

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
March 12, 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, Shields, Slaughter, Gerety

**Also Present:** Mayor Tapp, Administrator Frost, City Clerk Heath, City Solicitor Smith

**Absent:** City Engineer Schneider

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**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.

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Council President Gerety moved Resolutions 96 and 97 of 2026 to the top of the meeting.

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**Public Portion Resolutions:**

Council President Gerety duly opened the meeting to the public.

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

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**Resolution No. 96 of 2026**

**M/S-** Dill/Shields

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

Council Member McGuigan recognized Frank Denan’s devotion to the City.

Council Member Johnston commended the City’s Firefighters for their camaraderie and commitment to the City and each other.

Mayor Tapp extended condolences to Frank Denan’s family for their loss.

Council President Gerety shared short stories about Frank Denan’s life and work as a Firefighter.

Mayor Tapp and Council Member McGuigan presented the family of Frank Denan with a signed resolution.

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**No. 96 of 2026**

**Honoring the Life and Service of Fire Chief Frank John Denan**

**WHEREAS**, on February 17, 2026, Fire Chief Frank John Denan passed away, leaving behind his beloved family, lifelong friends, and his brothers and sisters of the Somers Point Fire Department to mourn the loss of a devoted public servant, trusted leader, and treasured member of the community; and

**WHEREAS**, Chief Denan was a lifelong resident of Somers Point, born on May 14, 1952, whose life was defined by service to the City he loved and the neighbors he proudly called friends; and

**WHEREAS**, following his graduation from high school, Frank honorably served his country as a member of the National Guard from 1971 through 1978, demonstrating early in life his deep sense of duty and commitment; and

**WHEREAS**, the all-volunteer fire department of Somers Point stands as a proud and enduring part of the fabric of the City, and Chief Denan embodied the very spirit of that tradition through courage, leadership, and unwavering dedication; and

**WHEREAS**, Chief Denan devoted more than forty-four (44) years of faithful service to the residents of Somers Point, joining Somers Point Volunteer Fire Company No. 2 at the age of eighteen (18), and serving with honor in various leadership roles, including Deputy Chief and Chief, from 1991 until his retirement in 2015; and

**WHEREAS**, beyond his volunteer service, Frank was entrusted with safeguarding the community as the City's Fire Inspector and later as Code Enforcement Officer, Property Maintenance Inspector, and Housing Inspector, roles in which he worked diligently to ensure the safety and well-being of residents and businesses alike; and

**WHEREAS**, those who served alongside him knew Frank as a steady presence, a mentor, and a man whose quiet strength and steadfast character earned the respect and admiration of generations of firefighters; and

**WHEREAS**, professionally, Frank was employed for more than twenty-five (25) years at Shore Medical Center, serving as a painter and plant supervisor, where he likewise earned the trust and respect of his colleagues;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Somers Point that they do hereby honor the life, legacy, and enduring example of Fire Chief Frank John Denan, whose decades of service strengthened this community and whose character left a lasting imprint upon it; and

**BE IT FURTHER RESOLVED** that the Mayor and City Council, on behalf of a grateful City, extend their deepest and most heartfelt condolences to Chief Denan's family, friends, and fellow firefighters, and do hereby officially mourn his passing while giving thanks for a life lived with honor, humility, and unwavering devotion to Somers Point.

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**Resolution No. 97 of 2026**

**M/S-** Dill/Shields

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

Council Member Dill thanked Guy Martin for everything he's done for the City.

Council Member Shields and Council Member McGuigan commended Guy Martin for his reliability and congratulated him on his retirement.

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Mayor Tapp congratulated Guy Martin on his retirement and thanked him for the many years of service he provided to the City.

Council President Gerety commended Guy Martin for his dedication to the City.

Mayor Tapp, Council Member Dill, and Council Member Johnston presented Guy Martin with a signed resolution.

**No. 97 of 2026**

**A Resolution Honoring Guy Martin Upon His Retirement from the City of Somers Point**

**WHEREAS**, Guy Martin was hired as a seasonal employee by the City of Somers Point in April 1977 and became a full-time laborer in July 1978; and

**WHEREAS**, for nearly fifty years thereafter, Guy reported to work each day with a strong work ethic, quiet determination, and a commitment to doing his job — and doing it well; and

**WHEREAS**, through dedication and professionalism, Guy rose through the ranks of the Public Works Department, being appointed Assistant Supervisor in March 2005 and General Supervisor in February 2008; and

**WHEREAS**, in his leadership roles, Guy Martin earned the respect of his colleagues and served the City and its residents with integrity, reliability, and pride; and

**WHEREAS**, after contributing to the City’s operations across portions of six different decades, Guy Martin retired effective January 1, 2026, and now looks forward to enjoying well-earned time with his family and friends;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Somers Point that they hereby recognize and commend Guy Martin for his extraordinary length of service, steadfast dedication, and lasting contributions to the City of Somers Point; and

**BE IT FURTHER RESOLVED** that the Mayor and City Council, on behalf of the citizens of Somers Point, extend their sincere gratitude, appreciation, and very best wishes to Guy Martin for a long, healthy, and happy retirement.

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**Communications:**

None

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**Mayor's Report:**

Mayor Tapp reported on numerous upcoming City events. He also announced that the scheduled opening for the Aldi would be April 15<sup>th</sup>, 2026.

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**Administrator's Report:**

None

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**Solicitor's Report:**

City Solicitor Smith provided a brief update on the proceedings of Ordinances 4, 5 and 6 of 2026.

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**Engineer's Report:**

None

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**Committee Reports:**

Council Member Johnston reported on the Library Committee's upcoming programs in coordination with the Recreation and School Boards.

Council Member McGuigan gave information on the City-Wide Yard Sale for Spring 2026.

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**Approval of Minutes:**

On the motion of Council Member Dill, seconded of Council Member Slaughter, and carried to approve the Regular Meeting Minutes of 2/26/2026 and Executive Session Meeting minutes of 2/12/2026, approved as to content only.

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**Proclamations:**

**Proclamation No. 12 of 2026**

The following proclamation was read by Mayor Tapp.

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**No. 12 of 2026**

**Subject: Amending Proclamation 3 of 2026, Environmental Commission  
Appointments**

**WHEREAS**, vacancies exist on the Somers Point Environmental Commission due to the resignation of Jack Shields; and

**WHEREAS**, I, Mayor Dennis Tapp hereby appoint Gary Papouschek for the unexpired term expiring December 31, 2026; and

**THE SOMERS POINT ENVIRONMENTAL COMMISSION** shall consist of the following members with the expiration of terms noted:

Pam Demarco	December 31, 2028
Linda Keyser	December 31, 2028
Sue Seckinger	December 31, 2026
Paul Ludgate	December 31, 2026
Gary Papouschek	December 31, 2026
Bill Reinert	December 31, 2027
John Helbig, (Chair)	December 31, 2027

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**Ordinances:**

**Ordinance No. 4 of 2026**

*(Second Reading/Public Hearing/Adoption)*

**M/S-** Dill/Johnston

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

Council President Gerety duly opened the meeting to the public.

A member of the public requested clarification on the ordinance.

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

City Solicitor Smith notified City Council that the Planning Board verified the ordinance to be consistent with the Master Plan.

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**No. 4 of 2026**

**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.**

- 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**

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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**

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

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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 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.

