable housing unit completions, and the collection and expenditures of funds deposited into the municipal affordable housing trust fund.

AFFORDABLE HOUSING TRUST FUND OR AHTF

The non-lapsing, revolving trust fund established in the Department pursuant to N.J.S.A. 52:27D-320 and N.J.A.C. 5:43 to be the repository of all State funds appropriated for affordable housing purposes.

COAH OR THE COUNCIL

The Council on Affordable Housing established in, but not of, DCA pursuant to the Act and that was abolished effective March 20, 2024, pursuant to section 3 at P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.1).

DEPARTMENT

The New Jersey Department of Community Affairs.

DEVELOPER

The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

DEVELOPMENT FEE

REGULAR MEETING MAYOR AND CITY COUNCIL February 26, 2026

Money paid by a developer for the improvement of residential and non-residential property as permitted pursuant to N.J.S.A. 52:27D-329.2 and 40:55D-8.1 through 40:55D-8.7 and N.J.A.C. 5:99-3.

EQUALIZED ASSESSED VALUE OR EAV

The assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 at P.L. 1973, c. 123 (N.J.S.A. 54:1-35a, 54:1-35b, and 54:1-35c). Estimates at the time of building permit may be obtained by the tax assessor using construction cost estimates. Final EAV shall be determined at project completion by the municipal assessor.

§69-4 Residential development fees.

A. Imposed fees.

- (1) Residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted. Development fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.
- (2) When an increase in residential density is permitted pursuant to a “d” variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a “bonus” development fee of 6.0% the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance **application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.**

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal 1.5% of the equalized assessed value on the first two units; and the specified higher percentage of 6% of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

B. Eligible exactions, ineligible exactions and exemptions for residential development.

- (1) Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made an eligible payment in lieu of on-site construction of affordable units, if permitted by ordinance, or by agreement with the municipality and if approved by a municipality prior to March 20, 2024, when the payment-in-lieu section was removed from the Fair Housing Act.
- (2) Developments that have received preliminary or final site plan approval prior to the adoption of this ordinance and any preceding ordinance permitting the collection of development fees shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where a site plan approval does not apply, the issuance of a zoning and/or building permit shall be synonymous with

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

preliminary or final site plan approval for the purpose of determining the right to an exemption. In all cases, the applicable fee percentage shall be determined based upon the development fee ordinance in effect on the date that the construction permit is issued.

- (3) The expansion of a residential structure to create a separate housekeeping unit, the conversion of a residential structure to nonresidential use, or the expansion of a residential structure or conversion to a more intense use shall be subject to development fees unless the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the converted structure or the equalized assessed value of the newly created residential unit.
- (4) No development fee shall be collected for the demolition and replacement of a residential building resulting from a fire or natural disaster.

§69-5 Non-residential development fees.

A. Imposition of fees.

- (1) Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to 2.5% of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
- (2) Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
- (3) Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvements and the equalized assessed value of the newly improved structure; i.e., land and improvements; and such calculation shall be made at the time a final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

B. Eligible exactions, ineligible exactions and exemptions for non-residential development.

- (1) The non-residential portion of a mixed-use inclusionary or market-rate development shall be subject to a 2.5% development fee, unless otherwise exempted below.
- (2) The 2.5% fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.

C. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

- D. A developer of a non-residential development exempted from the non-residential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
- E. If a property that was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the municipality as a lien against the real property of the owner.

§69-6 Collection procedures.

- A. Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- B. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF, "State of New Jersey Non-Residential Development Certification/Exemption," to be completed by the developer as per the instructions provided in the Form N-RDF. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided on Form N-RDF. The tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- C. The construction official responsible for the issuance of a building permit shall notify the tax assessor of the issuance of the first construction permit for a development that is subject to a development fee.
- D. Within 90 days of receipt of that notice, the tax assessor shall provide an estimate, based on the plans filed, of the equalized assessed value of the development.
- E. The construction official responsible for the issuance of a final certificate of occupancy shall notify the tax assessor of any and all requests for the scheduling of a final inspection on property that is subject to a development fee.
- F. Within 10 business days of a request for the scheduling of a final inspection, the tax assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- G. Should the municipality fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of section 37 of P.L.2008, c.46 (N.J.S.A. 40:55D-8.6).
- H. Fifty percent (50%) of the development fee shall be collected at the time of issuance of the construction permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of the construction permit and that determined at the time of issuance of certificate of occupancy.

§69-7 Appeal of development fees.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

- A. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by that board, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
- B. A developer may challenge non-residential development fees imposed by filing a challenge with the director of the Division of Taxation. Pending a review and determination by the director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

§69-8 Affordable Housing Trust Fund.

- A. A separate, interest-bearing Municipal Affordable Housing Trust Fund shall be maintained by the chief financial officer of the municipality for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- B. The following additional funds shall be deposited in the Municipal Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - (1) Payments in lieu of on-site construction of an affordable unit, where previously permitted by ordinance or by agreement with the municipality and if approved by a municipality prior to March 20, 2024, when the payment-in-lieu section was removed from the Fair Housing Act.
 - (2) Funds contributed by developers to make 10% of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
 - (3) Rental income from municipally operated units;
 - (4) Repayments from affordable housing program loans;
 - (5) Recapture funds;
 - (6) Proceeds from the sale of affordable units; and
 - (7) Any other funds collected in connection with the municipal affordable housing program including but not limited to interest earned on fund deposits.
- C. The municipality shall provide the Division with written authorization, in the form of a tri-party escrow agreement(s) between the municipality, the Division and the financial institution in which the municipal affordable housing trust fund has been established to permit the Division to direct the disbursement of the funds as provided for in N.J.A.C. 5:99-2.1 et seq.
- D. Occurrence of any of the deficiencies outlined in N.J.A.C. 5:99 may result in the Department requiring the forfeiture of all or a portion of the funds in the municipal Affordable Housing Trust Fund.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

E. All interest accrued in the housing trust fund shall only be used on eligible affordable housing purposes approved by the Court.

