

ORDINANCE NO. 26-02

AN ORDINANCE REPLACING THE ENTIRE CONTENTS OF THE EXISTING AFFORDABLE HOUSING ORDINANCE OF THE REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY, NEW JERSEY (ARTICLE 2000 OF THE OCEAN CITY ZONING AND LAND DEVELOPMENT ORDINANCE) AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH INCLUDING, BUT NOT LIMITED TO, ARTICLE 1900 (“AFFORDABLE HOUSING DEVELOPMENT FEES”), ARTICLE 1901 (“AFFORDABLE HOUSING SET ASIDE”) AND ARTICLE 2100 (“MUNICIPAL HOUSING LIAISON”)

This ordinance shall be known and may be cited as:

“Affordable Housing Ordinance”

BE IT ORDAINED by the Council of the City of Ocean City, County of Cape May and State of New Jersey, that Article 2000 of the Ocean City Zoning and Land Development Ordinance is hereby deleted, replaced and superseded hereby; and Article 1900 (“Affordable Housing Development Fees”), Article 1901 (“Affordable Housing Set Aside”) and Article 2100 (“Municipal Housing Liaison”) are hereby deleted as the current versions thereof are included in the 2026 Affordable Housing Ordinance set forth below.

SECTION 1.

25-2000.1 Introduction & Applicability

1. This section of the Code sets forth regulations regarding the very low-, low- and moderate-income housing units in the City of Ocean City 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”) at N.J.A.C. 5:93 and 5:97, 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”).
2. This Ordinance 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 Ordinance 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 affirmative marketing and random selection procedures set forth in UHAC.
3. The Ocean City Planning Board has adopted a HEFSP pursuant to the FHA and Municipal Land Use Law at N.J.S.A. 40:55D-1 to – 163 (“MLUL”). 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.
4. This Ordinance 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, New Jersey Supreme Court upheld COAH regulations at N.J.A.C. 5:93 and 5:97, and UHAC, as may be amended and supplemented.
5. Applicability
 - a. The provisions of this Ordinance shall apply to all Affordable Housing Developments and affordable housing units which are proposed to be created pursuant to the municipality’s HEFSP.
 - b. This Ordinance shall apply to all developments that contain very low-, low- and moderate-income housing units included in the HEFSP, including any unanticipated future developments that will provide very low-, low- and moderate-income housing units.

- c. Projects receiving federal Low Income Housing Tax Credit financing and proposed for credit in the municipality's most recently adopted HEFSP shall comply with the affirmative fair marketing requirements of UHAC at N.J.A.C. 5:80-26.16 and the length of the affordability controls applicable to such projects shall be not less than a 30-year compliance period plus a 15-year extended-use period, for a total of not less than 45 years.
6. Ocean City reserves the right to amend this Ordinance in accordance with UHAC. Any inconsistencies shall default to UHAC.

SECTION 2.

25-2000-1.2 Definitions

As used herein the following terms shall have the following meanings:

“Accessory Apartments” means a residential dwelling unit that provides complete independent living facilities with a private entrance for one or more persons, consisting of provisions for living, sleeping, eating, sanitation, and cooking, including a stove and refrigerator, and is located within a proposed preexisting primary dwelling, within an existing or proposed structure that is an accessory to a dwelling on the same lot, constructed in whole or part as an extension to a proposed or existing primary dwelling, or constructed as a separate detached structure on the same lot as the existing or proposed primary dwelling. Accessory apartments are also referred to as “accessory dwelling units”.

“Act” means the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 to -329 (previously defined as “FHA”).

“Adaptable” means constructed in compliance with the technical design standards of the barrier free subcode adopted by the Commissioner of Community Affairs pursuant to the “State Uniform Construction Code Act,” P.L.1975, c. 217 (C.52:27D-119 to - 141) and in accordance with the provisions of section 5 of P.L.2005, c. 350 (C.52:27D-123.15).

“Administrative Agent” means the entity approved by the Division (hereinafter defined) responsible for the administration of affordable units, in accordance with N.J.A.C. 5:99-7, and UHAC at N.J.A.C. 5:80-26.15.

“Affirmative Marketing” means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.16.

“Affirmative Marketing Plan” means the municipally adopted plan of strategies from which the administrative agent will choose to implement as part of the Affirmative Marketing requirements.

“Affirmative Marketing Process” or “Program” means the actual undertaking of Affirmative Marketing activities in furtherance of each project with very low- low- and moderate-income units.

“Affordability Assistance” means the use of funds to render housing units more affordable to low- and moderate-income households and includes, but is not limited to, down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner's association or condominium fees and special assessments, common maintenance expenses, and assistance with emergency repairs and rehabilitation to bring deed-restricted units up to code, pursuant to N.J.A.C. 5:99-2.5.

“Affordability Average” means an average of the percentage of regional median income at which restricted units in an affordable development are affordable to low- and moderate-income households.

“Affordable” means, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.7 and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.13.

“Affordable Housing Development” means 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. Payments in lieu of construction were invalidated per P.L. 2024, c.2.

“Affordable Housing Dispute Resolution Program” or “the Program” refers to the dispute resolution program established pursuant to N.J.S.A. 52:27D-313.2.

“Affordable Housing Monitoring System” or “AHMS” means the Department’s cloud-based software application, which 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” means that non-lapsing, revolving trust fund established in DCA 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. All references to the “Neighborhood Preservation Nonlapsing Revolving Fund” and “Balanced Housing” mean the AHTF.

“Affordable Unit” means a housing unit proposed or developed pursuant to the Act, including units created with municipal affordable housing trust funds.

“Age-restricted Housing” means a housing unit that is designed to meet the needs of, and is exclusively for, an age-restricted segment of the population such that: 1. All the residents of the development where the unit is situated are 62 years or older; 2. At least 80 percent of the units are occupied by one person that is 55 years or older; or 3. The development has been designated by the Secretary of HUD as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L.1983, c. 530 (C.55:14K-4).

“Assisted Living Residence” means a facility licensed by the New Jersey Department of Health to provide apartment-style housing and congregate dining and to ensure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor. Apartment units must offer, at a minimum, one unfurnished room, a private bathroom, a kitchenette, and a lockable door on the unit entrance.

“Barrier-free Escrow” means the holding of funds collected to adapt Affordable Unit entrances to be accessible in accordance with N.J.S.A. 52:27D-311a . Such funds shall be held in a municipal affordable housing trust fund pursuant to N.J.A.C. 5:99-2.6.

“Builder’s Remedy” means court-imposed site-specific relief for a litigant who seeks to build affordable housing for which the court requires a municipality to utilize zoning techniques, such as mandatory set-asides or density bonuses, including techniques which provide for the economic viability of a residential development by including housing that is not for low- and moderate-income households.

“Certified Household” means a household that has been certified by an administrative agent as a very-low-income household, a low-income household, or a moderate-income household.

“CHOICE” means the no-longer-active Choices in Homeownership Incentives for Everyone Program, as it was authorized by the Agency.

“COAH” or the “Council” means 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).

“Commissioner” means the Commissioner of the Department of Community Affairs.

“Compliance Certification” means the certification obtained by a municipality pursuant to section 3 of the FHA (N.J.S.A. 52:27D-304.1), that protects the municipality from Exclusionary Zoning Litigation during the current round of present and prospective need and through July 1 of the year the next round begins, which is also known as a “judgment of compliance” or “judgment of repose.” The term “compliance certification” shall include a judgment of repose granted in an action filed pursuant to section 13 of P.L.1985, c. 222 (N.J.S.A. 52:27D-313).

“Construction” means new construction and additions, but does not include alterations, reconstruction, renovations, conversion, relocation, or repairs, as those terms are defined in the State Uniform Construction Code promulgated pursuant to the State Uniform Construction Code Act, P.L. 1975, c. 217(N.J.S.A. 52:27D-119 to -141).

“County-level Housing Judge” means a judge appointed pursuant to section 5 at P.L. 2024, c. 2, to resolve disputes over the compliance of municipal fair share affordable housing obligations and municipal Fair Share plans and housing elements with the Act.

“DCA” and “Department” mean the State of New Jersey Department of Community Affairs.

“Deficient Housing Unit” means a housing unit with health and safety code violations that require the repair or replacement of a major system. A Major System includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Department” means the New Jersey Department of Community Affairs.

“Developer” means 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” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure, or of any mining, excavation, or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 to -163.

“Development Fee” means 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.

“Dispute Resolution Program” means the Affordable Housing Dispute Resolution Program, established pursuant to section 5 at P.L. 2024, c. 2 (N.J.S.A. 52:27D-313.2).

“Division” means the Division of Local Planning Services within the Department of Community Affairs.

“Emergent Opportunity” means a circumstance that has arisen whereby affordable housing will be able to be produced through a delivery mechanism not originally contemplated by or included in a fair share plan that has been the subject of a compliance certification.

“Equalized Assessed Value” or “EAV” means 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.

“Equity share amount” means the product of the price differential and the equity share, with the equity share being the whole number of years that have elapsed since the last non-exempt sale of a restricted ownership unit, divided by 100, except that the equity share may not be less than five percent and may not exceed 30 percent.

“Exit sale” means the first authorized non-exempt sale of a restricted unit following the end of the control period, which sale terminates the affordability controls on the unit.

“Exclusionary Zoning Litigation” means litigation challenging the fair share plan, housing element, ordinances, or resolutions that implement the fair share plan or housing element of a municipality based on alleged noncompliance with the Act or the Mount Laurel doctrine, which litigation shall include, but shall not be limited to, litigation seeking a Builder’s Remedy.

“Extension of Expiring Controls” means extending the deed restriction period on units where the controls will expire in the current round of a housing obligation, so that the total years of a deed restriction is at least 60 years.

“Fair Share Obligation” means the total of the present need and prospective need, including prior rounds, as determined by the Affordable Housing Dispute Resolution Program, or a court of competent jurisdiction.

“Fair Share Plan” means the plan or proposal, with accompanying ordinances and resolutions, by which a municipality proposes to satisfy its constitutional obligation to create a realistic opportunity to meet its fair share of low- and moderate-income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of low- and moderate-income housing, as provided in the municipal housing element,

and which addresses the development regulations necessary to implement the housing element, including, but not limited to, inclusionary requirements and development fees, and the elimination of unnecessary housing cost-generating features from the municipal land use ordinances and regulations.

“FHA” means the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 to - 329.

“Green Building Strategies” means the strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

“HMFA” or “the Agency” means the New Jersey Housing and Mortgage Finance Agency established pursuant to P.L. 1983, c. 530 (N.J.S.A. 55:14K-4)

“Household Income” means a household’s gross annual income calculated in a manner consistent with the determination of annual income pursuant to section 8 of the United States Housing Act of 1937 (Section 8), not in accordance with the determination of gross income for Federal income tax liability.

“Housing Element” means the portion of a municipality’s master plan adopted in accordance with the Municipal Land Use Law (“MLUL”) at N.J.S.A. 40:55D-28.b(3) and the Act consisting of reports, statements proposals, maps, diagrams, and text designed to meet the municipality’s fair share of its region’s present and prospective housing needs, particularly with regard to low- and moderate-income housing, which shall include the municipal present and prospective obligation for affordable housing, determined pursuant to subsection f. at N.J.S.A. 52:27D-304.1.

“Housing Region” means a geographic area established pursuant to N.J.S.A. 52:27D-304.2b.

“Inclusionary Development” means a residential housing development in which a substantial percentage of the housing units are provided for a reasonable income range of low- and moderate- income households.

“Judgment of Compliance” or “judgment for repose” means a determination issued by the Superior Court approving a municipality’s fair share plan to satisfy its affordable housing obligation for a particular 10-year round.

“Low-income Household” means a household with a household income equal to 50 percent or less of the regional median income.

“Low-income Unit” means a restricted unit that is affordable to a low-income household.

“Major System” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

“Mixed Use Development” means any development that includes both a non-residential development component and a residential development component, and shall include developments for which: (1) there is a common developer for both the residential development component and the non-residential development component, provided that for purposes of this definition, multiple persons and entities maybe considered a common developer if there is a contractual relationship among them obligating each entity to develop at least a portion of the residential or non-residential development, or both, or otherwise to contribute resources to the development; and (2) the residential and non-residential developments are located on the same lot or adjoining lots, including, but not limited to, lots separated by a street, a river, or another geographical feature.

“Moderate-income Household” means a household with a household income in excess of 50 percent but less than 80 percent of the regional median income.

“Moderate-income Unit” means a restricted unit that is affordable to a moderate-income household.

“MONI” means the no-longer-active Market Oriented Neighborhood Investment Program, as it was authorized by the Agency.

“Municipal Housing Liaison” or “MHL” means an appointed municipal employee who is, pursuant to N.J.A.C. 5:99-6, responsible for oversight and/or administration of the affordable units created within the municipality.

“Municipal Affordable Housing Trust Fund” means a separate, interest-bearing account held by a municipality for the deposit of development fees, payments in lieu of constructing Affordable Units on sites zoned for affordable housing previously approved prior to March 20, 2024 (per P.L. 2024, c.2), Barrier-free Escrow funds, recapture funds, proceeds from the sale of Affordable Units, rental income, repayments from affordable housing program loans, enforcement fines, unexpended RCA funds remaining from a completed RCA project, application fees, and any other funds collected by the municipality in connection with its affordable housing programs, which shall be used to address municipal low- and moderate-income housing obligations within the time frames established by the Legislature and this chapter.

“Municipal Development Fee Ordinance” means an ordinance adopted by the governing body of a municipality that authorizes the collection of development fees.

“New Construction” means the creation of a new housing unit under regulation by a code enforcement official regardless of the means by which the unit is created. Newly constructed units are evidenced by the issuance of a certificate of occupancy and may include new residences created through additions and alterations, adaptive reuse, subdivision, or conversion of existing space, and moving a structure from one location to another.

“New Jersey Affordable Housing Trust Fund” means an account established pursuant to N.J.S.A. 52:27D-320.

“New Jersey Housing Resource Center” or “Housing Resource Center” means the online affordable housing listing portal, or its successor, overseen by the Agency pursuant to N.J.S.A. 52:27D-321.3 to – 321.6.

“95/5 restriction” means a deed restriction governing a restricted ownership unit that is part of a housing element that received substantive certification from COAH pursuant to N.J.A.C. 5:93, as it was in effect at the time of the receipt of substantive certification, before October 1, 2001, or any other deed restriction governing a restricted ownership unit with a seller repayment option requiring 95 percent of the price differential to be paid to the municipality or an instrument of the municipality at the closing of a sale at market price.

“Non-exempt Sale” means any sale or transfer of ownership of a restricted unit to one’s self or to another individual other than the transfer of ownership between spouses or civil union partners; the transfer of ownership between former spouses or civil union partners ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary; and the transfer of ownership by court order.

“Nonprofit” means an organization granted nonprofit status in accordance with section 501(c)(3) of the Internal Revenue Code.

“Non-residential Development” means:

Any building or structure, or portion thereof, including, but not limited to, any appurtenant improvements, which is designated to a use group other than a residential use group according to the State Uniform Construction Code, N.J.A.C. 5:23, promulgated to effectuate the State uniform Construction Code Act, N.J.S.A. 52:27D-119 to -141, including any subsequent amendments or revisions thereto;

Hotels, motels, vacation timeshares, and child-care facilities; and

The entirety of all continuing care facilities within a continuing care retirement community which is subject to the Continuing Care Retirement Community Regulation and Financial Disclosure Act, N.J.S.A. 52:27D-330 to -360.

“Non-residential Development Fee” means the fee authorized to be imposed pursuant to N.J.S.A. 40:55D-8.1 through 40:55D-8.7.

“Order for Repose” means the protection a municipality has from a builder’s remedy lawsuit for a period of time from the entry of a judgment of compliance by the Superior Court. A judgment of compliance often results in an order for repose.

“Payment In Lieu Of Constructing Affordable Units” means the prior approval of the payment of funds to the municipality by a developer when affordable units were not produced on a site zoned for an inclusionary development. The statutory permission for payments in lieu of constructing affordable units was eliminated per P.L. 2024, c.2.

“Prospective Need” means a projection of housing needs based on development and growth which is reasonably likely to occur in a region or a municipality, as the case may be, as a result of actual determination of public and private entities. Prospective need shall be determined by the methodology set forth pursuant to sections 6 and 7 of P.L.2024, c. 2 (C.52:27D-304.2 and C.52:27D-304.3) for the fourth round and all future rounds of housing obligations.

“Qualified Urban Aid Municipality” means a municipality that meets the criteria established pursuant to N.J.S.A. 52:27D-304.3.c(1).

“Person with a Disability” means a person with a physical disability, infirmity, malformation, or disfigurement which is caused by bodily injury, birth defect, aging, or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impairment, deafness or hearing impairment, the inability to speak or a speech impairment, or physical reliance on a service animal, wheelchair, or other remedial appliance or device.

“Price Differential” means the difference between the controlled sale price of a restricted unit and the contract price at the exit sale of the unit, determined as of the date of a proposed contract of sale for the unit. If there is no proposed contract of sale, the price differential is the difference between the controlled sale price of a restricted unit and the appraised value of the unit as if it were not subject to UHAC, determined as of the date of the appraisal. If the controlled sale price exceeds the contract price or, in the absence of a contract price, the appraised value, the price differential is zero dollars.

“Prior Round Unit” means a housing unit that addresses a municipality’s fair share obligation from a round prior to the fourth round of affordable housing obligations, including any unit that: (1) received substantive certification from COAH; (2) is part of a third-round settlement agreement or judgment of compliance approved by a court of competent jurisdiction, inclusive of units created pursuant to a zoning designation adopted as part of the settlement agreement or judgment of compliance to create a realistic opportunity for development; (3) is subject to a grant agreement or other contract with either the State or a political subdivision thereof entered into prior to July 1, 2025, pursuant to either item (1) or (2) above; or (4) otherwise addresses a municipality’s Fair Share Obligation from a round prior to the fourth round of affordable housing obligations. A unit created after the enactment of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.1) on March 20, 2024, is not a Prior Round Unit unless: (1) it is created pursuant to a prior round development plan or zoning designation that received COAH or court approval on or before the cutoff date of June 30, 2025, or the date that the municipality adopts the implementing ordinances and resolutions for the fourth round of affordable housing obligations, whichever occurs sooner; and (2) its siting and creation are consistent with the form of the prior round development plan or zoning designation in effect as of the cutoff date, without any amendment or variance.

“Random Selection Process” means a lottery process by which currently income-eligible applicant-households are selected, at random, for placement in affordable housing units such that no preference is given to one applicant over another, except in the case of a veterans’ preference where such an agreement exists; for purposes of matching household income and size with an appropriately priced and sized Affordable Unit; or another purpose allowed pursuant to N.J.A.C. 5:80-26.7(k)3. This definition excludes any practices that would allow affordable housing units to be leased or sold on a first-come, first-served basis.

“RCA Administrator” means an appointed municipal employee who is responsible for oversight and/or administration of affordable units and associated revenues and expenditures within the municipality that were funded through regional contribution agreements.

“RCA Project Plan” means a past application, submitted by a receiving municipality in an RCA, delineating the manner in which the receiving municipality intended to create or rehabilitate low- and moderate-income housing.

“Receiving Municipality” means, for the purposes of an RCA, a municipality that contractually agreed to assume a portion of another municipality’s Fair Share Obligation.

“Reconstruction” means any project where the extent and nature of the work is such that the work area cannot be occupied while the work is in progress and where a new certificate of

occupancy is required before the work area can be reoccupied, pursuant to the Rehabilitation Subcode of the uniform Construction Code, N.J.A.C. 5:23-6. Reconstruction shall not include projects comprised only of floor finish replacement, painting or wallpapering, or the replacement of equipment or furnishings. Asbestos hazard abatement and lead hazard abatement projects shall not be classified as reconstruction solely because occupancy of the work area is not permitted.

“Recreational facilities and community centers” means any indoor or outdoor buildings, spaces, structures, or improvements intended for active or passive recreation, including, but not limited to, ballfields, meeting halls, and classrooms, accommodating either organized or informal activity.

“Regional Contribution Agreement” or “RCA” means a contractual agreement, pursuant to the Act, into which two municipalities voluntarily entered into and was approved by COAH and/or Superior Court prior to July 18, 2008, to transfer a portion of a municipality’s affordable housing obligation to another municipality within its housing region.

“Regional Median Income” means the median income by household size for an applicable housing region, as calculated annually in accordance with N.J.A.C. 5:80-26.3.

“Rehabilitation” means the repair, renovation, alteration, or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. With respect to units in assisted living residences, rent does not include charges for food and services.

“Residential Development Fee” means money paid by a developer for the improvement of residential property as permitted pursuant to N.J.S.A. 52:27D-329.2 and N.J.A.C. 5:99-3.2.

“Restricted Unit” means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of this subchapter but does not include a market-rate unit that was financed pursuant to UHORP, MONI, or CHOICE.

“Spending Plan” means a method of allocating funds contained in an affordable housing trust fund account, which includes, but is not limited to, development fees collected and to be collected pursuant to an approved municipal development fee ordinance, or pursuant to N.J.S.A. 52:27D-329.1, for the purpose of meeting the housing needs of low- and moderate-income individuals.

“State Development and Redevelopment Plan” or “State Plan” means the plan prepared pursuant to sections 1 through 12 of the “State Planning Act,” P.L.1985, c. 398 (C.52:18A-196 et al.), designed to represent a balance of development and conservation objectives best suited to meet the needs of the State, and for the purpose of coordinating planning activities and establishing Statewide planning objectives in the areas of land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination pursuant to subsection f. of section 5 of P.L.1985, c. 398 (C.52:18A-200).

“Supportive Housing Household” means a very low-, low- or moderate-income household certified as income eligible by an administrative agent in accordance with N.J.A.C. 5:80-26.14, in which at least one member is an individual who requires supportive services to maintain housing stability and independent living and who is part of a population identified by federal or state statute, regulation, or program guidance as eligible for supportive or special needs housing. Such populations include, but are not limited to: persons with intellectual or developmental disabilities, persons with serious mental illness, person with head injuries (as defined in Section 2 of P.L. 1977), persons with physical disabilities or chronic health conditions, persons who are homeless as defined by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 578, survivors of domestic violence, youth aging out of foster care, and other special needs populations recognized under programs administered by the U.S. Department of Housing and Urban Development, the Low-Income Housing Tax Credit Program, the McKinney–Vento Act, or the New Jersey Department of Human Services. A supportive housing household may include family members, unrelated individuals, or live-in aides, provided that the household meets the income eligibility requirements of this subchapter, except that in the case of unrelated individuals not operating as a family unit, income eligibility shall be tested on an individual basis rather than in the aggregate; the unit is leased or sold

subject to the affordability controls established herein; and the supportive services available to the household are designed to promote housing stability, independent living, and community integration. The determination of whether unrelated individuals are operating as a family unit shall be made based on the applicant's self-identification of household members on the affordable housing application.

"Supportive Housing Sponsoring Program" means grant or loan program which provided financial assistance to the development of the unit.

"Supportive Housing Unit" means a restricted rental unit that is affordable to very low-, low- or moderate-income households and is reserved for occupancy by a supportive housing household. A supportive housing unit is intended to provide long-term, community-based housing for individuals with intellectual or developmental disabilities, as defined at N.J.S.A. 30:6D-25(b). Such units must be leased subject to the affordability controls established herein; remain subject to Affirmative Marketing requirements, household certification, and administrative agent oversight; and may, with the approval of the municipal housing liaison and the administrative agent, be leased either by the bedroom or to a single household in the case of multi-bedroom configurations, provided such arrangement is consistent with the Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968) and the project's Affirmative Marketing Program. A supportive housing unit may, with the approval of the administrative agent, be subject to a master lease by an approved supportive housing operator, provided that all subleases are to be certified supportive housing households and remain fully subject to the affordability controls of this subchapter. Rents for supportive housing units shall not exceed the rent standards established and published by the New Jersey Department of Human Services. Supportive housing units are also referred to as permanent supportive housing units.

"Transitional Housing" means temporary housing that: (1) includes, but is not limited to, single-room occupancy housing or shared living and supportive living arrangements; (2) provides access to on-site or off-site supportive services for very low-income households who have recently been homeless or lack stable housing; (3) is licensed by the department; and (4) allows households to remain for a minimum of six months.

"Treasurer" means the Treasurer of the State of New Jersey.

"UHAC" means the Uniform Housing Affordability Controls set forth at N.J.A.C. 5:80-26.

"UHORP" means the Agency's Urban Homeownership Recovery Program, as it was authorized by the Agency Board.

"Unit Type" means type of dwelling unit with various building standards including but not limited to single-family detached, single-family attached/townhouse, stacked townhouse (attached building containing 2 units each with separate entrances), duplex (detached building containing 2 units each with separate entrances), triplex (3 units each with separate entrance), quadplex (4 units each with separate entrance), multifamily / flat (2 or more units with a shared entrance). Inclusion of a garage, or not, shall not define the unit type.

"Very-low-income Household" means a household with a household income less than or equal to 30 percent of the regional median income.

"Very-low-income Housing" means housing affordable according to the Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross household income equal to 30 percent or less of the median gross household income for households of the same size within the housing region in which the housing is located.

"Very-low-income Unit" means a restricted unit that is affordable to a very-low-income household.

"Veteran" means a veteran as defined at N.J.S.A. 54:4-8.10.

"Veterans' Preference" means the agreement between a municipality and a developer or residential development owner that allows for low- to moderate-income veterans to be given preference for up to 50 percent of rental units in relevant projects, as provided for at N.J.S.A. 52:27D-311.j.

"Weatherization" means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors,

replacement windows and replacement doors and is considered a Major System for rehabilitation.

SECTION 3.

25-2000.3 Monitoring and Reporting Requirements

1. The municipality shall comply with the following monitoring and reporting requirements regarding the status of the implementation of its court-approved Housing Element and Fair Share Plan:
 - a. The municipality shall provide electronic monitoring data with the Department pursuant to P.L. 2024, Chapter 2 and N.J.A.C. 5:99 through the Affordable Housing Monitoring System (“AHMS”). All monitoring information required to be made public by the FHA shall be available to the public on the Department’s website at <https://www.nj.gov/dca/dlps/hss/MuniStatusReporting.shtml>.
 - b. On or before February 15 of each year, the municipality shall provide annual reporting of its Municipal Affordable Housing Trust Fund activity to the Department on the AHMS portal. The reporting shall include an accounting of all Municipal Affordable Housing Trust Fund activity, including the sources and amounts of funds collected and the amounts and purposes for which any funds have been expended for the previous year from January 1st to December 31st.
 - c. On or before February 15 of each year, the annual reporting of the status of all affordable housing activity shall be provided to the Department on the AHMS portal, for the previous year from January 1st to December 31st.

SECTION 4.

25-2000.4 Municipality-wide Mandatory Set-Aside

1. A development, other than single-family detached, providing a minimum of five new housing units created through any municipal rezoning or Zoning Board action, use or density variance, redevelopment plan, or rehabilitation plan that provides for densities at or above six units per acre, is required to include an affordable housing set-aside of 20%.
2. Any Affordable Units generated through such mandatory set-aside shall be subject to all other provisions of this ordinance.
3. All such Affordable Units shall be governed by this Ordinance, the controls on affordability, including bedroom distribution, and affirmatively marketed to the Housing Region in conformance with UHAC any successor regulation, and all other applicable laws.
4. No subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement. Developers cannot, for example, subdivide a project into two lots and then make each of them a number of units just below the threshold.
5. The mandatory set-aside requirements of this section do not give any developer the right to any rezoning, variance or other relief, or establish any obligation on the part of the municipality to grant such rezoning, variance or other relief.
6. This municipality-wide mandatory set-aside requirement does not apply to any sites or specific zones otherwise identified in the HEFSP, for which density and set-aside requirements shall be governed by the specific standards as set forth therein.
7. In the event that the inclusionary set-aside of 20% of the total number of residential units does not result in a full integer, the developer shall round the set-aside upward to construct a whole additional Affordable Unit.

SECTION 5.

25-2000.5 New Construction

1. New Construction (per N.J.A.C. 5:93 as may be updated per various sections in N.J.A.C. 5:97 and N.J.S.A. 52:27D-301 to 329). Per the definition of “New Construction,” this section governs the creation of new affordable housing units regardless of the means by which the

units are created. Newly constructed units may include new residences constructed or created through other means.