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- 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.
- 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.

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- 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.

- 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

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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.
- 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

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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.
- 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.

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**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.

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**Ordinance No. 5 of 2026**

*(Second Reading/Public Hearing/Adoption)*

**M/S-** Dill/Shields

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

Council President Gerety duly opened the meeting to the public.

A member of the public requested clarification on the ordinance.

Levi Fox of Somers Point brought up the potential relevance of relocation in relation to the ordinance.

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

City Solicitor Smith notified City Council that the Planning Board verified the ordinance to be consistent with the Master Plan.

**No. 5 of 2026**

**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

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**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.

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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.
- (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.

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**§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 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

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- (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 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.

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- (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 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 (RESERVED)**

**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.

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**Ordinance No. 6 of 2026**

*(Second Reading/Public Hearing/Adoption)*

**M/S-** Dill/DePamphilis

Council President Pro Tempore Johnston presided over this portion of the meeting.

This ordinance was adopted by a majority roll-call vote of those present, with Council Member Slaughter voting no in disagreement with the Planning Board's findings, and Council President Gerety recused.

Council President Pro Tempore Johnston duly opened the meeting to the public.

A member of the public requested clarification on the ordinance.

Levi Fox of Somers Point brought up his concerns regarding the plans for affordable housing relocation from 90 Broadway.

Jim of Somers Point started by thanking City Council for their work. He expressed his concerns about a group home potentially bringing down the value of the surrounding homes and requested clarification on the process of this decision being made.

John Wong of Somers Point seconded Jim's comments.

Rob Hopkins agreed with the comments made by previous speakers and urged answers to be provided.

Joan Edmonds of Somers Point requested clarification on the details of the new group home.

Charmain Kollman of Somers Point requested clarification on the ordinance and the involvement with non-profit organizations. She also commented on the potential issue with the new affordable housing location's fairness and compatibility with the people who would be moving in.

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

On the motion of Council Member McGuigan, seconded by Council Member DePamphilis, the meeting was duly re-opened to the public.

James of Somers Point expressed his disapproval of the group home's proposed location.

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

Council Member McGuigan gave a brief explanation about the group home's connection with the 90 Broadway Redevelopment Plan.

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Council Member Slaughter motioned to table the ordinance for further review, with no one seconding her motion.

City Solicitor Smith notified City Council that the Planning Board verified the ordinance to be consistent with the Master Plan.

**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 "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

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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

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

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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.

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**Ordinance No. 7 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.

A member of the public requested clarification on who decided this was a historic landmark.

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

**No. 7 of 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 20<sup>th</sup> 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:

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**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.

**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.

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**Ordinance No. 8 of 2026**

*(First Reading/Introduction)*

**M/S- McGuigan/Shields**

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

**No. 8 of 2026**

**CALENDAR YEAR 2026 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

**WHEREAS**, the City Council of the City of Somers Point in the County of Atlantic finds it advisable and necessary to increase its CY 2026 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

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**WHEREAS**, the City Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$234,607.32 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

**NOW THEREFORE BE IT ORDAINED**, by the City Council of the City of Somers Point, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2026 budget year, the final appropriations of the City of Somers Point shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$547,417.08, and that the CY 2026 municipal budget for the City of Somers Point be approved and adopted in accordance with this ordinance; and,

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

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

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

\*\*\*\*\*

**Ordinance No. 9 of 2026**

*(First Reading/Introduction)*

**M/S-** McGuigan/DePamphilis

This ordinance was adopted by the following roll-call vote:

Shields- Yes

Slaughter- No

McGuigan- Yes

Dill- Yes

Johnston- No

DePamphilis- Yes

Gerety- Yes

Council Member Slaughter requested clarification on the ordinance from City Solicitor Smith.

City Solicitor Smith gave a brief explanation of the ordinance.

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**No. 9 of 2026**

**An Ordinance Modifying Section 228-10 “Use of Proceeds” of the Municipal Code**

**WHEREAS**, the City Council of the City of Somers Point recognizes the importance of fostering responsible development, redevelopment, and business growth within the community; and

**WHEREAS**, the City Council further acknowledges the value of coordinated efforts to promote the City and its community events in order to support local commerce, tourism, and civic pride; and

**WHEREAS**, the City Council finds it necessary and appropriate to clarify the budgetary control and oversight of hotel and motel occupancy tax revenues to ensure fiscal responsibility and accountability.

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

**SECTION 1 Amendment to Section 228-10, “Use of Proceeds,” in Article II of Chapter 228 (Taxation)1.**

Section 228-10, “Use of Proceeds,” of Article II of Chapter 228 of the Municipal Code of the City of Somers Point is hereby amended to read as follows:

From and after the effective date of this Article, all hotel and motel occupancy tax revenues collected by the

City of Somers Point shall be deposited into the City’s general revenues and included within the City’s annual

municipal budget in accordance with applicable law.

An amount not to exceed thirty-three and one-third percent (33 1/3%) of the total hotel and motel occupancy tax revenues received by the City during the preceding calendar year may, at the sole discretion of the governing body, be appropriated in the subsequent annual municipal budget as a separate line-item for the Somers Point Economic Development Advisory Committee.

No funds shall be expended by the Somers Point Economic Development Advisory Committee except pursuant

to a specific appropriation in the adopted municipal budget and prior authorization by resolution of the

governing body.

The Economic Development Advisory Committee shall have no independent authority to obligate, encumber, or expend municipal funds.

**SECTION 2. Severability.**

If any section, paragraph, clause, or provision of this Ordinance shall be adjudged invalid or unenforceable by

a court of competent jurisdiction, such decision shall not affect or invalidate the remaining provisions of

this Ordinance.

**SECTION 3. Effective Date.**

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This Ordinance shall take effect immediately upon final passage and publication according to law.

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**Ordinance No. 10 of 2026**  
*(First Reading/Introduction)*

**M/S-** Dill/Shields

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

**No. 10 of 2026**

**Amending Ordinance 16 of 2021, An Ordinance Enacted Under Authority of N.J.S.A. 39: 4-197 and N.J.S.A. 39: 4-197.7, Granting the Authority to Establish a Restricted Parking Zone in Front of a Residence; Amending and Supplementing Section 250-50 of the Somers Point City Code; Repealing All Ordinances Heretofore Adopted, the Provisions of Which are Inconsistent Herewith**

**Whereas** Ordinance No. 16 of 2021 was enacted by the Somers Point City Council on December 16, 2021; and

**Whereas** Ordinance No.16 of 2021 amended the Somers Point Municipal Code Chapter 250 Vehicles and Traffic, Article V to designate an area on the west side of Bay Avenue directly in front of 827 Bay Avenue as a Permit Only Parking space; and

**Whereas** a sign indicating “Parking by Permit Only” was properly installed; and

**Whereas** the Ordinance requires the holder of the parking permit to notify the City Clerk if such person changes his or her residence; and

**Whereas** the person to whom the parking permit was issued had informed the City Clerk that the ownership of 824 Bay Avenue has been transferred to a third party; and

**Whereas** pursuant to the Somers Point Municipal Code Section 250-56 J residential parking permits are not transferable; and

**Whereas** in compliance with the Somers point Municipal Code Section 250-56 C. (1), (2), and (3) the applicant has submitted a completed application to City Clerk to have a residential parking permit issued in his / her name to allow Permit Parking to continue at that location; and

**Whereas** the request has been reviewed by the Chief of Police and has been determined to be complete and accurate and satisfies the criteria for issuance of a Residential Parking Permit in compliance with the Somers point Municipal Code Section 250-56 M.

