

**REGULAR MEETING
MAYOR AND CITY COUNCIL
May 14, 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, and City Engineer Schneider

Open Public Meetings Act:

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

Communications:

None

Mayor's Report:

Mayor Tapp thanked all the employees, volunteers, and Council Members who worked the Bayfest Event. He then reminded the community of the upcoming Memorial Day Parade followed by a ceremony at Patriots Park. He mentioned that volunteers are needed to help during this event. Lastly, Mayor Tapp congratulated Shore Medical Center on the awards they received from the Leap Frog Group which is one of the most prestigious awards you can receive for the excellence in care they provide.

Administrator's Report:

None

Solicitor's Report:

None

Engineer's Report:

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Engineer Schneider provided an update on the New Jersey Ave paving project. This project cannot be started until the Water Main Project is complete, the approximate completion date is next week. He then shared that a preconstruction meeting is scheduled next week for the Ocean Ave Stormwater Project.

Committee Reports:

Council Member McGuigan discussed the 90 Broadway agreement and improvements that can be made to the park and the Defeo Lane Trails, with the funds.

Approval of Minutes:

On the motion of Council Member Dill, seconded of Council Member Shields, and carried to approve the Regular Meeting Minutes of 4/23/2026, and Executive Session Minutes from 4/23/2026 approved as to content only.

Ordinances:

Ordinance No. 13 of 2026

(First Reading/Introduction)

M/S- Dill/Johnston

This Ordinance was adopted by a unanimous vote of all present.

No. 13 of 2026

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$1,500,000 FOR THE ACQUISITION AND INSTALLATION OF PACIFIC AVENUE PUMP STATION GENERATOR IN AND BY THE CITY OF SOMERS POINT, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

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

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the City of Somers Point, in the County of Atlantic, New Jersey (the "City"), as a general improvement. For the improvement or purpose described in

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Section 3(a), there is hereby appropriated the supplemental amount of \$1,500,000, such sum being in addition to the \$518,000 appropriated therefor by bond ordinance 20-2023 of the City, finally adopted August 24, 2023 (the "Original Bond Ordinance"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the cost of the improvement or purpose since the improvement or purpose described in Section 3(a) hereof is being funded through the New Jersey Infrastructure Bank.

Section 2. In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,500,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the acquisition and installation of the Pacific Avenue Pump Station Generator, together with all materials and work necessary therefore, and all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with the plans and specifications therefore on file in the office of the City Clerk and hereby approved, including the costs of surveying, construction, planning, engineering, preparation of plans and specifications, permits, bid documents and construction, as described in the Original Bond Ordinance.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$2,018,000, including the \$518,000 authorized by the Original Bond Ordinance and the \$1,500,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$2,018,000, including the \$518,000 appropriated by the Original Bond Ordinance and the \$1,500,000 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby

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amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,500,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$403,200 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$103,200 was estimated for these items of expense in the Original Bond Ordinance (such amount being equal to the improvement or purpose's pro rata share of the total amount of \$860,000 authorized under the Original Bond Ordinance) and an additional \$300,000 is estimated therefor herein.

Section 7. The City hereby makes the following covenants and declarations with respect to obligations determined to be issued by the chief financial officer on a tax-exempt basis. The City hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The chief financial officer is hereby authorized to act on behalf of the City to deem the obligations authorized herein as bank-qualified for the purposes of Section 265 of the Code, when appropriate. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the cost of the purpose described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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Section 9. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Resolutions:

Public Portion Resolutions:

Council President Gerety duly opened the meeting to the public.

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

Resolution No. 143 of 2026

M/S- Dill/Shields

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

**No. 143 of 2026
AUTHORIZING EXECUTIVE SESSION**

**Subject: ADVICE OF COUNSEL REGARDING THE STATUS OF
LITIGATION**

Introduced by: Council President Gerety

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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 May 14, 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:

Advice of Counsel and attorney-client privileged communication regarding the status of litigation and potential settlement discussion involving the City entitled, “GMH Restaurant Holdings, LLC, GMH Restaurant Enterprises, Gary M. Holloway v. the City of Somers Point,” having a docket number of ATL-C-66-24.

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;

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 handling of litigation.