2. The following requirements apply to all new or planned developments that contain very low- and moderate-income housing units. To the extent possible, details related to the adherence to the requirements below shall be outlined in the resolution granting municipal subdivision or site plan approval of the project to assist municipal representatives, developers and Administrative Agents.
3. Completion Schedule (previously known as phasing). Final site plan or subdivision approval shall be contingent upon the affordable housing development meeting the following completion schedule for very low-, low- and moderate-income units whether developed in a single-phase development, or in a multi-phase development:

Maximum Percentage of Market-Rate Units Issued a Temporary or Final Certificate of Occupancy	Minimum Percentage of Affordable Units Issued a Temporary or Final Certificate of Occupancy
25+1	10
50	50
75	75
90	100

4. Design. The following design requirements apply to affordable housing developments, excluding Prior Round Units.
 - a. Design of 100 percent affordable developments:
 - i. Restricted Units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
 - ii. Each bedroom in each Restricted Unit must have at least one window.
 - iii. Restricted units must include adequate air conditioning and heating.
 - b. Design of developments comprising market-rate rental units and restricted rental units. The following does not apply to Prior Round Units, unless stated otherwise.
 - i. Restricted Units must use the same building materials and architectural design elements (for example, plumbing, insulation, or siding) as market-rate units of the same unit type (for example, flat or townhome) within the same development, except that restricted units and market-rate units may use different interior finishes. This shall apply to Prior Round Units.
 - ii. Restricted Units and market-rate units within the same affordable development must be sited such that restricted units are not concentrated in less desirable locations.
 - iii. Restricted Units may not be physically clustered so as to segregate restricted and market-rate units within the same development or within the same building, but must be interspersed throughout the development, except that age-restricted and supportive housing units may be physically clustered if the clustering facilitates the provision of on-site medical services or on-site social services. Prior round Affordable Units shall be integrated with market rate units to the extent feasible.
 - iv. Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to Prior Round Units.

- v. Restricted Units must include adequate air conditioning and heating and must use the same type of cooling and heating sources as market-rate units of the same unit type. This shall apply to Prior Round Units.
 - vi. Each bedroom in each restricted unit must have at least one window.
 - vii. Restricted Units must be of the same unit type as market-rate units within the same building.
 - viii. Restricted Units and bedrooms must be no less than 90 percent of the minimum size prescribed by the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
- c. Design of developments containing for-sale units, including those with a mix of rental and for-sale units. Restricted rental units shall meet the requirements of section b above. Restricted sale units shall comply with the below:
- i. Restricted Units must use the same building standards as market-rate units of the same unit type (for example, flat, townhome, or single-family home), except that restricted units and market-rate units may use different interior finishes. This shall apply to Prior Round Units.
 - ii. Restricted Units may be clustered, provided that the buildings or housing product types containing the restricted units are integrated throughout the development and are not concentrated in an undesirable location or in undesirable locations. Prior round Affordable Units shall be integrated with market rate units to the extent feasible.
 - iii. Restricted Units may be of different unit housing product types than market-rate units, provided that there is a restricted option available for each market rate housing type. Developments containing market-rate duplexes, townhomes, and/or single-family homes shall offer restricted housing options that also include duplexes, townhomes, and/or single-family homes. Penthouses and higher priced end townhouses shall be exempt from this requirement. The proper ratio for restricted to market-rate unit type shall be subject to municipal ordinance or, if not specified, shall be determined at the time of site plan approval.
 - iv. Restricted Units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
 - v. Penthouse and end units may be reserved for market-rate sale, provided that the overall number, value, and distribution of affordable units across the development is not negatively impacted by such reservation(s).
 - vi. Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to Prior Round Units.
 - vii. Each bedroom in each Restricted Unit must have at least one window; and
 - viii. Restricted Units must include adequate air conditioning and heating.

4. Utilities.

- a. Affordable units shall utilize the same type of cooling and heating source as market-rate units within the affordable housing development.

- b. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance in accordance with N.J.AC 5:80-26.13(e).

5. Low/moderate split and bedroom distribution.

- a. Affordable units shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a Low-income Unit.
- b. In each affordable housing development, at least 50% of the Restricted Units within each bedroom distribution rounded up or down to the nearest whole number shall be very low- or low-income units. The municipality has chosen to allow rounding.
- c. Within rental developments, of the total number of affordable rental units, at least 13%, rounded up to the nearest whole number, shall be affordable to Very Low-income Households. The very low-income units shall be distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count and counted as part of the required number of low-income units within the development.
- d. Affordable housing developments that are not age-restricted or supportive housing shall be structured such that:
 - i. At a minimum, the number of bedrooms within the restricted units equals twice the number of restricted units;
 - ii. Two-bedroom and/or three-bedroom units compose at least 50 percent of all restricted units;
 - iii. The combined number of efficiency and one-bedroom units shall be no greater than 20%, rounded down, of the total number of low- and moderate-income units.
 - iv. At least 30% of all low- and moderate-income units, rounded up shall be two-bedroom units.
 - v. At least 20% of all low- and moderate-income units, rounded up shall be three-bedroom units.
 - vi. The remaining units may be allocated among two- and three- bedroom units at the discretion of the developer.
- e. Affordable housing developments that are age-restricted or supportive housing, except those supportive housing units whose sponsoring program determines the unit arrangements, shall be structured such that, at a minimum, the number of bedrooms shall equal the number of age-restricted or supportive housing low- and moderate-income units within the Inclusionary Development. Supportive Housing Units whose sponsoring program determines the unit arrangement shall comply with all requirements of the sponsoring program. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit. In affordable housing developments with 20 or more restricted units that are age-restricted or supportive housing, two-bedroom units must comprise at least 5% of those restricted units.

6. Accessibility requirements.

- a. Any New Construction shall be adaptable; however, elevators shall not be required in any building or within any dwelling unit for the purpose of compliance with this section. In buildings without elevator service, only ground floor dwelling units shall be required to be constructed to conform with the technical design standards of the barrier free subcode. "Ground floor" means the first floor with a dwelling unit or portion of a dwelling unit, regardless of whether that floor is at grade. A building may have more than one ground floor.

- b. Notwithstanding the exemption for townhouse dwelling units in the barrier free subcode, the first floor of all townhouse dwelling units and of all other multifloored dwelling units that are attached to at least one other dwelling unit shall be subject to the technical design standards of the barrier free subcode and shall include the following features:
 - i. An adaptable toilet and bathing facility on the first floor;
 - ii. An adaptable kitchen on the first floor;
 - iii. An interior accessible route of travel however an interior accessible route of travel shall not be required between stories;
 - iv. An adaptable room that can be used as a bedroom, with a door, or the casing for the installation of a door that is compliant with the Barrier Free Subcode, on the first floor;
 - v. If not all of the foregoing requirements in b.i. through b.iv. can be satisfied, then an interior accessible route of travel shall be provided between stories within an individual unit; and
 - vi. An accessible entranceway as set forth in P.L. 2005, c. 350 (codified at N.J.S.A. 52:27D-311a and -311b, and N.J.S.A. 52:27D-123.15), and the Barrier Free Subcode, N.J.A.C. 5:23-7.1 to -7.31, or evidence that the municipality has collected funds from the developer sufficient to make 10% of the adaptable entrances in the development accessible.
 - (a) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
 - (b) To this end, the builder of Restricted Units shall deposit funds within the Affordable Housing Trust Fund sufficient to install accessible entrances in 10% of the affordable units that have been constructed with adaptable entrances.
 - (c) The funds deposited shall be expended for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
 - (d) The developer of the Restricted Units shall submit to the Construction Official a design plan and cost estimate for the conversion from adaptable to accessible entrances.
 - (e) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meets the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Affordable Housing Trust Fund and earmarked appropriately.
 - vii. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site-impracticable" to meet the requirements. If full compliance with this section would be site impracticable, compliance with this section for any portion of the dwelling shall be required to the extent that it is not site impracticable. Determinations of site impracticability shall comply with the Barrier Free Subcode at N.J.A.C. 5:23-7.
7. Accessory Apartment program (per N.J.A.C. 5:93-5.9 as may be updated per various sections in N.J.A.C. 5:97-6.8).
- a. An accessory apartment program shall provide low- and moderate-income units or may be limited to only low- or only moderate-income units.
 - b. Per N.J.A.C. 5:97-6.8(c)1, at the time of initial occupancy of the unit and for at least ten years thereafter, the accessory apartment shall be rented only to income eligible households consistent with the income category and rent structure of the unit.

- c. Rents of accessory apartments shall be established using the same methodology of affordable rental units discussed herein.
- d. There shall be a recorded deed or declaration of covenants and restrictions applied to the property upon which the accessory apartment is located running with the land and limiting its subsequent rental for the duration of the control period.
- e. The municipal accessory apartment program shall not restrict the number of bedrooms in any accessory apartment.
- f. Per N.J.A.C. 5:97-6.8(b)2, the municipality shall provide a minimum of \$25,000 per unit to subsidize the creation of each low-income accessory apartment or \$20,000 per unit to subsidize the creation of each moderate-income accessory apartment. Subsidy may be used to fund actual construction costs and/or to provide compensation for reduced rental rates.

SECTION 6.

25-2000.6 Affordable Housing Programs

1. 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.” The following are many of the main provisions of the COAH regulations at either N.J.A.C. 5:93 or 5:97 that have been upheld by the NJ Supreme Court. Municipalities should consult the cited full COAH regulations when preparing the HEFSP for required documentation, etc. Additional compliance details may also be included in the specific municipal program manual.
2. Rehabilitation Programs (per N.J.A.C. 5:93-5.2 with updated provisions herein per N.J.A.C. 5:97-6.2 related to credit towards a municipal present need obligation).
 - a. The rehabilitation program shall be designed to renovate deficient housing units occupied or intended to be occupied by very low-, low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28-1.1 et seq or the Rehabilitation Subcode, N.J.A.C. 5:23-6 to the extent applicable.
 - b. Both ownership and rental units shall be eligible for rehabilitation funds.
 - c. All rehabilitated units shall remain affordable to very low-, low- and moderate-income households for a period of 10 years (the control period). For owner-occupied units, the control period shall be enforced with a mortgage and note and for renter-occupied units the control period will be enforced with a deed restriction.
 - d. The municipality shall dedicate a minimum average hard cost of \$10,000 for each unit to be rehabilitated through this program and in addition shall dedicate associated rehabilitation program soft costs such as case management, inspection fees and work write-ups.
 - e. The municipality shall designate, subject to the approval of the Department, one or more Administrative Agents to administer the rehabilitation program in accordance with P.L. 2024, Chapter 2. The Administrative Agent(s) shall provide rehabilitation manuals for ownership and rental rehabilitation programs. Manuals shall be adopted by resolution of the governing body. Both rehabilitation manuals shall be available for public inspection in the Office of the Municipal Clerk and on the municipal affordable housing web page.
 - f. Households determined to be very low-, low-, or moderate-income may participate in a rehabilitation program. Rehabilitated units shall be exempt from the very low-income requirements, low/mod split, and bedroom distribution requirements of UHAC, but shall be administered in accordance with the following:
 - i. If a unit is vacant at the time of rehabilitation, or if a rehabilitated unit becomes vacant and is re-rented before the expiration of the affordability controls, the deed

restriction shall require that the unit be rented to a low- or moderate-income household at an affordable rent.

- ii. If a rental unit is occupied by a tenant at the time rehabilitation is completed, the rent charged after rehabilitation shall not exceed the lesser of the tenant's current rent or the maximum rent permitted under UHAC.
- iii. Rents in rehabilitated units may increase annually based on the standards in UHAC.
- iv. At the time of application, applicant households and/or tenant households shall be subject to income eligibility determinations in accordance with UHAC.

3. Market to Affordable program (per N.J.A.C. 5:97-6.9).

- a. The market to affordable program permits the purchase or subsidization of unrestricted units through a mortgage write-down provided to an income-certified buyer or through a sale or rental as a low- or moderate-income unit to an income-eligible household. The market to affordable program may produce both low- and moderate-income units.
- b. At the time they are offered for sale or rental, eligible units may be new, pre-owned or vacant.
- c. The units shall be certified to be in sound condition as a result of an inspection performed by a licensed building inspector.
- d. A minimum subsidy of \$25,000 per moderate-income unit and/or \$30,000 per low-income unit shall be provided, with additional subsidy depending on the market prices or rents in a municipality.
- e. The units shall comply with UHAC with the following exceptions:
 - i. Bedroom distribution (N.J.A.C. 5:80-26.4).
 - ii. Low/moderate income split (N.J.A.C. 5:80-26.4).
- f. Affordability average (N.J.A.C. 5:80-26.4); however:
 - i. The maximum rent for a moderate-income unit shall be affordable to households earning no more than 60 percent of median income and the maximum rent for a low-income unit shall be affordable to households earning no more than 44 percent of median income; and
 - ii. The maximum sales price for a moderate-income unit shall be affordable to households earning no more than 70 percent of median income and the maximum sales price for a low-income unit shall be affordable to households earning no more than 40 percent of median income.

4. Extension of Controls Program (for ownership units per N.J.A.C. 5:97-6.14 and UHAC at N.J.A.C. 5:80-26.6(h) through (k) and (m); and for rental units per N.J.A.C. 5:97-6.14 and N.J.A.C. 5:80-26.12(h) through (k)).

- a. An extension of affordability controls program is established to maintain and extend the affordability of deed restricted units scheduled to come out of their affordability control period, subject to N.J.A.C. 5:97-6.14 and UHAC, including the following:
 - i. The affordable unit meets the criteria for prior cycle (April 1, 1980 - December 15, 1986) or post December 15, 1986 credits set forth in N.J.A.C. 5:97.
 - ii. The affordability controls for the unit are scheduled to expire in the current round; or in the next round of housing obligations if the municipal election to extend controls is made no earlier than one year before the end of the current round;
 - iii. The municipality shall obtain a continuing certificate of occupancy or a certified statement from the municipal building inspector stating that the restricted unit meets all code standards.
 - iv. If a unit requires repair and/or rehabilitation work in order to receive a continuing certificate of occupancy or certified statement from the municipal building inspector, the municipality shall fund and complete the work.

- v. The municipality shall adhere to the process for extending controls pursuant to UHAC for extending ownership units and rental units, either inclusionary or 100 percent affordable developments.
- vi. The deed restriction for the extended control period shall be filed with the County Clerk.

5. Assisted Living Residence (per N.J.A.C. 5:97-6.11).

- a. An assisted living residence is a facility licensed by the New Jersey Department of Health to provide apartment-style housing and congregate dining and to assure that assisted living services are available. All or a designated number of apartments in the facility shall be restricted to low- and moderate-income households.
- b. The unit of credit shall be the apartment. However, a two-bedroom apartment shall be eligible for two units of credit if it is restricted to two unrelated individuals.
- c. A recipient of a Medicaid waiver shall automatically qualify as a low- or moderate-income household.
- d. Assisted living units are considered age-restricted housing in a HEFSP and shall be included with the maximum number of units that may be age-restricted.
- e. Low- and moderate-income residents cannot be charged any upfront fees.
- f. The units shall comply with UHAC with the following exceptions:
 - i. Affirmative marketing (N.J.A.C. 5:80-26.16); provided that the units are restricted to recipients of Medicaid waivers;
 - ii. The deed restriction may be on the facility, rather than individual apartments or rooms;
 - iii. Low/moderate income split and affordability average (N.J.A.C. 5:80-26.4); only if all of the affordable units are affordable to households at a maximum of 60 percent of median income; and
- g. Tenant income eligibility (N.J.A.C. 5:80-26.14); up to 80 percent of an applicant's gross income may be used for rent, food and services based on occupancy type and the affordable unit must receive the same basic services as required by the Agency's underwriting guidelines and financing policies. The cost of non-housing related services shall not exceed one and two-thirds times the rent established for each unit.

11. Supportive Housing and Group Homes (per N.J.A.C. 5:97-6.10).

- a. The following provisions shall apply to group homes, residential health care facilities, and supportive shared living housing:
 - i. The unit of credit shall be the bedroom. However, the unit of credit shall be the unit if occupied by a single person or household.
 - ii. Housing that is age-restricted shall be included with the maximum number of units that may be age-restricted pursuant to the Act.
 - iii. Occupancy shall not be restricted to youth under 18 years of age.
 - iv. In affordable developments with 20 or more restricted units that are supportive housing, two-bedroom units must compose at least five percent of those restricted units.
 - v. The bedrooms and/or units shall comply with UHAC with the following exceptions:
 - (a) Affirmative marketing; however, group homes, residential health care facilities, permanent supportive housing and supportive shared living housing shall be affirmatively marketed to broadest possible population of qualified individuals with special needs in accordance with a plan, if applicable, approved by the sponsoring program;
 - (b) Affordability average and bedroom distribution (N.J.A.C. 5:80-26.4).

- vi. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, group homes, residential health care facilities, supportive shared living housing and permanent supportive housing shall have the appropriate controls on affordability in accordance with the Act. In the event that a supportive housing provider is unable to record or execute a long-term deed restriction, the units shall be subject to annual recertification by the Municipal Housing Liaison to confirm continued occupancy and compliance with this Section.
- vii. Objective standards shall be applied in the selection of tenants for supportive housing units and shall be designed to ensure that individuals are not excluded in an arbitrary or capricious manner.
- viii. The following documentation shall be submitted by the sponsor to the municipality prior to marketing the completed units or facility:
- ix. An Affirmative Marketing Plan in accordance with D1 above; and
- x. If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency in accordance with the requirements of this section, which includes validation of the number of bedrooms or units in which low- or moderate-income occupants reside.
- xi. The sponsor/owner shall complete annual monitoring as directed by the MHL.

SECTION 7.

25-2000.7

Regional Income Limits

1. Administrative Agents shall use the regional income limits most recently established by the DCA for the purpose of pricing affordable units and determining income eligibility of households.
2. Regional income limits are based on Regional Median Income, which is established by a regional weighted average of the “median family incomes” published by HUD. The procedure for computing the Regional Median Income is detailed in N.J.A.C. 5:80-26.3.
3. Updated regional income limits are effective as of the effective date of the regional Section 8 income limits for the year, as published by HUD, or 45 days after HUD publishes the regional Section 8 income limits for the year, whichever comes later. The new income limits may not be less than those of the previous year.

SECTION 8.

25-2000.8

Maximum Initial Rents and Sales Prices

1. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC N.J.A.C. 5:80-26.4, as may be amended and supplemented.
2. The average rent for all restricted units within each affordable housing development shall be affordable to households earning no more than 52 percent of regional median income.
3. The maximum rent for restricted rental units within each affordable housing development shall be affordable to households earning no more than 60 percent of regional median income.
4. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units. Very low-income units, if required, should be distributed between each bedroom count as proportionally as possible to the total number of restricted units within each bedroom count, and shall be part of the low-income requirement.

5. The maximum sales price of restricted ownership units within each affordable housing development shall be affordable to households earning no more than 70 percent of median income, and each affordable housing development must achieve an affordability average that does not exceed 55 percent for all restricted ownership units. In achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type when the number of low- and moderate-income units permits.
6. The master deeds and declarations of covenants and restrictions for affordable developments may not distinguish between restricted units and market-rate units in the calculation of any condominium or homeowner association fees and special assessments to be paid by low- and moderate-income purchasers and those to be paid by market-rate purchasers. Notwithstanding the foregoing sentence, condominium units subject to a municipal ordinance adopted before December 20, 2004, which ordinance provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection are governed by the ordinance.
7. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted family units, the following standards shall be met:
 - a. A studio or efficiency unit shall be affordable to a one-person household;
 - b. A one-bedroom unit shall be affordable to a one and one-half person household;
 - c. A two-bedroom unit shall be affordable to a three-person household;
 - d. A three-bedroom unit shall be affordable to a four and one-half person household; and
 - e. A four-bedroom unit shall be affordable to a six-person household.
8. In determining the initial rents and sales prices for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted and special needs and supportive housing developments, the following standards shall be met:
 - a. A studio or efficiency unit shall be affordable to a one-person household;
 - b. A one-bedroom unit shall be affordable to a one and one-half person household; and
 - c. A two-bedroom unit shall be affordable to a two-person household or to two one-person households. Where pricing is based on two one-person households, the developer shall provide a list of units so priced to the Municipal Housing Liaison and the Administrative Agent.
9. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the FreddieMac 30-Year Fixed Rate-Mortgage rate of interest), property taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 30 percent of the eligible monthly income of the appropriate size household as determined pursuant to N.J.A.C. 5:80-26.7, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented.
10. The initial rent for a restricted rental unit shall be calculated so that the total monthly housing expense, including an allowance for tenant-paid utilities, does not exceed 30 percent of the gross monthly income of a household of the appropriate size whose income is targeted to the applicable percentage of median income for the unit, as determined pursuant to N.J.A.C. 5:80-26.3, as may be amended and supplemented. The rent shall also comply with the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented.

11. At the anniversary date of the tenancy of the certified household occupying a restricted rental unit, following a minimum 90-day notice provided to the occupant household, the rent may be increased to an amount commensurate with the annual percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), specifically U.S. Bureau of Labor Statistics Series CUUR0100SAH, titled "Housing in Northeast urban, all urban consumers, not seasonally adjusted." The maximum allowable rent increase for the year will be effective as of the same date as the regional median income limits determined pursuant to N.J.A.C. 5:80-26.3 and published by the Agency. This rent increase may not exceed five percent in any one year and notice thereof must be filed with the administrative agent. If the landlord has charged a tenant less than the initial maximum allowable rent for a restricted unit, the landlord may, with the approval of the administrative agent, use the maximum allowable rent instead of the current rent in performing this multiplication to establish the rent for the next tenant under a new lease. LIHTC units are not governed by the provisions of this section, but rather by the provisions of the State's Qualified Allocation Plan, N.J.A.C. 5:80-33.1 through 33.40.

SECTION 9.

25-2000.9 Affirmative Marketing

1. The municipality shall adopt, by resolution, an Affirmative Marketing Plan, subject to approval of the Superior Court, compliant with N.J.A.C. 5:80-26.16, as may be amended and supplemented.
2. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age, or number of children, to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward Housing Region 6 and is required to be followed throughout the period of deed restriction.
3. The Affirmative Marketing Plan provides the following preferences, provided that units that remain unoccupied after these preferences are exhausted may be offered to households without regard to these preferences.
 - a. Where the municipality has entered into an agreement with a developer or residential development owner to provide a preference for very-low-, low-, and moderate-income veterans who served in time of war or other emergency, pursuant to N.J.S.A. 52:27D-311.j, there shall be a preference for veterans for up to 50 percent of the restricted rental units in a particular project.
 - b. There shall be a regional preference for all households that live and/or work in Housing Region 6 comprising Cape May, Atlantic, Cumberland, and Salem Counties.
 - c. Subordinate to the regional preference, there shall be a preference for households that live and/or work in New Jersey.
 - d. With respect to existing restricted units undergoing approved rehabilitation for the purpose of preservation or to restricted units newly created to replace existing restricted units undergoing demolition, a preference for the very-low-, low-, and moderate-income households that are displaced by the rehabilitation or demolition and replacement.
4. The municipality has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Process, including the marketing of initial sales and rentals and resales and re-rentals. The Administrative Agent designated by the municipality shall implement the Affirmative Marketing Process to ensure the Affirmative Marketing of all affordable units, with the exception of affordable programs that are exempt from Affirmative Marketing as noted herein.
5. The Affirmative Marketing Process shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Process, the Administrative Agent shall consider the use of language translations where appropriate.

6. Applications for affordable housing or notices thereof, if offered online, shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and municipal library in the municipality in which the units are located; and the developer's rental or sales office. The developer shall mail applications to prospective applicants upon request and shall make applications available through a secure online website address.
7. In addition to other Affirmative Marketing strategies, the Administrative Agent shall provide specific notice of the availability of affordable housing units on the New Jersey Housing Resource Center website. Any other entities, including developers or persons or companies retained to implement the Affirmative Marketing Process, shall comply with this paragraph
8. In implementing the Affirmative Marketing Process, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
9. The Affirmative Marketing Process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy. For owner-occupied units, affirmative marketing advertising and outreach activities must continue until all of the marketed units have been sold, except that paid advertising may cease when the number of applications received is at least three times the number of units to be sold. For rental units, affirmative marketing advertising and outreach activities must continue, as long as applications are being accepted, except that paid advertising may cease when the number of applications received is at least three times the number of units to be filled.
10. Applications must be accepted for no less than 45 days following the initial advertisement on the New Jersey Housing Resource Center, except for the resale of owner-occupied units, in which case, applications must be accepted for no less than 30 days.
11. The cost to affirmatively market the affordable units shall be the responsibility of the developer, sponsor or owner, with the exception of Affirmative Marketing for resales.

SECTION 10.

25-2000.10

Selection of Occupants of Affordable Housing Units

1. The Administrative Agent shall use a Random Selection Process to select occupants of very low-, low- and moderate-income housing.
2. A pool of interested households will be maintained in accordance with the provisions of N.J.A.C. 5:80-26.16.

SECTION 11.

25-2000.11

Occupancy Standards

1. In referring Certified Households to specific Restricted Units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
 - a. Ensure each bedroom is occupied by at least one person, except for age-restricted and supportive and special needs housing units;
 - b. Provide a bedroom for every two adult occupants;
 - c. With regard to occupants under the age of 18, accommodate the household's requested arrangement, except that such arrangement may not result in more than two occupants under the age of 18 occupying any bedroom; and
 - d. Avoid placing a one-person household into a unit with more than one bedroom.

SECTION 12.

25-2000.12

Control Periods for Restricted Ownership and Enforcement Mechanisms

1. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.6, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the controls on affordability for a period of at least thirty (30) years subject to the requirements of N.J.A.C. 5:80-26.6, as may be amended and supplemented.
2. Rehabilitated housing units that are improved to code standards shall be subject to affordability controls for a period of not less than ten (10) years (crediting towards present need only).
3. The affordability control period for a restricted ownership unit shall commence on the date the initial Certified Household takes title to the unit. The date of commencement shall be identified in the deed restriction.
4. If existing affordability controls are being extended, the extended control period for a restricted ownership unit commences on the effective date of the extension, which is the end of the original control period.
5. After the end of any control period, the restricted ownership unit remains subject to the affordability controls set forth in this subchapter until the owner gives notice of their intent to make an exit sale, at which point:
 - a. If the municipality exercises the right to extend the affordability controls on the unit, no exit sale occurs and a new control period commences; or
 - b. If the municipality does not exercise the right to extend the affordability controls on the unit, the affordability controls terminate following the exit sale.
6. Prior to the issuance of any building permit for the construction/rehabilitation of restricted ownership units, the developer/owner and the municipality shall record a preliminary instrument provided by the Administrative Agent.
7. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the nonrestricted, fair market value of the unit based on either an appraisal or the unit's Equalized Assessed Value without the restrictions in place.
8. At the time of the initial sale of the unit and upon each successive price-restricted sale, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obliging the purchaser, as well as the purchaser's heirs, successors, and assigns, to repay, upon the first Non-exempt Sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
9. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to price-restricted ownership units.

SECTION 13.

25-2000.13

Price Restrictions for Restricted Ownership Units and Resale Prices.

1. Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.7.
 - a. The initial purchase price and affordability percentage for a restricted ownership unit shall be set by the Administrative Agent.
 - b. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the standards set forth in N.J.A.C. 5:80-26.7.
 - i. If the resale occurs prior to the one-year anniversary of the date on which title to the unit was transferred to a certified household, the maximum resale price for a is the most recent non-exempt purchase price.
 - ii. If the resale occurs on or after such anniversary date, the maximum resale price is the most recent non-exempt purchase price increased to reflect the cumulative annual percentage increases to the regional median income, effective as of the same date as the regional median income calculated pursuant to N.J.A.C. 5:80-26.3

- c. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be:
 - i. those that render the unit suitable for a larger household or the addition of a bathroom.
 - ii. The maximum resale price may be further increased by an amount up to the cumulative dollar value of approved capital improvements made after the last non-exempt sale for improvements and/or upgrades to the unit, excluding capital improvements paid for by the entity favored on the recapture note and recapture lien described at N.J.A.C. 5:80-26.6(d);
 - d. No increase for capital improvements is permitted if the maximum resale price prior to adjusting for capital improvements already exceeds whatever initial purchase price the unit would have if it were being offered for purchase for the first time at the initial affordability percentage. All adjustments for capital improvements are subject to 10-year, straight-line depreciation.
2. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase but shall be separate and apart from any contract of sale for the underlying real estate. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price of the air conditioning equipment, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The seller and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

SECTION 14.

25-2000.14 Buyer Income Eligibility.

1. Buyer income eligibility for restricted ownership units shall be established pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented, such that very low-income ownership units shall be reserved for occupancy by households with a gross household income less than or equal to 30 percent of median income, low-income ownership units shall be reserved for occupancy by households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for occupancy by households with a gross household income less than 80 percent of median income.
2. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the municipality, and subject to the Division's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low-income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit. Similarly, the administrative agent may permit low-income purchasers to buy very-low-income units in housing markets where, as determined by the Division, units are reserved for very-low-income purchasers, but there is an insufficient number of very-low-income purchasers to permit prompt occupancy of the units. In such instances, the purchased unit must be maintained as a very-low-income unit and sold at a very-low-income price point such that on the next resale the unit will still be affordable to very-low-income households and able to be purchased by a very-low-income household. A very-low-income unit that is seeking bonus credit pursuant to N.J.S.A. 52:27D-311.k(9) must first be advertised exclusively as a very-low-income unit according to the Affirmative Marketing requirements at N.J.A.C. 5:80-26.16, then advertised as a very-low-income or low-income unit for at least 30 additional days prior to referring any low-income household to the unit.