**Now, therefore, it is hereby Ordained that;**

**REGULAR MEETING  
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Section 1. The City Clerk is authorized to issue a Parking Permit to the applicant upon payment of the initial fee together with the vehicle registration number.

Section 2. There is added to the Somers point Municipal Code Chapter 250 Article V the following subsection

Section 250-56 Issuance of residential parking permits.

R. Issuance of a new permit to the purchaser of a property for which a residential parking permit has been issued may be approved by a Council resolution, upon receipt of a completed application and approval from the Chief of Police.

Section 3. All other provisions of Ordinance No. 16 of 2021 amending Somers Point Municipal Code Chapter 250 Vehicles and Traffic, Article V not inconsistent herewith shall remain in full force and effect.

Section 4. 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 5. This Ordinance shall take effect after final adoption and publication according to law.

\*\*\*\*\*

**Resolutions:**

**Public Portion Resolutions:**

Council President Gerety duly opened the meeting to the public.

A member of the public asked for clarification on the purpose of a Temporary Budget.

Patricia Pierson of Somers Point requested clarification on Resolutions 75 and 98 of 2026. She also questioned the need for new Police vehicles.

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

\*\*\*\*\*

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**Resolution No. 75 of 2026**

M/S- Dill/Slaughter

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

**No. 75 of 2026**

**Subject:                    Authorizing Executive Session Advice of Counsel Regarding a Potential Modification to the Redevelopment Agreement for the Project at Bay and Maryland Avenues**

**Introduced By:        Council President Gerety**

**WHEREAS**, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Somers Point City Council to be held in public, and N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in “Executive Session,” i.e. without the public being permitted to attend; and

**WHEREAS**, the Somers Point City Council has determined that there is one (1) topic which requires the advice and counsel of the City Solicitor and is a matter permitted by N.J.S.A. 10:4-12(b) as an exception to open public meeting requirements; and is necessary to be discussed without the public in attendance during an Executive Session to be held on February 12, 2026 during a public meeting to be held commencing at 7:00 P.M; and

**WHEREAS** there are nine (9) exceptions to public meetings set forth in N.J.S.A. 10:4-12(b). Listed below, is the exception relied upon; and after the exception is a space within which the number of issues to be privately discussed that fall within that exception shall be written and within which additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

**1 “(7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required for the attorney to exercise his ethical duties as a lawyer.”**

The nature of the matters to be discussed, described as fully as possible without undermining the need for confidentiality:

**Discussion of and Advice of Counsel and attorney-client privileged communications regarding the status of a potential modification to the redevelopment plan and agreement for Block 1007, Lots 1, 2 and 3; Block 1008, Lot 3; and Block 1211, Lot 2 (portion) in the AH-1 and AH-2 Zones (Bay, Maryland and Pleasant Avenues).**

**WHEREAS** the length of the Executive Session is estimated to be approximately 30 minutes after which the public meeting of the City Council shall reconvene;

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**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Somers Point will go into Executive Session for **only** the above stated reason;

**BE IT FURTHER RESOLVED** that the City Council directs the City Clerk to make ten (10) photocopies of this resolution.

**BE IT FURTHER RESOLVED** that the blank spaces within this form of resolution are to be filled out in conformity with a Consent Judgment and Memorandum of Understanding dated June 8, 2009, that arose that the City Council hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public’s interest in disclosure is greater than any privacy or governmental interest being protected from disclosure. For each of the above items, the estimated date by which such disclosure

can be made and/or the occurrence that needs to take place before disclosure can be made are listed below (attach separate sheet if necessary)

Subject of Discussion	Estimated Date	Necessary Occurrence
See Exception 7	Unknown at this time	Discussion by City Council relative to the potential of entering into a redevelopment plan and agreement for properties in the AH-1 and AH-2 Zones.

\*\*\*\*\*

**Resolution No. 98 of 2026**

**M/S- Dill/DePamphilis**

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

Council Member Johnston clarified the payment process of conflict attorneys.

**No. 98 of 2026**

**Subject: Appointing a Conflict Attorney to Represent the City of Somers Point in Potential Civil Litigation Matters**

**Introduced by: Council President Gerety**

**WHEREAS**, the City of Somers Point has identified the need for an attorney to provide advice, counsel, and representation to the City of Somers Point on potential civil litigation matters against certain entities and/or individuals; and

**WHEREAS**, it is the intent of the City of Somers Point to appoint counsel to undertake and perform such services and provide such advice, counsel and representation as the City Council

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shall from time-to-time direct regarding such potential litigation wherein the City Attorney may have a conflict relative to any such litigation, but in any event not for a period to exceed calendar year \_\_\_\_\_ 2026; \_\_\_\_\_ and

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

1. A. Michael Barker, Esquire, of the law firm of Barker, Gelfand, James & Sarvas, PC, is hereby appointed as an attorney to represent, advise and counsel the City of Somers Point on any potential civil litigation matters wherein the City Attorney has either a conflict, or wherein the City Attorney has made the determination that a matter may require certain expertise in the handling of the matter; and
2. This appointment is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public contracts Law because public bidding is not required for said service;
3. This appointment is not exclusive during the term of the contract to be awarded, and City Council reserves the right to award work of the exact or similar nature as the work described herein to any other qualified professional, at its sole discretion.

The Mayor is hereby authorized to execute an agreement with A. Michael Barker, Esquire, of the law firm of Barker, Gelfand, James & Sarvas, PC, to undertake and perform the aforesaid services and provide such advice, counsel and representation as the City Council shall from time to time direct as prepared by the City Attorney, but in any event not for a period to exceed calendar year 2026.

\*\*\*\*\*

**Resolution No. 99 of 2026**

M/S- Dill/McGuigan

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

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE  
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S  
“Enforcement Guidance on the Consideration of Arrest and Conviction Records in  
Employment Decisions Under Title VII of the Civil Rights Act of 1964”**

**Introduced by: Council President Gerety**

**WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance**

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on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, That the Somers Point City Council of the City of Somers Point, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

\*\*\*\*\*

**Resolution No. 100 of 2026**

**M/S-** Shields/Dill

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

Council Member Johnston commented on the playground equipment improvements and the grant money used for them.