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Resolution No. 144 of 2026

M/S- Johnston/McGuigan

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

**No. 144 of 2026
AUTHORIZING EXECUTIVE SESSION**

Subject: Advice of Counsel and Attorney-Client Privileged Communication

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 May 14, 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:

Advice of Counsel and attorney-client privileged communication regarding the issues arising from the settlement between the Plantation Bay, LLC, and the City of Somers Point in the Mt. Laurel Litigation commenced in the Superior Court of New Jersey by Plantation Bay, LLC (Docket No.ATL-L-7302-06).

WHEREAS the length of the Executive Session is estimated to be approximately 15 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 handling issues arising from the settlement agreement in the matter of “Plantation Bay, LLC. v. City of Somers Point” (Docket No. Atl-L-7302-06).

Resolution No. 145 of 2026

M/S- McGuigan/DePamphilis

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

**No. 145 of 2026
AUTHORIZING EXECUTIVE SESSION**

**Subject: ADVICE OF COUNSEL REGARDING THE STATUS OF
LITIGATION**

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

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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 May 14, 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:

Advice of Counsel and attorney-client privileged communication regarding the status of litigation involving the City entitled, “Levi Fox v. City of Somers Point, Somers Point Planning Board,” having a docket number of ATL-L002581-25.

WHEREAS the length of the Executive Session is estimated to be approximately 15 minutes after which the public meeting of the City Council shall reconvene;

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 handling of litigation.

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Resolution No. 146 of 2026

M/S- Slaughter/Johnston

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

No. 146 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. 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 appoint Joseph Ambrose to the vacancy with a term expiring 12/31/28 and;

WHEREAS, City Council wishes to appoint Anne Marie Gibbs to the vacancy with a term expiring December 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
Joseph Ambrose	December 31, 2028
John Helbig	December 31, 2028
Anne Marie Gibbs	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

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Resolution No. 147 of 2026

M/S- Dill/Shields

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

No. 147 of 2026

Subject: Appointing Recycling / Clean Communities Coordinator

Introduced By: Council President Gerety

WHEREAS, the City of Somers Point maintains a long standing commitment to recycling; and

WHEREAS, the City of Somers Point also participates in a Clean Communities Program; and

WHEREAS, the City of Somers Point desires to confirm the appointment of Stephen Hornig as the Calendar Year 2026 Recycling Coordinator and Clean Communities Coordinator; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Somers Point that Stephen Hornig be and is hereby confirmed to be the Recycling Coordinator and the Clean Communities Coordinator for the City of Somers Point.

Resolution No. 148 of 2026

M/S- Shields/Johnston

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

No. 148 of 2026

Subject: A Resolution Approving a Consent Order Regarding Paddle Club Development

Introduced by: Council President Gerety

WHEREAS, there is certain property located in the City designated on the City’s tax maps as Block 1211, Lot 2 (portion) (the “Paddle Club Property”) and Block 1007, Lots 1, 2 and 3 (the “Maryland/Bay Property”) and unless otherwise indicated, the Paddle Club Property and the Maryland/Bay Property shall be collectively referred to as the “Properties.”; and

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WHEREAS, the City and Developer (the “Parties”) entered into a prior Consent Order that was entered by the Court on December 9, 2024 (the “2024 Consent Order”), that set forth certain terms and conditions associated with the Development of the Properties, (under Docket No. ATL-L-1538-15) which development included Developer’s proposed construction of: (i) an inclusionary development on the Maryland/Bay Property consisting of thirty three (33) total units of which nine (9) were intended to be reserved as rental units for occupancy by low income and moderate income households (“Affordable Units”); and (ii) a commercial pool and social club known and hereinafter referred to as the “Paddle Club” on the Paddle Club Property; and

WHEREAS, the 2024 Consent Order, among other terms, set forth the phasing schedule for the delivery of the Affordable Units; and

WHEREAS, following entry of the 2024 Consent Order and securing all necessary approvals, Developer proceeded with construction of both the inclusionary development on the Maryland/Bay Property and the Paddle Club on the Paddle Club Property; and

WHEREAS, the nine (9) Affordable Units are approved to be located in two (2) buildings on the Maryland/Bay Property; and

WHEREAS, Developer has substantially completed both buildings containing the Affordable Units, with one such building being imminently available for occupancy; and