3. A Certified Household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.
4. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a Low-income Household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, property taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 35 percent of the household's eligible monthly income; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - a. The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for housing expenses, and the proposed housing expenses will reduce its housing costs;
 - b. The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for housing expenses in the past and has proven its ability to pay; or
 - c. The household is currently in substandard or overcrowded living conditions;
 - d. The household documents the existence of assets, within the asset limitation otherwise applicable, with which the household proposes to supplement the rent payments

SECTION 15..

25-2000.15 Limitations on Indebtedness Secured by Ownership Unit; Subordination.

1. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this Section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.
2. With the exception of original purchase money mortgages, neither an owner nor a lender shall at any time during the control period cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95% of the maximum allowable resale price of that unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C. 5:80-26.7(c).

SECTION 16.

25-2000.16 Control Periods for Restricted Rental Units.

1. Control periods for units that meet the definition of Prior Round Units shall be pursuant to the 2001 UHAC rules originally adopted October 1, 2001, 33 N.J.R. 3432, and amended December 20, 2004, 36 N.J.R. 5713 and shall remain subject to the requirements of this ordinance for a period of at least 30 years as applicable unless otherwise indicated.
2. Other than for Prior Round Units, control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.12, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least 40 years. Restricted rental units created as part of developments receiving 9% Low-Income Housing Tax Credits must comply with a control period of not less than a 30-year compliance period plus a 15-year extended use period for a total of 45 years.
3. The Affordability Control Period for a restricted rental unit shall commence on the first date that a unit is issued a certificate of occupancy following the execution of the deed restriction or, if affordability controls are being extended, on the effective date of the extension, which is the end of the original control period.
4. Rehabilitated renter-occupied housing units that are improved to code standards shall be subject to affordability controls for a period of not less than 10 years.

5. Prior to the issuance of any building permit for the construction/rehabilitation of restricted rental units, the developer/owner and the municipality shall record a preliminary instrument provided by the Administrative Agent.
6. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property. The deed restriction shall be recorded by the developer with the county records office, and provided as filed and recorded, to the Administrative Agent within 30 days of the receipt of a certificate of occupancy.
7. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:
 - a. Sublease or assignment of the lease of the unit;
 - b. Sale or other voluntary transfer of the ownership of the unit;
 - c. The entry and enforcement of any judgment of foreclosure on the property containing the unit; or
 - d. The end of the control period, until the occupant household vacates the unit, or is certified as over-income and the controls are released in accordance with UHAC.

SECTION 17.

25-2000.17 Rent Restrictions for Rental Units; Leases and Fees

1. The initial rent for a restricted rental unit shall be set by the Administrative Agent.
2. A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be retained on file by the Administrative Agent.
3. No additional fees, operating costs, or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
 - a. Operating costs, for the purposes of this section, include certificate of occupancy fees, move-in fees, move-out fees, mandatory internet fees, mandatory cable fees, mandatory utility submetering fees, and for developments with more than one and a half off-street parking spaces per unit, parking fees for one parking space per household.
4. Any fee structure that would remove or limit affordable unit occupant access to any amenities or services that are required or included for market-rate unit occupants is prohibited. Application fees (including the charge for any credit check) shall not exceed 5% of the monthly rent of the applicable restricted unit to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.
5. Fees for unit-specific, non-communal items that are charged to market-rate unit tenants on an optional basis, such as pet fees for tenants with pets, storage spaces, bicycle-share programs, or one-time rentals of party or media rooms, may also be charged to affordable unit tenants, if applicable.
6. Pet fees may not exceed \$30.00 per month and associated one-time payments for optional fees pertaining to pets, such as a pet cleaning fee, are prohibited.
7. Fees charged to affordable unit tenants for other optional, unit-specific, non-communal items shall not exceed the amounts charged to market-rate tenants.
8. For any prior round rental unit leased before December 20, 2024, elements of the existing fee structure that are consistent with prior rules, but inconsistent with 5:80-26.13(c)1, may

continue until the occupant household's current lease term expires or that occupant household vacates the unit, whichever occurs later.

SECTION 18.

25-2000.18. Tenant Income Eligibility

1. Tenant income eligibility shall be determined pursuant to N.J.A.C. 5:80-26.14, as may be amended and supplemented, and shall be determined as follows:
 - a. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30% of the Regional Median Income by household size.
 - b. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50% of the Regional Median Income by household size.
 - c. Moderate-income rental units shall be reserved for households with a gross household income less than 80% of the Regional Median Income by household size.
2. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income or moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35% (40% for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - a. The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 - b. The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - c. The household is currently in substandard or overcrowded living conditions;
 - d. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - e. The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
3. The applicant shall file documentation sufficient to establish the existence of any of the circumstances in 2.a. through 2.e. above with the Administrative Agent, who shall counsel the household on budgeting.

SECTION 19.

25-2000.19 Municipal Housing Liaison

1. The Municipal Housing Liaison shall be approved by municipal resolution.
2. The Municipal Housing Liaison shall be approved by the Division, or is in the process of getting approval, and fully or conditionally meets the requirements for qualifications, including initial and periodic training as set forth in N.J.A.C. 5:99-6.3 and -6.4, and N.J.A.C. 5:99-9.1 to -9.3.
3. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program, including the following responsibilities, which may not be contracted out to the Administrative Agent:
 - a. Serving as the primary point of contact for all inquiries from the Affordable Housing Dispute Resolution Program, the State, affordable housing providers, administrative agents and interested households.
 - b. The oversight of the Affirmative Marketing Plan and affordability controls.
 - c. When applicable, overseeing and monitoring any contracting Administrative Agent.

- d. Overseeing the monitoring of the status of all restricted units listed in the Fair Share Plan.
- e. Verifying, certifying and providing annual information within AHMS at such time and in such form as required by the Division.
- f. Coordinating meetings with affordable housing providers and administrative agents, as needed.
- g. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division.
- h. Overseeing the recording of a preliminary instrument in the form set forth at N.J.A.C. 5:80-26.1 for each affordable housing development.
- i. Coordinating with the Administrative Agent, municipal attorney and municipal Construction Code Official to ensure that permits are not issued unless the document required in C.8. above has been duly recorded.
- j. Listing on the municipal website contact information for the MHL and Administrative Agents.

SECTION 20.

25-2000.20

Administrative Agent

- 1. 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, N.J.A.C. 5:99, and UHAC.
- 2. The fees for administrative agents shall be paid as follows:
 - a. Administrative agent fees related to rental units shall be paid by the developer/owner.
 - b. Administrative agent fees related to initial sale of units shall be paid by the developer.
 - c. Administrative agent fees related to resales shall be paid by the seller of the affordable home.
 - d. Administrative agent fees related to ongoing administration and enforcement shall be paid by the municipality.
- 3. An Operating Manual for each affordable housing program shall be provided by the Administrative Agent(s). The Operating Manual(s) shall be available for public inspection in the Office of the Clerk and in the office(s) of the Administrative Agent(s). Operating manuals shall be adopted by resolution of the Governing Body.
- 4. Subject to the role of the Administrative Agent(s), the duties and responsibilities as are set forth in N.J.A.C. 5:99-7 and which are described in full detail in the Operating Manual, including those set forth in UHAC, include:
 - a. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division;
 - b. Affirmative marketing:
 - i. Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the municipality and the provisions of N.J.A.C. 5:80-26.16.
 - ii. Providing counseling, or contracting to provide counseling services, to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements; and landlord/tenant law.
 - c. Household certification.
 - i. Soliciting, scheduling, conducting and following up on interviews with interested households.
 - ii. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;

- iii. Providing written notification to each applicant as to the determination of eligibility or non-eligibility within 5 days of the determination thereof.
 - iv. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in the Appendices J and K of UHAC
 - v. Creating and maintaining a referral list of eligible applicant households living in the Housing Region, and eligible applicant households with members working in the Housing Region, where the units are located.
 - vi. Employing a Random Selection Process as provided in the Affirmative Marketing Plan when referring households for certification to affordable units.
- d. Affordability controls.
- i. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for the recording at the time of conveyance of title of each Restricted Unit.
 - ii. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and filed properly with the County Register of Deeds or County Clerk's office after the termination of the affordability controls for each Restricted Unit in accordance with UHAC.
 - iii. Communicating with lenders and the Municipal Housing Liaison regarding foreclosures.
 - iv. Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.11.
- e. Records retention.
- i. Creating and maintaining a file on each Restricted Unit for its control period, including the recorded deed with restrictions, recorded recapture mortgage, and note, as appropriate.
 - ii. Records received, retained, retrieved, or transmitted in furtherance of crediting affordable units of a municipality constitute public records of the municipality as defined by N.J.S.A. 47:3-16, and are legal property of the municipality.
- f. Resales and re-rentals.
- i. Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or re-rental.
 - ii. Instituting and maintaining an effective means of communicating information to very low-, low-, or moderate-income households regarding the availability of restricted units for resale or re-rental.
- g. Processing requests from unit owners.
- i. Reviewing and approving requests from owners of Restricted Units who wish to refinance or take out home equity loans during the term of their ownership to determine that the amount of indebtedness to be incurred will not violate the terms of this ordinance.
 - ii. Reviewing and approving requests to increase sales prices from owners of Restricted Units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems.
 - iii. Notifying the municipality of an owner's intent to sell a Restricted Unit.

- iv. Making determinations on requests by owners of Restricted Units for hardship waivers.
- h. Enforcement.
 - i. Securing annually from the municipality a list of all affordable ownership units for which property tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
 - ii. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
 - iii. Sending annual mailings to all owners of affordable dwelling units reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.19(d)4;
 - iv. Establishing a program for diverting unlawful rent payments to the municipal Affordable Housing Trust Fund; and
 - v. Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent setting forth procedures for administering the affordability controls.
- i. The Administrative Agent(s) shall, as delegated by the municipality, have the authority to take all actions necessary and appropriate to carry out its/their responsibilities, herein.

SECTION 21.

25-2000.21

Responsibilities of the Owner of a development containing affordable units.

1. The owner of all developments containing affordable units subject to this subchapter or the assigned management company thereof shall provide to the Administrative Agent:
 - a. Site plan, architectural plan, or other plan that identifies the location of each Affordable Unit, if subject to the site plan approval, settlement agreement, or other applicable document regulating the location of Affordable Units. The Administrative Agent shall determine the location of Affordable Units if not set forth in the site plan approval, settlement agreement, or other applicable document.
 - b. The total number of units in the project and the number of Affordable Units.
 - c. The breakdown of the Affordable Units by or identification of Affordable Unit locations by bedroom count and income level, including street addresses/unit numbers, if subject to the site plan approval, settlement agreement, or other applicable document regulating the breakdown of affordable units. The Administrative Agent shall determine the bedroom and income distribution if not set forth in the site plan approval, settlement agreement, or other applicable document.
 - d. Floor plans of all affordable units, including complete and accurate identification of all rooms and the dimensions thereof.
 - e. A projected construction schedule.
 - f. The location of any common areas and elevators.
 - g. The name of the person who will be responsible for official contact with the administrative agent for the duration of the project, which must be updated if the contact changes.
2. In addition to 1 above, the owner of rental developments containing affordable rental units subject to this subchapter or the assigned management company thereof shall:

- a. Send to all current tenants in all restricted rental units an annual mailing containing a notice as to the maximum permitted rent and a reminder of the requirement that the unit must remain their principal place of residence, which is defined as residing in the unit at least 260 days out of each calendar year, together with the telephone number, mailing address, and email address of the administrative agent to whom complaints of excess rent can be issued.
 - b. Provide to the administrative agent a description of any applicable fees.
 - c. Provide to the administrative agent a description of the types of utilities and which utilities will be included in the rent.
 - d. Agree and ensure that the utility configuration established at the start of the rent-up process not be altered at any time throughout the restricted period.
 - e. Provide to the administrative agent a proposed form of lease for any rental units.
 - f. Ensure that the tenant selection criteria for the applicants for affordable units not be more restrictive than the tenant selection criteria for applicants for non-restricted units.
 - g. Strive to maintain the continued occupancy of the affordable units during the entire restricted period.
3. In addition to 1, above, the owner of affordable for-sale developments containing affordable for-sale units subject to this subchapter or the assigned management company thereof shall provide the administrative agent:
- a. Proposed pricing for all units, including any purchaser options and add-on items;
 - b. Condominium or homeowner association fees and any other applicable fees;
 - c. Estimated real property taxes;
 - d. Sewer, water, trash disposal, and any other utility assessments;
 - e. Flood insurance requirement, if applicable; and
 - f. The State-approved planned real estate development public offering statement and/or master deed, where applicable, as well as the full build-out budget.

SECTION 22.

25-2000.22 Enforcement of Affordable Housing Regulations

1. 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, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
2. After providing written notice of a violation to an owner, developer, or tenant of an affordable unit and advising the owner, developer or tenant of the penalties for such violations, the municipality may take the following action against the owner, developer or tenant for any violation that remains uncured for a period of sixty (60) days after service of the written notice:
 - a. 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 found 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:
 - i. A fine of not more than \$500 or imprisonment for a period not to exceed 90 days, or both, unless otherwise specified below, 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;
 - ii. In the case of an owner who has rented his or her Affordable Unit in violation of the regulations governing affordable housing units, payment into the Affordable Housing Trust Fund of the gross amount of rent illegally collected;

- iii. In the case of an owner who has rented its Affordable Unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.
3. The municipality shall have the authority to levy fines against the owner of the development for instances of noncompliance with New Jersey Housing Resource Center advertising requirements (N.J.S.A. 52:27D-321.6.e.(2)), following written notice to the owner. The fine for the first offense of noncompliance shall be \$5,000, the fine for the second offense of noncompliance shall be \$10,000, and the fine for each subsequent offense of noncompliance shall be \$15,000.
4. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any 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. Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the affordable 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 the right to possession terminated as well as the 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- or 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 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 due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as they apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
 - d. If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the first purchase money mortgage and any prior liens, the municipality may acquire title to the affordable 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 and the maximum resale price for which the affordable 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 that would have been realized from an actual sale as previously described.
 - e. Failure of the low- or 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 that may be referred to the owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- or moderate-income unit as permitted by the regulations governing affordable housing units.

- f. The affordable unit 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.
5. It is the responsibility of the municipal housing liaison and the administrative agent(s) to ensure that affordable housing units are administered properly. All affordable units must be occupied within a reasonable amount of time and be re-leased within a reasonable amount of time upon the vacating of the unit by a tenant. If an administrative agent or municipal housing liaison becomes aware of or suspects that a developer, landlord, or property manager has not complied with these regulations, it shall report this activity to the Division. The Division must notify the developer, landlord, or property manager, in writing, of any violation of these regulations and provide a 30-day cure period. If, after the 30-day cure period, the developer, landlord, or property manager remains in violation of any terms of this subchapter, including by keeping a unit vacant, the developer, landlord, or property manager may be fined up to the amount required to construct a comparable affordable unit of the same size and the deed-restricted control period will be extended for the length of the time the unit was out of compliance, in addition to the remedies provided for in this section. For the purposes of this subsection, a reasonable amount of time shall presumptively be 60 days, unless a longer period of time is required due to demonstrable market conditions and/or failure of the municipal housing liaison or the administrative agent to refer a certified tenant.
 6. Banks and other lending institutions are prohibited from issuing any loan secured by owner occupied real property subject to the affordability controls set forth in this subchapter if such loan would be in excess of amounts permitted by the restriction documents recorded in the deed or mortgage book in the county in which the property is located. Any loan issued in violation of this subsection is void as against public policy.
 7. The Agency and the Department hereby reserve, for themselves and for each administrative agent appointed pursuant to this subchapter, all of the rights and remedies available at law and in equity for the enforcement of this subchapter, including, but not limited to, fines, evictions, and foreclosures as approved by a County-level Housing Judge.

8. Appeals

Appeals from all decisions of an administrative agent appointed pursuant to this subchapter must be filed, in writing, with the municipal housing liaison. A decision by the municipal housing liaison may be appealed to the Division. A written decision of the Division Director upholding, modifying, or reversing an administrative agent's decision is a final administrative action.

SECTION 23.

25-2000.23 Development Fees.

1. Purpose

- a. This section establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with the FHA, N.J.A.C. 5:99, and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7). Fees collected pursuant to this Ordinance shall be used for the sole purpose of providing very low-, low- and moderate-income housing in accordance with a Court-approved Spending Plan.

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 Superior Court has approved a plan for spending such fees.

3. Residential Development Fees

- a. Imposed fees

- i. Residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5% of the Equalized Assessed Value for residential development, provided no increased density is permitted. Development Fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.
- ii. 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% of 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

- i. 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 the statutory elimination of payments in-lieu on March 20, 2024 per P.L.2024, c.2, shall be exempt from development fees.
- ii. 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.
- iii. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if 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 improved structure.
- iv. No Development Fee shall be collected for the demolition and replacement of a residential building resulting from a fire or natural disaster.
- v. Developers of an existing vacant lot, or lot on which a detached single-family home has been demolished, that results in the construction of a detached single-family home shall be exempt from paying development fee provided the single-family home is not the result of a subdivision. If the single-family home is the result of a subdivision, a development fee shall apply to all single-family homes which are a net increase over the number of homes on the site prior to the subdivision.
- vi. For the demolition of an existing structure with a replacement of two or more residential structures, the development fee shall be calculated by subtracting the equalized assessed value at the time of the structure demolition from the equalized assessed value of the new residential replacement.

4. Non-Residential Development Fees

- a. Imposition of fees
 - i. 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.
 - ii. 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.
 - iii. 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
 - i. 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.
 - ii. 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.

5. Collection Procedures

- a. Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- b. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF, "State of New Jersey Non-Residential Development Certification/Exemption," to be completed by the developer as per the instructions provided in the Form N-RDF. The construction official shall verify the information

submitted by the non-residential developer as per the instructions provided on Form N-RDF. The tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

- c. The construction official responsible for the issuance of a building permit shall notify the tax assessor of the issuance of the first construction permit for a development that is subject to a Development Fee.
- d. Within 90 days of receipt of that notice, the tax assessor shall provide an estimate, based on the plans filed, of the equalized assessed value of the development.
- e. The construction official responsible for the issuance of a final certificate of occupancy shall notify the tax assessor of any and all requests for the scheduling of a final inspection on property that is subject to a development fee.
- f. Within 10 business days of a request for the scheduling of a final inspection, the tax assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- g. Should the municipality fail to determine or notify the developer of the amount of the Development Fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of section 37 of P.L.2008, c.46 (N.J.S.A. 40:55D-8.6).
- h. Fifty percent (50%) of the Development Fee shall be collected at the time of issuance of the construction permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of the construction permit and that determined at the time of issuance of certificate of occupancy.

6. 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 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.

7. 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:
 - i. 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 the statutory elimination of payments in-lieu on March 20, 2024 per P.L.2024, c.2;

- ii. Funds contributed by developers to make 10% of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
 - iii. Rental income from municipally operated units;
 - iv. Repayments from affordable housing program loans;
 - v. Recapture funds;
 - vi. Proceeds from the sale of affordable units; and
 - vii. 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 following deficiencies may result in the Division requiring the forfeiture of all or a portion of the funds in the municipal Affordable Housing Trust Fund:
- i. Failure to meet deadlines for information required by the Division in its review of a development fee ordinance;
 - ii. Failure to commit or expend development fees within four years of the date of collection in accordance with N.J.A.C. 5:99-5.5;
 - iii. Failure to comply with the requirements of the Non-Residential Development Fee Act and N.J.A.C. 5:99-3;
 - iv. Failure to submit accurate monitoring reports pursuant to this subchapter within the time limits imposed by the Act, this chapter, and/or the Division;
 - v. Expenditure of funds on activities not approved by the Superior Court or otherwise permitted by law;
 - vi. Revocation of compliance certification or a judgment of compliance and repose;
 - vii. Failure of a municipal housing liaison or administrative agent to comply with the requirements set forth at N.J.A.C. 5:99-6, 7, and 8;
 - viii. Other good cause demonstrating that municipal affordable housing funds are not being used for an approved purpose.
- e. All interest accrued in the housing trust fund shall only be used on eligible affordable housing purposes approved by the Court.

8. Use of Funds

- a. The expenditure of all funds shall conform to a Spending Plan approved by Superior Court. Funds deposited in the Municipal Affordable Housing Trust Fund may be used for any activity approved by the Court to address the fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; New Construction of affordable housing units and related costs; accessory apartments; a market-to-affordable program; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost-saving and in accordance with accepted national or state standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by Superior Court and specified in the approved Spending Plan.
- b. Funds shall not be expended to reimburse the municipality or activities that occurred prior to the authorization of a municipality to collect development fees.
- c. At least a portion of all development fees collected and interest earned shall be used to provide affordability assistance to very low-, low- and moderate-income households in

affordable units included in the municipal Fair Share Plan. A portion of the development fees which provide affordability assistance shall be used to provide affordability assistance to Very Low-income Households.

- i. Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with home owner's 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.
 - ii. 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.

9. Monitoring

- a. On or before February 15 of each year, the municipality shall provide annual electronic data reporting of trust fund activity for the previous year from January 1st to December 31st through the Reporting System. This reporting shall include an accounting of all Municipal Affordable Housing Trust Fund activity, including the sources and amounts of all funds collected and the amounts and purposes for which any funds have been expended. Such reporting shall include an accounting of development fees collected from residential and non-residential developers, previously eligible payments in lieu of constructing affordable units on site (if permitted by ordinance or by agreement with the municipality prior to the March 20, 2024 statutory elimination per P.L. 2024, c.2), funds from the sale of units with extinguished controls, Barrier-free Escrow funds, rental income from municipally-owned affordable housing units, repayments from affordable housing program loans, interest and any other funds collected in connection with municipal housing programs, as well as an accounting of the expenditures of revenues and implementation of the Spending Plan approved by the Court.

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.
- b. If the municipality fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the New Jersey Affordable Housing Trust Fund established pursuant to section 20 of P.L.1985, c.222 (C. 52:27D-320).

11. Emergent Affordable Housing Opportunities. 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 24.

All ordinances or portions thereof inconsistent with this ordinance are repealed to the extent of such inconsistency.

Section 25.

If any portion of this ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect the remaining portions of the ordinance which shall remain in full force and effect.

Section 26.

This Ordinance shall take effect immediately upon final passage in the time and manner prescribed by law.

Jay A. Gillian, Mayor

Terry Crowley, Jr., Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey at a meeting of said Council held on the 19th day of February, 2026, was taken up for second reading and final passage at a meeting of said Council held on the 12th day of March, 2026, in Council Chambers, Ocean City, New Jersey, at six o'clock in the evening.

Melissa Rasner, City Clerk

ORDINANCE NO. 26-03

**AN ORDINANCE AMENDING A PORTION OF ORDINANCE 87-17 and 13-23,
CHAPTER II, "BOARDS, AUTHORITIES AND COMMISSIONS" OF
THE REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY**

BE IT ORDAINED by the Mayor and Council of the City of Ocean City, County of Cape May, State of New Jersey, as follows:

Section 1.

Chapter II, "Boards, Authorities and Commissions", Sub-section 2-18D, "Utility Advisory Commission, is hereby revised to read as follows:

UTILITY ADVISORY COMMISSION

2-18D.1 Creation.

There is hereby created the Ocean City Utility Advisory Commission. (Ord. #93-24, § 1)

2-18D.2 Purpose.

The purpose of the Utility Advisory Commission is to interact and communicate with utility organizations including but not limited to electric, gas, water, sewer, telephone, internet, cable companies, and municipal utility authorities who provide service to the citizens and residents of the City of Ocean City for the purposes of advising the Council of the City of Ocean City of issues of public importance concerning rate schedules, service, and other related issues. (Ord. #93-24, § 2)

2-18D.3 Number of Members; Term.

- a) The Utility Advisory Commission shall consist of nine (9) members all of which shall be full time residents of the City of Ocean City and appointed by the City Council for four (4) year terms. All present members heretofore appointed by resolution of the City Council shall continue to serve for the remainder of their respective terms.
- b) Attendance Requirements
 - a. The Unexcused absence of a member from two (2) consecutive meetings or four (4) total meetings within a calendar year shall constitute recommendation for removal of such member from the Commission with just cause subject to the approval of Council.
- c) A City Liaison shall be appointed to the Utility Advisory Commission. The City Liaison shall be the interface between the Utility Advisory Commission and the City Administration as well as the interface between the Utility Advisory Commission and outside utility service companies.
- d) A member of the City Council, to be selected annually by the full Council, May act as liaison to the Advisory Commission and shall have a right to attend and participate in all meetings, but shall not have a right to vote.
- e) Members of the Utility Advisory Commission shall serve without compensation. (Ord. #93-24, § 3)

2-18D.4 Duties and Responsibilities. [Ord. #93-24, § 4; Ord. #13-23]

The Utility Advisory Commission should be the advocate for all residents of the City. Residents may direct questions to the Utility Advisory Commission for resolution with the appropriate entity. The Utility Advisory Commission shall accomplish this through an education outreach program which may include educational factsheets, speaker at Utility Advisory Commission meeting, and a lecture series. The Utility Advisory Commission should seek, as appropriate, assistance from the Ocean City Sustainable Jersey Green team and the Ocean City Environmental Commission.

The Utility Advisory Commission shall monitor the requests for rate increases, changes, and changes in service by all public and municipal utilities, analyze their effect upon the property owners and residents of Ocean City and advise the Council accordingly with recommendations where appropriate. Additionally, the Commission shall advise the City Council of significant developments which may affect service provided by said utilities to the property owners of the City of Ocean City.

Following its advice and recommendations to City Council, the Commission shall take such actions as the Council directs concerning proposed rate hikes, or other actions of the utility which may adversely impact upon the City of Ocean City.

In the event that Utility Advisory Commission recommendations are not acted on by City Council or City Administration, the Commission will continue to monitor the situation and provide updates as necessary. If in the opinion of the Utility Advisory Commission the situation is deemed important and of considerable priority, a meeting of City Administration, Council and Commission Officers will be requested. (Ord. #93-24, § 4)

2-18D.5 Organization.

- a. The Utility Advisory Commission shall meet six (6) times annually and at such other times as it deems necessary and advisable.
- b. The Commission shall be headed by a Chairperson and Vice-Chairperson who shall be elected annually by the Commission membership. The Commission shall also elect from its membership a Secretary. This election shall take place at the Utility Advisory Commissions Reorganization Meeting at the first meeting of a calendar year. In the event that the Reorganization Meeting cannot take place because of a lack of quorum, previous officers will continue in their post until such a meeting is held.
- c. The Commission shall approve minutes of its meetings and forward a copy to the City Clerk to be kept on file and shall report annually to the City Council on its Work. This report shall include all actions taken to assist residents of Ocean City in understanding their utility bills and conservation programs that they are eligible for from any party in the State of New Jersey.
- d. In the performance of its duties, the Commission shall be authorized, through its Chairperson, to seek information and opinions from the City solicitor and other professional staff retained by the City of Ocean City as approved by the Mayor or Business Administrator. The Commission, however, shall not have the right to enter into intervention or employ any experts itself without the prior written approval of the City Council.
- e. In the performance of its duties, the Commission shall be entitled to reimbursement for reasonable incidental expenses as approved by the Business Administrator.

Section 2.

All ordinances or portions thereof inconsistent with this ordinance are repealed to the extent of such inconsistency.

Section 3.

If any portion of this ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect the remaining portions of the ordinance which shall remain in full force and effect.

Section 4.

This ordinance shall take effect in the time and manner prescribed by law.

Jay A. Gillian, Mayor

Terry Crowley, Jr., Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the 19th day of February, 2026 and was taken up for a second reading and final passage at a meeting of said Council held on the 12th day of March, 2026 in Council Chambers, City Hall, Ocean City, New Jersey, at six o'clock in the evening.

Melissa G. Rasner, City Clerk

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

No. 26-78

AUTHORIZING THE ADVERTISEMENT OF CITY CONTRACT #26-18, SUPPLY & INSTALLATION OF SOLAR PANELS ON VARIOUS CITY BUILDINGS

BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it authorizes the advertisement of specifications for City Contract #26-18, Supply & Installation of Solar Panels on Various City Buildings

Terry Crowley, Jr.
Council President

Note: The legal advertisement will be placed on the Ocean City Public Notices Webpage tentatively on Friday, March 13, 2026 with the bid opening scheduled on Thursday, April 9, 2026 and an anticipated date of award on Thursday, April 23, 2026.

Files: RAU CC #26-18 Supply & Install Solar.docx

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

No. 26-79

AUTHORIZING THE ADVERTISEMENT OF CITY CONTRACT #26-19, LEASE OF A PORTION OF BLOCK 215, LOT 3.01 FOR RECREATIONAL WATER ACTIVITIES

BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it authorizes the advertisement of specifications for City Contract #26-19, Lease of a portion of Block 215, Lot 3.01 for Recreational Waterpark Activities.