**No. 100 of 2026**

**Subject:            Authorizing Purchase of Park & Playground Equipment and General Supplies through the Bergen County National Purchasing Program Contract from Ben Shaffer Recreation, Contract Number #BC-BID-24-35, for the City of Somers Point**

**Introduced By: Council President Gerety**

**WHEREAS**, the City of Somers Point is permitted to participate in national purchasing cooperatives according to N.J.S.A 52:34-6.2; and

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**WHEREAS**, the Bergen County National Purchasing Program has acted as lead agency and awarded Contract # #BC-BID-24-35, Park & Playground Equipment and General Supplies with an Expiration Date of 10/14/2026; and

**WHEREAS**, the City’s Recreation Commission has a need to purchase Park & Playground Equipment and General Supplies for use at the Somers Point Baseball field; and

**WHEREAS**, the City Council Finance Committee, and City Administrator/Purchasing Agent Jason Frost have reviewed the contract from Bergen County ##BC-BID-24-35, Park & Playground Equipment and General Supplies, and have determined that the acquisition of the baseball equipment is the functional economic solution to replace the existing derelict baseball equipment; and

**WHEREAS**, it is recommended that City Council approve the acquisition of this baseball equipment for the use at the Somers Point baseball field.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Somers Point, New Jersey, that Park & Playground Equipment and General Supplies be purchased from Ben Shaffer Recreation in accordance with the Bergen County ##BC-BID-24-35, Park & Playground Equipment and General Supplies, contract for use by the City of Somers Point as follows:

Item:

Total Amount of Bergen County ##BC-BID-24-35,  
Park & Playground Equipment and General Supplies from Ben Shaffer Recreation ..... \$  
8,574.83

**BE IT FURTHER RESOLVED** that the City Administrator, acting in his capacity as Purchasing Agent, is hereby authorized to issue a purchase order in the total amount of \$ 8,574.83 in accordance with the Bergen County ##BC-BID-24-35, Park & Playground Equipment and General Supplies, contract for use by the City of Somers Point.

\*\*\*\*\*

**Resolution No. 101 of 2026**

**M/S-** Dill/Johnston

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

**No. 101 of 2026**

**Subject: A Resolution Approving Participation with the State of New Jersey Safe and Secure Communities Program Administered by the NJ Dept. of Law & Public Safety, Office of the Attorney General**

**Introduced By: Council President Gerety**

**WHEREAS**, the City of Somers Point desires to make application and receive funding for a project under the 2026 Safe and Secure Communities Program (Grant #26-0121); and

**WHEREAS**, the Safe and Secure Communities Program is a program of the State of New Jersey Department of Law and Public Safety, Office of the Attorney General.

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

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The project is a joint effort between the NJ Department of Law and Public Safety, Office of the Attorney General and the City of Somers Point for the purpose described in the application.

The Safe and Secure Communities Program Grant #26-0121 is for the period beginning on August 1, 2025 through July 31, 2026.

The amount of the grant is \$17,588 and the cash match, including fringe benefits, by the City of Somers Point is \$214,422 for a total project cost of \$232,010.

The City of Somers Point is authorized to accept and does accept this grant award.

The grant funds of \$17,588 are accepted for the purpose described in the grant application.

The Mayor and City Administrator are hereby authorized and directed to sign, complete and file all necessary documents in connection with this award on behalf of the City.

\*\*\*\*\*

**Resolution No. 102 of 2026**

**M/S- Dill/Slaughter**

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

**No. 102 of 2026**

**Subject: Acknowledging and Approving the Hiring of a Full-Time Laborer**

**Introduced by: Council President Gerety**

**WHEREAS**, due to a retirement, there exists a need to hire a full-time laborer for the Department of Public Works; and

**WHEREAS**, Harry Guenther has been employed by the City as a part time employee beginning on October 2<sup>nd</sup>, 2023, and his full time employment was recommended by the Superintendent of Public Works; and

**WHEREAS**, the City Administrator and CMFO confirmed that this is a budgeted position and made this appointment.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Somers Point hereby acknowledges and approves the hiring of Harry Guenther to the full-time position of Laborer 1 in accordance with the New Jersey Civil Service Job Specification 02248, effective March 9<sup>th</sup>, 2026.

**BE IT FURTHER RESOLVED** that his annual salary is established at \$47,602.00 in conformance with the Blue-Collar schedule for anyone hired on or after January 1, 2026, Start

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Year 1 level of the pending agreement between the City of Somers Point and Teamsters Union Local No. 115.

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**Resolution No. 103 of 2026**

M/S- Dill/Johnston

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

**No. 103 of 2026**

**Subject: Acknowledging and Approving the Hiring of a Full-Time Laborer**

**Introduced By: Council President Gerety**

**WHEREAS**, due to a retirement, there exists a need to hire a full-time laborer for the Department of Public Works; and

**WHEREAS**, Justin Tomlinson has been employed by the City as a part time employee beginning in October 2<sup>nd</sup>, 2023, and his full time employment was recommended by the Superintendent of Public Works; and

**WHEREAS**, the City Administrator and CMFO confirmed that this is a budgeted position and made this appointment.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Somers Point hereby acknowledges and approves the hiring of Justin Tomlinson the full time position of Laborer 1 in accordance with the New Jersey Civil Service Job Specification 02248, effective March 9<sup>th</sup>, 2026.

**BE IT FURTHER RESOLVED** that his annual salary is established at \$47,602.00 in conformance with the Blue Collar schedule for anyone hired on or after January 1, 2026, Start Year 1 level of the pending agreement between the City of Somers Point and Teamsters Union Local No. 115.

\*\*\*\*\*

**Resolution No. 104 of 2026**

M/S- Dill/Shields

This resolution was adopted by a majority vote of those present, with Council Members Johnston and Slaughter opposed, and Council President Gerety recused.

Council President Pro Tempore Johnston presided over this portion of the meeting.

Council Member Slaughter asked for clarification on the resolution.

Council Member Johnston expressed that she feels the resolution is premature.

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**No. 104 of 2026**

**Subject:**                   **A Resolution Authorizing the Execution and Delivery of an Escrow Agreement Between the City of Somers Point and Dani Ventures LLC Pertaining to the Proposed Development of Block 1912, Lots 1, 4, and 5 (939 Bay Avenue)**

**Introduced By:**       **Council President Gerety**

**WHEREAS**, on October 23, 2025, a presentation was made to the Somers Point City Council by Dr. Ira Troki and his professional representatives on behalf of Dani Ventures LLC (the “Property Owner”) regarding the potential redevelopment of Block 1912, Lots 1, 4, and 5, located generally at 939 Bay Avenue in the City of Somers Point, comprising approximately 1.75 acres (the “Subject Property”); and

**WHEREAS**, the proposal presented by the Property Owner contemplates the demolition of the existing nightclub/restaurant structure and the construction of a 100-unit condominium-hotel development, together with accessory parking, a restaurant, a swimming pool, and related site improvements (the “Proposed Project”); and

**WHEREAS**, the Somers Point City Council is willing to enter into discussions with the Property Owner to explore the feasibility of the Proposed Project, including the possible adoption of a mutually agreed-upon Memorandum of Understanding, the preparation and consideration of a potential Redevelopment Plan, and the negotiation of the terms and conditions of one or more agreements concerning the redevelopment of the Subject Property; and

**WHEREAS**, the purpose of the Escrow Agreement is to permit the City to enter into and continue such discussions and negotiations, and to provide for the deposit of funds into an escrow account to reimburse the City for professional fees, costs, and expenses incurred in connection with the review, evaluation, and negotiation process, which commenced on October 23, 2025, with an initial escrow deposit in the minimum amount of \$25,000;

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Somers Point that the Mayor is hereby authorized to execute and deliver the Escrow Agreement between the City and the Property Owner, substantially in the form attached hereto and on file in the Office of the City Clerk, subject to such revisions as may be deemed necessary or appropriate by the City Administrator, Chief Financial Officer, and City Solicitor.