WHEREAS, after commencement of construction of the Affordable Units, the Developer and City discussed the potential for converting the tenancy of the Affordable Units from rental to for-sale; and

WHEREAS, the City, the Developer and FSHC all now agree that the tenancy for the Affordable Units shall be fee simple rather than rental; and

WHEREAS, given the change of tenancy of the Affordable Units and the need to create a condominium regime, coupled with Developer’s good faith efforts in substantially completing all Affordable Units to be delivered on the Maryland/Bay Property, the Parties agree that a revision to the affordable housing phasing schedule is warranted to allow for the issuance of a certificate of occupancy for the Paddle Club prior to a certificate of occupancy for the Affordable Units that shall now be fee simple tenancy; and

WHEREAS, the City and Developer, in conjunction with FSHC, agree to modify the proposed phasing schedule of the Development for that purpose through the filing of another Consent Order; and

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

1. The Consent Order attached hereto as EXHIBIT “A” is approved.
2. The City’s Affordable Housing Counsel and associated professionals are authorized to carry out the terms of this resolution.

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

No. 149 of 2026

**Subject: A Resolution approving a Fourth Round Final Compliance Certification
Regarding the City’s Fourth Round Affordable Housing Obligations**

Introduced by: Council Members McGuigan, Dill & DePamphilis

WHEREAS, the City of Somers Point (the “City” or “Somers Point”) having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the “Program”) and a declaratory judgment action on January 23, 2025; and

WHEREAS, the above-named parties having previously presented a consent order to the Court which was entered on March 5, 2025; and

WHEREAS, the City having filed its Housing Element and Fair Share Plan (“HEFSP”) on June 26, 2025 and implementing ordinances and resolutions on March 13, 2026 and March 16, 2025; and

WHEREAS, Fair Share Housing Center (“FSHC”) having reviewed the City’s filing in accordance with the parties’ consent order and confirmed that the City has complied with all terms outlined in the consent order; and

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

3. The Final Compliance Certification attached hereto as EXHIBIT “A” (without attachments) is approved.
4. The City’s Affordable Housing Counsel and associated professionals are authorized to carry out the terms of this resolution.

Resolution No. 150 of 2026

M/S- Shields/Slaughter

This resolution was adopted by a unanimous vote of those present with Council Member McGuigan voting no.

No. 150 of 2026

**Subject: Approving the Annual Budget for the CY 2026 for the Economic
Development Advisory Committee**

Introduced by: Council Member Johnston

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

- 1.) The Contract for the JFK Park Improvements is hereby awarded to Capela Construction, Inc, of Medford Lakes, New Jersey in the amount of \$133,450.00
- 2.) The Mayor and City Clerk are hereby authorized and directed to enter into a formal contract with Capela Construction, Inc, of Medford Lakes, New Jersey signing on behalf of the City.

Consent Agenda Resolutions:

On the motion of Council Member DePamphilis, seconded of Council Member Shields and carried to approve the Consent Agenda Resolutions with Council Member Dill Abstaining from Resolution No. 152 of 2026.

No. 152 of 2026

Subject: Authorizing the Mayor and/or Business Administrator to Sign Agreement – New Jersey State Policeman’s Benevolent Association, Mainland Local No. 77 Superior Officer Association (SOA)

Proposed By: Mayor Dennis Tapp

Introduced by: Council President Gerety

WHEREAS, the City of Somers Point and the New Jersey State Policeman’s Benevolent Association, Mainland Local No. 77 SOA were parties to a Collective Bargaining Agreement (“Agreement”) which term was set from January 1, 2025 through December 31, 2027; and

WHEREAS, the City of Somers Point and the New Jersey State Policeman’s Benevolent Association, Mainland Local No. 77 SOA entered into negotiations for purposes of entering into a successor agreement; and

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

WHEREAS, the term of the successor agreement shall be from January 1, 2025 through December 31, 2027; and

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

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

1. Given the formal written agreement is prepared in conformance with the Memorandum of Agreement, Mayor Dennis Tapp and/ or Business Administrator Jason Frost are hereby authorized to sign the agreement between the City of Somers Point and the New Jersey State Policeman’s Benevolent

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Association, Mainland Local No. 77 SOA on behalf of the City and a copy thereof will be attached hereto.