§69-9 Use of funds.

- A. The expenditure of all funds shall conform to a Spending Plan approved by Superior Court. Funds deposited in the municipal Affordable Housing Trust Fund may be used for any activity approved by the Court to address the fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market-to-affordable program; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost-saving and in accordance with accepted national or state standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by Superior Court and specified in the approved Spending Plan.
- B. Funds shall not be expended to reimburse the municipality or activities that occurred prior to the authorization of a municipality to collect development fees.
- C. At least a portion of all development fees collected and interest earned shall be used to provide affordability assistance to very low-, low- and moderate-income households in affordable units included in the municipal Fair Share Plan. A portion of the development fees which provide affordability assistance shall be used to provide affordability assistance to very low-income households.
- (1) Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, infrastructure assistance, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the Spending Plan.
- (2) Affordability assistance for very low income households may include producing very low-income units or buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30% or less of median income.
- D. No more than 20% of all affordable housing trust funds, exclusive of those collected to fund an RCA prior to July 17, 2008, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare and implement a Housing Element and Fair Share Plan, administer an Affirmative Marketing Program and for compliance with the Superior Court and the Program including the costs to the municipality of resolving a challenge.

§69-10 Ongoing collection of fees.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

- A. The ability to impose, collect and expend development fees shall continue so long as the municipality retains authorization from the Court in the form of Compliance Certification or the good faith effort to obtain it.

§69-11 Emergent affordable housing opportunities.

- A. Requests to expend affordable housing trust funds on emergent affordable housing opportunities not included in the municipal fair share plan shall be made to the Division and shall be in the form of a governing body resolution. Any request shall be consistent with N.J.A.C. 5:99-4.1.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3. Should any section, clause, sentence, phrase or provision or any item in any schedule of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4. This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

Ordinance No. 5 of 2026

(Second Reading/Public Hearing/Adoption)

PULLED

No. 5 of 2026

PULLED

An Ordinance Amending and Supplementing the Chapter 69 – Affordable Housing, Article II – Fair Share and Affirmative Marketing Plan, and Article III – Affordable Housing Set-Aside for Certain New Residential Development

Whereas, the City of Somers Point filed a Declaratory Judgment Action on January 23, 2025 seeking a certification of compliance with the Fair Housing Act; and

Whereas, the Somers Point Planning Board adopted the 2025 Housing Element & Fair Share Plan for the Fourth Round on June 26, 2025, which was duly endorsed by the City Council, and timely filed with the Affordable Housing Dispute Resolution Program; and

Whereas, the City has entered into a Consent Order with Fair Share Housing Center that requires all of the implementing documents, including an Affordable Housing Ordinance, to be adopted by March 15, 2026; and

Whereas, new N.J.A.C. 5:99 regulations and new Uniform Affordability Housing Controls rules were adopted in December of 2025; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

Whereas, the Department of Community Affairs (“DCA”) is preparing a template affordable housing ordinance for municipalities; however said template has not yet been released; and

Whereas, in order to comply with the March 15, 2026 deadline, the City is adopting this interim ordinance until the DCA issues a template ordinance, and will introduce an amended affordable housing ordinance after the state template is released; and

Whereas, the City seeks to amend and update its existing Affordable Housing Ordinance to reflect the new regulations.

Now, therefore, it is hereby ORDAINED by the City Council of the City of Somers Point as follows:

SECTION 1: Chapter 69 “Affordable Housing”, Article II “Fair Share and Affirmative Marketing Plan” is hereby deleted in its entirety and replaced as follows:

Article II AFFORDABLE HOUSING REGULATIONS

§69-12 Purpose and applicability.

- B. This Article of the Code sets forth regulations regarding the very low-, low- and moderate-income housing units in the City of Somers Point consistent with the provisions outlined in P.L 2024, Chapter 2, including the amended Fair Housing Act (“FHA”) at N.J.S.A. 52:27D-301 et seq., as well as the Department of Community Affairs, Division of Local Planning Services (“LPS”) at N.J.A.C. 5:99 et seq., statutorily upheld existing regulations of the now-defunct Council on Affordable Housing (“COAH”), the Uniform Housing Affordability Controls (“UHAC”) at N.J.A.C. 5:80-26.1 et seq., and as reflected in the adopted municipal Fourth Round Housing Element and Fair Share Plan (“HEFSP”).
- C. This Article is intended to ensure that very low-, low- and moderate-income units ("affordable units") are created with controls on affordability over time and that very low-, low- and moderate-income households shall occupy these units pursuant to statutory requirements. This article shall apply to all inclusionary developments, individual affordable units, and 100% affordable housing developments except where inconsistent with applicable law. Low-Income Housing Tax Credit financed developments shall adhere to the provisions set forth below.
- D. The Somers Point Planning Board has adopted a HEFSP pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan describes the ways the municipality shall address its fair share of very low-, low- and moderate-income housing as approved by the Superior Court and documented in the Housing Element.
- E. This Article implements and incorporates the relevant provisions of the HEFSP and addresses the requirements of P.L 2024, Chapter 2, the FHA, N.J.A.C. 5:99, NJ Supreme Court upheld COAH regulations at N.J.A.C. 5:93 and 5:97, and UHAC at N.J.A.C. 5:80-26.1, as may be amended and supplemented.
- F. Applicability.
 - (1) Nothing hereinto shall be interpreted to deprive the City of any rights, including the right to seek approval of any waivers permitted under UHAC or other relevant sources of law.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

- (2) The provisions of this Article shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created pursuant to the municipality's most recently adopted HEFSP.
- (3) This Article shall apply to all developments that contain very low-, low- and moderate-income housing units included in the Municipal HEFSP, including any unanticipated future developments that will provide very low-, low- and moderate-income housing units.
- (4) Projects receiving federal Low Income Housing Tax Credit financing shall be required to follow UHAC unless exempt pursuant to N.J.A.C. 5:80-26.1, including but not limited to developments with anticipated funding from the Federal Low-Income Housing Tax Credit (LIHTC) pursuant to Section 42 of the Internal Revenue Code. The developer shall be responsible for administration and affirmative marketing of the affordable units.