**BE IT FURTHER RESOLVED** that the Mayor, Administrator, Clerk, Chief Financial Officer, City Solicitor, and other appropriate officers, employees, and professionals of the City are hereby authorized and directed to prepare, execute, and deliver any and all additional documents necessary to effectuate the Escrow Agreement approved herein, and to take such further actions as may be necessary to accomplish its intended purpose, provided that no further substantive agreement shall be binding upon the City without additional action of this governing body.

\*\*\*\*\*

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**Resolution No. 105 of 2026**

**M/S-** Dill/Slaughter

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

Council Members Dill and Johnston praised Kate MacKenzie for her work on the Recreation Board.

**No. 105 of 2026**

**Subject: Re-Appointment of Kate MacKenzie to the role of Part-Time Recreation Board Secretary for CY 2026**

**Introduced By: Council President Gerety**

**WHEREAS**, due to the elimination of the Recreation Director Position of the City of Somers Point it was necessary for the City of Somers Point to consider the appointment of a Part-Time Recreation Board Secretary for 2025; and

**WHEREAS**, it is the policy of the City of Somers Point to hire employees according to their individual merits and in accordance with the New Jersey Civil Service Policies and Procedures; and

**WHEREAS**, Kate MacKenzie was appointed as the Part-Time Recreation Board Secretary in 2025; and

**WHEREAS**, the City Administrator and the City's Personnel Committee recommend the re-appointment of Kate MacKenzie to the part time position of Recreation Board Secretary for 2026; and

**WHEREAS**, adequate funds are available within the Municipal Recreation operations in the 2026 Temporary budget for this part time hiring.

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

- 1.) The reappointment of Kate MacKenzie to the part time position of Recreation Board Secretary, is hereby approved and the date will be retroactive to a start date of about January 1<sup>st</sup> 2026.
- 2.) She will be compensated at a rate of \$10,000.00 per year plus a quarterly mileage allowance, and that the employee will not work more than 29 Hours Per week.
- 3.) This is an "at will" employment and is subject to the personnel policies and procedures of the City of Somers Point.

\*\*\*\*\*

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**Resolution No. 106 of 2026**

**M/S-** Dill/Johnston

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

Council Members Dill and McGuigan praised Stephen Hornig and expressed their approval of him taking on the position.

Mayor Tapp acknowledged Stephen Hornig’s hard work.

Council President Gerety congratulated Stephen Hornig on the new position.

**No. 106 of 2026**

**Subject:** Appointment of Stephen Hornig to the Position of Superintendent of Public Works

**Introduced By:** Council President Gerety

**WHEREAS**, due to a recent retirement, there currently exists a vacancy in the Department of Public Works for the position of Superintendent of Public Works for the City of Somers Point; and

**WHEREAS**, it is the policy of the City of Somers Point to advance employees according to their individual merits and in accordance with the New Jersey Civil Service Commission Policies and Procedures; and

**WHEREAS**, Stephen Hornig has been employed by the City of Somers Point since October of 2005, has served as the Deputy Municipal Safety Coordinator, has obtained his Certified Public Works Manager (CPWM), NJ DEP Public Wastewater Collection System - C-2, NJ Certified Recycling Profession – CRP, Sustainable Resource Management Professional – SRMP, and NJ Clean Communities Coordinator - NJCCC, issued by the NJ Department of Community Affairs; and

**WHEREAS**, Stephen Hornig of was previously appointed Assistant Supervisor of Public Works in April of 2025; and

**WHEREAS**, the City Administrator in consultation with the City’s Personnel Committee have recommended that Stephen Hornig be promoted to the position of Superintendent of Public Works; and

**WHEREAS**, adequate funds are available within the Public Works and Sewer Utility operations in the 2026 temporary budget for this promotion.

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

- 4.) The promotion of Stephen Hornig to the position of Superintendent of Public Works, New Jersey Civil Service Local Government Job Specification 07109, within the Public Works Department, is hereby approved retroactive from February 14<sup>th</sup>, 2026, pending the results of a Departmental Promotional

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Examination to be issued by the New Jersey Civil Service Commission, if necessary.

- 5.) The City Council of the City of Somers Point acknowledges that the Conditions of Employment for Stephen Hornig as Superintendent of Public Works for the City of Somers Point is hereby authorized and approved.

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**Resolution No. 107 of 2026**

**M/S- Dill/Slaughter**

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

Council Members Dill, McGuigan, and Mayor Tapp, expressed their appreciation for Shore Medical Center.

Council President Gerety acknowledged the important uses of Shore Medical Center's donations and expressed gratitude.

Council Member Shields praised Shore Medical Center for their work.

**No. 107 of 2026**

**Subject: Resolution Acknowledging Anticipation of a Donation and Affirming and Ratifying Execution and Delivery of a Financial Donation Agreement Between Shore Memorial Hospital D/B/A Shore Medical Center and its Affiliates and the City of Somers Point to be Used by the City for the Purposes Specified**

**Introduced by: Council President Gerety**

**WHEREAS, N.J.S.A. 40A:5-29** authorizes and empowers any local unit to accept bequests, legacies and gifts and donations and to utilize same for any use which is designated by the donor or is not inconsistent with the laws of this State and of the United States; and

**WHEREAS, Shore Memorial Hospital (now doing business as Shore Medical Center) ("SMC")** as a good corporate citizen had previously made annual donations to the City which had been either paid into the General Fund or dedicated to specific purposes; and

**WHEREAS, SMC** has contributed the sum of One Hundred Thousand Dollars (\$114,500.00) to be paid into the general fund to be used for general expenses without any specific designation as to the use of the proceeds; and

**WHEREAS, the City** may use the described donation to support the enhancement of the operations of the Police Department towards the purchase of a new Vehicle and for the Fire Department for the purchase of a jaws-of-life system and/or any other budget items at the discretion of the City; and

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**WHEREAS**, SMC shall deliver a check to the City its check in the amount of One Hundred and Fourteen Thousand Five Hundred Dollars (\$114,500.00) which shall be applied as hereinabove specified before the end of the Calendar Year 2026.

**NOW THEREFORE, IT IS HEREBY ESOLVED** by this governing body that the actions taken, including the execution of an agreement by the Mayor or City Administrator, between the City and Shore Memorial Hospital D/B/A Shore Medical Center and its affiliates which memorializes the understanding between the parties is hereby approved, ratified and affirmed; and

**IT IS FURTHER RESOLVED** that the City agrees to accept the donations made by Shore Medical Center to the City for the purposes and uses intended.

\*\*\*\*\*

**Resolution No. 108 of 2026**

**M/S-** Dill/McGuigan

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

**No. 108 of 2026**

**Subject: Reappointment of Jason Frost to the Position of Business Administrator and Qualified Purchasing Agent for the City of Somers Point**

**Introduced by: Council President Gerety**

**WHEREAS**, Jason Frost has been serving as the Business Administrator and Qualified Purchasing Agent for the City of Somers Point pursuant to an initial Conditions of Employment (“COE”) beginning in January 2021; and

**WHEREAS**, it is the Mayor and City Council’s intent to Reappoint Frost to the positions of City Business Administrator and Qualified Purchasing Agent for the City of Somers Point; and

**WHEREAS**, the City Council, in recognition of the job performance, believes that it is appropriate to update the Administrator’s COE in conjunction with the Reappointment to these positions; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Somers Point that Jason Frost is hereby reappointed as Business Administrator and Qualified Purchasing Agent for the City of Somers Point is hereby authorized and approved and as follows:

- 6.) The City Council of the City of Somers Point acknowledges that the Conditions of Employment for Jason Frost as Business Administrator and

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Qualified Purchasing Agent for the City of Somers Point is hereby authorized and approved.