No. 153 of 2026

Subject: Amending Resolution 73 of 2026- Full Time Hiring of Devon Osler

Introduced By: Council President Gerety

WHEREAS, due to a resignation it is necessary for the City of Somers Point to consider the hiring of a Confidential Assistant to the City Administrator; and

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

WHEREAS, Mrs. Osler has been working in a Part-Time capacity in the City's Finance and Administration Departments and has performed her duties well; and

WHEREAS, the City Administrator and the Certified Municipal Finance Officer recommend the hiring of Devon Osler to the Full-Time position of Confidential Assistant to the City Administrator; and

WHEREAS, adequate funds are available within the City Administration Department in the 2026 temporary budget for this Full-Time hiring.

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

- 1.) The hiring of Devon Osler to the Full-Time position of Confidential Secretary to the City Administrator, an Unclassified position within New Jersey Civil Service (Local Government Job Specification 01336), is hereby approved February 12th, 2026 and her actual start date will be February 9th 2026, unless postponed at the discretion of the City Administrator.
- 2.) The terms of her employment are as contained in an offer of employment letter dated February 2nd 2026, attached hereto and made a part hereof.
- 3.) This is an "at will" employment and is subject to the personnel policies and procedures of the City of Somers Point.

No. 154 of 2026

Subject: Authorizing Estimated Tax Billing

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Introduced by: Council President Gerety

WHEREAS, at this time it is unknown if the City will receive its certified tax rate from the County by June 14, 2026, which would delay the processing and delivery of tax bills; and

WHEREAS, under these circumstances it may become necessary to issue estimated tax bills for the third quarter of 2026; and

WHEREAS, the Tax Collector in consultation with Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 to be between \$40,561,846.30 and \$44,831,514.34.

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

- 4.) Upon the written authorization of the City Administrator the Tax Collector is directed to immediately prepare and issue estimated tax bills for the City of Somers Point for the third quarter of 2026 in accordance with the provisions of N.J.S.A 54:4-66.2 et seq.
- 5.) The entire estimated tax levy for 2026 is hereby determined to be \$44,451,556.02.
- 6.) The entire estimated tax rate for 2026 is 3.821
- 7.) The Tax Collector is authorized to take any additional steps necessary to implement this resolution.
- 8.) Certified copies of this resolution shall be forwarded to the Tax Collector and the Chief Finance Officer by the City Clerk.

No. 155 of 2026

Subject: A Resolution Authorizing the Execution and Delivery of an Agreement between the City of Somers Point and Tony Mart Cares, Inc. for the 2026 Beach Concert Series

Introduced by: Council President Gerety

Whereas an application has been submitted to the Somers Point Recreation Commission by Tony Mart Cares, Inc., for permission to use William Morrow Beach for the 2026 Beach Concert Series; and

Whereas it is necessary for the City to enter into an Agreement between the City and Tony Mart Cares, Inc. to set forth the understanding between the City and Tony Mart Cares, Inc. regarding their respective rights and obligations.

Now, therefore, it is hereby RESOLVED by the City Council of the City of Somers Point that the Mayor is authorized to execute and deliver the attached Agreement between the City of Somers Point and Tony Mart Cares, Inc. substantially in the form attached hereto, subject to any

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revisions which may be deemed by the City Administrator and City Solicitor to be necessary or desirable to achieve the intent of this resolution and the purpose of the Agreement.

No. 156 of 2026

Subject: Chapter 159 Resolution – FY 2026 Clean Communities

Introduced by: Council President Gerety

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount; and

WHEREAS, the City of Somers Point has received a grant in the amount of \$33,741.17 and wishes to amend its 2026 budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Somers Point hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2026 in the sum of \$33,741.17 which item is now available as a revenue from:

Miscellaneous Revenue

Special Items of General Revenue Anticipated with Prior Written Consent of the
Director of Local Government Services:

Public and Private Revenue Offset with Appropriations:
FY2026 Clean Communities \$33,741.17

pursuant to the provision of Statute; and

BE IT FURTHER RESOLVED that a like sum of \$33,741.17 be and the same is hereby appropriated under the caption of:

General Appropriations
(A) Operations - Excluded from "CAPS"
Public and Private Programs Offset by Revenues:
FY2026 Clean Communities \$33,741.17

BE IT FURTHER RESOLVED that this resolution be certified and submitted to the Director of Local Government Services for approval.