§69-13 Fractional units.

- B. Inclusionary developments that result in an affordable housing obligation that is fractional shall round up and provide the additional affordable unit.

§69-14 Affordable housing programs.

- C. Pursuant to amended UHAC regulations at N.J.A.C. 5:80-26.1 et seq. and, in addition, pursuant to P.L. 2024, c.2 and specifically to the amended FHA at N.J.S.A. 52:27D-311.m, "All parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by the Council on Affordable Housing unless those regulations are contradicted by statute, including but not limited to P.L. 2024, c.2, or binding court decisions."
- D. All affordable housing units created within the City of Somers Point shall comply with the version of UHAC, N.J.A.C. 5:80-26.1, et seq. in effect at the time of application or zoning approval.

§69-15 Municipal Housing Liaison.

- F. The City of Somers Point shall appoint a specific municipal employee to serve as a Municipal Housing Liaison responsible for administering the affordable housing program, including affordability controls, the Affirmative Marketing Plan, monitoring and reporting, and, where applicable, supervising any contracted
- G. Administrative Agent. The Municipal Housing Liaison shall be appointed by the governing body and may be a full or part time municipal employee.
- H. The Municipal Housing Liaison's responsibilities can be found in N.J.A.C. 5:99.

§69-16 Administrative Agent.

- I. All municipalities that have created or will create affordable housing programs and/or affordable units shall designate or approve, for each project within its HEFSP, an administrative agent to

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

administer the affordable housing program and/or affordable housing units in accordance with the requirements of the FHA, NJAC 5:99-1 et seq. and UHAC.

- J. The fees for administrative agents shall be paid as follows:
- (1) Administrative agent fees related to rental units shall be paid by the developer/owner.
 - (2) Administrative agent fees related to initial sale of units shall be paid by the developer.
 - (3) Administrative agent fees related to resales shall be paid by the seller of the affordable home.
 - (4) Administrative agent fees related to ongoing administration and enforcement shall be paid by the municipality.
- K. The Administrative Agent's responsibilities can be found in N.J.A.C. 5:99.

§69-17 Enforcement of affordable housing regulations.

- C. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an owner, developer or tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, a requirement for household recertification, acceleration of all sums due under a mortgage, recuperation of any funds from a sale in violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- D. After providing written notice of a violation to an owner, developer or tenant of a low- or moderate-income unit and advising the owner, developer or tenant of the penalties for such violations, the municipality may take the following action(s) against the owner, developer or tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
- (1) The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation or violations of the regulations governing the affordable housing unit. If the owner, developer or tenant is adjudged by the Court to have violated any provision of the regulations governing affordable housing units the owner, developer or tenant shall be subject to one or more of the following penalties, at the discretion of the Court:
 - (a) A fine of not more than \$500 per day or imprisonment for a period not to exceed 90 days, or both, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense. In the case of an owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the City of Somers Point Affordable Housing Trust Fund of
 - (b) the gross amount of rent illegally collected.
 - (c) In the case of an owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

reasonable relocation costs, as determined by the Court.

- (2) The City may file a court action in the Superior Court seeking a judgment that would result in the termination of the owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any such judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- or moderate-income unit:
- (a) The judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating owner shall have his right to possession terminated as well as his title conveyed pursuant to the Sheriff's sale.
 - (b) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the owner shall make a claim with the municipality for such. Failure of the owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the owner or forfeited to the municipality.
 - (c) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
 - (d) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees

- (e) and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
 - (f) Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the owner to accept an offer to purchase from any qualified purchaser which may be referred to the owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
 - (g) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the owner.
- E. A fine pursuant to B.(1)(a) above shall not be issued unless the municipal housing liaison first provides the owner with written notice no less than two months prior to the date the fine is levied. A fine shall only be issued if the offense has not been cured within that two-month timeframe.

§69-18 **Appeals.**

- F. Appeals from all decisions of an administrative agent appointed pursuant to this Article must be filed, in writing, with the municipal housing liaison. A decision by the municipal housing liaison may be appealed to the Division of Local Planning Services within the Department of Community Affairs. A written decision of the Division Director upholding, modifying, or reversing an administrative agent's decision is a final administrative action.

SECTION 2. Chapter 69 “Affordable Housing”, Article III “Affordable Housing Set-Aside for Certain New Residential Development” is hereby deleted in its entirety and replaced as follows:

Article III (REERVED)

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 4. Should any section, clause, sentence, phrase or provision or any item in any schedule of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 5. This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

This ordinance was adopted by a vote of those present, with Council Member Slaughter opposed and Council President Gerety recusing himself from the vote, Council President Pro Tempore Johnston presided over this portion of the meeting.

Council Member Slaughter requested clarification on why the ordinance is being introduced before being reviewed by the Planning Board as stated.

City Solicitor Smith gave an explanation on the timeline of the ordinance readings.