\*\*\*\*\*

**Resolution No. 109 of 2026**

**M/S- Dill/Slaughter**

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

Council Member Dill explained the purpose of a Temporary Budget.

**No. 109 of 2026**

**Subject: 2026 Temporary Budget**

**Introduced By: Council President Gerety**

**WHEREAS**, 40A:4-19 provides that if any contracts, commitments or payments are to be made prior to the adoption of the budget, the governing body shall, by resolution adopted within the first 30 days of the beginning of the fiscal year, make appropriations to provide for the period between the beginning of the fiscal year and the adoption of the budget; and

**WHEREAS**, the total of the appropriations so made shall not exceed 35% of the total of the appropriations made for all purposes in the budget for the preceding fiscal year excluding, in both instances, appropriations made for interest and debt redemption charges, and capital improvement fund; and

**WHEREAS**, 35% of the total appropriations in the 2026 budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvement funds, is \$6,662,014.38.

**NOW, THEREFORE, BE IT RESOLVED** by the Somers Point City Council that temporary appropriations in the amount of \$6,662,014.38 for the Current Fund and \$763,000.00 for the Sewer Fund be made for the period beginning January 1, 2026, and ending with the adoption of the budget for the fiscal year. See Edmund's budget account status.

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**Resolution No. 110 of 2026**

**M/S- Dill/Slaughter**

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

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**No. 110 of 2026**

**Subject: Temporary Budget Emergency**

**Introduced By: Council President Gerety**

**WHEREAS** an emergent condition has arisen with respect to an anticipated delay in adopting the local budget and no adequate provision has been made in the 2026 temporary appropriations for the aforesaid purpose; and

**WHEREAS**, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; an

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2026 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20), including this resolution total \$1,503,493.23 for the Current Fund and \$97,521.15 for the Sewer Utility.

**NOW**, therefore, be it resolved by the City Council of the City of Somers Point, not less than two-thirds of all of the members thereof affirmatively concurring that, in accordance with the provisions of N.J.S. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for individual items outlined below in the total amount of \$1,503,493.23 for the Current Fund and \$97,521.15 for the Sewer Utility
2. That said emergency temporary appropriation will be provided for in the 2026 budget under the titles as outlined below.

6-01-36-471-111	Public Employee Retirement System	Other Expenses
\$390,084.60		
6-01-36-475-111	Police and Fire Retirement System	Other Expenses
\$1,113,408.63		

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Total Current Fund Emergency Temporary Appropriation  
\$1,503,493.23

=====

6-07-55-502-013	Sewer Operating Expenses – PERS	Other Expenses
\$97,521.15		

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Total Sewer Fund Emergency Temporary Appropriation  
\$97,521.15

=====

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**Resolution No. 111 of 2026**

**M/S- Dill/DePamphilis**

This resolution was adopted by a unanimous vote of those present, Council Member McGuigan recused.

Council Member Dill expressed the necessity of a new chiller unit for City Hall.

**No. 111 of 2026**

**Subject:                    Awarding Bid and Authorizing Contract for Removal and Replacement of Commercial Chiller Unit at City Hall in the City of Somers Point**

**Introduced By:        Council President Gerety**

**WHEREAS**, at a meeting of the Governing Body held on January 22<sup>nd</sup> 2026 the City Clerk authorized the advertisement for a Request for Proposal for the Removal and Replacement of Commercial Chiller Unit at City Hall (Resolution 58 of 2026); and

**WHEREAS**, on February 24<sup>th</sup> 2026 the City of Somers Point received bids for the Removal and Replacement of Commercial Chiller Unit at City Hall in the City of Somers Point; and

**WHEREAS**, there were three (3) bidders with Kisby-Lees Mechanical LLC t/a Kisby-Shore Corp. coming in at the lowest responsible bid of \$133,000.00; the City Administrator has recommended that the City award the contract to Kisby-Lees Mechanical LLC t/a Kisby-Shore Corp. of Atlantic City, New Jersey for the Removal and Replacement of Commercial Chiller Unit at City Hall in Somers Point as the lowest responsible bidder.

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

1. The Removal and Replacement of Commercial Chiller Unit at City Hall in Somers Point is hereby awarded to Kisby-Lees Mechanical LLC t/a Kisby-Shore Corp. of Atlantic City, New Jersey.
2. The City Administrator is hereby authorized and directed to enter into a contract with Kisby-Lees Mechanical LLC t/a Kisby-Shore Corp. for the Removal and Replacement of Commercial Chiller Unit at City Hall in Somers Point subject to a post award job meeting and final agreement between the City of Somers Point and Kisby-Lees Mechanical LLC t/a Kisby-Shore Corp. An agreement shall be drafted and executed in consultation with the City's Solicitor between the City of Somers Point and Kisby-Lees Mechanical LLC t/a Kisby-Shore Corp. for the Removal and Replacement of Commercial Chiller Unit at City Hall in Somers Point.

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**REGULAR MEETING  
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**Resolution No. 112 of 2026**

M/S- McGuigan/Shields

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

**No. 112 of 2026**

**Subject: Authorizing Purchase on State Contract for Vehicle Acquisition for use by the Somers Point Police Department**

**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 Three (3) Police Pursuit and Special Service Vehicles for use by the City of Somers Point Police Department; and

**WHEREAS**, pursuant to State Contract Number #: 20-FLEET-01189 T2776, Winner Ford, 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034 was awarded the State Contract for Police Pursuit and Special Service Vehicles; and

**WHEREAS**, the Police Chief in conjunction with the Business Administrator/ QPA has researched the vehicles available and recommends the acquisition of Three (3) 2026 Ford Utility Interceptor (Black) with V6 Option.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Somers Point authorizes the following purchase from Winner Ford, Inc of Cherry Hill, NJ.

**Description**

**Amount**

One (1) 2026 Ford Utility Interceptor (Black)

\$44,734.00

State Contract Number #: 20-FLEET-01189 T2776 Expiring : June 17, 2026

- |                                      |                                  |                                   |
|--------------------------------------|----------------------------------|-----------------------------------|
| • Cloth Front Bucket/Vinyl Rear Seat | • Cargo Area Dome Light          | • Air Conditioning                |
| • Power Windows/Locks/Mirrors        | • 60R Radio Noise Suppression    | • 4 Keys with Fobs                |
| • 44U 10 Speed Auto Transmission     | • AM/FM Stereo                   | • H8 AGM Battery                  |
| • Tilt Steering                      | • Blind Spot Mirrors             | • Power Passenger Seat            |
| • Rear Window Defroster              | • 51T Drivers Side LED Spotlight | • 18D Global lock/unlock feature  |
| • Perimeter Alarm                    | • Engine Idle                    | • Headlamps Prep Pkg.             |
| • Dark Car                           | • 59B Keyed Alike (1284)         | • Ford Telematics, includes Modem |
| • Rear NC                            | • V6                             | • EAI53 80 Amp Power Source       |
| • SYNC                               | • Skid Plate                     |                                   |