Terry Crowley, Jr.
Council President

Note: The legal advertisement will be placed on the Ocean City Public Notices Webpage tentatively on Friday, March 13, 2026 with the bid opening scheduled on Tuesday, March 24, 2026 and an anticipated date of award on Thursday, March 26, 2026.

Files: RAU CC #26-19 Lease of Block 215.docx

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

No. 26-80

AUTHORIZING THE ADVERTISEMENT OF CITY CONTRACT #26-10, SUPPLY & DELIVERY OF UNIFORMS & SPORTSWEAR APPAREL

BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it authorizes the advertisement of specifications for City Contract #26-10, Supply & Delivery of Uniforms & Sportswear Apparel.

Terry Crowley, Jr.
Council President

Note: The legal advertisement will be placed on the Ocean City Public Notices Webpage tentatively on Friday, March 20, 2026 with the bid opening scheduled on Tuesday, April 13, 2026 and an anticipated date of award on Thursday, April 23, 2026.

Files: RAU CC #26-10 Uniforms & Sportswear.docx

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk

RESOLUTION

No. 26-81

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO MCCROSSON & STANTON, P.C. FOR 2026 SPECIAL LITIGATION SERVICES

WHEREAS, City of Ocean City is desirous of entering into a Professional Services Contract with McCrosson & Stanton, P.C., for special litigation services; and

WHEREAS, it is determined in the best interest of the City of Ocean City to have said legal services performed; and

WHEREAS, McCrosson & Stanton, P.C. has been determined to have the necessary expertise and ability to perform said work; and

WHEREAS, the firm of McCrosson & Stanton, P.C. has agreed to serve as the City of Ocean City's Municipal Special Litigation Counsel for calendar year 2026; and

WHEREAS, a contract for Professional Services with McCrosson & Stanton, P.C. may be entered into without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the City of Ocean City may enter into an alternative non-advertised contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, McCrosson & Stanton, P.C. has completed and submitted a Business Entity Disclosure Certification which certifies that McCrosson & Stanton, P.C. has not made any reportable contribution to a political or candidate committee for an elected office in the City of Ocean City, County of Cape May, New Jersey in the previous one (1) year period, and that the contract will prohibit McCrosson & Stanton, P.C. from making any reportable contributions through the term of the contract; and

WHEREAS, George J. Savastano, Business Administrator; Frank Donato, III, CMFO, Director of Financial Management; Thomas R. Mahar, Purchasing Assistant, Michael Rossbach Jr., QPA, City Purchasing Manager have reviewed the terms and conditions of the contract and recommend the appointment of the firm of McCrosson & Stanton, P.C. as the City of Ocean City's Special Litigation Counsel for the 2026 calendar year; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that **McCrosson & Stanton, P.C., 200 Asbury Avenue, Ocean City, NJ 08226** is appointed as Special Litigation Counsel for legal services for the 2025 calendar year as follows:

1. That McCrosson & Stanton, P.C. of Ocean City, NJ is hereby engaged for the 2026 calendar year in order to conduct the legal services for the City in accordance with the requirements of the Division of Local Government Services for the State of New Jersey.
2. The City shall pay for services according to the hours performed by the attorney/attorneys listed above, pursuant to the fee schedule below:
 - a. Principal Attorney.....\$210.00
per hour
 - b. Reimbursable Expenses Paid at Net Cost: Actual Litigation Cost & Fees,
Messenger Service, Copies/Fax/Email (printed), Telephone Toll Calls & Postage
3. The term of the contract shall be for a period of twelve (12) months, commencing on January 1, 2026 and continuing through December 31, 2026.
4. A copy of this Resolution and Contract shall be available for inspection in the Ocean City Clerk's Office and shall be published on one (1) occasion in The Ocean City Sentinel.
5. A copy of their Pay-to-Play certification and the New Jersey Business Registration Certificate (BRC) has been submitted and shall be placed on file in the City's Purchasing Division Office.

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-81

BE IT FURTHER RESOLVED by the City Council of the City of Ocean City that the Mayor and City Purchasing Manager are hereby authorized to enter into a formal contract agreement with McCrosson & Stanton, P.C., 200 Asbury Avenue, Ocean City, NJ 08226 beginning on January 1, 2026 and continuing through December 31, 2026 for professional services as the Special Litigation Counsel for the City as listed and in accordance with this resolution and contract.

The Director of Financial Management certifies that funds available and shall be charged to Operating Account #6-01-20-310-211 as Purchase Orders are issued. The estimated annual contract value is \$20,000.00

CERTIFICATION OF FUNDS

Frank Donato III, CFO
Director of Financial Management

Terry Crowley, Jr.
Council President

Files: RPS 2026 McCrosson & Stanton Special Litigation Services.docx

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk

LAW OFFICES
McCROSSON & STANTON

Professional Corporation

200 ASBURY AVENUE
OCEAN CITY, NJ 08226

(609) 399-0215, 399-2411
FAX (609) 293-3578

mccrossonstantonlaw.com
dottie@mccrossonstantonlaw.com

DOROTHY F. McCROSSON

MICHAEL P. STANTON

JONATHAN F. McCROSSON*

PAUL M. STANTON

*Admitted to practice in NJ & PA

January 4, 2026

George Savastano, Business Administrator
City of Ocean City
861 Asbury Avenue
Ocean City, NJ 08226

via email GSavastano@ocnj.us

Re: Hourly Fee

Dear George:

The firm of McCrosson & Stanton currently bills litigation services performed for the City of Ocean City at \$210, plus costs.

The firm proposes no increase in its hourly rate for 2026.

Please advise if you have any questions regarding the foregoing.

Thank you for your attention.

Respectfully,
Dorothy F. McCrosson
Dorothy F. McCrosson

cc: Michael Rossbach, Jr., Purchasing

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-82

**AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO
BLANEY, WEINBERG & CURCIO, P.C. FOR LABOR COUNSEL SERVICES FOR
CALENDAR YEAR 2026**

WHEREAS, the City of Ocean City requires an experienced legal professional to act as labor counsel; and

WHEREAS, a contract for Professional Services may be entered into without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, it has been determined to be in the best interests of the City of Ocean City to have Blaney, Weinberg & Curcio, P.C. continue to provide labor counsel services for the City of Ocean City; and

WHEREAS, Blaney, Weinberg & Curcio, P.C. has been performing these duties and is determined to have the necessary expertise continue to perform said services; and

WHEREAS, Blaney, Weinberg & Curcio, P.C. has agreed to serve as labor counsel for the City of Ocean for the 2026 calendar year; and

WHEREAS, Blaney, Weinberg & Curcio, P.C. has completed and submitted a Business Entity Disclosure Certification which certifies that Blaney, Weinberg & Curcio, P.C. has not made any reportable contribution to a political or candidate committee for an elected office in the City of Ocean City, New Jersey in the previous one year period, and that the contract will prohibit Blaney, Weinberg & Curcio, P.C. from making any reportable contributions through the term of the contract; and

WHEREAS, Blaney, Weinberg & Curcio, P.C. has been advised that this award does not guarantee that the services described will be required during the contract period and are subject to the actual need as established by the City of Ocean City, and that the City Purchasing Manager shall issue purchase orders for services as they are required. No services shall be performed for the City prior to the issuance of a purchase order therefor; and

WHEREAS, George J. Savastano, Business Administrator; Dorothy McCrosson, Esq., Director of Law; Frank Donato, III, Director of Financial Management; Thomas R. Mahar, Purchasing Assistant; Michael Roszbach Jr., QPA, City Purchasing Manager will review all terms and conditions of the contract and recommend award of a professional service contract to Blaney, Weinberg & Curcio, P.C. for Labor Counsel Services for the City of Ocean City, NJ; and

WHEREAS, the contract with Blaney, Weinberg & Curcio, P.C. is being awarded through an alternative, non-advertised process pursuant to N.J.S.A. 19:44A-20.5; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it does hereby appoint **Blaney, Weinberg & Curcio, P.C., 2123 Dune Drive, Suite 11, Avalon, NJ 08202** as follows:

<u>Item</u>	<u>Description</u>	<u>2026 Hourly Rate</u>
1.	Service Fees Shall be Charged & Paid as Invoiced.....	\$190.00
2.	The term of the contract shall be one (1) year beginning on the date of adoption hereof	
3.	A copy of their Pay-to-Play certification and the New Jersey Business Registration Certificate (BRC) has been submitted and shall be placed on file in the City's Purchasing Division Office	
4.	A copy of this resolution shall be available for inspection in the Ocean City Clerk's Office and shall be published on one (1) occasion in the Ocean City Sentinel.	

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

No. 26-82

BE IT FURTHER RESOLVED by the City Council of the City of Ocean City that the Mayor and the City Purchasing Manager are hereby authorized to enter into a formal contract agreement with Blaney, Weinberg & Curcio, P.C. for Labor Counsel Services as listed in accordance with this resolution and contract.

The Director of Financial Management certifies that funds are contingent upon adoption of the 2026 Local Municipal Budget and shall be charged to the appropriate accounts as Purchase Orders are issued.

CERTIFICATION OF FUNDS

Frank Donato III, CFO
Director of Financial Management

Terry Crowley, Jr.
Council President

Files: RPS 2026 Blaney, Weinberg & Curcio Labor Counsel.docx

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF LAW

Memo

DATE: March 6, 2026
TO: City Council
FROM: Dorothy F. McCrosson, Esquire
RE: Resolution Authorizing Professional Services Agreement for Labor Counsel Services -
Blaney Weinberg & Curcio

Ocean City has consulted with the Blaney law firm regarding labor law issues for many years.

This firm has the specialized knowledge and experience to consult on matters related to Police, Fire and Beach Patrol grievances, discipline and related matters. These services are rendered on an as-needed basis.

The firm offers a competitive municipal rate of \$190 per hour.

I recommend the approval of this Resolution.

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-83

**AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO
CARLIN, WARD, ASH & HEIART, LLC FOR SPECIAL LEGAL COUNSEL FOR
CALENDAR YEAR 2026**

WHEREAS, the City of Ocean City requires professional legal services for the Department of Law to handle condemnation litigation and other matters; and

WHEREAS, it is determined to be in the best interests of the City of Ocean City to have Carlin, Ward, Ash & Heiart, LLC represent the City in condemnation litigation and other matters which the City Solicitor may refer to the firm; and

WHEREAS, Carlin, Ward, Ash & Heiart, LLC has been performing these duties and is determined to have the necessary expertise continue to perform said services; and

WHEREAS, Carlin, Ward, Ash & Heiart, LLC as agreed to serve as condemnation counsel for the City of Ocean for the 2026 calendar year; and

WHEREAS, a contract for Professional Services may be entered into without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, Carlin, Ward, Ash & Heiart, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Carlin, Ward, Ash & Heiart, LLC has not made any reportable contribution to a political or candidate committee for an elected office in the City of Ocean City, New Jersey in the previous one-year period, and that the contract will prohibit Carlin, Ward, Ash & Heiart, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, Carlin, Ward, Ash & Heiart, LLC has been advised that this award does not guarantee that the services described will be required during the contract period and are subject to the actual need as established by the City of Ocean City, and that the City Purchasing Manager shall issue purchase orders for services as they are required. No services shall be performed for the City prior to the issuance of a purchase order therefor; and

WHEREAS, Dorothy McCrosson, Esq., Director of Law; Frank Donato, III, Director of Financial Management; Thomas R. Mahar, Purchasing Assistant; Michael Rossbach Jr., QPA, Purchasing Assistant and Joseph S. Clark, Jr., QPA, City Purchasing Manager have reviewed all terms and conditions of the contract and recommend award of a professional service contract to Carlin, Ward, Ash & Heiart, LLC for Special Legal Counsel Services for the City of Ocean City, NJ; and

WHEREAS, the contract with Carlin, Ward, Ash & Heiart, LLC is being awarded through an alternative, non-advertised process pursuant to N.J.S.A. 19:44A-20.5; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it does hereby appoint **Carlin, Ward, Ash & Heiart, LLC, 25 B Vreeland Road, Suite 203, Florham Park, NJ 07932** as Special Legal Counsel as follows:

<u>Item</u>	<u>Description</u>	<u>2026 Year Rates</u>
1.	Service fees shall be charged & paid as invoiced	\$200.00 per hour
2.	The term of the contract shall be one (1) year beginning on the date of adoption hereof.	
3.	A copy of their Pay-to-Play certification and the New Jersey Business Registration Certificate (BRC) has been submitted and shall be placed on file in the City's Purchasing Division Office.	
4.	A copy of this resolution shall be available for inspection in the Ocean City Clerk's Office and shall be published on one (1) occasion in the Ocean City Sentinel.	

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-83

BE IT FURTHER RESOLVED by the City Council of the City of Ocean City that the Mayor and the City Purchasing Manager are hereby authorized to enter into a formal contract agreement with Carlin, Ward, Ash & Heiart, LLC as Special Legal Counsel as listed in accordance with this resolution and contract.

The Director of Financial Management certifies that funds are contingent upon adoption of the 2026 Local Municipal Budget and shall be charged to the appropriate accounts as Purchase Orders are issued.

CERTIFICATION OF FUNDS

Frank Donato III, CFO
Director of Financial Management

Terry Crowley, Jr.
Council President

Files: RPS 2026 Carlin Ward.docx

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF LAW

Memo

DATE: March 6, 2026
TO: City Council
FROM: Dorothy F. McCrosson, Esquire
RE: Resolution Authorizing Professional Services Contract for Special Legal Counsel
Carlin, Ward, Ash & Heiart, LLC

Carlin, Ward, Ash & Heiart continues to represent the City of Ocean City in Palmer Center, LLC's appeal of the January 2025 condemnation award. The firm will also handle the cost recovery litigation in which the city will seek reimbursement of the cost to remediate contamination at the former Palmer Center, LLC site.

This firm has handled this condemnation action since its inception. It has the necessary expertise in the specialized area of condemnation law and is best positioned to complete this litigation.

The firm offers a competitive municipal rate of \$200 per hour.

I recommend the approval of this Resolution.

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

No. 26-84

**AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO
EDMUND F.X. DEVLIN, ESQ. FOR MUNICIPAL PUBLIC DEFENDER LEGAL
COUNSEL SERVICES FOR THE CITY OF OCEAN CITY FOR THE 2026 CALENDAR
YEAR**

WHEREAS, the City of Ocean City requires certain professional legal services in conjunction with the Ocean City Municipal Court; and

WHEREAS, it is determined to be in the best interest of the City of Ocean City to have said services performed; and

WHEREAS, pursuant to N.J.S.A. 2B:24-7 it has been mandated by the State of New Jersey that the City shall appoint a Municipal Public Defender to represent indigent defendants charged with crimes and/or offenses in the Ocean City Municipal Court where there are potential penalties of consequences or magnitude; and

WHEREAS, a contract for Professional Services may be entered into without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, Edmund F. X. Devlin, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Edmund F. X. Devlin, Esq. has not made any reportable contribution to a political or candidate committee for an elected office in the City of Ocean City, New Jersey in the previous one-year period, and that the contract will prohibit Edmund F. X. Devlin, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, Dorothy F. McCrosson, Esq., Director of Law; Thomas R. Mahar, Purchasing Assistant; Michael Rossbach Jr., QPA, City Purchasing Manager have reviewed all terms and conditions of the contract and recommend award of a professional service contract to Edmund F. X. Devlin, Esq. for municipal public defender legal counsel services for the City of Ocean City, NJ; and

WHEREAS, the contract with Edmund F. X. Devlin, Esq. is being awarded through an alternative, non-advertised process pursuant to N.J.S.A. 19:44A-20.5; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it does hereby appoint **Edmund F. X. Devlin, Esq., 854 Asbury Avenue, Suite 200, Ocean City, NJ 08226** as follows:

<u>Item</u>	<u>Description</u>	<u>Monthly Cost</u>	<u>Annual Rate</u>
1.	Annual Retainer Fee (2026)	\$3,626.05	\$43,512.76
2.	The term of the contract shall be for a period of one (1) year commencing on January 1, 2026 and continuing through December 31, 2026.		
3.	A copy of their Pay-to-Play certification and the New Jersey Business Registration Certificate (BRC) has been submitted and shall be placed on file in the City's Purchasing Division Office.		
4.	A copy of this Resolution and Contract shall be available for inspection in the Ocean City Clerk's Office and shall be published on one (1) occasion in the Ocean City Sentinel.		

BE IT FURTHER RESOLVED, by the City Council of the City of Ocean City, that the Mayor and the City Purchasing Manager are hereby authorized to enter into a formal contract agreement with Edmund F. X. Devlin, Esquire for Municipal Public Defender Legal Counsel Services for the City of Ocean City as listed and in accordance with this Resolution.

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

No. 26-84

The Director of Financial Management certifies that funds are available and contingent upon the adoption of the 2026 Municipal Budget and shall be charged to the appropriate accounts upon issuance of the Purchase Orders.

CERTIFICATION OF FUNDS

Frank Donato III, CFO
Director of Financial Management

Terry Crowley, Jr.
Council President

Files: RPS 2026 Ed Devlin Public Defender.docx

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF LAW

Memo

DATE: March 6, 2026
TO: City Council
FROM: Dorothy F. McCrosson, Esquire
RE: Public Defender's Contract

The City's Public Defender serves pursuant to a contract with the City.

Ocean City attorney Edmund F.X. Devlin, Esquire has served in this position since 2018, when he was selected through an RFP process.

I have continued to observe Mr. Devlin in the role as Public Defender. It remains my opinion that he brings exceptional talent, professionalism, dedication and experience to this position. His office, which is located in Ocean City, is within easy walking distance of the Court and is convenient for his clients, providing them with in-person access to him.

Mr. Devlin works well with the Court staff. He has adapted well to the on-line Court sessions through which many of the cases can now be handled, as well as the temporary arrangement through which Ocean City's Municipal Court conducts in-person hearings and trials in the Somers Point courtroom.

I recommend the award of this contract to Mr. Devlin.

RESOLUTION

No. 26-85

**AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT
BETWEEN THE CITY OF OCEAN CITY & MARK S. RUDERMAN, ESQUIRE OF
RUDERMAN & ROTH FOR LABOR COUNSEL SERVICES FOR THE 2026
CALENDAR YEAR**

WHEREAS, the City of Ocean City requires professional legal services to act as a labor counsel & negotiator for the City of Ocean City for the 2026 calendar year; and

WHEREAS, it has been determined to be in the best interests of the City of Ocean City to have Mark S. Ruderman, Esq. of Ruderman & Roth, P.C. continue to provide labor counsel services for the City of Ocean; and

WHEREAS, Mark S. Ruderman, Esq. of Ruderman & Roth, P.C. has been performing these duties and is determined to have the necessary expertise continue to perform said services; and

WHEREAS, Mark S. Ruderman, Esq. of Ruderman & Roth, P.C. has agreed to serve as labor counsel for the City of Ocean for the 2026 calendar year; and

WHEREAS, Ruderman & Roth, P.C. has completed and submitted a Business Entity Disclosure Certification which certifies that Ruderman & Roth, P.C. has not made any contribution to a political or candidate committee for an elected office in the City of Ocean City, NJ in the previous one (1) year period, and that the contract will prohibit Ruderman & Roth, P.C. from making any contributions through the term of the contract; and

WHEREAS, the vendor has been advised that this award does not guarantee that all of the services listed will be required during the contract period and are subject to the actual need as established by the City of Ocean City. As services are required, the City Purchasing Manager shall issue purchase orders for those services. No services shall be performed for the City without first obtaining a purchase order for said services; and

WHEREAS, George J. Savastano; Business Administrator; Dorothy F. McCrosson, Esq., Director of Law; Elizabeth M. Woods, Director of Human Resources; Thomas R. Mahar, Purchasing Assistant; Michael Rossbach Jr., QPA, City Purchasing Manager have reviewed the terms and conditions of the contract and recommend the award of a professional service contract to Mark S. Ruderman, Esq. of Ruderman & Roth, P.C., 150 Morris Avenue, Springfield, NJ 07081 for Labor Counsel Services for the City of Ocean City, NJ for the 2026 calendar year; and

WHEREAS, this contract is awarded through an alternative non-advertised method of award process, pursuant to N.J.S.A. 19:44A-20.4 *et seq.*; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it does hereby appoint **Mark S. Ruderman, Esq. of Ruderman & Roth, P.C., 150 Morris Avenue, Springfield, NJ 07081** as the City's Labor Counsel for labor negotiations as follows:

<u>Item</u>	<u>Description</u>	<u>2026 Year Rates</u>
1.	Service fees shall be charged & paid as invoiced for the year 2026.....	\$255.00 per hour
2.	The term of the contract shall be for a period of twelve (12) months, commencing on January 1, 2026 and continuing through December 31, 2026.	
3.	A copy of their Pay-to-Play certification and the New Jersey Business Registration Certificate (BRC) has been submitted and shall be placed on file in the City's Purchasing Division Office.	
4.	A copy of this Resolution and Contract shall be available for inspection in the Ocean City Clerk's Office and shall be published on one (1) occasion in the Ocean City Sentinel.	

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-85

BE IT FURTHER RESOLVED by the City Council of the City of Ocean City that the Mayor and the City Purchasing Manager are hereby authorized to enter into a formal contract agreement with Mark S. Ruderman, Esq. of Ruderman & Roth, P.C. for professional services as the City's Labor Counsel as listed in accordance with this resolution and contract.

The Director of Financial Management certifies that funds are contingent upon adoption of the 2026 Local Municipal Budget and shall be charged to the appropriate accounts as Purchase Orders are issued.

CERTIFICATION OF FUNDS

Frank Donato III, CFO
Director of Financial Management

Terry Crowley, Jr.
Council President

Files: RPS 2026 Ruderman & Roth.docx

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF LAW

Memo

DATE: March 6, 2026
TO: City Council
FROM: Dorothy F. McCrosson, Esquire
RE: Resolution Authorizing Professional Services Agreement for Labor Counsel Services - Ruderman & Roth

Mark Ruderman, Esquire of Ruderman and Roth has been Labor Counsel to Ocean City since 2010. He has counseled the City in contract negotiations and employment litigation during his representation of the city.

Mr. Ruderman's services are rendered on an as-needed basis.

I have always found Mr. Ruderman to be responsive and professional. His familiarity with Ocean City's labor contracts in particular, and the public employment landscape in New Jersey in general, have served Ocean City well.

The firm offers a competitive municipal rate of \$255 per hour.

I recommend the approval of this Resolution.

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

No. 26-86

**AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR SUBSTITUTE
MUNICIPAL PROSECUTORS FOR THE OCEAN CITY MUNICIPAL COURT FOR THE 2026
CALENDAR YEAR**

WHEREAS, Douglas K. Walker, Esq. is the duly appointed Ocean City Municipal Prosecutor for the City of Ocean City; and

WHEREAS, sometimes situations arise where Douglas K. Walker, Esq. is unable to serve as the municipal prosecutor for one of various reasons, including but not limited to, illness, vacation or in situations where there exists a conflict of interest; and

WHEREAS, cases arise from time to time in which more than one municipal prosecutor is required under existing law, in which event it is required in such cases that a person in addition to Douglas K. Walker, Esq. to serve as a prosecutor in the Ocean City Municipal Court; and

WHEREAS, Dorothy F. McCrosson, Esq., in her capacity as Director of the Department of Law, has reviewed and approved the list of proposed substitute municipal prosecutors in accordance with her obligation to supervise the Municipal Prosecutor as set forth in the Ocean City Administrative Code; and

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

1. The following named persons who serve as municipal prosecutors in the Municipal Courts referred to below are designated to act as a municipal prosecutor in the Ocean City Municipal Court in those situations where Douglas K. Walker, Esq. is unable for any reason to act and in situations in which a second municipal prosecutor is required by law for the calendar year 2026:

Municipal Prosecutor/Assistant Prosecutor

Municipal Court Jurisdiction

a. Patrick F. Martin, Esq.
36 Roosevelt Boulevard
Marmora, NJ 08223

Township of Upper
Township of Dennis

b. Thomas Rossi, Esq.
605 Commonwealth Avenue
P.O. Box #398
Strathmere, NJ 08248

City of Sea Isle City

2. A copy of this Resolution and contract shall be available for inspection in the Ocean City Clerk's Office and shall be published on one (1) occasion in the Ocean City Sentinel.

BE IT FURTHER RESOLVED by the City Council of the City of Ocean City that the Purchasing Manager is authorized to enter into a contract agreement with any of the qualified municipal prosecutors as listed in this resolution.

The Director of Financial Management certifies that funds are contingent upon adoption of the 2026 Local Municipal Budget and shall be charged to the appropriate Operating Account as Purchase Orders are issued. The annual estimated contract value is \$7,000.00.

CERTIFICATION OF FUNDS

Frank Donato III, CFO
Director of Financial Management

Terry Crowley, Jr.
Council President

Files: RPS 2026 Substitute Municipal Prosecutors.docx

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF LAW

Memo

DATE: March 6, 2026
TO: City Council
FROM: Dorothy F. McCrosson, Esquire
RE: Resolution Authorizing Professional Services Agreement for Substitute Municipal Court Prosecutors

Occasionally the City's Municipal Prosecutor, Douglas Walker, Esquire, is unable to prosecute a defendant due to a conflict of interest. Most commonly, the conflict is a result of Mr. Walker's prior representation of a defendant in an unrelated matter. In these instances, I appoint a prosecutor from a list approved by City Council to handle the conflict case. The Substitute Municipal Court Prosecutors bill these matters on an hourly basis of \$125. I am recommending an increase in the hourly rate to \$150/hour, which is still very reasonable. The attorneys listed on the Resolution attached hereto are experienced municipal prosecutors who handle Ocean City's conflict cases competently and efficiently.

When the need for a Substitute Municipal Prosecutor arises because Mr. Walker is on vacation, he arranges for one of the approved Substitute Municipal Prosecutors to handle the court list and he compensates them.

RESOLUTION

No. 26-87

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR CONFLICT PUBLIC DEFENDER LEGAL SERVICES FOR THE CITY OF OCEAN CITY FOR THE 2026 CALENDAR YEAR

WHEREAS, the Law Offices of Edmund F. X. Devlin, Esq. is the duly contracted Ocean City Municipal Public Defender for the City of Ocean City; and

WHEREAS, it sometimes arises that Edmund F. X. Devlin, Esq. is unable to serve as the municipal public defender in situations in which there exist a conflict of interest; and

WHEREAS, cases arise from time to time where more than one municipal public defender maybe required by Law to serve as a public defender in the Ocean City Municipal Court; and

WHEREAS, it is determined in the best interest of the City of Ocean City to have said services performed; and

WHEREAS, a contract for Professional Services may be entered into without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the City of Ocean City has developed and established set fees for services that are required by the City on an annual basis; and

WHEREAS, the Law Offices of Bonnie D. Putterman, Bonnie D. Putterman, Esq., Steiner Law Office, P. C., Jerry H. Steiner, Esq. & Teitler & Teitler, LLC, Avery S. Teitler, Esq. have been determined to have the necessary expertise and ability to perform said services; and

WHEREAS, the vendors have been advised that this award does not guarantee that all of the services listed will be required during the contract period and are subject to the actual need as established by the City of Ocean City. As services are required, the City Purchasing Manager shall issue Purchase Orders for those services. No services shall be performed for the City without first obtaining a Purchase Order for said services; and

WHEREAS, the contract with the Law Offices of Bonnie D. Putterman, Bonnie D. Putterman, Esq., Steiner Law Office, P. C., Jerry H. Steiner, Esq. & Teitler & Teitler, LLC, Avery S. Teitler, Esq. is being awarded through an alternative, non-advertised process pursuant to N.J.S.A. 19:44A-20.5; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it does hereby awards a professional services contract to the **Law Offices of Bonnie D. Putterman, Bonnie D. Putterman, Esq., 5916 Main Street, Mays Landing, NJ 08330; Steiner Law Office, P. C., Jerry H. Steiner, Esq., 1210 S. Main Street, Pleasantville, NJ 08232 & Teitler & Teitler, LLC, Avery S. Teitler, Esq., 618 West Avenue, Suite #201, Ocean City, NJ 08226** as follows:

<u>Item</u>	<u>Description</u>	<u>Rate</u>
1.	Legal Services Provided as the Conflict Public Defender (per case fee) for the City of Ocean City.....	\$300.00/per case
2.	The term of the contract shall be for a period of one (1) year commencing on January 1, 2026 and continuing through December 31, 2026.	
4.	A copy of this Resolution & Contract shall be available for inspection in the Ocean City Clerk's Office and shall be published on one (1) occasion in the Ocean City Sentinel.	

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-87

BE IT FURTHER RESOLVED by the City Council of the City of Ocean City that the Mayor and the City Purchasing Manager are hereby authorized to enter into a formal contract agreements Law Offices of Bonnie D. Putterman, Bonnie D. Putterman, Esq.; Steiner Law Office, P. C., Jerry H. Steiner, Esq. & Teitler & Teitler, LLC, Avery S. Teitler, Esq. beginning on January 1, 2026 and continuing through December 31, 2026 for Conflict Public Defender Legal Counsel Services for the City of Ocean City as listed and in accordance with this resolution.