No. 6 of 2026

An Ordinance Adopting an Amended 90 Broadway Redevelopment Plan Within Block 2018, LOTS 1.01, 1.02, 1.03, 1.04, 1.05, 1.08, 2.02, 1.06, AND 1.07 and Block 213, LOT 8 Within an Area in Need of Rehabilitation in the City of Somers Point, County of Atlantic, State of New Jersey

Whereas, on November 20, 2014, the City Council of the City of Somers Point adopted Resolution No. 186 of 2014 declaring the entire area of the City of Somers Point to be an Area in Need of Rehabilitation pursuant to N.J.S.A. 40A:12A-14, accepting a recommendation from the Somers Point Planning Board based upon a City-Wide Rehabilitation Study and Report concluding the that the entire area of the City of Somers Point be determined to be an Area in Need of Rehabilitation; and

Whereas, pursuant to N.J.S.A. 40A:12A-7 of the “Local Redevelopment and Housing Law (“LRHL”), a municipality has the authority to adopt, by ordinance, a Redevelopment Plan for a property located in an area in need of rehabilitation; and

Whereas a draft Redevelopment Plan dated April 10, 2025, captioned “90 Broadway Redevelopment Plan” was prepared by Colliers Engineering & Design (the “Draft Redevelopment Plan”); and

Whereas the Draft Redevelopment Plan was reviewed by the Somers Point Planning Board which determined that the Draft Redevelopment Plan was consistent with the overall intent of the Somers Point Master Plan; and

Whereas by Ordinance No. 11 of 2025 the City Council approved and adopted the 90 Broadway Redevelopment Plan dated May 8, 2025 (the “2025 90 Broadway Redevelopment Plan”) for Block 2018, Lots 1.01, 1.02, 1.03, 1.04, 1.05, 1.08, 2.02, 1.06 (the 90 Broadway Property” or “Property”), and by Resolution No. 185 of 2025 authorized the execution and delivery of a 90 Broadway Redevelopment Agreement and designated Somers Point Acquisition, LLC as the Designated Redeveloper (the “Redeveloper”) for the Redevelopment Property (the “2025 Redevelopment Agreement”); and

Whereas, pursuant to the 2025 90 Broadway Redevelopment Plan and Redevelopment Agreement the Redeveloper is permitted to construct twenty-five (25) residential dwelling units, with 20% (5 in number) of the total constructed units being deed restricted as very low-, low-, and moderate-multi-family dwelling units (the

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

"Affordable Units") and the remainder being market-rate single-family attached and/or detached dwelling units on the Property as more specifically defined in the Redevelopment Agreement); and

Whereas the Redeveloper submitted an application for preliminary and final site plan approval to the Somers Point Planning Board which was approved in a Decision and Resolution PB.11-2025 in the matter of the "Application of Somers Point Acquisition, LLC, adopted on November 19, 2025 (the "2025 Planning Board Resolution"); and

Whereas subsequent to the execution of the 2025 Redevelopment Agreement and the adoption of the 2025 Planning Board Resolution the Redeveloper has advised the City that it has procured an additional property designated on the Somers Point Tax Map as Block 213, Lot 8, commonly known as 104 Cleveland Avenue (the "Off-Site Property") upon which the Redeveloper has requested the Somers Point City Council (the "City Council") to consider approving the Off-Site Property as an alternate location for siting the Affordable Units on the Off-Site Property through the development of a six (6) bedroom community residence for individuals with developmental disabilities; and

Whereas in compliance with the requirements of the 2025 Somers Point Planning Board

Resolution the five (5) affordable units (planned for the 90 Broadway Property) may only be moved to an off-site location when and if the governing body is provided with sufficient information to confirm creditable off-site units are being supplied and the transfer of the units may be approved via an Amended Redevelopment Agreement and Amended Redevelopment Plan;" and

Whereas by Resolution No. 56-2026 the City Council authorized Colliers Engineering Inc. (Colliers") and other City professionals to review the documentation provided by the Redeveloper and to prepare a draft Amended 90 Broadway Redevelopment Plan (the "Amended 90 Broadway Redevelopment Plan); and

Whereas a Draft Amended 90 Broadway Redevelopment Plan was prepared by Colliers which included Block 2018, Lots 1.01, 1.02, 1.03, 1.04, 1.05, 1.08, 2.02, 1.06 and Block 213, Lot 8 (the "2026 Redevelopment Area") which was reviewed by the City Council; and

Whereas, pursuant to N.J.S.A. 40A:12A-7e, prior to the adoption of a redevelopment plan, or revision or amendment thereto, the planning board shall transmit to the governing body, within 45 days after referral, a report containing its recommendation concerning the redevelopment plan, which report shall include an identification of any provisions in the proposed redevelopment plan which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate; and

Whereas, on February 12, 2026, the City Council adopted Resolution No 77-2026 directing the Somers Point Planning Board ("Planning Board") to review the Draft Amended 90 Broadway Redevelopment plan for the Subject Properties, a copy of which was attached to the Resolution; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

Whereas the Draft Redevelopment Plan was to be reviewed and considered by the Planning Board at an open public meeting held on February 18, 2026, but was deferred until March 10, 2026; and

Whereas the Planning Board submitted its recommendation to the City Council; and

Whereas, having reviewed the Planning Board's Report and recommendation the City Council concurs with its findings and has determined that it is in the best interest of the city to adopt the Amended 90 Broadway Redevelopment Plan to effectuate rehabilitation of the 2026 Rehabilitation Area.

Now, therefore, it is hereby ORDAINED by the City Council of the City of Somers Point, County of Atlantic, State of New Jersey, as follows:

Section 1. The preceding recitals are incorporated herein as though fully set forth herein at length.

Section 2. The Council hereby adopts the "Amended 90 Broadway Redevelopment Plan" dated February 10, 2026 to facilitate the rehabilitation of the 2026 Redevelopment Area within the 2014 Rehabilitation Area.

Section 3. The area standards set forth in the Amended 90 Broadway Redevelopment Plan shall be applicable only to an applicant, property owner, developer, or redeveloper that has an executed Redevelopment Agreement with the City. An executed Redevelopment Agreement with the City shall be required (as a checklist item) as a part of any application or submission to the Somers Point Planning Board for site plan approval or as part of any other application for land use approvals utilizing area standards under the Redevelopment Plan

Section 4. All City ordinances or parts of any City ordinances that are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. The provisions of this Ordinance are severable. To the extent any clause, phrase, sentence, paragraph, or provision of the Ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 6. The City Clerk is directed to file a copy of the Amended 90 Broadway Redevelopment Plan in the Office of the City Clerk for inspection by the public during normal business hours.