Total for Three (3) Vehicles

\$134,202.00

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**Consent Agenda Resolutions:**

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

\*\*\*\*\*

**No. 113 of 2026**

**Subject:                   A Resolution of the Mayor and Council of the City of Somers Point  
                                  Adopting Affordability Assistance Manual**

**Introduced By:        Council President Gerety**

**WHEREAS**, the City of Somers Point (the “City”) is constitutionally obligated under the Mount Laurel doctrine to provide a realistic opportunity for the construction of affordable housing for low- and moderate-income households; and

**WHEREAS**, the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., as amended by P.L. 2024, c.2 (the “Amended Fair Housing Act”), establishes procedures for municipalities to obtain judicial review and compliance certification of their affordable housing obligations; and

**WHEREAS**, the City timely filed a Resolution of Participation in the Affordable Housing Dispute Resolution Program and a Fourth Round Declaratory Judgment action in the Superior Court of New Jersey, Law Division, seeking a determination of its Fourth Round affordable housing obligations and continued protection from exclusionary zoning litigation; and

**WHEREAS**, as part of its Fourth Round affordable housing requirements, the City is required to adopt an updated Affordability Assistance Manual; and

**WHEREAS**, the City has prepared an updated Affordability Assistance Manual that is consistent with the applicable statutes and regulations.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Somers Point, County of Atlantic, State of New Jersey as follows:

1.       The City of Somers Point (“City”) does hereby adopt the Affordability Assistance Manual attached hereto as Exhibit A.
2.       This Resolution shall take effect immediately upon adoption according to law.

\*\*\*\*\*

**REGULAR MEETING  
MAYOR AND CITY COUNCIL  
March 12, 2026**

**No. 114 of 2026**

**Subject: A Resolution of the Mayor and Council of the City of Somers Point  
Adopting Rehabilitation Manual**

**Introduced By: Council President Gerety**

**WHEREAS**, the City of Somers Point (the “City”) is constitutionally obligated under the Mount Laurel doctrine to provide a realistic opportunity for the construction of affordable housing for low- and moderate-income households; and

**WHEREAS**, the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., as amended by P.L. 2024, c.2 (the “Amended Fair Housing Act”), establishes procedures for municipalities to obtain judicial review and compliance certification of their affordable housing obligations; and

**WHEREAS**, the City timely filed a Resolution of Participation in the Affordable Housing Dispute Resolution Program and a Fourth Round Declaratory Judgment action in the Superior Court of New Jersey, Law Division, seeking a determination of its Fourth Round affordable housing obligations and continued protection from exclusionary zoning litigation; and

**WHEREAS**, as part of its Fourth Round affordable housing requirements, the City is required to adopt an updated Rehabilitation Manual; and

**WHEREAS**, the City has prepared an updated Rehabilitation Manual that is consistent with the applicable statutes and regulations; and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Somers Point, County of Atlantic, State of New Jersey as follows:

1. The City of Somers Point (“City”) does hereby adopt the Rehabilitation Manual attached hereto as Exhibit A.
2. This Resolution shall take effect immediately upon adoption according to law.

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**No. 115 of 2026**

**Subject:                   Setting Fees for the Somers Point Boat Ramps for the Year 2026**

**Introduced By:        Council President Gerety**

**WHEREAS,** the City of Somers Point has a history of operating a boat ramp at John F. Kennedy Park for the public's use in accessing the Great Egg Harbor Bay; and

**WHEREAS,** as a part of the construction of the Route 52 Bridge Project, the City was provided with a second boat ramp for the public use to access the Great Egg Harbor Bay; and

**WHEREAS,** the City has in the past, and continues to experience significant costs associated with the maintenance of the boat ramp and its docks; and

**WHEREAS,** the City has in the past, operated the public boat ramps as a fee-imposed use so as to minimize the burden on the residents of the City in connection with the cost to operate same; and

**WHEREAS,** the City has, in the past, tried various methods of implementing cost recoupment for the operation of the boat ramps which may not have maximized profit, including the most recent attempt, a gate system which added to the significant cost of the operation and maintenance of the boat ramps; and

**WHEREAS,** pursuant to previously enacted Section 199-7 of Article II of Chapter 199, as well as that which is currently being amended, City Council has been, and is authorized to set fees for the use of its boat ramps by way of resolution; and

**WHEREAS,** pursuant to previously enacted Section 199-8 of Article II of Chapter 199, as well as that which is currently being amended, the use of its boat ramps was to be effectuated by a permit system; and

**WHEREAS,** City Council now wishes to pass a resolution setting the fees for the use its boat ramps on an annual basis.

**NOW THEREFORE, BE IT RESOLVED** by the Common Council of the City of Somers Point that, until further modification by the City Council, the fees of the City of Somers Point's two boat ramps shall be set based upon an annual use only, and as follows:

1. Veterans, Seniors, and Somers Point Residents - \$75.00 per annual permit decal;
2. Non-Residents - \$150.00 for an annual permit decal;
3. Commercial Operations/Entities - \$500.000 for four (4) annual permit decals.
4. Non-Resident Seniors (62 and older) and Veterans - \$75.00 per annual permit decal, (limited one per customer) through June 30, 2026; After June 30, 2026 the fee shall be \$150.00.

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**No. 116 of 2026**

**Subject: A Resolution Supporting Senate Resolution No. 106 (Scutari D-22)  
to Determine that the NJDEP’s Proposed Coastal Regulation are  
Inconsistent with Legislative Intent**

**Introduced By: Council President Gerety**

**WHEREAS**, In the January 20, 2026 New Jersey Register, 58 N.J.R. 13 247(a), the Department of Environmental Protection (DEP) adopted a set of rules and regulations, known as "New Jersey Protecting Against Climate Change – Resilient Environment and Landscapes" (NJPACT – REAL), which make sweeping changes to various DEP rules and programs in response to climate change, including drastically increasing the size of the Flood Hazard Area under the "Flood Hazard Area Control Act," P.L.1962, c.19 (C.58:16A-50 et 20 seq.), in addition to making changes to the State’s stormwater management, wetlands conservation, and coastal area protection rules; and

**WHEREAS**, the rules and regulations will have substantial effects on ordinary New Jerseyans, by limiting development rights for countless homeowners and property owners, devaluing property, and having a significant impact on property tax assessments; and

**WHEREAS**, the rules and regulations will increase the cost of housing in New Jersey, by greatly restricting development in large areas of the State and increasing regulatory costs; and

**WHEREAS**, the rules and regulations apply the Flood Hazard Area rules to “substantial improvements,” meaning, improvements that are valued at 50 percent or more of a property’s value, which occur in the expanded “Coastal Adjusted Flood Hazard Area,” creating disincentives to renovation, redevelopment, and imposing significant economic burdens on lower-valued properties in large areas of the State; and

**WHEREAS**, the rule adoption contains economic, housing, and jobs impact statements that are severely inadequate and include little evidence, and the impacts of rules and regulations of this magnitude should be carefully studied prior to implementation; and

**WHEREAS**, under the State Constitution, the duties and powers of the Executive Branch are limited to executing those laws that are enacted by the Legislature and the Governor; and

**WHEREAS**, the Legislature recognizes this principle by including, within its laws, an explicit authorization for an Executive Department to adopt rules and regulations to implement the law; and