The Director of Financial Management certifies that funds are contingent upon adoption of the 2026 Local Municipal Budget and shall be charged to the appropriate Operating Account as Purchase Orders are issued. The estimated annual contract value is \$5,000.00.

CERTIFICATION OF FUNDS

Frank Donato III, CFO
Director of Financial Management

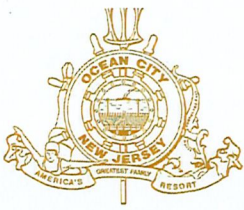
Terry Crowley, Jr.
Council President

Files: RPS 2026 Conflict Public Defender.docx

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF LAW

Memo

DATE: March 6, 2026
TO: City Council
FROM: Dorothy F. McCrosson, Esquire
RE: Resolution Authorizing Professional Services Contracts for Conflict Public Defender Legal Services

There are occasions on which the City Public Defender is unable to handle a case in which the defendant is eligible for representation by the public defender. These occasions arise for one of two reasons: (1) the City Public Defender has a conflict of interest which precludes his representation of the eligible defendant; or (2) there is more than one eligible defendant in a case whose interests are diverse or in conflict, requiring a separate defense attorney for each defendant.

This resolution would designate attorneys to whom these conflict cases could be assigned, and set the terms of such assignment, in accordance with the City's current practice. The compensation to be paid to conflict counsel remains at \$300 per case.

As the Director of the Department of Law, I oversee the assignment of cases.

RESOLUTION

No. 26-88

**AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO
JENNIFER L. HELLER, PP, AICP OF POLISTINA & ASSOCIATES, LLC AS A
PROFESSIONAL PLANNER TO ASSIST CITY COUNCIL IN EVALUATING
PROPOSALS REGARDING 600 BOARDWALK**

WHEREAS, the City Council of the City of Ocean City is in need of the services of a Professional Planner relative to matters involving the development of the property at 600 Boardwalk; and

WHEREAS, Jennifer L. Heller, PP, AICP of Polistina & Associates, LLC possesses the expertise and qualifications necessary to guide Council in its consideration of the future development of the property at 600 Boardwalk; and

WHEREAS, both the mayor and city council believe it is in the best interests of the city to retain a Professional Planner who has not previously advised City Council or the Planning Board with respect to the property at 600 Boardwalk; and

WHEREAS, a contract for Professional Services may be entered into without competitive bidding pursuant to N.J.S.A. 40a:11-5(1)(a)(i); and

WHEREAS, the contract with Jennifer L. Heller, PP, AICP of Polistina & Associates, LLC is being awarded through an alternative, non-advertised process pursuant to N.J.S.A. 19:44A-20.5; and,

WHEREAS, Jennifer L. Heller, PP, AICP of Polistina & Associates, LLC has been advised that this award does not guarantee that the services described will be required during the contract period and are subject to the actual need as established by City Council, and that the City Purchasing Manager shall issue purchase orders for services as they are required. No services shall be performed for City Council prior to the issuance of a purchase order therefor; and

WHEREAS, Polistina & Associates, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Polistina & Associates, LLC has not made any contribution to a political or candidate committee for an elected office in the City of Ocean City, NJ in the previous one (1) year period, and that the contract will prohibit Polistina & Associates, LLC from making any contributions through the term of the contract; and

WHEREAS, Frank Donato, II, Director of Financial Management; Thomas R. Mahar, Purchasing Assistant and Michael Rossbach, Jr. QPA, City Purchasing Manager, have reviewed all terms and conditions of the contract and recommend award of a professional services contract to Jennifer L. Heller, PP, AICP of Polistina & Associates, LLC to provide Professional Planning Services for City Council of the City of Ocean City, New Jersey; and,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it does hereby appoint Jennifer L. Heller, PP, AICP of Polistina & Associates, LLC as City Council's Professional Planner for matters relating to the property at 600 Boardwalk as follows:

Professional Service Contract

<u>Item</u>	<u>Description</u>	<u>Hourly Rate</u>
1.	Per Hour Rate to be Paid for Professional Planner Services.....	\$175.00
2.	The Total Contract Amount is Not to Exceed \$15,000.00	
3.	The term of the contract shall be one (1) year beginning on the date of adoption hereof.	
4.	A copy of the Pay-to-Play Certification and the Business Registration Certification (BRC) has been submitted and shall be placed on file in the City's Purchasing Division Office.	
5.	A copy of this Resolution and Contract shall be available for inspection in the Ocean City Clerk's Office and shall be published on one (1) occasion in the Ocean City Sentinel.	

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-88

BE IT FURTHER RESOLVED by the City Council of the City of Ocean City that the Business Administrator and the City Purchasing Manager are hereby authorized to enter into a formal contract agreement with Jennifer L. Heller, PP, AICP of Polistina & Associates, LLC as the City Council's Professional Planner for matters relating to the property at 600 Boardwalk as listed in accordance with this resolution and contract.

The Director of Financial Management certifies that funds are contingent upon the adoption of the 2026 Local Municipal Budget and shall be charged to Operating Account #6-01-20-420-211 as Purchase Orders are issued.

CERTIFICATION OF FUNDS

Frank Donato III, CFO
Director of Financial Management

Terry Crowley, Jr.
Council President

Files: RPS 2026 Council Professional Planner.docx

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk

6684 Washington Avenue
Egg Harbor Township, NJ 08234
Phone: (609) 646-2950
Fax: (609) 646-2949
Email: jen@polistina.net

Jennifer L. Heller, PP, AICP

Education, Registrations, and Certifications:

B.S., Environmental Planning & Design, Rutgers University, October 1999
Professional Planner #6486, New Jersey, 2021
American Institute of Certified Planners Certification #33647, 2021
Rutgers/Affordable Housing Professionals of New Jersey Certification, 2023
Member, American Planning Association, New Jersey Chapter
Member, Affordable Housing Professionals of New Jersey

Professional Experience:

Ms. Heller has over twenty-five years of experience working in both the private and public sectors in the civil engineering field. Currently, Ms. Heller serves as the primary planner at Polistina & Associates. She is responsible for the reviews of land development applications for the various Planning and Zoning Boards. In addition, Ms. Heller is responsible for land use and zoning regulation research, affordable housing reports, land use and zoning ordinance revisions, master plan re-examination reports, redevelopment studies, redevelopment plans, road opening permits, permitting for capital improvement projects, environmental constraints mapping utilizing ArcGIS, and preparation of NJDOT Municipal Aid, Community Development Block Grant, Local Recreation Improvement Grant and Green Acres Open Space grant applications for municipal clients.

Ms. Heller is knowledgeable in the Local Redevelopment and Housing Law and has prepared several redevelopment and rehabilitation determination of need studies for local municipalities in Atlantic County. Ms. Heller has also authored redevelopment plans for both commercial and residential development projects, and worked with governing bodies and the developer in developing redevelopment plans and agreements.

Ms. Heller is well versed in the affordable housing issues faced by local municipalities in the area and has earned a certification from the Affordable Housing Professionals of New Jersey. She has prepared several Housing Element and Fair Share Plans and has been involved in negotiations with Fair Share Housing Center and a Court appointed Special Master to resolve outstanding compliance issues.

With her background in landscape architecture, Ms. Heller has extensive knowledge about landscaping and lighting in residential and commercial applications. This knowledge aids in reviews for the local planning and zoning boards and for coordination with developers for aesthetically pleasing design, effective buffering and environmentally conscious landscaping on commercial sites.

Ms. Heller is also responsible for designing and permitting development projects for private and municipal clients. Her duties have included project coordination through all stages of development, drafting, design, and permitting with the necessary local, county and state regulatory agencies. Ms. Heller has extensive experience in applications to the Pinelands Commission, New Jersey Department of Environmental Protection (CAFRA, Waterfront Development, Tidelands, Wetlands permits, etc), New Jersey Department of Transportation, local Soil Conservation Districts, County and local planning and zoning boards on behalf of municipal and private clients.

Executive Summary



The staff of Polistina & Associates has combined experience in serving the engineering and planning needs of municipalities and utility authorities for over 25 years. They have a local office located in Egg Harbor Township. The firm's intimate knowledge of the South Jersey region allows Polistina & Associates to provide the specialized services needed to meet the full range of day-to-day demands placed on municipalities and the county. Polistina & Associates can offer a broad range of services including engineering, planning, surveying, and construction management for both small and large scale capital improvement projects.

Since the firm's inception in 2004, the engineers and planners of Polistina & Associates have continued to meet the challenges of both older, established communities and emerging, growing communities. Polistina & Associates provides consultation services relating to Planning Boards and Zoning Boards of Adjustment including attendance at Board Meetings, as well as the technical engineering and planning review of submissions to the Board(s) for assistance in the approval process. The firm also provides municipal planning services including Master Plan and Reexamination Report preparation, redevelopment studies and plans, ordinance review and updates, and COAH compliance reports and plans for affordable housing. Polistina & Associates has provided services for various municipalities, including small communities to larger ones with populations greater than 25,000 in the State of New Jersey.

Polistina & Associates' staff is comprised of Professional Engineers, Professional Planners, Certified Municipal Engineers, Graduate Engineers, Engineers-in-Training, Landscape Architect/GIS Specialists, Professional Land Surveyors and a two-man survey crew along with field inspectors, draftspeople and associated support staff.

Polistina & Associates is the municipal engineer for Galloway Township, City of Linwood, Folsom Borough and City of Port Republic. The firm is also serving as the municipal planner for Galloway Township, Egg Harbor Township and the City of Absecon. The firm has also provides utilities services for the Egg Harbor Township Municipal Utilities Authority, the Hamilton Township Municipal Utilities Authority, the City of Somers Point Utilities Department, and the Lower Township Municipal Utilities Authority. The staff has gained experience serving various land development review boards including the Borough of Folsom Planning/Zoning Board, Egg Harbor Township Planning Board, Galloway Township Planning Board, Township of Hamilton Planning Board, Mullica Township Planning/Zoning Board and City of Linwood Land Use Board. In addition, Polistina & Associates also provides engineering and inspection services for capital improvement projects for the City of Ventnor, City of Brigantine and Atlantic County on an as-needed basis.

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-89

AUTHORIZING THE FIRST EXTENSION OF CITY COMPETITIVE CONTRACT #25-07, FALCONRY BASED BIRD ABATEMENT (FBBA) SERVICES WTH EAST COAST FALCONS

WHEREAS, the specifications were authorized for advertisement by Resolution #25-61-284 on Thursday, February 20, 2025 for City Competitive Contract #25-07, Falconry Based Bird Abatement (FBBA) Services; and

WHEREAS, the Notice to Bidders was advertised in the Ocean City Sentinel on Wednesday, February 26, 2025 and the Invitation to Bidders was distributed on the OpenGov platform to various potential offerors for City Competitive Contract #25-07, Falconry Based Bird Abatement (FBBA) Services; and

WHEREAS, the bid proposals were opened for City Competitive Contract #25-07, Falconry Based Bird Abatement (FBBA) Services on Thursday, March 20, 2025 and two (2) bid proposals were received; and

WHEREAS, George J. Savastano, Business Administrator; Michael J. Allegretto, Aide to the Mayor; Daniel C. Kelchner, Director of Community Services; Doug Bergen, Public Information Officer; Thomas R. Mahar, Purchasing Assistant; Michael Rossbach Jr., QPA, Assistant Purchasing Agent and Joseph S. Clark, Jr., QPA, City Procurement Manager had reviewed and evaluated each proposal on its own merit and recommended that the contract be awarded to East Coast Falcons as the most qualified overall bidder; and

WHEREAS, the City Council of the City of Ocean City authorized the award of City Competitive Contract #25-07, Falconry Based Bird Abatement (FBBA) Services on Thursday, April 24, 2025 by Resolution #25-61-360; and

WHEREAS, George J. Savastano, Business Administrator; Michael J. Allegretto, Aide to the Mayor; Daniel C. Kelchner, Director of Community Services; Doug Bergen, Public Information Officer; Thomas R. Mahar, Purchasing Assistant; Michael Rossbach Jr., QPA, City Procurement Manager have evaluated the performance of East Coast Falcons under this contract and have found their performance to be more than satisfactory and recommend the extension of City Competitive Contract #25-07, Falconry Based Bird Abatement (FBBA) Services; and

WHEREAS, this contract is subject to an increase per the October Philadelphia-Camden-Wilmington Consumer Price Increase (CPI-U) per the contract specifications.

WHEREAS, due to the federal government shutdown in October no data was able to be obtained, thus the City decided to average the 2025 August CPI-U of 3.3% and the 2025 December CPI-U of 3.9% for a total 2026 contract increase of 3.6%; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey, that City Competitive Contract #25-07, Falconry Based Bird Abatement (FBBA) Services be and is hereby extended as follows:

East Coast Falcons 53 long valley road Lodi, NJ 07644
--

City Competitive Contract #25-07

<u>Item</u>	<u>Description</u>	<u>Amount</u>
1.a	Pre-Season & Annual Mobilization Costs.....	\$51,800.00
1.b	Annual Abatement Services for a total of 100 working days.....	\$318,196.00
Total Amount for Base Bid of City Competitive Contract #25-07.....		\$369,996.00

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-89

Optional Pricing for Hourly/Daily Rates

<u>Item</u>	<u>Description</u>	<u>Amount</u>
2.a	Hourly Rate.....	\$244.77
2.b	Daily Rates.....	\$3,181.96

BE IT FURTHER RESOLVED that the initial term of this contract shall cover a period of approximately twenty-two (22) weeks (100 working days) and shall commence on Friday, May 1, 2026 and shall continue through Sunday, September 20, 2026. Provided that performance under this contract is satisfactory the City may extend this contract for an additional time period of approximately twenty-two (22) weeks annually commencing on May 7, 2027 through September 19, 2027 and each subsequent year after shall be opted for renewal provided performance is still satisfactory not to exceed a maximum contract length of five (5) years; and

BE IT FURTHER RESOLVED that the Mayor and City Purchasing Manager are hereby authorized to enter into a formal contract with East Coast Falcons for City Competitive Contract #25-07, Falconry Based Bird Abatement (FBBA) Services as listed and in accordance with the specifications and the bid proposal form.

The Director of Financial Management certifies that funds are contingent upon the adoption of the 2026 Local Municipal Budget and shall be charged to Operating Account #6-01-20-825-211 as Purchase Orders are issued.

CERTIFICATION OF FUNDS

Frank Donato III, CFO
Director of Financial Management

Terry Crowley, Jr.
Council President

Files: RES EXT 1 CCC #25-07 Falcons.docx

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-90

AUTHORIZING CHANGE ORDER #4 TO CITY CONTRACT #24-11, 2023 VARIOUS ROAD IMPROVEMENTS WITH ARAWAK PAVING COMPANY, INC.

WHEREAS, specifications were authorized for advertisement by Resolution #23-60-229 on Thursday, December 21, 2023 for City Contract #24-11, 2023 Various Road Improvements; and

WHEREAS, the Notice to Bidders was advertised in the Ocean City Sentinel on Wednesday, January 31, 2024, and the specifications were distributed to seventeen (17) prospective bidders; and

WHEREAS, bid proposals were opened for City Contract #24-11, 2023 Various Road Improvements on Thursday, February 29, 2024 and eight (8) bid proposals were received; and

WHEREAS, Reece M. Nordeen, P.E. (ACT Engineers, Inc.); George J. Savastano; Business Administrator; Vincent S. Bekier, Director of Operations & Engineering; Christine D. Gundersen, Manager of Capital Planning; Michael Rossbach Jr., Assistant Purchasing Agent and Joseph S. Clark, Jr., QPA, City Purchasing Manager have reviewed the bid proposal and specifications and recommended that the contract be awarded to Arawak Paving Company, Inc. the lowest responsible bidder; and

WHEREAS, The City Council of the City of Ocean City New Jersey authorized the award of City Contract #24-11, 2023 Various Road Improvements to Arawak Paving Company, Inc. on Thursday, March 14, 2024 by Resolution #24-60-319 in the amount of \$4,337,000.00 with \$3,955,500.00 charged to Capital Account #C-04-55-327-010 & \$381,500.00 charged to Capital Account #C-04-55-327-101 (Purchase Order #24-01110); and

WHEREAS, The City Council of the City of Ocean City New Jersey authorized Change Order #1 to City Contract #24-11, 2023 Various Road Improvements to Arawak Paving Company, Inc. on Thursday, February 6, 2025 by Resolution #25-61-277 in the additional amount of \$39,200.12 charged to Capital Account #C-04-55-327-101 for a revised contract total of \$4,376,200.12; and

WHEREAS, The City Council of the City of Ocean City New Jersey authorized Change Order #2 to City Contract #24-11, 2023 Various Road Improvements to Arawak Paving Company, Inc. on Thursday, March 13, 2025 by Resolution #25-61-311 in the additional amount of \$110,760.00 charged to Capital Account #C-04-55-327-101 for a revised contract total of \$4,486,960.12; and

WHEREAS, The City Council of the City of Ocean City New Jersey authorized Change Order #3 to City Contract #24-11, 2023 Various Road Improvements to Arawak Paving Company, Inc. on Thursday, April 24, 2025 by Resolution #25-61-366 in the reduced amount of (\$89,375.75) charged to Capital Account #C-04-55-327-101 for a revised contract total of \$4,397,584.37; and

WHEREAS, the City of Ocean City has identified additional number and decrease number of materials and items required to complete the project; and

WHEREAS, Reece M. Nordeen, P.E. (ACT Engineers, Inc.); George J. Savastano, Business Administrator; Vincent S. Bekier, Director of Capital Programs, Project Management and Engineering; Christine D. Gundersen, Manager of Capital Planning; Thomas R. Mahar, Purchasing Assistant; Michael Rossbach Jr., QPA, City Purchasing Manager have reviewed and certified Change Order #4 to City Contract #24-11, 2023 Various Road Improvements:

Arawak Paving Company, Inc. 7503 Weymouth Road Hammonton, NJ 08037

Extra Items

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Cost</u>
14.	Turf Repair Strip.....	332 S.Y.	\$15.00	\$4,980.00
24.	24" x 6' Painted Crosswalk, White Long-Life Thermoplastic.....	1,577 L.F.	\$4.85	\$7,648.45
25.	2"-4" Centerline, Yellow, Long-Life Epoxy Resin.....	7,411 L.F.	\$0.56	\$4,150.16
26.	4" Yellow, Long-Life Thermoplastic.....	370 L.F.	\$0.82	\$303.40
Total Amount for Extra Items for Change Order #4.....				\$17,082.01

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-90

Reduced Items

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Cost</u>
22.	4" White, Long-Life, Epoxy Resin, L's & T's	2,402 L.F.	\$1.10	(\$2,642.20)
23.	24" Stop Bar, White, LongLife Thermoplastic	198 L.F.	\$4.85	(\$960.30)
27.	Two-Way Plowable Bi-Directional Blue Pavement Reflector.....	15 Unit	\$110.00	(\$1,650.00)
Total Amount for Reduced Items for Change Order #4.....				(\$5,252.50)

Total for Change Order #4

<u>Item</u>	<u>Description</u>	<u>Total Cost</u>
1.	Total Extra Items for City Contract 24-11.....	\$17,082.01
2.	Total Reduction of Items of City Contract #24-11.....	(\$5,252.50)
Total Amount for Change Order #4 to City Contract #24-11.....		\$11,829.51

WHEREAS, the newly adjusted contract cost including Change Order #4 is \$4,409,413.88, an overall increase of 72,413.88 or 1.67% to Purchase Order #24-01110 for City Contract #24-11, 2023 Various Road Improvements; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it authorizes Change Order #4 to Purchase Order #24-01110 for City Contract #24-11, 2023 Various Road Improvements; and

BE IT FURTHER RESOLVED that the Director of Financial Management is authorized to process Change Order #4 in the additional amount of \$11,829.51 to Purchase Order #24-01110 for City Contract #24-11, 2023 Various Road Improvements to be charged to the following Capital Account #C-04-55-327-101 (PO #24-01110).

CERTIFICATION OF FUNDS

Frank Donato III, CFO
Director of Financial Management

Terry Crowley, Jr.
Council President

Files: RES CO #4 CC #24-11 Various Road Improvements.docx

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk



CITY OF OCEAN CITY, ENGINEERING DIVISION
2023 VARIOUS ROAD IMPROVEMENTS

CHANGE ORDER NO. 4
FILE NO. 24-11

PURCHASE ORDER #
24-01110
RESOLUTION #
24-60-319

CONTRACTOR:
ARAWAK PAVING COMPANY, INC.
7503 WEYMOUTH ROAD
HAMMONTON, NJ 08037

REASON FOR CHANGE:
See Attached Proposal

THE TIME PROVIDED FOR COMPLETION OF THIS PROJECT IS:
___ UNCHANGED, ___ INCREASED, ___ DECREASED, BY ___ CALENDAR DAYS.

UPON EXECUTION THIS DOCUMENT SHALL BECOME AN AMENDMENT TO THE CONTRACT.

TYPE OF CHANGE	ITEM #	DESCRIPTION	QTY	UNITS	UNIT PRICE	AMOUNT
SUPPLEMENTAL	0			#N/A	\$0.00	
					SUBTOTAL:	\$0.00
EXTRA	14	TURF REPAIR STRIP	332	S.Y.	\$15.00	\$4,980.00
	24	24" X 6' PAINTED CROSSWALK, WHITE, LONG-LIFE THERMOPLASTIC	1577	L.F.	\$4.85	\$7,648.45
	25	2-4" CENTERLINE, YELLOW, LONG LIFE EPOXY RESIN	7411	L.F.	\$0.56	\$4,150.16
	26	4" YELLOW, LONG-LIFE THERMOPLASTIC (NO PARKING LINES)	370	L.F.	\$0.82	\$303.40
					SUBTOTAL:	\$17,082.01
	22	4" WHITE, LONG-LIFE, EPOXY RESIN, L'S & T'S	2402	L.F.	\$1.10	\$2,642.20
	23	24" STOP BAR, WHITE, LONG-LIFE THERMOPLASTIC	198	L.F.	\$4.85	\$960.30
	27	TWO-WAY PLOWABLE BI'DIRECTIONAL BLUE PAVEMENT REFLECTOR	15	UNIT	\$110.00	\$1,650.00
					SUBTOTAL:	\$5,252.50

CHANGE ORDER SUMMARY

PREVIOUS CHANGE ORDERS			CURRENT CHANGE ORDER	
NO.	AMOUNT	REASON FOR CHANGE	TYPE OF CHANGE	TOTAL
1	\$39,200.12	See Attached Memo		
2	\$110,760.00	See Attached Memo		
3	(\$89,375.75)	See Attached Memo		
4	\$11,829.51	See Attached Proposal		
5				
6				
7				
8				
9				
10				
			+ SUPPLEMENTAL	\$0.00
			+ EXTRA	\$17,082.01
			- REDUCTIONS	\$5,252.50
			NET CONTRACT CHANGE THIS CHANGE ORDER	\$11,829.51

ORIGINAL CONTRACT AMOUNT \$4,337,000.00

AMENDED CONTRACT AMOUNT \$4,409,413.88

TOTAL CONTRACT CHANGE (AMOUNT) \$72,413.88

TOTAL CONTRACT CHANGE (PERCENT) 1.67%

ACCEPTED BY:

ARAWAK PAVING COMPANY, INC.

DATE

ARAWAK PAVING CO., INC.
7503 WEYMOUTH ROAD
HAMMONTON, NJ 08037
PHONE 609-561-4100
FAX 609-567-4750

February 25, 2026

Anthony Savastano
Project Manager
115 E 12th Street
Ocean City, NJ 08226
SENT VIA EMAIL

RE: 2023 Various Road Improvements
City Contract 21-11
Request for Change Order #4

Mr. Savastano,

Overruns were encountered during the striping and restoration phase that will require increases to the contract quantity. See below breakdown:

	<u>Unit Price</u>	<u>Contract Qty</u>	<u>As-Built</u>	<u>CO Qty/CO Amt</u>
14. Turf Repair Strip	\$15.00/SY	121 SY	453 SY	+332 SY/+\$4,980.00
24. 24" x 6' Cross Walk	\$4.85/LF	3551 LF	5128 LF	+1577 LF/+\$7,648.45
25. 2-4" Yellow CL	\$0.56/LF	11211 LF	18622 LF	+7411 LF/+\$4,150.16
26. 4" Yellow Thermo	\$0.82/LF	5697 LF	6067 LF	+370 LF/+\$303.40

Along with overruns, there were also several underruns that are summarized below:

22. 4" White L's & T's	\$1.10/LF	2402 LF	0 LF	-2402 LF/-\$2,642.20
23. 24" Stop Bar	\$4.85/LF	957 LF	759 LF	-198 LF/-\$960.30
27. 2-Way Blue RPM	\$110.00/UN	15 UN	0 UN	-15 UN/-\$1,650.00

Please review and prepare Change Order #4 upon concurrence.

Respectfully,

Michael P. Crescenzo

Michael P. Crescenzo
General Manager

EQUAL OPPORTUNITY EMPLOYER

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-91

**AUTHORIZING CHANGE ORDER #4 TO CITY CONTRACT #24-20,
CONSTRUCTION OF THE OCEAN CITY 8TH STREET POLICE SUBSTATION WITH
WEATHERBY CONSTRUCTION & RENOVATION, CORP.**

WHEREAS, specifications were authorized for advertisement by Resolution #24-60-302 on Thursday, February 22, 2024 for City Contract #24-20, Construction of the Ocean City 8th Street Police Substation; and

WHEREAS, the Notice to Bidders was advertised in the Ocean City Sentinel on Wednesday, September 11, 2024 and the Invitation to Bidders was distributed to seventeen (17) prospective bidders for City Contract #24-20, Construction of the Ocean City 8th Street Police Substation; and

WHEREAS, bid proposals were opened for City Contract #24-20, Construction of the Ocean City 8th Street Police Substation on Tuesday, October 17, 2024 and four (4) bid proposals were received; and

WHEREAS, Lamont "Butch" Czar, P.E. (Czar Engineering); William C. McLees, AIA, LEED AP, (McLees Architecture); Jeffrey S. Richter, P.E. (ACT Engineers); George J. Savastano, City Business Administrator; Vincent S. Bekier, Director of Operations & Engineering; William Campbell, Chief of Police; Christine D. Gundersen, Manager of Capital Planning; Michael Rossbach Jr., QPA, Assistant Purchasing Agent and Joseph S. Clark, Jr., QPA, City Purchasing Manager had reviewed the bid proposals and the specifications and recommended that the contract be awarded to Weatherby Construction & Renovation, Corp. as the lowest responsible bidder; and

WHEREAS, The City Council of the City of Ocean City New Jersey authorized the award of City Contract #24-20, Construction of the Ocean City 8th Street Police Substation to Weatherby Construction & Renovation, Corp. on Thursday, October 24, 2024 by Resolution #24-61-159 in the amount of \$6,134,000.00 with \$5,047,775.00 being charged to Capital Account #C-04-55-328-103 and \$1,086,225.00 being charged to Capital Account #C-04-55-331-201; and

WHEREAS, The City Council of the City of Ocean City New Jersey authorized Change Order #1 to City Contract #24-20, Construction of the Ocean City 8th Street Police Substation to Weatherby Construction & Renovation, Corp. on Thursday, May 22, 2025 by Resolution #25-62-397 in the additional amount of \$357,158.00 charged to Capital Account #C-04-55-331-201 for a revised contract total of \$6,491,158.00;

WHEREAS, The City Council of the City of Ocean City New Jersey authorized Change Order #2 to City Contract #24-20, Construction of the Ocean City 8th Street Police Substation to Weatherby Construction & Renovation, Corp. on Thursday, August 7, 2025 by Resolution #25-62-455 in the additional amount of \$398,504.00 charged to Capital Account #C-04-55-331-201 for a revised contract total of \$6,889,662.00;

WHEREAS, The City Council of the City of Ocean City New Jersey authorized Change Order #3 to City Contract #24-20, Construction of the Ocean City 8th Street Police Substation to Weatherby Construction & Renovation, Corp. on Thursday, January 8, 2026 by Resolution #26-10 in the additional amount of \$177,854.00 charged to Capital Account #C-04-55-331-201 for a revised contract total of \$7,067,516.00;

WHEREAS, the City of Ocean City has identified an increase in the number of items required to complete the project; and

WHEREAS, Lamont "Butch" Czar, P.E. (Czar Engineering); William C. McLees, AIA, LEED AP, (McLees Architecture); Jeffrey S. Richter, P.E. (ACT Engineers); George J. Savastano, City Business Administrator; Vincent S. Bekier, Director of Capital Programs, Project Management & Engineering; William Campbell, Chief of Police; Christine D. Gundersen, Manager of Capital Planning; Thomas R. Mahar, Purchasing Assistant and Michael Rossbach Jr., QPA, City Purchasing Manager have reviewed and certified Change Order #4 to City Contract #24-20, Construction of the Ocean City 8th Street Police Substation as follows:

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-91

**Weatherby Construction & Renovation, Corporation
147 North Iowa Avenue
Atlantic City, NJ 08401**

Supplemental Item (Change Order #4)

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
S-5	Atlantic City Electric Pole Replacement.....	1 L.S.	57,581.00	57,581.00
Total Additional Amount to City Contract #24-20 for Change Order #4.....				\$57,581.00

WHEREAS, the newly adjusted contract cost including Change Order #4 is \$7,125,097.00, a total increase of \$991,097.00 or 16.16% to Purchase Order #24-02987 for City Contract #24-20, Construction of the Ocean City 8th Street Police Substation; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it authorizes Change Order #4 to Purchase Order #24-02987 for City Contract #24-20, Construction of the Ocean City 8th Street Police Substation; and

BE IT FURTHER RESOLVED that the Director of Financial Management is authorized to process Change Order #4 in the additional amount of \$57,581.00 to Purchase Order #25-02987 for City Contract #24-20, Construction of the Ocean City 8th Street Police Substation to be charged to the following Capital Account #C-04-55-331-201.