Section 7. This Ordinance shall take effect after final adoption and publication according to law.

Ordinance No. 7 of 2026
(First Reading/Introduction)

M/S- Dill/Johnston

This ordinance was adopted by a unanimous vote of those present.

No. 7 of 2026

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

**Designating the Building Located at 920 Shore Road, Block 1813, Lot 19
(a/k/a 926 Shore Road), as a Historic Landmark**

Whereas, the Somers Point Historic Preservation Commission has received and reviewed the report titled “Somers Point Local Historic Landmark Nomination for 920 Shore Road” dated September 30, 2025; and

Whereas, at a properly noticed Public Hearing on October 8, 2025, the Historic Preservation Commission reviewed the report, heard from the Owner and the public, and found that the report includes the following information required for designation: photographs of the proposed landmark; a copy of the municipal tax map detailing its location; and a physical description of the proposed landmark. Furthermore, the report demonstrates that the proposed landmark has significance meeting the Section 2 criteria of the Somers Point’s Historic Preservation Ordinance, Chapter 114 *et seq.*; and

Whereas, 920 Shore Road (Block 1813, Lot 19), is located on the east side of Shore Road on the corner of Annie Avenue and Shore Road. The property is directly across from the site of the Somers Mansion, a National Historic property owned by the New Jersey Department of Environmental Protection. To the northeast is a parking lot (part of Block 1813, Lot 19) bounded by Annie Street. And to the southwest of 920 Shore Road there are two residential structures. The remainder of Block 1813 is primarily residential, ending at Bay Avenue; and

Whereas, 920 Shore Road meets the Historic Preservation Ordinance criteria for local recognition for its “character, interest or value as part of the development, heritage or cultural characteristics of the City; and

Whereas, 920 Shore Road deserves local recognition for its representation of the quiet, understated character that distinguished development in Somers Point from the showier resorts to the south and north. The development of Somers Point as a bayfront community which drew limited attention throughout the 20th century is best illustrated by both its historic collection of bayside bungalows and by the development of Shore Road as its commercial and hospitality center and the anchor of its connection to the north and south. 920 Shore Road, a handsome, understated Victorian structure, represents how architecture can reflect the feel and traits of a community like Somers Point that evolved in its own, distinct style, which separate it from other shore resorts; and

Whereas, the Somers Point Historic Preservation Commission recommended that the building located at 920 Shore Road be designed as a Historic Landmark; and

Whereas, in accordance with the Somers Point Code, Chapter 114, City Council referred the Landmark Nomination Report to the Planning Board on January 2, 2026, which in turn reported back to City Council on February 20, 2026, with the attached Resolution in support of said Historic Landmark of the City of Somers Point; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Somers Point, County of Atlantic, and State of New Jersey as follows:

SECTION 1:

The building located at 920 Shore Road (Block 1813, Lot 19) is hereby designated as a Historic Landmark of the City of Somers Point.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

SECTION 2:

This ordinance shall take effect after final passage, publication and adoption in the manner prescribed by law.

SECTION 3:

Upon Final Adoption of this Ordinance, the City Clerk shall distribute a copy of same to the City's Construction Office, the City's Planning and Zoning Board's Secretary, the Somers Point Historic Preservation Commission and a copy to the owner of record by certified mail, return receipt requested.

Resolutions:

Public Portion Resolutions:

Council President Gerety duly opened the meeting to the public.
Hearing nothing from the public, the public portion was duly closed.

Resolution No. 88 of 2026

M/S- Johnston/Dill

This resolution was adopted by a unanimous vote of those present.

No. 88 of 2026

Subject: A Resolution Referring Ordinance 4 of 2026 Repealing and Replacing Article I - Purpose, Definitions; Development Fees; Affordable Housing Trust Fund of Code Chapter 69 "Affordable Housing" as Required by N.J.S.A. 40:55D-26.

Introduced By: Council President Gerety

WHEREAS amendments to N.J.S.A.52:27D-301 et seq. (the "New Jersey Fair Housing Act" or "Act" ,and N.J.S.A. 40:55D-8.1 et seq.(The "New Jersey Municipal Land Use Law" or "MLUL") it is necessary for the governing body of the City of Somers Point to amend certain sections of Article I of Chapter 69 of the Somers Point Municipal Code "Affordable Housing"; and

WHEREAS the City's professionals have reviewed the requirements of the Act and the MLUL and have prepared an ordinance deleting and replacing Article I - Purpose, Definitions; Development Fees; Affordable Housing Trust Fund of Code Chapter 69; and

WHEREAS pursuant to N.J.S.A. 40:55D-26 prior to the adoption of a development regulation, revision, or amendment thereto, the governing body shall refer the proposed amendment to the Somers Point Planning Board which shall then within thirty-five (35) days after referral submit to the governing body a report advising if the ordinance provisions are

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

generally consistent with the overall intent of the City's Master Plan or identifying any inconsistencies.

Now, therefore, it is hereby **RESOLVED** by this Somers Point City Council as follows:

1. The recitals set forth above are fully incorporated herein and made a material part hereof.
2. To satisfy the requirements on N.J.S.A.40:55D-26 the City Council refers Ordinance 4 of 2026 to the Somers Point Planning Board with the request that the Planning Board consider and review said ordinance at a public meeting and within twenty-five (35) days following referral transmit to the governing body a report containing its findings, including identifying any provision or provisions that are inconsistent with the overall intent of the City's Master Plan.

It is further **RESOLVED** that the City Clerk is directed to forward to the Somers Point Planning Board Secretary a certified copy of this Resolution including the attached Ordinance 4 of 2026.

Resolution No. 89 of 2026

M/S- Dill/DePamphilis

This resolution was adopted by a unanimous vote of those present.