**WHEREAS**, however, in this case, the Legislature did not merely neglect to include such an authorization, it enacted no law; and

**WHEREAS**, instead, the DEP proposed the NJPACT – REAL rules and regulations, which constitute a major climate change law, unilaterally, likely with the well-intended aim of combating the negative effects of climate change, but forgetting that the DEP does not represent the people of New Jersey and thus that it oversteps its constitutional authority by proposing entirely new laws, and ignoring the fact that inaction can also be an expression of the Legislature's will; and

**WHEREAS**, the DEP claims, in its rule proposal, that approximately 50 existing laws provide it with the statutory authority to advance the NJPACT – REAL rules and regulations; and

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**WHEREAS**, however, there are several issues with this claim as many of the laws, including P.L.1951, c.80 (C.58:10-35.1 et seq.) and the "Radiation Protection Act," P.L.1958, c.116 (C.26:2D-1) et seq., have not been amended for at least 40 years, meaning that the Legislature could not possibly have intended them to authorize the DEP to combat the effects of climate change, since the issue of climate change was not salient at that time; and

**WHEREAS**, in addition, the DEP fails to cite the one significant statute that has been enacted specifically in response to climate change, the "Global Warming Response Act," P.L.2007, c.112 (C.26:2C-37 et seq.), perhaps in tacit recognition of the fact that that law explicitly provides the DEP with the authority to establish a greenhouse gas monitoring and reporting program only, and that the Legislature specifically

removed a provision that would have authorized the DEP to adopt rules and regulations to implement the other provisions of the law, including the greenhouse gas emissions reduction goals, during the passage of the law; and

**WHEREAS**, it is therefore clear that the DEP has overstepped its authority in proposing the NJPACT – REAL rules and regulations, and the Legislature urges the DEP to follow the principles of the Constitution and await future Legislative enactments regarding how best to protect New Jerseyans lives and property from the negative effects of climate change.

**NOW THEREFORE, BE IT RESOLVED**, that the City of Somers Point hereby formally supports SCR No. 106, which would determine that the NJPACT REAL Rules are inconsistent with legislative intent.

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution shall be sent to the offices of Governor Mikie Sherrill, Senate President Nicholas Scutari, General Assembly Speaker Craig Coughlin, and State Legislators.

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**No. 117 of 2026**

**Subject: Resolution Appointing Members to the Economic Development Advisory Commission**

**Introduced By: Council President Gerety**

**WHEREAS**, Ordinance No. 1 of 2006 authorized the establishment of an Economic Development Advisory Commission; and

**WHEREAS**, Ordinances No. 31 of 2007 and Ordinance 5 of 2014 amended said Ordinance; and

**WHEREAS**, Somers Point City Council ratified in Chapter 20-3 of the City Code that the Economic Development Advisory Commission shall consist of not less than nine nor more than 12 regular members, all appointed by City Council, and all members shall have a term of office of three calendar years, or such lesser period of time as may be caused by the date of appointment, with terms expiring at 11:59 p.m., December 31 of each calendar year.

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Appointments shall be staggered such that not less than three appointments expire each year, and each year at least three members are to be appointed to full three-year terms.

**WHEREAS**, City Council wishes to reappoint John Helbig, and Denise Boyd with a term expiring 12/31/2028 and;

**WHEREAS**, City Council wishes to appoint Janice Johnston to the unexpired term of Kirk Gerety, with a term expiring December 31, 2027 and;

**WHEREAS**, City Council wishes to appoint Morgan Slaughter as Advisory Ex-Officio with a term expiring 12/31/2028 and;

**NOW, THEREFORE, BE IT RESOLVED** that the Economic Development Advisory Commission consists of the following members:

<u>Regular Members</u>	<u>Expiration of Term</u>
Robert Phillips	December 31, 2027
Chuck Westcot	December 31, 2026
William Dunphy	December 31, 2026
Denise Boyd	December 31, 2028
Vacant	December 31, 2028
John Helbig	December 31, 2028
Vacant	December 31, 2028
Max Slusher	December 31, 2026
Adam Merilson	December 31, 2027
Janice Johnston	December 31, 2027
<u>Advisory ExOfficio Member(s)</u>	<u>Expiration of Term</u>
Morgan Slaughter	December 31, 2028

\*\*\*\*\*

**No. 118 of 2026**

**Subject: Amending Resolution 17 of 2026, Green Team Advisory Committee**

**Introduced By: Council President Gerety**

**WHEREAS**, The City of Somers Point strives to save tax dollars, assure clean land, air and water, and improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

**WHEREAS**, The City of Somers Point hereby acknowledges that the residents of Somers Point desire a stable, sustainable future for themselves and future generations; and

**WHEREAS**, by endorsing a sustainable path, the City of Somers Point is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

**WHEREAS**, The City of Somers Point desires to focus attention on “Green” issues, so the City Council established a Green Team Advisory Committee pursuant to Ordinance No.21 of 2009; and

**NOW THEREFORE BE IT FINALLY RESOLVED**, by the City Council of Somers Point that the following persons are hereby appointed to Green Team Advisory Committee:

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<i>1 Year Term Expires on:</i>	<i>Name</i>
December 31, 2026	Gary Papouschek
December 31, 2026	Pam Demarco
December 31, 2026	Linda M. Keyser
December 31, 2026	William Reinert
December 31, 2026	Sue Seckinger
December 31, 2026	John Helbig
December 31, 2026	Paul Ludgate

\*\*\*\*\*

**Old Business:**

None

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**New Business:**

On the motion of Council Member Dill, seconded by Council Member Slaughter and carried to approve a New Jersey State Firefighter’s Application for Membership for Matt Carolus, Stephen Morro and Noah Love.

On the motion of Council Member Slaughter, seconded by Council Member Dill and carried to approve a Social Affair Permit Application for Grace Lutheran Church for a Dinner Dance event on 4/18/2026 from 5 P.M. to 8 P.M.

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**Discussion of Bills:**

Administrator Frost reported a Bill List dated 3/10/2026 in the amount of \$1,364,623.56.

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**Public Portion:**

Council President Gerety duly opened the meeting to the public.

A member of the public questioned various City policies. He also asked for an update on his previous request regarding gun permits.

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Council President Gerety asked for a motion to recess. On the motion of Council Member Dill, seconded by Council Member Johnston, the meeting was duly called to a brief recess at 8:41 p.m.

Council President Gerety reconvened the Governing Body back to Open Session at 8:50 p.m.

Patricia Pierson of Somers Point asked if there were any closed meetings held by City Council or the Planning Board.

Levi Fox of Somers Point emphasized the number of citizens that spoke against the 90 Broadway Redevelopment.

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

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**Payment of Bills:**

**M/S:** Shields/Slaughter

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.

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**Comments from Governing Body:**

None

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**Recess:**

The Governing Body recessed briefly before going into Executive Session at 9:00 p.m.

\*\*\*\*\*

**Reconvene:**

Council President Gerety reconvened the Governing Body to Open Session at 9:35 p.m.

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**Adjournment:**

There being no further business to come before City Council, Council Member Johnston moved, Council Member Shields seconded and carried to adjourn the meeting at 9:35 p.m.

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Respectfully submitted,

Shelby Heath, RMC  
Municipal Clerk  
Approved: 4/9/2026