CERTIFICATION OF FUNDS

Frank Donato III, CFO
Director of Financial Management

Terry Crowley, Jr.
Council President

Files: RES CC #24-20 CO #4 8th Street Substation.docx

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk



CITY OF OCEAN CITY, ENGINEERING DIVISION
Construction of the Ocean City 8th Street Police Substation

CHANGE ORDER NO. 4
FILE NO. 24-20

PURCHASE ORDER #
24-02987
RESOLUTION #
24-61-159

CONTRACTOR:
Weatherby Construction & Renovation Corp.
147 North Iowa Avenue
Atlantic City, NJ 08401

REASON FOR CHANGE:
See Attached

THE TIME PROVIDED FOR COMPLETION OF THIS PROJECT IS:
___ UNCHANGED, ___ INCREASED, ___ DECREASED, BY ___ CALENDAR DAYS.

UPON EXECUTION THIS DOCUMENT SHALL BECOME AN AMENDMENT TO THE CONTRACT.

TYPE OF CHANGE	ITEM #	DESCRIPTION	QTY	UNITS	UNIT PRICE	AMOUNT
SUPPLEMENTAL	S-6	ACE Pole Replacement	1	Lump Sum	\$57,581.00	\$57,581.00
				#N/A	\$6,286.00	
					SUBTOTAL:	\$57,581.00
EXTRA				#N/A		
					SUBTOTAL:	\$0.00
REDUCTION				#N/A		
					SUBTOTAL:	\$0.00

CHANGE ORDER SUMMARY

PREVIOUS CHANGE ORDERS			CURRENT CHANGE ORDER	
NO.	AMOUNT	REASON FOR CHANGE	TYPE OF CHANGE	TOTAL
1	\$357,158.00	See Attached Memo		
2	\$398,504.00	See Attached Memo		
3	\$177,854.00	See Attached Memo		
4	\$57,581.00	See Attached	+ SUPPLEMENTAL	\$57,581.00
5			+ EXTRA	\$0.00
6			- REDUCTIONS	\$0.00
7				
8			NET CONTRACT CHANGE	
9			THIS CHANGE ORDER	\$57,581.00
10				

ORIGINAL CONTRACT AMOUNT	\$6,134,000.00
AMENDED CONTRACT AMOUNT	\$7,125,097.00
TOTAL CONTRACT CHANGE (AMOUNT)	\$991,097.00
TOTAL CONTRACT CHANGE (PERCENT)	16.16%

ACCEPTED BY:

Weatherby Construction & Renovation Corp.

DATE



PROPOSAL CE#16A

147 N. Iowa Avenue
Atlantic City, N.J. 08406
609-487-8555

Date: November 10, 2025

To: Czar Engineering
5014 Fernwood Ave
Egg Harbor Township, NJ 08234

Attn: Brian Meyers

Project: Ocean City 8th St. Police Substation

Owner: City of Ocean City

Proposed Change Order: \$ 57,581.00

Description of Work: Final additional work as directed to accommodate ACE pole replacements discussed with ACE & the City.

If you have any questions, or need additional information, please do not hesitate to call.

There is currently no time extension associated with this work, since this work is beyond the scope of the original Contract, however Weatherby reserves the right to file for extension of time if necessary.

Thank you.

Sincerely,

James H. Simpkins

James H. Simpkins
Weatherby Construction

DATE: 11/10/25
Attn: Czar Engineering - Brian Meyers
Re: OC 8th Street Police Substation
Subj: ACE Pole Relocation - Phase 2

ITEMIZED COST BREAKDOWN

		Subtotal			Unit Cost			TOTAL
Item: Labor		Hours						
Carpenter Foreman		0	MH	@	\$ 133.62			\$ -
Carpenter	Form ACE Pedestal	0	MH	@	\$ 115.86			\$ -
Concrete Finisher	Pour ACE pad	0	MH	@	\$ 115.86			\$ -
Laborer Foreman	Demo, trenching	8	MH	@	\$ 98.77			\$ 790.16
Laborer	Demo, backfill	8	MH	@	\$ 89.45			\$ 715.60
Superintendent		2	MH	@	\$ 150.97			\$ 301.94
Project Manager		8	MH	@	\$ 200.00			\$ 1,600.00
TOTAL LABOR COST								\$ 3,407.70

ITEMS/Misc.		UIM		\$ PER U/M	UIM	EXTENSION
Gas/Truck		0	unit	@	\$ 75.00	unit \$ -
Small Tools		0	each	@	\$ 150.00	each \$ -
Equipment	Mini Excavator	0	week	@	\$ 1,200.00	unit \$ -
Concrete Saw		0	week	@	\$ 1,200.00	unit \$ -
Concrete		0	CY	@	\$ 300.00	unit \$ -
Miscellaneous Material		0	EA	@	\$ 100.00	unit \$ -
				@		\$ -
				@		\$ -
Subtotal						\$ -
Material Sales Tax						0.000%
TOTAL MATERIAL COST						\$ -
TOTAL LABOR COST						\$ 3,407.70
TOTAL MATERIAL COST						\$ -
TOTAL DIRECT COST						\$ 3,407.70
OVERHEAD ALLOWANCE						10.00%
TOTAL COST-MATERIALS AND LABOR						\$ 3,748.47
PROFIT ALLOWANCE						5%
TOTAL						\$ 187.42

SUBTOTAL LABOR AND MATERIAL	\$ 3,935.89
------------------------------------	--------------------

SUBCONTRACTORS							
Hughes Electric	Replace existing services	1	LS	@	\$ 36,340.00		\$ 36,340.00
Keys	Demo & Grading	1	LS	@	\$ 7,800.00		\$ 7,800.00
				@			\$ -
				@			\$ -
				@			\$ -
				@			\$ -
Subtotal							\$ 44,140.00
OVERHEAD ALLOWANCE						10.00%	\$ 4,414.00
PROFIT ALLOWANCE						5.00%	\$ 2,427.70
SUBTOTAL SUBCONTRACTORS							\$ 50,981.70

TOTAL LABOR AND MATERIALS	\$ 3,935.89
TOTAL SUBCONTRACTORS.	\$ 50,981.70

General Conditions/safety/consumables/misc.	4%	\$ 2,196.70
Bond Increase	0.00%	\$ -
GL Insurance	0.85%	\$ 466.80

SUBTOTAL	\$ 57,581.10
-----------------	---------------------

Sales Tax (no charge with ST-8)	0.000%	\$ -
---------------------------------	--------	------

TOTAL	\$ 57,581.10
--------------	---------------------



CHANGE PROPOSAL #04

ATTN: Jim Simpkins

DATE: 10/28/2025

PROJECT: OC Public Safety Substation

CHANGE PROPOSAL # 04

SUBJECT: Relocate Service

DRAWING REFERENCE:

SPECIFICATION REFERENCE:

DESCRIPTION OF CHANGE: Labor and material to relocate 400amp service on existing building due to the utility pole being replaced. Relocate 4" conduit for the new service; stub up 3" conduit for future use. Include new 400amp service disconnect, meter can and CT cabinet with all bonding and grounding. Pull new 500kcmil copper conductors and 3/0 copper for the boardwalk lighting meter where the 2" conduit was previously installed. Proposal includes selective demo of existing deck structure to facilitate installation of new service. This proposal does not include an elevated platform for the new electric service, if required by the electrical inspector or ACE.

CHANGE PROPOSAL AMOUNT \$36,340.00

Written change order required prior to execution of the work detailed above.

40 Old Turnpike, #1 • Pleasantville, NJ • License #17392

RESOLUTION

No. 25-92

**AUTHORIZING CHANGE ORDER #7 & THE FINAL ACCEPTANCE & FINAL
PAYMENT OF CITY CONTRACT #24-29 R-1, 2023 NJDOT WEST AVENUE 15TH –
18TH STREET & 2024 NJDOT WEST AVENUE 9TH – 11TH STREETS VARIOUS ROAD
IMPROVEMENTS WITH LEXA CONCRETE, LLC**

WHEREAS, the specifications were authorized for advertisement by Resolution #24-61-111 on Thursday, September 12, 2024 for City Contract City Contract #24-29, 2023 NJDOT West Avenue 15th – 18th Street & 2024 NJDOT West Avenue 9th – 11th Streets Various Road Improvements; and

WHEREAS, the Notice to Bidders was advertised in the Ocean City Sentinel on Wednesday, September 18, 2024 and the Invitation to Bidders was distributed to twenty (20) prospective bidder(s) for City Contract City Contract #24-29, 2023 NJDOT West Avenue 15th – 18th Street & 2024 NJDOT West Avenue 9th – 11th Streets Various Road Improvements; and

WHEREAS, the bid proposals were opened for City Contract City Contract #24-29, 2023 NJDOT West Avenue 15th – 18th Street & 2024 NJDOT West Avenue 9th – 11th Streets Various Road Improvements on Tuesday, October 1, 2024 and six (6) bid proposals; and

WHEREAS, the bid proposals were rejected per Resolution #24-161-167 as the project would not be eligible for Municipal Aid Grant Funding and thus the City would not have sufficient funds to complete the project; and

WHEREAS, the Notice to Bidders was advertised in the Ocean City Sentinel on Wednesday, October 30, 2024 and the Invitation to Bidders was distributed to twenty (20) prospective bidder(s) for City Contract City Contract #24-29 R-1, 2023 NJDOT West Avenue 15th – 18th Street & 2024 NJDOT West Avenue 9th – 11th Streets Various Road Improvements; and

WHEREAS, bid proposals were opened for City Contract #24-29 R-1, 2023 NJDOT West Avenue 15th – 18th Street & 2024 NJDOT West Avenue 9th – 11th Streets Various Road Improvements on Thursday, November 14, 2024 and six (6) bid proposals were received; and

WHEREAS, Arthur Chew, P.E., (Arthur Chew Consulting); George J. Savastano, Business Administrator; Vincent S. Bekier, Director of Operations & Engineering; Christine D. Gundersen, Manager of Capital Planning; Michael Rossbach, Jr., QPA, Assistant Purchasing Agent and Joseph S. Clark, Jr., QPA, City Procurement Manager have reviewed the bid proposal and the specifications and recommended that the contract be awarded to Lexa Concrete, LLC, 11 Commerce Way, Hammonton, New Jersey 08037 as the lowest responsible bidder; and

WHEREAS, the City Council of the City of Ocean City, New Jersey authorized the award of City Contract #24-29 R-1, 2023 NJDOT West Avenue 15th – 18th Street & 2024 NJDOT West Avenue 9th – 11th Streets Various Road Improvements on Thursday, November 11, 2024 by Resolution #24-61-192 in the amount of \$2,785,746.36 charged to Capital Account #C-04-55-327-101; and

WHEREAS, the City Council of the City of Ocean City authorized Change Order #1 to City Contract #24-29 R-1, 2023 NJDOT West Avenue 15th – 18th Street & 2024 NJDOT West Avenue 9th – 11th Streets Various Road Improvements, Lexa Concrete, LLC on Thursday, March 27, 2025 by Resolution #25-61-327 in the additional amount of \$26,400.00 charged to Capital Account #C-04-55-327-101 for a revised contract total of \$2,812,146.36 an overall increase of \$26,400.00 or 0.95% to Purchase Order #24-03575; and

WHEREAS, the City Council of the City of Ocean City authorized Change Order #2 to City Contract #24-29 R-1, 2023 NJDOT West Avenue 15th – 18th Street & 2024 NJDOT West Avenue 9th – 11th Streets Various Road Improvements, Lexa Concrete, LLC on Thursday, March 27, 2025 by Resolution #25-61-346 in the additional amount of \$7,716.00 charged to Capital Account #C-04-55-327-101 for a revised contract total of \$2,819,862.36 an overall increase of \$34,116.00 or 1.22% to Purchase Order #24-03575; and

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-92

APPOINTING A MUNICIPAL HOUSING LIAISON

WHEREAS, pursuant to P.L. 2024, c.2, the City of Ocean City is required to appoint a Municipal Housing Liaison for the oversight of administration of Ocean City’s affordable housing program to enforce the requirements of the law and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, section 2000 of Chapter 25, “Zoning and Land Development”, of the Revised General Ordinances of the City of Ocean City provides for the appointment of a Municipal Housing Liaison to administer Ocean City’s affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the City of Ocean City in the County of Cape May, and the State of New Jersey that Frank Donato, III is hereby appointed by the Governing Body of the City of Ocean City as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Chapter 25, Section 2000 of the Revised General Ordinances of the City of Ocean City.

Terry Crowley, Jr.,
Council President

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-93

ADOPTING AN AFFIRMATIVE MARKETING PLAN

WHEREAS, in accordance with the Fair Housing Act and the New Jersey Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.) the City of Ocean City is required to adopt by resolution an Affirmative Marketing Plan to ensure that all affordable housing units created within Ocean City, including those created pursuant to the city’s Housing Element and Fair Share Plan, are affirmatively marketed to very low-, low- and moderate-income households, particularly those living and working within the applicable Housing Region 6 (the “Housing Region”), the Housing Region encompassing the City of Ocean City.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Ocean City in the County of Cape May State of New Jersey, does hereby adopt the Attached Affirmative Marketing Plan.

Terry Crowley, Jr.,
Council President

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk



Affirmative Marketing Process FOR THE ADMINISTRATION OF MARKETING AFFORDABLE HOUSING UNITS



*In Accordance with
the Uniform Housing
Affordability Controls and Programs*

February 2026

Prepared by

TRIAD
IMPROVING HOUSING OPPORTUNITIES



AFFIRMATIVE FAIR HOUSING MARKETING PROCESS

For the City of Ocean City

For Affordable Housing in (REGION 6)

I. APPLICANT AND PROJECT INFORMATION

(Complete Section I individually for all developments or programs within the municipality.)

<p>1a. Administrative Agent Name, Address, Phone Number</p> <p>Triad Associates 1301 W. Forest Grove Road Vineland NJ 856-590-9590</p>	<p>1b. Development or Program Name, Address</p> <p>City of Ocean City 861 Asbury Avenue Ocean City, New Jersey 08226 www.ocnj.us (609) 399-6111</p> <p>Development: To be determined for each project</p>
--	--

✓ FOR RENT UNITS ✓ FOR SALE UNITS

<p>1c. Total Number of Units: TBD Number of Affordable Units: TBD Number of Affordable Rental Units: TBD Number of Sales Units: TBD</p>	<p>1d. Price or Rental Range</p> <p>From: To be determined To: To be determined</p>	<p>1e. State and Federal Funding Sources (if any)</p> <p>N/A</p>
<p>1f.</p> <p><input type="checkbox"/> Age Restricted</p> <p><input checked="" type="checkbox"/> Non-Age Restricted</p>	<p>1g. Approximate Starting Dates</p> <p>Advertising: To be determined for each project Occupancy: To be determined for each project Lottery Date: To be determined for each project</p>	
<p>1h. County</p> <p>Cape May, Atlantic, Cumberland, and Salem Counties</p>	<p>1i. Census Tract(s):</p>	
<p>1j. Managing/Sales Agent's Name, Address, Phone Number</p> <p>To be determined for each project</p>		
<p>1k. Application fee, credit background check fees may apply.</p>		

Sections II through IV should be consistent for all affordable housing developments and programs within the municipality. Sections that differ must be described in the approved contract between the municipality and the administrative agent and in the approved Operating Manual.

II. RANDOM SELECTION

INITIAL RANDOMIZATION

The Affirmative Marketing period begins when the applicant waitlist opens, and a property is posted on the NJHRC website. During this 120-day period, the property is advertised and interested applicants have the opportunity to submit Preliminary Applications. After a minimum of 60 days from the date that the affirmative marketing period begins, a lottery randomization takes place, which will establish the applicant waitlist. The lottery date will be included in all affirmative marketing materials.

All applicants are included in the lottery and randomized regardless of household size or desired number of bedrooms. The process is as follows:

The lottery will be conducted by the Administrative Agent with at least two professionals present. The applicant pool will include all applicants who have applied. The Administrative Agent will utilize a computer program to randomly assign a number, which will then become the applicant's lottery number.

When a unit becomes available, the Administrative Agent will identify the applicants that match the number of bedrooms and affordability (very low, low, or moderate-income). Those who work or live in Region 6 will be given preference and contacted for the unit first. Pursuant to the New Jersey Fair Housing Act (C.52:27D-311), a preference for very low-, low- and moderate-income veterans duly qualified under N.J.A.C. 54:4-8.10 may also be exercised. If a veteran's preference is in effect, the veterans will be offered the unit prior to the general applicant pool.

Preliminary Applications received after the lottery date will be added to the applicant pool in the order they were received.

If the applicant pool becomes close to being depleted, the Administrative Agent will conduct additional marketing until all units are filled.

III. MARKETING

3a. Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors): <input checked="" type="checkbox"/> White (non-Hispanic) <input checked="" type="checkbox"/> Black (non-Hispanic) <input checked="" type="checkbox"/> Hispanic <input checked="" type="checkbox"/> American Indian or Alaskan Native <input checked="" type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Other group:
3b. HOUSING RESOURCE CENTER (www.njhrc.gov) A free, online listing of affordable housing.
3c. COMMERCIAL MEDIA (required)

DIGITAL ADVERTISING

	OUTREACH	MEDIA SOURCE	FREQUENCY	CIRCULATION AREA
✓	Listed for the duration of the affirmative marketing process	Zillow/Social Media Sites	Continuous	Statewide
✓	Listed for the duration of the affirmative marketing process	Social media ads including facebook targeting the housing region. Ads will include an "apply today" button that links to the landing page for each listing	Continuous	Regional
✓	Listed for the duration of the affirmative marketing process	NJHRC.gov	Continuous	Statewide
✓	Listed for the duration of the affirmative marketing process	Triadhousingprograms.com	Continuous	Statewide

REGIONAL NEWSPAPERS

	OUTREACH	NEWSPAPER(S)	CIRCULATION AREA
TARGETS PARTIAL COAH REGION 6			
✓	Print and digital advertisements	Shore Local News Magazine	Regional
✓	Print and digital advertisements	Ocean City Sentinel	Regional
✓	Press release	Daily Journal	Regional
✓	Press release	Press of Atlantic City	Regional
✓	Press release	Bridgeton News	Cumberland
✓	Press release	Shore Local News Magazine	Atlantic
✓	Press release	Current of Ventnor, Margate, Longport	Atlantic
✓	Press release	Beachcomber News	Atlantic
✓	Press release	The Current of Galloway, Absecon, Hamilton, Brigantine, Port Republic & Egg Harbor City	Atlantic
✓	Press release	Current of Egg Harbor Township	Atlantic
✓	Press release	Current of Mays Landing and Hamilton Township	Atlantic
✓	Press release	Current of Northfield, Linwood and Somers Point	Atlantic
✓	Press release	Cape May Star & Wave	Cape May
✓	Press release	Hammonton Gazette	Atlantic
✓	Press release	Hammonton News	Atlantic
✓	Press release	Mainland Journal	Atlantic
✓	Press release	Record Journal	Atlantic
✓	Press release	Cape May County Herald	Cape May
✓	Press release	The Current of Cape May County	Cape May
✓	Press release	Ocean City Gazette	Cape May

3d. Community Contacts (names of community groups/organizations throughout the housing region who will receive direct notification of the availability of affordable housing units and who will be asked to post advertisements and distribute flyers and application forms regarding available affordable housing to their constituencies).

TARGETS NJ HOUSING REGIONS

DURATION & FREQUENCY OF OUTREACH		NAME OF PUBLICATION OR ORGANIZATION	OUTREACH AREA/CONTACT	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
✓	Flyers to be mailed at beginning of Marketing	El Hispano	Camden and Trenton areas	Spanish-Language
✓	Flyers to be mailed at beginning of Marketing	Servicios Latinos	servicioslatinos@hotmail.com	Burlington County
✓	Flyers to be mailed at beginning of Marketing	Nuestra Comunidad	sreece@echo-media.com	Spanish-Language
✓	Flyers to be mailed at beginning of Marketing	Sino Monthly	info@sino-monthly.com	Chinese-American
✓	Flyers to be mailed at beginning of Marketing	24 Horas	redaccion@24-horas.mx	Portuguese-Language
✓	Flyers to be mailed at beginning of Marketing	Arab Voice Newspaper	info@arabamerica.com	Arab-American
✓	Flyers to be mailed at beginning of Marketing	Catholic Advocate, The	submissions@rcan.org	Catholic
✓	Flyers to be mailed at beginning of Marketing	New Jersey Jewish News	Beth@JewishMediaGroup.com	Jewish
✓	Flyers to be mailed at beginning of Marketing	Desi NJ	ilayasq@newsindia-times.com	South Asian
✓	Flyers to be mailed at beginning of Marketing	Ukrainian Weekly	staff@ukrweekly.com	Ukrainian Community
✓	Flyers to be mailed at beginning of Marketing	Amerika Magyar Nepszava (American Hungarian Peoples' Voice)	usanepszava@gmail.com	Hungarian-Language
✓	Flyers to be mailed at beginning of Marketing	Supportive Housing Assoc.	kate.kelly@shanj.org	Statewide - General
✓	Flyers to be mailed at beginning of Marketing	Volunteers of America Delaware Valley	info@voadv.org	Statewide - General
✓	Flyers to be mailed at beginning of Marketing	Catholic Charities	Cynthia.LeBron@camdendiocese.org	Statewide - General
✓	Flyers to be mailed at beginning of Marketing	Center for Family Services	info@centerffs.org	Statewide - General
✓	Flyers to be mailed at beginning of Marketing	Fair Share Housing.org	orlandosalas@fairsharehousing.org	Statewide - General
✓	Flyers to be mailed at beginning of Marketing	Latino Action Network	Info@lanfoundation.org	Statewide - General
✓	Flyers to be mailed at beginning of Marketing	New Jersey NAACP Conference	info@naacpnjsc.org	Statewide - General
✓	Flyers to be mailed at beginning of Marketing	New Jersey SHARES	info@sharesnation.org	Statewide - General
✓	Flyers to be mailed at beginning of Marketing	Puerto Rican Action Committee	sholmes@pracnj.com	Statewide - General
✓	Flyers to be mailed at beginning of Marketing	Southern NJ Continuum of Care	ccarty@monarchhousing.org	Statewide - General
✓	Flyers to be mailed at beginning of Marketing	Supportive Housing Assoc.	kate.kelly@shanj.org	Statewide - General
✓	Flyers to be mailed at beginning of Marketing	Volunteers of America Delaware Valley	info@voadv.org	Statewide - General

3d. Community Contacts (names of community groups/organizations throughout the housing region who will receive direct notification of the availability of affordable housing units and who will be asked to post advertisements and distribute flyers and application forms regarding available affordable housing to their constituencies).

	OUTREACH	COMMUNITY CONTACT	MAILING ADDRESS
✓	Flyers to be mailed at beginning of marketing	Family Success Center of Cape May County	1046 NJ-47, Rio Grande, NJ 08242
✓	Flyers to be mailed at beginning of marketing	Cape May County Social Services	4005 Rt. 9 S, Rio Grande, NJ 08242
✓	Flyers to be mailed at beginning of marketing	Atlantic County Social Services	1333 Atlantic Avenue Atlantic City, NJ 08401-8297
✓	Flyers to be mailed at beginning of marketing	Cumberland County Social Services	275 North Delsea Dr. Vineland, NJ 08360-3607
✓	Flyers to be mailed at beginning of marketing	Salem County Social Services	147 South Virginia Avenue Penns Grove, NJ 08069-1797
✓	Flyers to be mailed at beginning of marketing	Catholic Charities	1304 Rt. 47 South, Unit C1 P.O. Box 232 Rio Grande, NJ 08242
✓	Flyers to be mailed at beginning of marketing	Latino Action Network	Freehold, NJ, United States, 07728
✓	Flyers to be mailed at beginning of marketing	NAACP Conference	4326 Harbor Beach Blvd. #775 Brigantine, NJ 08203
✓	Flyers to be mailed at beginning of marketing	Cape May County NAACP	PO Box 932 CMCH, NJ 08210
✓	Flyers to be mailed at beginning of marketing	Cumberland County NAACP	PO Box 744 Vineland 08360
✓	Flyers to be mailed at beginning of marketing	Atlantic County NAACP	PO Box 1977 Atlantic City 08404
✓	Flyers to be mailed at beginning of marketing	Salem County NAACP	396 Bailey Street Woodstown 08098
✓	Flyers to be mailed at beginning of marketing	Supportive Housing Association	185 Valley St, South Orange, NJ 07079
✓	Flyers to be mailed at beginning of marketing	Anti-Poverty Network of NJ	272 Dunns Mill Road, Acme Commons Center, #327, Bordentown, NJ 08505
✓	Flyers to be mailed at beginning of marketing	DCA Rental Assistance	20 Market St, Camden, NJ 08102
✓	Flyers to be mailed at beginning of marketing	Anti-Poverty Network of NJ	272 Dunns Mill Road, Acme Commons Center, #327, Bordentown, NJ 08505
✓	Flyers to be mailed at beginning of marketing	American Red Cross	850 N. Franklin Avenue Pleasantville, NJ 08232
✓	Flyers to be mailed at beginning of marketing	Bethel Commandment Church	1717 Bishop Richard Allen Avenue Atlantic City, New Jersey
✓	Flyers to be mailed at beginning of marketing	Coalition Against Rape & Abuse, Inc.	P.O. BOX 774 Cape May Court House, NJ 08210
✓	Flyers to be mailed at beginning of marketing	American Red Cross	3 Parke Place Blvd Sewell, NJ 08080
✓	Flyers to be mailed at beginning of marketing	Holy Spirit Lutheran Church	1220 BAYSHORE ROAD, VILLAS, NJ 08251

✓	Flyers to be mailed at beginning of marketing	Jewish Family Services of Atlantic and Cape May Counties	1129 South Route 9 Suite 7 Cape May Court House, NJ 08210
✓	Flyers to be mailed at beginning of marketing	Atlantic Homeless Alliance	1333 Atlantic Avenue, 1st Floor Atlantic City, NJ 08401
✓	Flyers to be mailed at beginning of marketing	United Way	4 E Jimmie Leeds Rd, Galloway, NJ 08205
✓	Flyers to be mailed at beginning of marketing	Atlantic City Rescue Mission	2009 Bacharach Blvd., PO Box 5358 Atlantic City, New Jersey 08404
✓	Flyers to be mailed at beginning of marketing	Community Food Bank of New Jersey	6735 Black Horse Pike Egg Harbor Twp, NJ 08234
✓	Flyers to be mailed at beginning of marketing	Division of Intergenerational Services	1333 Atlantic Avenue Atlantic City, NJ 08401
✓	Flyers to be mailed at beginning of marketing	Covenant House of New Jersey	929 Atlantic Avenue, Atlantic City, NJ 08401
✓	Flyers to be mailed at beginning of marketing	Grace Assembly of God- Food Pantry	201-205 Atlantic Ave Atlantic City, NJ
✓	Flyers to be mailed at beginning of marketing	Puerto Rican Action Committee	114 EAST MAIN ST PENNS GROVE NJ 08069
✓	Flyers to be mailed at beginning of marketing	Veterans Multi-Service Center	415 N. High Street Millville, NJ 08332
✓	Flyers to be mailed at beginning of marketing	NJ Citizen Action	75 Raritan Avenue, Suite 200 Highland Park, NJ 08904
✓	Flyers to be mailed at beginning of marketing	Salvation Army Food Pantry- Atlantic City	22 S. Texas Avenue Atlantic City, New Jersey 08401
✓	Flyers to be mailed at beginning of marketing	Atlantic/Cape May Family Support Organization, Inc.	950 Tilton Rd # 108 Northfield, NJ 08225
✓	Flyers to be mailed at beginning of marketing	AtlantiCare Behavioral Health	1925 Pacific Avenue Atlantic City, NJ 08401
✓	Flyers to be mailed at beginning of marketing	Collaborative Support Programs of NJ	340 Route 45, Suite 1 Salem, NJ 08079
✓	Flyers to be mailed at beginning of marketing	Department of Family and Community Development	1333 Atlantic Avenue Atlantic City, NJ 08401
✓	Flyers to be mailed at beginning of marketing	Atlantic City Housing Authority	227 N. Vermont Avenue Atlantic City, NJ 08401
✓	Flyers to be mailed at beginning of marketing	Catholic Charities- Atlantic County	9 North Georgia Ave. Atlantic City, NJ 08401
✓	Flyers to be mailed at beginning of marketing	Covenant House of NJ	929 Atlantic Avenue, Atlantic City, NJ 08401

IV. APPLICATIONS

Preliminary Application information for affordable units will be available at the following locations:		
4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person)		
	BUILDING	LOCATION
✓	Cape May County Main Library	30 Mechanic Street, Cape May Courthouse, NJ
✓	Cape May County Administration Building 4 Moore Road, Cape May Court House, NJ 08210	Cape May County Administration Building 4 Moore Road, Cape May Court House, NJ 08210
✓	Atlantic County Library System	40 Farragut Ave., Mays Landing, NJ 08330 phone: (609) 625-2776 fax: (609) 625-8143
✓	Atlantic County Administration Building 1333 Atlantic Avenue, Atlantic City, NJ 08401	Atlantic County Administration Building 1333 Atlantic Avenue, Atlantic City, NJ 08401
✓	Cumberland County Library	800 East Commerce Street, Bridgeton, NJ 08302
✓	Cumberland County Administration Building 164 W. Broad St., Bridgeton, NJ 08302	Cumberland County Administration Building 164 W. Broad St., Bridgeton, NJ 08302
✓	Salem County Library	12 W. Broadway, Salem, NJ 08079 (856).935.0526
✓	Salem County Administration Building 110 Fifth Street, Salem, NJ 08079	Salem County Administration Building 110 Fifth Street, Salem, NJ 08079

4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)
City of Ocean City Municipal Building 861 Asbury Avenue Ocean City, New Jersey 08226 www.ocnj.us (609) 399-6111
Ocean City Free Public Library 1735 Simpson Ave Ocean City, NJ 08226 www.oceancitylibrary.org (609) 399-2434
4c. Sales/Rental Office for units (if applicable) <i>To be determined for each project</i>

V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the Municipality's substantive certification.