No. 89 of 2026

Subject: A Resolution Referring Ordinance 5 of 2026 Amending and Supplementing Articles II - Fair Share and Affirmative Marketing Plan and Article III - Affordable Housing Set-Aside for Certain New Residential Development of the Somers Point Municipal Code Chapter 69 - Affordable Housing, as Required by N.J.S.A. 40:55D-26.

Introduced By: Council President Gerety

WHEREAS amendments to N.J.S.A.52:27D-301 et seq. (the “New Jersey Fair Housing Act” or “Act” ,and N.J.S.A. 40:55D-8.1 et seq.(The “New Jersey Municipal Land Use Law” or “MLUL”) it is necessary for the governing body of the City of Somers Point to amend certain sections of Articles II and III of Chapter 69 of the Somers Point Municipal Code “Affordable Housing”; and

WHEREAS the City's professionals have reviewed the requirements of the Act and the MLUL and have prepared an ordinance amending and supplementing Article II - Fair Share and Affirmative Marketing Plan, and Article III - Affordable Housing Set-Aside for Certain New Residential Development of Code Chapter 69 “Affordable Housing” ; and

WHEREAS pursuant to N.J.S.A. 40:55D-26 prior to the adoption of a development regulation, revision, or amendment thereto, the governing body shall refer the proposed amendment to the Somers Point Planning Board which shall then review the ordinance and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

within thirty-five (35) days after referral submit to the governing body a report advising if the ordinance provisions are generally consistent with the overall intent of the City's Master Plan or identifying any inconsistencies.

Now, therefore, it is hereby **RESOLVED** by this Somers Point City Council as follows:

1. The recitals set forth above are fully incorporated herein and made a material part hereof.
2. To satisfy the requirements on N.J.S.A.40:55D-26 the City Council refers Ordinance 5 of 2026 to the Somers Point Planning Board with the request that the Planning Board consider and review said ordinance at a public meeting and within thirty-five (35) days following referral transmit to the governing body a report containing its findings, including identifying any provision or provisions that are inconsistent with the overall intent of the City's Master Plan

It is further **RESOLVED** that the City Clerk is directed to forward to the Somers Point Planning Board Secretary a certified copy of this Resolution including the attached Ordinance 5 of 2026.

Resolution No. 90 of 2026

M/S- McGuigan/Dill

This resolution was adopted by a unanimous vote of those present.

No. 90 of 2026

Subject: Authorization of Purchase through the Use of State Contract Vendor Ben Shaffer Recreation Pursuant to N.J.S.A. 40A:11-12(a) & N.J.A.C. 5:34- 7.29(c), for the use of Park and Playground Equipment for the City of Somers Point, Recreation Facilities

Introduced By: Council President Gerety

WHEREAS, the City of Somers Point may by resolution and without advertising for bids purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7.29 et. Seq.; and

WHEREAS, the City of Somers Point has identified a need to purchase Park and Playground Equipment for use by the City of Somers Point at their Recreation Facilities; and

WHEREAS, pursuant to State Contract Number NJ State Contract # T0103 (Expiration 5/30/26), Ben Shaffer Recreation; was awarded the State Contract for Park and Playground Equipment (16-FLEET-00135); and

WHEREAS, the Municipal Clerk in conjunction with the Business Administrator has researched the equipment available and recommends the utilization of the renewal contract provided by Ben Shaffer Recreation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point authorizes the following purchase from Ben Shaffer Recreation: PO Box 844, Lake Hopatcong, NJ 07849; to be ordered as soon as pragmatically possible:

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

Two (2) Sets of National Recreation Systems Bleachers:

Description:

3 ROW "PREFERRED" - Net seating capacity 30 - LENGTH: 15 Aluminum angle understructure for 6" rise
2 X 10 anodized aluminum seat plank with poly end caps Double mill finish aluminum foot plank with aluminum end caps
PERMANENT BENCH WITH BACKREST (surface mount) - SEATS: 8 - LENGTH: 12' 2 3/8" Galvanized Pipe Understructure 2 x 10 anodized aluminum seat plank with poly end caps 2 x 10 anodized aluminum backrest plank
with poly end caps Concrete wedge anchors.

Two (2) Sets of Bleachers.....

\$7,832.09

STATE CONTRACT NO: # T0103 NJ State Contract #16-FLEET-00135: Ben Shaffer

Recreation: Exp 5/30/2026

Resolution No. 91 of 2026

M/S- Dill/Johnston

This resolution was adopted by a unanimous vote of those present.

No. 91 of 2026

**Subject: A Resolution approving an Affordable Housing Payment in Lieu of Taxes
(PILOT) Between the City of Somers Point and Greate Bay Properties, LLC as
required to comply with a 2008 Court approved Settlement Agreement**

Introduced by: Council Members DePamphilis, Dill and McGuigan

Whereas, a Settlement Agreement of Litigation dated July 29, 2008 between Plantation Bay, LLC (“Plantation Bay”) and the City of Somers Point (the “City”) (the “2008 Settlement Agreement”); and was approved in a Final Judgment entered in the Superior Court of New Jersey, Atlantic County, Law Division Docket No: ATL-L-007302-06 P.W. on June 30, 2011 (the “Court Order”); and

Whereas, the 2008 Settlement Agreement obligated Plantation Bay to include within its proposed project a twenty percent (20%) set aside for affordable housing residential dwelling units (the “Affordable Housing”); and

Whereas, as provided in paragraph 3.3.2 thereof, the City is obligated to enter into a Payment in lieu of Taxes (the “PILOT”) applied to the affordable housing residential dwelling units; and

Whereas, the duration of the PILOT was to be consistent with the term and duration of the New Jersey housing Mortgage Finance Agency (the “HMFA”); and

Whereas, subsequent thereto OASIS AT GREATE BAY, LLC became the contract purchaser of the property upon which the Affordable Housing is to be constructed (the “Property”); and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