No. 157 of 2026

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Subject: Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the FY 2027 Municipal Aid

Introduced by: Council Members Johnston and McGuigan

NOW, THEREFORE, BE IT RESOLVED that Council of Somers Point formally approves the grant application for the above stated project.; and

BE IT FUTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2027-Somers Point City-00020 to the New Jersey Department of Transportation on behalf of the City of Somers Point.

BE IT FUTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Somers Point and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

No. 158 of 2026

Subject: Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the FY 2027 Safe Streets to Transit

Introduced by: Council Members Johnston and McGuigan

NOW, THEREFORE, BE IT RESOLVED that Council of Somers Point formally approves the grant application for the above stated project.; and

BE IT FUTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SST-2027-Somers Point City-00003 to the New Jersey Department of Transportation on behalf of the City of Somers Point.

BE IT FUTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Somers Point and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Old Business:

The City Council spoke about Amending and Supplementing Chapter 169, "Littering and Property Maintenance," Article I, "General Provisions", to Add Sections 169-11.1 Entitled "Control of Dust and Plastic Contaminants" to the Municipal Code of the City of Somers Point.

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City Council discussed a potential contract with Park Mobile to allow the sale of daily boat ramp passes.

New Business:

On the motion of Council Member Dill, seconded by Council Member Johnston and carried to approve a New Jersey State Firefighter's Application for Membership for Owen Ogden.

Mayor Tapp requested the Parking Committee look into New Jersey Avenue parking recommendations.

Discussion of Bills:

Administrator Frost reported a Bill List dated 5/12/2026 in the amount of \$1,509,380.49, a Manual Bill List dated 5/15/2026 in the amount of \$1,931,888.29 a Emergency Check Run dated 4/23/2026 in the amount of \$20,589.13 and an Emergency Check Run dated 4/24/2026 in the amount of \$2,300.00.

Public Portion:

Council President Gerety duly opened the meeting to the public.

Steve Lamont of Somers Point thanked Administrator Frost, and City Clerk Heath for addressing his concern with the city's website.

Charmaine Kollman of Somers Point expressed her frustration and concerns and asked for clarification on the 90 Broadway Redevelopment Project.

Robert Lewis of Somers Point thanked everyone who participated in the Bayfest Event, especially the Police Department, for a fantastic job with security at the event. Mr. Lewis also shared his opinion on the traffic patterns and safety concerns on Bay Ave. Finally, he thanked Public Works for the great job they did on the streetlights.

Cheryl of Somers Point requested the City reinstall turtle crossing signs on Bay Avenue.

Will August from Somers Point thanked everyone who contributed to the Opening Day Ceremony for the Somers Point Little League. The event was well attended and the kids were happy.

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Levi Fox of Somers Point informed the community of the exciting historical events tied to the 250th Anniversary of The Revolution. like a traveling Exhibit called Revolutionary Lives which will be displayed at the County Historical Society from July 10th -July 24th. Mr. Fox then expressed his opinion on how he believes the governing body should address the public's comments.

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

Payment of Bills:

M/S: Shields/DePamphilis

The Bill List was approved by a unanimous vote of those present with Council Member McGuigan recusing from Purchase Order 26980596. A complete list of bills is on file in the Office of the Municipal Clerk.

Comments from Governing Body:

Council Member Dill supports the residents requests and would like the police to enforce the speeding concern on Bay Avenue and would like to have turtle crossing signs displayed.

Council Member Slaughter shared the Veterans Advisory Board met this week and have received many inquiries about ordering memorial bricks. She explained the Veterans Advisory Board is trying to streamline the application process and she encouraged anyone with questions to reach out to her.

Recess:

The Governing Body recessed briefly at 7:58 p.m. before going into Executive Session at 8:07 p.m.

Reconvene:

Council President Gerety reconvened the Governing Body to Open Session at 9:29 p.m.

Adjournment:

There being no further business to come before City Council, Council Member Dill moved, Council Member Slaughter seconded and carried to adjourn the meeting at 9:29 p.m.

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Respectfully submitted,

Shelby Heath, RMC
Municipal Clerk
Approved: 5/28/2026