Susan DiBiasio
Susan DiBiasio, Triad Associates
Administrative Agent/Affirmative Marketing

2/16/2026
Date

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

No. 26-94

**APPROVING AMENDMENT OF SPENDING PLAN WITHIN HOUSING
ELEMENT AND FAIR SHARE PLAN PREVIOUSLY APPROVED BY CITY COUNCIL**

WHEREAS, on June 26, 2025, City Council of the City of Ocean City adopted Resolution No. 25-62-432 endorsing the Housing Element and Fair Share Plan as adopted by the Ocean City Planning Board on June 25, 2025; and,

WHEREAS, the City's affordable housing planning consultant, Acuity Consulting Services, has prepared an amended Spending Plan to include the city's portion of the funding for the redevelopment of the family units at the Ocean City Housing Authority's Peck's Beach Village HEFSP and to include a new opportunity for the creation of additional affordable units at the Ocean City Housing Authority's Peck's Beach Village; and,

WHEREAS, a copy of the proposed amended Spending Plan is attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ocean City hereby approves the Amended Spending Plan; and

BE IT FURTHER RESOLVED that a copy of this resolution and the Amended Spending Plan shall be made available for public inspection at the Ocean City municipal clerk's office located at 861 Asbury Avenue, Ocean City, New Jersey 08226, during the hours of 9:00 a.m. – 4:30 p.m. on Monday through Friday.

Terry Crowley, Jr.
Council President

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026 with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF LAW

Memo

DATE: March 8, 2026
TO: City Council
FROM: Dorothy F. McCrosson, Esquire
RE: Resolution Approving Amendment Of Spending Plan Within Housing Element And Fair Share Plan Previously Approved By City Council

As part of the Fourth Round of Affordable Housing compliance, City Council adopted a Spending Plan on June 25, 2025. This plan governs the collection and expenditure of funds in the Affordable Housing Trust Fund.

The attached Amended Plan notes that the Affordable Housing Trust Fund will be used to fund the new housing at the Ocean City Housing Authority property at 4th Street. The city committed to this project (and others) in the Third Round.

The Amended Plan also notes that the city is in the early stages of planning for additional housing to be constructed where the old, existing family units are located on Housing Authority property between 4th and 5th Streets and allocates \$5 million toward the construction of 28 new homes there during the Fourth Round.

OCEAN CITY
FOURTH ROUND AFFORDABLE HOUSING TRUST FUND SPENDING PLAN

I. INTRODUCTION

Ocean City in Cape May County has prepared a Housing Plan Element and Fair Share Plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the Amended Fair Housing Act (N.J.S.A. 52:27D-301). A development fee ordinance creating a dedicated revenue source for affordable housing was approved on March 10, 1998 and adopted by the municipality on September 21, 1999. The ordinance establishes Ocean City's affordable housing trust fund for which this spending plan is prepared.

As of December 31, 2025, the municipality had a balance of \$14,222,201 in the Affordable Housing Trust Fund. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing Affordable Housing Trust Fund. These funds shall be spent in accordance with N.J.A.C. 5:93-8.16 as described in the sections that follow.

1. REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated through the Fourth Round prospective need period (7/1/2025 through 6/30/2035), the municipality has considered the following:

(a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL):

Currently, there are no payments in lieu of construction from any developer, although such payments may be collected in the future.

(c) Other funding sources:

None

(d) Projected interest:

Interest on the projected revenue in the municipal Affordable Housing Trust Fund is calculated at the current average bank interest rate 2.72% simple interest.

2. REVENUE PROJECTION

**TABLE 1
PROJECTED REVENUES HOUSING TRUST FUND**

Source of Funds	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Totals
a. Dev. Fees	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	1,200,000	\$12,000,000
b. Prmts in Lieu of Construction	-	-	-	-	-	-	-	-	-	-	-
c. Other	-	-	-	-	-	-	-	-	-	-	-
d. Interest	\$32,640	\$32,640	\$32,640	\$32,640	\$32,640	\$32,640	\$32,640	\$32,640	\$32,640	\$32,640	\$326,400
Total	\$1,232,640	\$1,232,640	\$1,232,640	\$1,232,640	\$1,232,640	\$1,232,640	\$1,232,640	\$1,232,640	\$1,232,640	\$1,232,640	\$12,326,400

3. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of Development Fee revenues shall be followed by the municipality:

(a) Collection of Development Fee revenues:

Collection of Development Fee revenues shall be consistent with the municipal Development Fee ordinance for both residential and non-residential developments in accordance with COAH's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

Pursuant to a development approval by the Board having jurisdiction, the municipal clerk will notify the construction official of the approval. At the time of construction permit application, the construction official will notify the tax assessor and request an initial calculation of the equalized assessed value (EAV) of the proposed development and the resulting fee to be posted. One-half of the fee will be due at the time of issuance of the first building permit. For non-residential development only, the developer will be provided a copy of Form N – RDF "State of New Jersey Non-Residential Development Certification/Exemption". This form will be used by the tax assessor to verify exemptions and to prepare estimated and final assessments.

At the time of request for the final inspection, the construction official will notify the tax assessor and request confirmation of, or modification of, the initial (EAV) as the case may be. The final (EAV) will be provided to the developer within ten (10) days of the request for final inspection. Payment of the fee will then become a condition of issuance of the certificate of occupancy.

(b) Distribution of Development Fee revenues:

A general description of the distribution of revenues is provided below:

The Municipal Housing Liaison forwards a requisition of affordability assistance and/or administrative costs (routine expenditures) and costs for municipally sponsored 100% affordable housing development (significant expenditures) to the Finance Department recommending the expenditure of development fee revenues as set forth in this spending plan. The Finance Department reviews the request for consistency with the spending plan.

Once a request is approved by the Finance Department, the request is presented to the governing body for approval. After receiving Municipal Council approval, the Municipal Administrator releases the requested revenue from the trust fund for the specific use.

4. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) **Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)**

- a. The municipality approved binding resolution 25-61-248 on January 23rd, 2025 that committed the municipality to a present need (rehabilitation) obligation of 160 units. Since approving the resolution, the City has conducted a structural conditions survey (colloquially referred to as a "windshield survey") to demonstrate that the Present Need figure determined by DCA should be revised down to reflect more accurate conditions in the City. The Windshield Survey was conducted in portions of Ocean City within which the Construction Official, based upon his knowledge of and experience with the housing stock in Ocean City, includes units which may fall into the category of "in need of rehabilitation". Specifically, his staff drove the area bounded by 1st Street to the north, 20th Street to the south, Asbury Avenue to the east and Bay Avenue to the west, inclusive. Other areas were excluded due to their nature as either being areas of extremely valuable housing units occupied by wealthier households and/or new construction and not in need of rehabilitation. This survey determined a total of 33 housing units that were structurally deficient and may be occupied by income qualified households. As such, the City submits that its Present Need obligation for the Fourth Round should be adjusted to 33 units from the 160 determined by DCA. The municipality shall spend an average \$25,000 per unit for rehab, for a total of \$825,000. The municipality maintains an active rehabilitation program administered by Triad Associates and will continue to offer this program to both owner-occupied and rental housing units.
- b. Ocean City, in collaboration with the Ocean City Housing Authority, committed to developing two 100% affordable family rental projects at Peck's Beach Village as part of its 3rd round obligation. At the North site (Bl. 310, L. 14 & Bl. 309 L. 1 & 2) the City proposes to construct 40 units, while at the South site (Bl. 409 L. 1 & Bl. 410 L. 12) there will be an additional 20 units. A total of 15 bonus units will be generated by the project, for a total of 75 credits. This project has received a funding commitment from the New Jersey Housing and Mortgage Finance Agency, however it has been determined that an additional \$7 million is needed from the City to complete the project. Approximately two million dollars will be spent in 2025, with the remaining five million dollars spent in 2026. This project remains in the City's 4th round plan.

c. Ocean City is also encumbering an additional \$5 million to go towards the construction of an additional 28 units at the southern end of the Peck's Beach Village site as part of its 4th round obligation. This project is in its infancy and total construction estimates have not yet been established, however the City is reserving trust fund monies to expend on realizing this development.

(b) **Affordability Assistance (N.J.A.C. 5:93-8.16(c))**

The municipality is required to spend development fee revenue to render units more affordable and at least one-third of that amount must be dedicated to very-low income households or to create very-low income units (i.e. households earning less than 30 percent of the regional median income). The regulations at N.J.A.C. 5:99 do not require a specific percentage of trust funds to be reserved for affordability assistance. As such, the City will commit 10% of its trust fund revenues for affordability assistance. The actual affordability assistance minimums are calculated on an ongoing basis based on actual revenues.

**TABLE 2
MINIMUM AFFORDABILITY ASSISTANCE**

Actual Development Fees & Interest through 12/31/2025		\$17,102,526
Development Fees Projected 1/1/2026 through 12/31/2035	+	\$12,000,000
Interest Projected 1/1/2026 through 12/31/2035	+	\$326,400
Less Affordability Assistance Expenditures through 12/31/2025	-	\$112,874
Total	=	\$29,328,052
10% Commitment	x .10	\$2,932,805
Very Low Income Requirement	/3	\$977,602

It is the intent of the municipality to dedicate its affordability assistance funds to programs best suited to assist its residents and will create an affordability assistance manual to implement appropriate affordability assistance programs. An Affordability Assistance Manual will be prepared and adopted in accordance with this spending plan.

Total Affordability Assistance Expenditure (10% Requirement): \$2,932,805

(c) Administrative Expenses (N.J.A.C. 5:93-8.16(e))

The municipality may use affordable housing trust fund revenue for related administrative costs up to a 20 percent limitation pending funding availability after programmatic and statutory administrative assistance expenditures. The actual administrative expense maximum is calculated on an ongoing basis based on actual revenues.

**TABLE 3
PROJECTED MAXIMUM ADMINISTRATIVE EXPENSE REQUIREMENTS**

Actual development fees with interest through 12/31/2025		\$18,646,200
Development Fees Projected 1/1/2026 through 6/30/2035	+	\$12,326,400
Payments In Lieu of construction and other deposits through 12/31/2024	+	N/A
Less RCA Expenditures through 12/31/2024	-	N/A
Total	=	\$30,972,600
Calculate 20%	x .20 =	\$6,194,520
Less Administrative Expenditures through 12/31/2025	-	\$1,192,362
Projected Maximum Available for Admin Expenses 7/1/2025 - 6/30/2035	=	\$5,002,158

The municipality projects that no more than \$5,002,158 will be from the Affordable Housing Trust Fund to be used for administrative purposes unless in the future additional development fees are collected.

5. EXPENDITURE SCHEDULE

Upon approval by the Program, the municipality acknowledges that the expenditures of funds contemplated herein shall constitute the "commitment" for expenditure required pursuant to N.J.S.A. 52:27D-329.2 and -329.3, with the four-year time period contemplated therein commencing in accordance with the provisions of In re Tp. of Monroe, 442 N.J. Super. 565 (Law Div. 2015) (aff'd 442 N.J. Super. 563).

Where applicable, the funding schedule below parallels the proposed strategies presented thus far by the municipality and is summarized as follows.

**TABLE 4
PROJECTED EXPENDITURE SCHEDULE 1/1/2026 - 6/30/2035**

Programs	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
Rehabilitation	\$82,500	\$82,500	\$82,500	\$82,500	\$82,500	\$82,500	\$82,500	\$82,500	\$82,500	\$82,500	\$825,000
Affordability Assistance	\$293,280	\$293,280	\$293,280	\$293,280	\$293,280	\$293,280	\$293,280	\$293,280	\$293,280	\$293,280	\$2,932,805
Administration	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$1,500,000
Peck's Beach I	\$2,300,000	\$3,600,000									\$5,900,000
Peck's Beach II							\$2,500,000	\$2,500,000			\$5,000,000
Total	\$2,825,780	\$4,125,780	\$525,780	\$525,780	\$525,780	\$525,780	\$3,025,780	\$3,025,780	\$525,780	\$525,780	\$16,157,805

6. EXCESS OR SHORTFALL OF FUNDS

The municipality acknowledges that the actual amount of the Development Fees collected may be less than what is projected in this spending plan for a variety of reasons, including, but not limited to: (a) a moratorium on collection of fees may be imposed by law; and (b) the actual amount of development in the municipality may be less than what is anticipated. Should there be a shortfall of funds; the municipality agrees that in no event shall it utilize more than 20% of the Development Fees collected for administration and the municipality agrees to adopt a resolution of intent to fund bonds if necessary to cover any shortfall.

The municipality intends to expend all current and future revenues toward the mechanisms as described in this Spending Plan. In the event of an excess of funds, these would be dedicated toward supplementing any programs or projects within the regulatory limits as described herein. The municipality reserves the right to use the remainder first toward emerging mechanisms and for additional assistance where needed. Should there be a surplus beyond emerging mechanisms, et. al., the municipality reserves the right to use the remainder toward Round 5, which will be

addressed by an adopted Round 5 Spending Plan in a timeframe that will satisfy the requirements of N.J.S.A. 52:27D-329.2 and -329.3. The municipality reserves the right to submit an updated spending plan as needed.

7. EXPEDITED APPROVAL OF EXPENDITURES FOR EMERGENT OPPORTUNITIES TO CREATE AFFORDABLE HOUSING

As per N.J.A.C. 5-99-4.1, (a) through (d), the City “may request approval from the Division to expend excess affordable housing trust funds on emergent affordable housing opportunities not included in the municipal fair share plan.” Emergent housing opportunities are defined in the above-referenced regulations as well as the procedures for obtaining consent and certification of the units. The Borough reserves the right to divert to such funds for emergent opportunities

II. SUMMARY

The municipality intends to spend Affordable Housing Trust Fund revenues pursuant to N.J.A.C. 5:93-8.16 and consistent with the housing programs outlined in the Housing Element and Fair Share Plan that evolves from the municipality’s ongoing compliance efforts. The municipality had a balance of \$14,222,200 as of December 31, 2025 and anticipates an additional \$12,326,400 in revenues for the Fourth Round prospective need period. The municipality will dedicate \$825,000 to rehabilitate housing units, \$2,932,805 to render units more affordable, and no more than \$5 million based on projected income to cover administrative costs. The municipality anticipates that the balance of revenues collected less expenses from January 1, 2026 to June 30, 2035 will be approximately \$11,323,000; however, any excess funds would be dedicated toward supplementing any programs or projects within the limits as described herein, toward emerging mechanisms pursuant to N.J.A.C. 5:97-8.11, or reserve toward Round 5 compliance in accordance with the Fair Housing Act.

**TABLE 5
SPENDING PLAN SUMMARY**

Balance as of December 31, 2025	\$14,222,200
Projected Revenue - 1/1/2026 through 6/30/2035	
Development Fees	\$12,000,000
Other Funds	\$0
Interest	\$326,400
Total Revenue	\$12,326,400
Projected Expenditures - 1/1/2025 through 6/30/2035	
Rehabilitation Program	\$825,000
Affordability Assistance	\$2,932,805
Peck's Beach I	\$5,900,000
Peck's Beach II	\$5,000,000
Administration	\$1,500,000
Total Expenditures	\$16,157,805
Remaining Balance	\$10,390,795

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-95

**TO ADOPT CAPITAL PLAN 2026 TO 2030
AND GENERAL DEBT SERVICE GUIDELINES**

WHEREAS, Capital Planning is an integral part of city management; and

WHEREAS, the values and priorities of the people of Ocean City are reflected through the actions of its elected officials; and

WHEREAS, the City Administration and the City Council have formulated a collective vision of the future of the city which, when applied to the Capital Plan results in the following broad categories: Beach and Bay Restoration, Paving and Drainage Improvements, Boardwalk Rehabilitation, Public Building & Properties, Recreation & Public Facilities, Acquisition of Equipment (Large Equipment, Departmental Equipment, City-Wide Communication Equipment), and Parking and Intermodal Transportation Improvements; and

WHEREAS, certain financial facts are relevant to the debt position of the City of Ocean City:

Outstanding Debt per 12/31/2025 Debt Statement	\$235,672,521.92
Percentage of Net Debt of Equalized Valuation as of 12/31/2025	1.02%

Existing Debt Authorizations not yet issued:

<u>Ordinance #</u>	<u>Amount</u>
22-11	\$ 97,750.00
23-16	\$ 3,070,550.00
23-23	\$ 55,000.00
24-08	\$ 16,076,950.00
25-06	\$ 2,956,370.00
25-13	\$ 3,809,500.00
	<hr/> \$ 26,066,120.00

WHEREAS, a capital plan for year 2026 with summary information for years 2027 to 2030 has been formulated by the Mayor, City Council and staff; and

WHEREAS, the level of funding associated with the plan by which a debt management policy is established is outlined as follows:

Total Proposed Capital Plan 2026 to 2030	\$ 73,582,000.00
Total Proposed Debt Associated with the Capital Plan	\$ 69,902,900.00

; and

WHEREAS, the level of funding associated with the Capital Plan, on an annual basis, is outlined in Exhibit A; and

WHEREAS, it is recognized that certain components of the capital plan will be eligible for grants and other funding sources and it is in the best interest of the City of Ocean City to monitor and pursue these opportunities as potential offsets to debt service; and

WHEREAS, the debt service schedule which currently exists includes the effects of this Capital Plan over the life of the plan is outlined in Exhibit B; and

WHEREAS, the Capital Plan does not appropriate any funds but rather provides a framework for financing various projects within a context of financial capability and sustainability; and

WHEREAS, the Capital Plan will be reviewed each year and modified as appropriate recognizing the most up-to-date data available; and

WHEREAS, certain standards should be reviewed regularly to enable City Council and the Administration to understand trends and forecast the financial health of the City and chart its financial course; and

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-95

WHEREAS, among these standards are:

- That the debt service appropriation, which includes Bond Principal and Interest, Bond Anticipation Note Principal and Interest, and Green Acres Debt should be maintained in the 15-25% range of the total Budgetary Appropriations.
- All efforts should be made to smooth the debt service appropriation each year in order to maintain level impacts to the tax levy each fiscal year.
- That the approach of issuing permanent debt consistent with the capital and debt management plan considers both the market conditions and maintaining maturity schedules of between 8 to 15 years be utilized.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City that it adopts the Capital and Debt Management Plan for 2026 to 2030; and

BE IT FURTHER RESOLVED that the City Administration and Council endorse the standards set forth above as part of this capital and debt management plan.

Terry Crowley Jr.,
Council President

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026 with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk

2026-2030						
CAPITAL BUDGET PLAN						
CATEGORY	2026	2027	2028	2029	2030	Category Totals
PAVING AND DRAINAGE						
Paving & Drainage Improvements	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 5,000,000
Flood Mitigation Projects (North and South)	\$ 4,000,000	\$ 5,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 12,000,000
PAVING & DRAINAGE TOTAL	\$ 5,000,000	\$ 6,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 17,000,000
BEACH AND BAY						
Dredging	\$ -	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 4,000,000
Beach Paths & Mats	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 400,000
Dune Fence	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 250,000
Beach Fill	\$ 3,900,000	\$ -	\$ -	\$ 3,000,000	\$ -	\$ 6,900,000
BEACH & BAY TOTAL	\$ 3,980,000	\$ 1,130,000	\$ 1,130,000	\$ 4,130,000	\$ 1,130,000	\$ 10,650,000
BOARDWALK						
14-16th Street & Isolated Replacements	\$ 1,200,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 1,520,000
BOARDWALK TOTAL	\$ 1,200,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 1,520,000

PUBLIC BUILDINGS & PROPERTIES	2026		2027		2028		2029		2030		Category Totals	
AIRPORT FACILITIES & GOLF PRO SHOP											Total	
Airport Facilities & Golf Proshop	\$	3,000,000	\$	-	\$	-	\$	-	\$	-	\$	3,000,000
FAA Hangar Construction - Phase 2	\$	250,000	\$	-	\$	-	\$	-	\$	-	\$	250,000
<i>Airport Subtotal</i>	\$	<i>3,250,000</i>	\$	<i>-</i>	\$	<i>-</i>	\$	<i>-</i>	\$	<i>-</i>	\$	<i>3,250,000</i>
BEACH PATROL HDQTRS											Total	
Beach Patrol HQTRs Reno-Updates	\$	-	\$	30,000	\$	-	\$	-	\$	50,000	\$	80,000
Ventilation to Work shop	\$	50,000	\$	-	\$	-	\$	-	\$	-	\$	50,000
46th Street Joint Bathroom	\$	-	\$	-	\$	50,000	\$	-	\$	-	\$	50,000
Beach Patrol Sheds	\$	30,000	\$	-	\$	30,000	\$	-	\$	35,000	\$	95,000
<i>Beach Patrol Subtotal</i>	\$	<i>80,000</i>	\$	<i>30,000</i>	\$	<i>80,000</i>	\$	<i>-</i>	\$	<i>85,000</i>	\$	<i>275,000</i>
CIVIC CENTER											Total	
Civic Center Floor	\$	-	\$	325,000	\$	-	\$	-	\$	-	\$	325,000
Civic Center Signage	\$	-	\$	30,000	\$	-	\$	-	\$	-	\$	30,000
<i>Civic Center Subtotal</i>	\$	<i>-</i>	\$	<i>355,000</i>	\$	<i>-</i>	\$	<i>-</i>	\$	<i>-</i>	\$	<i>355,000</i>
COMMUNITY CENTER											Total	
Community Center HVAC System	\$	680,000	\$	-	\$	-	\$	-	\$	-	\$	680,000
Community Center electric lighting	\$	-	\$	200,000	\$	-	\$	-	\$	-	\$	200,000
<i>Community Center Subtotal</i>	\$	<i>680,000</i>	\$	<i>200,000</i>	\$	<i>-</i>	\$	<i>-</i>	\$	<i>-</i>	\$	<i>880,000</i>
FIRE DEPARTMENT											Total	
Station #3 Addition Design/Construction	\$	-	\$	200,000	\$	4,000,000	\$	-	\$	-	\$	4,200,000
HDQTRS Dorm/Living Design/Renovation	\$	200,000	\$	2,000,000	\$	-	\$	-	\$	-	\$	2,200,000
<i>Fire Subtotal</i>	\$	<i>200,000</i>	\$	<i>2,200,000</i>	\$	<i>4,000,000</i>	\$	<i>-</i>	\$	<i>-</i>	\$	<i>6,400,000</i>
MUSIC PIER											Total	
M.P. Building Envelope Repairs	\$	150,000	\$	2,000,000	\$	-	\$	-	\$	-	\$	2,150,000
M.P. Stage Lighting Phase 2	\$	-	\$	275,000	\$	-	\$	-	\$	-	\$	275,000
M.P. Exterior Door Replacement	\$	100,000	\$	-	\$	-	\$	-	\$	-	\$	100,000
<i>Music Pier Subtotal</i>	\$	<i>250,000</i>	\$	<i>2,275,000</i>	\$	<i>-</i>	\$	<i>-</i>	\$	<i>-</i>	\$	<i>2,525,000</i>

OTHER/CITY WIDE	2026	2027	2028	2029	2030	Total
Temporary Office Space for Social Services	\$ 100,000					\$ 100,000
Fire HQ & Vehicle Maint Roof for Solar	\$ 600,000					\$ 600,000
CITY WIDE:LED	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 125,000
General	\$ 225,000	\$ 225,000	\$ 225,000	\$ 225,000	\$ 225,000	\$ 1,125,000
<i>Other Subtotal</i>	\$ 950,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 1,950,000
4th St. LIFE SAVING STATION						
Various upgrades & maint to main & out building	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000
<i>Life Saving Station Subtotal</i>	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000
PUBLIC WORKS						
Rehab Vehicle Maint building	\$ -	\$ 100,000	\$ 1,000,000	\$ -	\$ -	\$ 1,100,000
Vehicle Storage at Shelter Road	\$ -	\$ -	\$ 1,500,000	\$ -	\$ -	\$ 1,500,000
<i>Public Works Subtotal</i>	\$ -	\$ 100,000	\$ 2,500,000	\$ -	\$ -	\$ 2,600,000
WELCOME CENTER						
Causeway Welcome Center - HVAC	\$ 85,000	\$ -	\$ -	\$ -	\$ -	\$ 85,000
<i>Welcome Center Subtotal</i>	\$ 85,000	\$ -	\$ -	\$ -	\$ -	\$ 85,000
BUILDING TOTAL	\$ 5,595,000	\$ 5,410,000	\$ 6,830,000	\$ 250,000	\$ 335,000	\$ 18,420,000

PUBLIC FACILITIES & RECREATION	2026		2027		2028		2029		2030		Category Totals	
CAREY FIELD											Total	
Carey Field Audio upgrade	\$	25,000	\$	-	\$	-	\$	-	\$	-	\$	25,000
Carey Stadium Pressbox Staircase	\$	-	\$	25,000	\$	-	\$	-	\$	-	\$	25,000
<i>Carey Field Subtotal</i>	\$	25,000	\$	25,000	\$	-	\$	-	\$	-	\$	50,000
COMMUNITY SERVICES											Total	
Natatorium Circulator Fans	\$	13,000	\$	-	\$	-	\$	-	\$	-	\$	13,000
Bayside Center Shed	\$	15,000	\$	-	\$	-	\$	-	\$	-	\$	15,000
35th St. Little League Field Batting Cages	\$	150,000	\$	-	\$	-	\$	-	\$	-	\$	150,000
<i>Community Services Subtotal</i>	\$	178,000	\$	-	\$	-	\$	-	\$	-	\$	178,000
DOWNTOWN											Total	
Downtown Streetscaping/ Lighting Project	\$	500,000	\$	500,000	\$	500,000	\$	500,000	\$	500,000	\$	2,500,000
<i>Downtown Subtotal:</i>	\$	500,000	\$	500,000	\$	500,000	\$	500,000	\$	500,000	\$	2,500,000
GOLF COURSE											Total	
Rehab/replace Netting System	\$	200,000	\$	-	\$	-	\$	-	\$	-	\$	200,000
<i>Golf Course Subtotal</i>	\$	200,000	\$	-	\$	-	\$	-	\$	-	\$	200,000
16th & HAVEN											Total	
15th & Haven Turf Field	\$	-	\$	1,500,000	\$	-	\$	-	\$	-	\$	1,500,000
<i>Downtown Subtotal:</i>	\$	-	\$	1,500,000	\$	-	\$	-	\$	-	\$	1,500,000
TENNIS & PICKLEBALL COURTS											Total	
18th Street Pickleball & Parking Expansion	\$	2,500,000	\$	-	\$	-	\$	-	\$	-	\$	2,500,000
<i>Tennis-Pickleball Subtotal</i>	\$	2,500,000	\$	-	\$	-	\$	-	\$	-	\$	2,500,000
OTHER											Total	
Bleachers	\$	10,000	\$	10,000	\$	10,000	\$	10,000	\$	10,000	\$	50,000
Fencing	\$	100,000	\$	100,000	\$	100,000	\$	100,000	\$	100,000	\$	500,000
Irrigation	\$	25,000	\$	25,000	\$	25,000	\$	25,000	\$	25,000	\$	125,000
Citywide Landscaping	\$	100,000	\$	100,000	\$	100,000	\$	100,000	\$	100,000	\$	500,000
General Property Improvements	\$	200,000	\$	200,000	\$	200,000	\$	200,000	\$	200,000	\$	1,000,000
<i>Other Subtotal</i>	\$	435,000	\$	435,000	\$	435,000	\$	435,000	\$	435,000	\$	2,175,000
PUBLIC AND RECREATION TOTAL	\$	3,838,000	\$	2,460,000	\$	935,000	\$	935,000	\$	935,000	\$	9,103,000