Whereas, on August 8, 2024, the Somers Point City Council passed Resolution No. 204 of 2024 authorizing the execution and delivery of a PILOT between the City and OASIS AT GREATE BAY, LLC (“OASIS”) dated August 8, 2024 (the “2024 PILOT”); and

Whereas, subsequent thereto, GREATE BAY PROPERTIES, LLC (“Greate Bay Properties”), which was formed by and is an affiliate of Eastern Pacific Development, LLC, became the contract purchaser of the Property; and

Whereas, Great Bay Properties plans to develop the Affordable Housing Property using a combination of eight (8) special needs residential units to serve very-low income individuals using lease terms of one-year which shall be owned by Greate Bay but operated by Gateway Community Services a New Jersey Non-profit Corporation (the “Special Needs Units”) and thirty-four (34) residential units to serve very-low, low- and moderate-income individuals to be owned by Greate Bay (the “Affordable Housing Units”) plus one (1) superintendent unit); and

Whereas, funding for the Affordable Housing residential units including the Special Needs Units shall be obtained through the New Jersey Housing Mortgage Agency (the “NJHMFA”) and the New Jersey Economic Development Authority under the ASPIRE program; and

Whereas, a new PILOT agreement between the City and Greate Bay Properties is required.

Now, therefore, it is hereby Resolved by the Common Council of the City of Somers Point that:

1. The Pilot Agreement attached hereto as EXHIBIT “A” is approved. The Mayor is authorized to execute and deliver the agreement.
2. GREATE BAY PROPERTIES, LLC, shall be required to file a Deed of Easement and Restrictive Covenant for Extended Low-Income Occupancy for a period of at least (30) thirty years which shall be enforceable by the City during its term. Same shall be submitted to the City of Somers Point prior to any such filing, and shall be in a form and content approved by the NJHMFA.
3. Resolution No.204 of 2024 is rescinded in its entirety.
4. The 2024 PILOT Agreement between the City and OASIS AT GREATE BAY, LLC is terminated and is no longer in effect.

Resolution No. 92 of 2026

M/S- Johnston/Dill

This resolution was adopted by a unanimous vote of those present.

No. 92 of 2026

Subject: A Resolution of Need for Affordable Housing Residential Dwelling Units to be Owned, Operated, Managed, and Constructed by Greate Bay Properties, LLC on Block 1946, Lot 1.02, Located at 901 Mays Landing Road

Introduced by: Council President Gerety

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

Whereas, a Settlement Agreement of Litigation dated July 29, 2008 between Plantation Bay, LLC (“Plantation Bay”) and the City of Somers Point (the “City”) (the “2008 Settlement Agreement”); and was approved in a Final Judgment entered in the Superior Court of New Jersey, Atlantic County, Law Division Docket No: ATL-L-007302-06 P.W. on June 30, 2011 (the “Court Order”); and

Whereas, the 2008 Settlement Agreement obligated Plantation Bay to include within its proposed project a twenty percent (20%) set aside for affordable housing residential dwelling units (the “Affordable Housing”); and

Whereas, subsequent to the entry of the Court Order Plantation Bay conveyed the entire property which was subject to the plan of development to R2F2, Inc. (“R2F2”) including the portion of the property (Block 1946, Lot 1.02) upon which the Affordable Housing is to be constructed (the “Affordable Housing Property”); and

Whereas, on September 14, 2023, the Somers point City Council passed Resolution No. 207 of 2023, being a Resolution of Need on behalf of JAS Group Enterprise, Inc., the then contract purchaser for the Property, for an affordable housing inclusionary residential development; and

Whereas, subsequent to the passage of Resolution No. 207 of 2023, GREATE BAY PROPERTIES, LLC (the “Sponsor”), which was formed by and is an affiliate of Eastern Pacific Development, LLC, became the contract purchaser for the parcel, and has now taken over the development of the Property; and

Whereas, the Sponsor intends to develop the Affordable Housing using a combination of eight (8) special needs residential units to serve very-low income individuals, thirty-four (34) residential units to serve very-low, low- and moderate-income individuals, and one (1) superintendent unit to be owned by the Sponsor (the “Affordable Housing Units”); and

Whereas, the Sponsor intends to finance the Affordable Housing Project using a combination of tax -exempt bonds, issued by the New Jersey Housing and Mortgage Finance Agency (“NJHMFA”), additional financing from NJHMFA, 4% low-income housing tax credits and the NJEDA Aspire Program; and

WHEREAS, pursuant to the requirements of the NJHMFA (the “NJHMFA Requirements”), the governing body of the City hereby determines that in accordance with the New Jersey Affordable Housing Act and based upon a First and Second Round Affordable Housing Obligation as embodied in a court approved 2008 Settlement Agreement, there is a need for this affordable housing project within the City, to address that obligation; and

WHEREAS, the Project will be subject to the HMFA Requirements, the mortgage and other loan documents executed between the Sponsor and NJHMFA, between the Sponsor and the NJEDA, and such subsequent agreements as may be mutually agreed to between the Sponsor and The City of Somers Point in the County of Atlantic and State of New Jersey and approved by the Agency, as necessary; and

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

WHEREAS, the Sponsor will also be applying to the New Jersey Economic Development Agency (“EDA”) for Aspire Funding and requires municipal council to provide a resolution of support and the mayor to separately provide a letter of support; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Somers Point (the “Council”) that:

- (1) The Council finds and determines that the Project proposed by the Sponsor will satisfy an existing affordable housing need.
- (2) The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor’s application for Agency funding to finance the Affordable Housing Project.
- (3) The Council does hereby provide support for the Sponsor’s application for Aspire Credits from EDA.
- (4) The Council authorizes the mayor to execute and transmit a letter in support of the Project addressed to the NJEDA in the form attached hereto as Exhibit “A”.
- (5) Resolution No. 207 of 2023 is rescinded in its entirety.
- (6) Resolution No. 79 of 2026 is rescinded in its entirety.

Resolution No. 93 of 2026

M/S- Dill/DePamphilis

This resolution was adopted by a unanimous vote of those present.

No. 93 of 2026

Subject: Resolution Revising Health Benefits Waiver Policy for City Employees

Introduced By: Council President Gerety

WHEREAS, N.J.S.A. 52:14-17.31a and 40A:10-17.1 authorize local units providing employee health benefits through the State Health Benefit Program ("SHBP") or non-SHBP coverage to make annual payments to employees in exchange for waiving health coverage provided by the local unit; and

WHEREAS, the City of Somers Point ("City" or "Somers Point") employee benefit policy currently allows health benefit waiver payments in accordance with N.J.S.A. 52:14-17.31a and 40A:10-17.1; and

WHEREAS, health benefit waiver payments are statutorily prohibited from being subject to the collective bargaining process; and

WHEREAS, local units have sole discretion as to whether to offer employees payments for waiver of health benefits;

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

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

1. All City employees waiving health benefits provided by the City are required to submit an annual waiver form and proof of health insurance coverage to the Administration/ Finance Department by September 1st of each year. For purposes of satisfying this provision, a copy of an employee's current health insurance card shall be sufficient proof of coverage.
2. Employees who hold coverage outside of the SHBP will receive the following health benefit waiver incentive based off their plan eligibility:
Waiver filed on or after May 21st, 2010: lesser of 25% of employer cost savings or up to \$5,000.
Plan Eligibility Annual payable amount
Employee Incentive \$5,000
3. Employees choosing to waive health benefits whose spouses hold insurance through the City's Health Insurance Plan shall not be eligible for the health benefit waiver incentive.
4. An employee who resumes coverage shall repay, on a pro rata basis, any amount received which represents an advance payment for a period of time during which coverage is resumed.
5. The decision of a county, municipality or contracting unit to allow its employees to waive coverage and the amount of consideration to be paid therefor shall not be subject to the collective bargaining process.
6. The City reserves the right to seize the waiver incentive program at any given time.
7. This policy shall be revisited on an annual basis in accordance with State Law requirements.
8. Waiver payments will be disbursed in a separate supplemental check subject to the discretion of the Administration/ Finance Office.
9. Waivers shall be effective for the 2026 year.
10. City retirees covered under the City's Insurance plan will not be eligible for the referenced Waiver Program but the City may supplement the cost of coverage to align with the previous financial obligation for the retirees covered under the previous SHBP.

Consent Agenda Resolutions:

On the motion of Council Member Dill, seconded of Council Member DePamphilis and carried to approve the Consent Agenda Resolutions.

No. 94 of 2026

Subject: Taxes Refunded Block 1419, Lot 11

Introduced By: Council President Gerety

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

WHEREAS, the fourth quarter of 2025 was paid twice due to a sale of the property.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that the following overpayment be refunded to the previous 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 YEAR	LOT	QUAL.	NAME	AMOUNT
1419 2025	11		Cherylann Bailey	\$1,399.49
Total				\$1,399.49

No. 95 of 2026

Subject: A Resolution Approving a Right-of-Way Use Agreement Between the City of Somers Point and Netspeed LLC, a New York Limited Liability Company Authorized to Transact Business in the State of New Jersey

Introduced by: Council President Gerety

WHEREAS, by Ordinance No. 2 of 2026 the Somers Point City Council granted to NetSpeed LLC a non-exclusive municipal consent for the use of certain public rights-of-way within the City of Somers Point for the sole purpose of owning, constructing, installing, operating, and maintaining a fiber optic telecommunications system to be attached to utility poles owned by New Jersey public utilities which have, by agreement, consented to use by NetSpeed LLC; and

WHEREAS, it is necessary for the City and NetSpeed LLC to enter into a Right-of-Way use agreement to set forth the terms and conditions under which NetSpeed LLC shall be permitted to exercise the rights granted to it by Ordinance.

Now, therefore, it is hereby **RESOLVED** by the City Council of the City of Somers Point that the Mayor is authorized to execute the attached Right-of-Way Use Agreement between the City of Somers Point and NetSpeed LLC.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

Old Business:

Council President Gerety reported on a meeting with Brian Cahill regarding City website improvements.

New Business:

On the motion of Council Member Johnston, seconded by Council Member DePamphilis and carried to approve a New Jersey State Firefighter’s Application for Membership for Cory D’Amore.

Council President Gerety gave details on Council Committee Assignments.

Discussion of Bills:

Administrator Frost reported a Bill List dated 2/25/2026 in the amount of \$2,120,423.48.

Public Portion:

Council President Gerety duly opened the meeting to the public.

Maureen Helbig of Somers Point commended Council Member Slaughter for representing the public and questioning policy when deemed necessary.

Patricia Pierson of Somers Point requested that Mayor or Council President repeat what the City Solicitor is saying when the public cannot hear him.

Candice Rosenberg of Somers Point thanked Somers Point Public Works for their efficiency during the snowstorm.

Rob Hopkins asked for clarification on lots indicated in Ordinance 6 of 2026.

Levi Fox of Somers Point commended Council Member Slaughter for representing the public. He mentioned that the YouTube video from the last council meeting was taken down. He also gave his view on affordable housing in Somers Point.

Garden State Accountability questioned the status of Council Meetings being streamed on YouTube and concealed carry fees. He also indicated his wish for longer public speaking times.

Hearing nothing further from the public, the public hearing was duly closed.

**REGULAR MEETING
MAYOR AND CITY COUNCIL
February 26, 2026**

Payment of Bills:

M/S: Dill/Johnston

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.

Comments from Governing Body:

Council Members McGuigan, Slaughter and Dill commended Somers Point Public Works for their work during the snowstorm.

Adjournment:

There being no further business to come before City Council, Council Member McGuigan moved, Council Member DePamphilis seconded and carried to adjourn the meeting at 7:44 p.m.

Respectfully submitted,

Shelby Heath, RMC
Municipal Clerk
Approved: 3/12/2026