LARGE EQUIPMENT AND TRUCKS	2026	2027	2028	2029	2030	Category Totals
AIRPORT - TRANSPORTATION						
Ford Transit or similar style vehicle	\$ -	\$ -	\$ 60,000	\$ -	\$ -	\$ 60,000
Ford Fusion, Parking Lot Ops	\$ -	\$ 40,000	\$ -	\$ -	\$ -	\$ 40,000
15 Passenger van, Beach Fee Ops	\$ 140,000	\$ 77,000	\$ 77,000	\$ 80,000	\$ 80,000	\$ 454,000
Mini Van, Beach Fee ops	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ 60,000
Airport/Parking Maintenance truck	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ 50,000
Airport Refueling Truck	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ 200,000
Ford Transit w/lift gate, coin collection	\$ -	\$ -	\$ 70,000	\$ -	\$ -	\$ 70,000
<i>Airport-Transportation Subtotal</i>	\$ 250,000	\$ 117,000	\$ 407,000	\$ 80,000	\$ 80,000	\$ 934,000
BEACH PATROL						
UTV - (Utility Terrain Vehicle)	\$ 20,000	\$ 40,000	\$ 20,000	\$ 40,000	\$ 20,000	\$ 140,000
Forklift	\$ -	\$ -	\$ 40,000	\$ -	\$ -	\$ 40,000
ATV	\$ 14,000	\$ 30,000	\$ -	\$ 30,000	\$ 30,000	\$ 104,000
Refurbish Boat	\$ 10,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ 58,000
Rescue Trucks	\$ 65,000	\$ -	\$ 65,000	\$ -	\$ -	\$ 130,000
<i>Beach Patrol Subtotal</i>	\$ 109,000	\$ 82,000	\$ 137,000	\$ 82,000	\$ 62,000	\$ 472,000
COMMUNITY SERVICES						
Community Services Genie Lift	\$ 16,000	\$ -	\$ -	\$ -	\$ -	\$ 16,000
<i>Community Services Subtotal</i>	\$ 16,000	\$ -	\$ -	\$ -	\$ -	\$ 16,000
FIRE DEPT.						
Fire Dept. - Replacement SUV	\$ -	\$ 80,000	\$ -	\$ 85,000	\$ 85,000	\$ 250,000
Ladder Truck	\$ -	\$ -	\$ -	\$ -	\$ 2,300,000	\$ 2,300,000
Ambulance(I)	\$ -	\$ -	\$ -	\$ 500,000	\$ 500,000	\$ 1,000,000
Storm Trucks Apparatus	\$ 425,000	\$ -	\$ -	\$ -	\$ -	\$ 425,000
Fire Dept. Replace 2 Pumper Engines	\$ 2,250,000	\$ -	\$ -	\$ -	\$ -	\$ 2,250,000
Fire Dept Side by Side	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ 30,000
<i>Fire Subtotal</i>	\$ 2,705,000	\$ 80,000	\$ -	\$ 585,000	\$ 2,885,000	\$ 6,255,000
POLICE						
Police SUV - Vehicle Replacement	\$ -	\$ 80,000	\$ -	\$ 80,000	\$ 80,000	\$ 240,000
Police Boat	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ 300,000
Police ATV	\$ -	\$ 20,000	\$ -	\$ -	\$ -	\$ 20,000
<i>Police Subtotal</i>	\$ 300,000	\$ 100,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 560,000

PUBLIC WORKS	2026	2027	2028	2029	2030	Total
Heavy Duty Dump Truck with Accessories	\$ -	\$ -	\$ 300,000	\$ -	\$ -	\$ 300,000
Medium Dump Truck (2)	\$ 370,000	\$ -	\$ -	\$ -	\$ -	\$ 370,000
Beach Tractor	\$ -	\$ 130,000	\$ -	\$ -	\$ -	\$ 130,000
Beach Tractor/surf rake	\$ -	\$ -	\$ 80,000	\$ -	\$ -	\$ 80,000
(2) Mini Pick up	\$ -	\$ 90,000	\$ -	\$ -	\$ -	\$ 90,000
Mini Transit Van	\$ -	\$ -	\$ 60,000	\$ -	\$ -	\$ 60,000
F150 Pickup 4x4	\$ 70,000	\$ -	\$ -	\$ -	\$ -	\$ 70,000
F250-Utility Pickup w/plow & spreader	\$ 100,000	\$ 100,000	\$ 100,000	\$ 110,000	\$ 110,000	\$ 520,000
F-250 4x4 Utility PU	\$ 90,000	\$ -	\$ 95,000	\$ -	\$ 95,000	\$ 280,000
9 Yard trash truck	\$ 180,000	\$ -	\$ 180,000	\$ -	\$ 185,000	\$ 545,000
F-250 4x4 Stake body	\$ -	\$ -	\$ 90,000	\$ -	\$ 90,000	\$ 180,000
F250 Crew Cab Stake Body	\$ -	\$ 90,000	\$ -	\$ -	\$ 95,000	\$ 185,000
Load N Pack (1 units)	\$ -	\$ 300,000	\$ -	\$ -	\$ -	\$ 300,000
Wheel Loader	\$ -	\$ 240,000	\$ -	\$ -	\$ -	\$ 240,000
Street Sweeper	\$ -	\$ 250,000	\$ -	\$ -	\$ -	\$ 250,000
SUV	\$ -	\$ 60,000	\$ -	\$ -	\$ -	\$ 60,000
Compact Cars (2)	\$ -	\$ 90,000	\$ -	\$ 95,000	\$ -	\$ 185,000
Vehicle Rehab	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 250,000
<i>Public Works Subtotal</i>	\$ 860,000	\$ 1,400,000	\$ 955,000	\$ 255,000	\$ 625,000	\$ 4,095,000
VEHICLE TOTAL	\$ 4,240,000	\$ 1,779,000	\$ 1,499,000	\$ 1,082,000	\$ 3,732,000	\$ 12,332,000

DEPARTMENT EQUIPMENT		2026	2027	2028	2029	2030	Category Totals
AIRPORT & TRANSPORTATION		2026	2027	2028	2029	2030	Total
Riding Mower	\$	20,000	\$	\$	\$	\$	\$
Self-Service Fuel Farm Airport	\$	200,000	\$	\$	\$	\$	\$
Boat Ramp Trailer Upgrades	\$	25,000	\$	\$	\$	\$	\$
Parking Lot Blocks	\$	25,000	\$	\$	\$	\$	\$
<i>Airport & Transportation Subtotal</i>	\$	<i>270,000</i>	\$	\$	\$	\$	<i>270,000</i>
BEACH PATROL		2026	2027	2028	2029	2030	Total
Personal Water Craft (PWC)	\$	40,000	\$	20,000	\$	20,000	\$
Beach Patrol Radios	\$	10,000	\$	12,000	\$	12,000	\$
Misc. Medical Equipment/Supplies	\$	5,000	\$	5,000	\$	5,000	\$
Beach Patrol - Misc. Equipment	\$	55,000	\$	70,000	\$	70,000	\$
<i>Beach Patrol Subtotal</i>	\$	<i>110,000</i>	\$	<i>107,000</i>	\$	<i>107,000</i>	\$
COMMUNITY SERVICES		2026	2027	2028	2029	2030	Total
Community Services General	\$	20,000	\$	20,000	\$	20,000	\$
Tanza Barriers & Delineators for Special Events	\$	5,000	\$	5,000	\$	-	\$
Music Pier AV Equipment	\$	10,000	\$	10,000	\$	10,000	\$
Aquatic & Fitness Ctr & Recr- New Equip	\$	15,000	\$	15,000	\$	15,000	\$
<i>Community Services Subtotal</i>	\$	<i>50,000</i>	\$	<i>50,000</i>	\$	<i>45,000</i>	\$
FIRE DEPARTMENT		2026	2027	2028	2029	2030	Total
F.D. - New Equip - Gen. Misc. (hose/safety equip)	\$	85,000	\$	85,000	\$	85,000	\$
F. D. - Replacement Gear/Turnout Gear	\$	60,000	\$	60,000	\$	60,000	\$
New Hire Gear & radios	\$	30,000	\$	30,000	\$	30,000	\$
F.D. EMS - New Equipment	\$	30,000	\$	30,000	\$	30,000	\$
<i>Fire Subtotal</i>	\$	<i>205,000</i>	\$	<i>205,000</i>	\$	<i>205,000</i>	\$
OTHER		2026	2027	2028	2029	2030	Total
General / Depart. Equip.	\$	50,000	\$	50,000	\$	50,000	\$
<i>Other Subtotal</i>	\$	<i>50,000</i>	\$	<i>50,000</i>	\$	<i>50,000</i>	\$

POLICE DEPARTMENT	2026	2027	2028	2029	2030	Total
Police Bikes	\$ 3,600	\$ 3,600	\$ 3,600	\$ 3,600	\$ 3,600	\$ 18,000
Police Car Cameras	\$ 11,000	\$ 11,000	\$ 11,000	\$ 11,000	\$ 11,000	\$ 55,000
Police Vehicle Technology	\$ 35,000	\$ -	\$ 35,000	\$ -	\$ -	\$ 70,000
Next Gen 911	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ 75,000
Message Board Replacement	\$ 20,000	\$ -	\$ 20,000	\$ -	\$ -	\$ 40,000
Police Drone	\$ 18,000	\$ -	\$ 18,000	\$ -	\$ -	\$ 36,000
Police Dept. - New Equipment	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 250,000
Police Dept. - Vehicle Cameras	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ 75,000
<i>Police Subtotal</i>	\$ 162,600	\$ 139,600	\$ 162,600	\$ 64,600	\$ 89,600	\$ 619,000
EQUIPMENT TOTAL	\$ 847,600	\$ 561,600	\$ 574,600	\$ 471,600	\$ 496,600	\$ 2,952,000
COMMUNICATIONS	2026	2027	2028	2029	2030	Category Totals
Communications Upgrade	2026	2027	2028	2029	2030	Total
VoIP	\$ -	\$ 1,500	\$ -	\$ -	\$ -	\$ 1,500
FirstNet Hardware	\$ -	\$ 4,500	\$ -	\$ -	\$ -	\$ 4,500
P25 Radios (non PS)	\$ 5,000	\$ 20,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 40,000
Police MDC/WWAN	\$ 9,000	\$ 9,000	\$ 9,000	\$ 9,000	\$ 9,000	\$ 45,000
Online Apps/ eCommerce	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 20,000
<i>City wide Subtotal</i>	\$ 18,000	\$ 39,000	\$ 18,000	\$ 18,000	\$ 18,000	\$ 111,000
IT Hardware - Citywide	2026	2027	2028	2029	2030	Total
Workstations (20)	\$ 27,000	\$ -	\$ 27,000	\$ -	\$ -	\$ 54,000
Server/NAS	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500	\$ 47,500
Network Equipment	\$ 3,500	\$ 3,500	\$ 3,500	\$ 3,500	\$ 3,500	\$ 17,500
Cyber Security	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500	\$ 22,500
Software	\$ 9,000	\$ 9,000	\$ 9,000	\$ 9,000	\$ 9,000	\$ 45,000
Miscellaneous	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 7,500
<i>General Subtotal</i>	\$ 55,000	\$ 28,000	\$ 55,000	\$ 28,000	\$ 28,000	\$ 194,000
COMMUNICATIONS TOTAL	\$ 73,000	\$ 67,000	\$ 73,000	\$ 46,000	\$ 46,000	\$ 305,000
INTERMODAL	2026	2027	2028	2029	2030	Category Totals
CITY WIDE	2026	2027	2028	2029	2030	Total
Signage - Citywide	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 500,000
Airport Terminal - EV Stations Install	\$ -	\$ 300,000	\$ -	\$ -	\$ -	\$ 300,000
Community Center (16th St.) EV Stations Install	\$ -	\$ 500,000	\$ -	\$ -	\$ -	\$ 500,000
<i>INTERMODAL TOTAL</i>	\$ 100,000	\$ 900,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 1,300,000
Yearly Totals =	\$ 24,023,600	\$ 18,387,600	\$ 13,221,600	\$ 9,094,600	\$ 8,854,600	\$ 73,582,000

**CITY OF OCEAN CITY
GRAPH DATA - Existing**

20,693,647.00	2024 Budget	0.165
12,557,654,700	Debt Service	Rate

	Principal	Interest	Green Acres	BANS P & I	45M 2026 Issue	65M 2028 Issue	Totals	Change	Net Valuation	Debt Service Tax Rate	Rate Change
2025	16,705,000	4,978,038	38,709	1,844,761			23,566,507.54	2,872,860.54	13,125,082,600	0.180	0.015
2026	18,125,000	5,112,153	38,709	2,151,354			25,427,216.37	1,860,708.83	13,289,146,133	0.191	0.012
2027	16,790,000	4,489,000	38,709	1,750,000	3,465,000		26,532,709.04	1,105,492.67	13,455,260,459	0.197	0.006
2028	17,520,000	3,947,600	38,709	2,100,000	3,625,200		27,231,509.04	698,800.00	13,623,451,215	0.200	0.003
2029	13,865,000	3,498,400	38,709	1,050,000	3,778,200	5,200,000	27,430,309.04	198,800.00	13,793,744,355	0.199	(0.001)
2030	14,110,000	3,073,000	13,836	1,400,000	3,924,000	5,422,625	27,943,460.76	513,151.72	13,966,166,160	0.200	0.001
2031	14,980,000	2,637,800	13,836	1,750,000	4,062,600	5,633,875	29,078,110.76	1,134,650.00	14,140,743,237	0.206	0.006
2032	15,540,000	2,176,300		2,100,000	4,194,000	5,833,750	29,844,050.00	765,939.24	14,317,502,527	0.208	0.003
2033	16,155,000	1,752,450			4,318,200	6,022,250	28,247,900.00	(1,596,150.00)	14,496,471,309	0.195	(0.014)
2034	9,030,000	1,317,000			4,210,200	6,199,375	20,756,575.00	(7,491,325.00)	14,677,677,200	0.141	(0.053)
2035	9,400,000	1,042,500			4,327,200	6,365,125	21,134,825.00	378,250.00	14,861,148,165	0.142	0.001
2036	5,020,000	759,000			4,212,000	6,194,500	16,185,500.00	(4,949,325.00)	15,046,912,517	0.108	(0.035)
2037	5,260,000	558,200			4,096,800	6,348,875	16,263,875.00	78,375.00	15,234,998,923	0.107	(0.001)
2038	5,260,000	391,600			4,206,600	6,166,875	16,025,075.00	(238,800.00)	15,425,436,410	0.104	(0.003)
2039	960,000	268,800			4,309,200	5,984,875	11,522,875.00	(4,502,200.00)	15,618,254,365	0.074	(0.030)
2040	960,000	230,400			4,179,600	6,127,875	11,497,875.00	(25,000.00)	15,813,482,545	0.073	(0.001)
2041	960,000	192,000				6,259,500	7,411,500.00	(4,086,375.00)	16,011,151,076	0.046	(0.026)
2042	960,000	153,600				6,054,750	7,168,350.00	(243,150.00)	16,211,290,465	0.044	(0.002)
2043	960,000	115,200					1,075,200.00	(6,093,150.00)	16,413,931,596	0.007	(0.038)
2044	960,000	76,800					1,036,800.00	(38,400.00)	16,619,105,741	0.006	(0.000)

Net Valuation to Increase by 1 1/4 % per year

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-96

**APPROVING TAX OVERPAYMENT REFUND
#2026-2 THRU #2026-3**

WHEREAS, the Tax Collector has certified and issued refund vouchers to the following tax payers who overpaid their taxes.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Ocean City that authorization for refund be approved as per the attached schedule.

DESCRIPTION

<u>REFUND#</u>	<u>NAME</u>	<u>BLOCK/LOT/QUAL.</u>	<u>AMOUNT</u>	<u>YEAR</u>
2026-2	PARDO, JOSEPH & MELISSA	810.01/6/C802	\$1,265.56	2026
2026-3	CORELOGIC TAX SERVICES	3304/19/C1	\$1,283.25	2026

Total \$2,548.81

Terry Crowley, Jr.
Council President

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DIVISION OF TAX COLLECTION

Memo

To: Frank Donato, Director of Financial Management

From: Terry Graff, Tax Collector

Date: February 13, 2026

Re: Refund of Tax Overpayments

Attached, please find a Resolution authorizing refunds of tax overpayments to be placed on the agenda for the City Council meeting of March 12, 2026. The refunds are for overpayments due to the taxpayer for the reasons stated below. Typically the refunds are for duplicate payments made by the homeowner and a mortgage company or a title company. As you are aware we must apply bulk bank payments in their entirety per a directive from the Division of Local Government Services.

If you have any questions, please contact me.

<u>VOUCHER</u>	<u>NAME</u>	<u>BLOCK/LOT/QUAL.</u>	<u>AMOUNT</u>	<u>REASON</u>
2026-2	PARDO, JOSEPH & MELISSA	810.01/6/C802	\$1,265.56	OVERPAYMENT
2026-3	CORELOGIC TAX SERVICES	3304/19/C1	\$1,283.25	OVERPAYMENT

Total **\$2,548.81**

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY**

RESOLUTION

No. 26-97

**AUTHORIZING TAX COLLECTOR
TO CANCEL UNCOLLECTIBLE TAXES**

WHEREAS, N.J.S.A. 54:4-91.2 requires the collector to submit to the governing body on or before May 1st annually a list of uncollectible taxes for cancellation.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the City of Ocean City, hereby authorized and directed to cancel the following taxes:

<u>Block</u>	<u>Lot</u>	<u>Qual.</u>	<u>Amount</u>	<u>Year</u>	<u>Reason</u>
210	13.01	C1	\$944.71	2025	Disabled Veteran Exemption
411	26		\$3,443.87	2025	Disabled Veteran Exemption
611.11	161		\$31.42	2025	New City Property
611.11	162		\$31.42	2025	New City Property
806	11.01		\$7,636.28	2025	New City Property
806	12.01		\$7,636.28	2025	New City Property
806	22		\$3,070.33	2025	New City Property
806	23		\$1,045.25	2025	New City Property
1405	3		\$9,528.70	2025	Disabled Veteran Exemption
3600	4		\$60.59	2025	New City Property
3600	4.01		\$60.59	2025	New City Property

Terry Crowley, Jr.
Council President

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

No. 26-98

**AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE
FOR A CONSTRUCTION PROJECT AT 5109-11 CENTRAL AVENUE
BLOCK 5101 LOT 8; PROJECT #24-012ZBA**

WHEREAS, Paul Barker has posted a performance guarantee for construction of an approved site plan at 5109-11 Central Avenue, Block 5101; Lot 8 also known as application number 24-012ZBA.

WHERE AS, this application was submitted for approval by the Zoning Board on August 21, 2024; and

WHEREAS, the Zoning Board Office has issued a final site plan inspection approval report dated February 20, 2026, indicating that the above-mentioned project has been installed in compliance with the approved site plan; and

WHEREAS, the Zoning Board of the City of Ocean City has recommended the release of the performance guarantee in the amount of \$5,198.40; and

WHEREAS, the Zoning Board recommends that a cash portion of the performance guarantee in the amount of \$500.00 be held in cash or a bond or other type of surety approved by the City Solicitor, in the amount of 15% of the performance guarantee be posted for a period of two (2) years from the date of the release of the performance guarantee; and

NOW, THEREFORE, BE IT RESOLVED that the Director of Finance is authorized to release the performance bond in the amount of \$5,198.40 to Paul Barker.

Frank Donato III,
Chief Financial Officer

Terry Crowley Jr.,
Council President

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

No. 26-99

AUTHORIZING THE PAYMENT OF CLAIMS

WHEREAS, N.J.S.A. 40A: 5-17 entitled “Approval and Payment of Claims and Required General Books of Account” generally sets forth the manner in which claims against municipalities are to be handled; and

WHEREAS, the attached bill list represents claims against the municipality for period including February 20, 2026 to March 9, 2026

NOW, THEREFORE, BE IT RESOLVED that the attached bill list is approved for payment.

Frank Donato III
Chief Financial Officer

Terry Crowley, Jr.,
Council President

FILES/AUTHORIZING THE PAYMENT OF CLAIMS – 02.20.26 TO 03.9.26.doc

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, March 12, 2026 with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes						
Crowley						
Hartzell						
Levchuk						
Madden						
Polcini						
Winslow						

Melissa G. Rasner, City Clerk

CITY OF OCEAN CITY
Bill List By P.O. Number

Ranges		Item Status	Purchase Types	Misc
<i>Range: First to Last</i>		<i>Open: N</i>	<i>Bid: Y</i>	<i>P.O. Type: All</i>
<i>Rcvd Batch Id Range: First to Last</i>		<i>Void: N</i>	<i>State: Y</i>	<i>Include Project Line Yes</i>
		<i>Paid: N</i>	<i>Other: Y</i>	<i>Items:</i>
		<i>Held: Y</i>	<i>Exempt: Y</i>	<i>Format: Condensed</i>
		<i>Aprv: N</i>		<i>Include Non-Budgeted: Y</i>
		<i>Rcvd: Y</i>		<i>Vendors: All</i>

Po #	Po Date	Vendor	Po Description	Status	Amount	Void Amount	Po Type
24-01110	04/25/24	ARAWA	ARAWAK PAVING COMPANY, INC RESOLUTION #24-60-319	Open	\$360,062.27	\$0.00	B
24-03575	12/04/24	LEXA	LEXA CONCRETE, INC. RESOLUTION #24-61-192	Open	\$58,830.70	\$0.00	B
25-00055	01/16/25	AC ELECT	ATLANTIC CITY ELECTRIC 2025 CITYWIDE ELECTRIC	Open	\$134,946.47	\$0.00	B
25-00573	02/18/25	KDI	KEYSTONE DIGITAL IMAGING, IN	Open	\$325.00	\$0.00	
25-01583	06/13/25	SVITALEP	PYROTECNICO FIREWORKS, INC RESOLUTION #25-61-263	Open	\$13,912.47	\$0.00	
25-01936	07/31/25	RESTTECH	RESTAURANT TECHNOLOGIES I	Open	\$250.11	\$0.00	B
25-02557	09/19/25	FERIOZZI	L. FERIOZZI CONCRETE COMPA RESOLUTION #25-62-480	Open	\$827,328.00	\$0.00	B
25-02945	10/20/25	01SSS	SCIULLOS SHORE SHOT	Open	\$6,380.00	\$0.00	
25-02957	10/20/25	CONTI	CONTINENTAL FIRE & SAFETY C Res 23-59-263	Open	\$17,001.70	\$0.00	
25-02958	10/20/25	WITMER	WITMER PUBLIC SAFTEY GROUI Res 25-61-234	Open	\$481.00	\$0.00	
25-03001	10/27/25	TOTER	TOTER, INC. 60 Gallon litter containers	Open	\$48,711.76	\$0.00	
25-03042	11/12/25	VINEA	VINELAND AUTO ELECTRIC, INC RESOLUTION #25-61-234	Open	\$7,996.78	\$0.00	
25-03093	11/13/25	BEESELEY	BEESELEY'S POINT SEA DOO, INC BP PWC repair 20918	Open	\$1,861.85	\$0.00	
25-03094	11/13/25	BEESELEY	BEESELEY'S POINT SEA DOO, INC BP Pwc repair 20922	Open	\$411.96	\$0.00	
25-03095	11/13/25	BEESELEY	BEESELEY'S POINT SEA DOO, INC BP Pwc repair 20919	Open	\$411.96	\$0.00	
25-03096	11/13/25	LUCKYDOGLUCKY DOG	CUSTOM APPAREL OCBP USA 250 Shirts	Open	\$7,500.95	\$0.00	
25-03159	11/20/25	JESCO	JESCO EQUIPMENT CO. 1 month vibrator creen rental	Open	\$17,746.50	\$0.00	
25-03653	12/11/25	ARTHURCHARTHUR	CHEW CONSULTING LL RESOLUTION #25-62-541	Open	\$5,000.00	\$0.00	
26-00024	01/12/26	BROWNBRCBROWN & BROWN	METRO LLC RESOLUTION #25-62-439	Open	\$4,817.38	\$0.00	
26-00028	01/12/26	THOMSONFTHOMSON	REUTERS	Open	\$442.00	\$0.00	
26-00033	01/14/26	EASTS	EASTERN SIGN CO Tonga and Marcus Harbor Signs	Open	\$4,500.00	\$0.00	
26-00047	01/15/26	DEARBORNDEARBORN	NATIONAL LIFE INSL	Open	\$1,363.00	\$0.00	
26-00050	01/15/26	NATIONAL	NATIONAL VISION ADMIN, LLC	Open	\$701.74	\$0.00	
26-00052	01/15/26	WITMER	WITMER PUBLIC SAFTEY GROUI Res. 25-61-234	Open	\$4,560.00	\$0.00	
26-00057	01/15/26	SAFETYSE	SAFETYMAN SECURITY CONSUI	Open	\$2,750.00	\$0.00	
26-00072	01/15/26	ACJIT	ATLANTIC CITY JITNEY ASSN.	Open	\$5,950.00	\$0.00	
26-00074	01/15/26	MAINL	MAIN LINE COMMERCIAL POOLE	Open	\$2,000.00	\$0.00	
26-00075	01/15/26	LACASCOF	LACAS COFFEE COMPANY, LLC	Open	\$3,820.30	\$0.00	
26-00079	01/15/26	CHLORKIN	CHLORKING INNOVATIONS, LLC	Open	\$1,595.00	\$0.00	
26-00080	01/15/26	RESTTECH	RESTAURANT TECHNOLOGIES I	Open	\$126.37	\$0.00	
26-00081	01/15/26	CAPEENVI	CAPE ENVIRONMENTAL TESTIN	Open	\$440.00	\$0.00	
26-00084	01/15/26	SWIMOUTL	SWIMOUTLET.COM	Open	\$6,049.20	\$0.00	
26-00085	01/15/26	SWIMOUTL	SWIMOUTLET.COM	Open	\$4,154.00	\$0.00	
26-00093	01/19/26	ACCURATE	ACCURATE LANGUAGE SERVICE	Open	\$690.00	\$0.00	
26-00105	01/21/26	OCFAMILY	OC FAMILY MEDICINE RESOLUTION #26-33	Open	\$950.00	\$0.00	
26-00110	01/21/26	SCHAEFFE	SCHAEFFER NASSAR SCHEIDE(2026 PLANNING BOARD - ENGINEE	Open	\$6,300.00	\$0.00	
26-00111	01/21/26	SCHEULE	SCHEULE PLANNING SOLUTION 2026 PLANNING BOARD - PLANNER	Open	\$920.00	\$0.00	
26-00143	01/21/26	PROFCLEA	PROFESSIONAL CLEANING SER RESOLUTION #25-62-553	Open	\$12,219.58	\$0.00	
26-00145	01/21/26	RIGGI	RIGGINS, INC. RESOLUTION #26-17	Open	\$16,107.97	\$0.00	
26-00147	01/21/26	SENTI	SENTINEL LEDGER	Open	\$617.40	\$0.00	
26-00148	01/21/26	SCHID	SCHINDLER ELEVATOR CORPOF RESOLUTION #26-17	Open	\$2,163.69	\$0.00	
26-00151	01/21/26	PINELCON	PINELAND CONSTRUCTION, LLC RES. 22-59-085	Open	\$114,185.79	\$0.00	
26-00152	01/21/26	PINELCON	PINELAND CONSTRUCTION, LLC RES. 22-59-087	Open	\$4,434.87	\$0.00	
26-00154	01/21/26	PINELCON	PINELAND CONSTRUCTION, LLC RES 22-59-086	Open	\$114,185.79	\$0.00	

Po #	Po Date	Vendor	Po Description	Status	Amount	Void Amount	Po Type
26-00155	01/21/26	PINELCON	PINELAND CONSTRUCTION, LLC RES 22-59-087	Open	\$10,902.00	\$0.00	
26-00157	01/21/26	PINELCON	PINELAND CONSTRUCTION, LLC RES 22-59-087	Open	\$6,643.36	\$0.00	
26-00158	01/21/26	PINELCON	PINELAND CONSTRUCTION, LLC RES 22-59-087	Open	\$2,716.28	\$0.00	
26-00169	01/22/26	SENTI	SENTINEL LEDGER 2026 SENTINEL LEDGER ADS	Open	\$207.00	\$0.00	
26-00226	01/29/26	JUSTR	JUST RIGHT TV PRODUCTIONS I Jan coverage	Open	\$560.00	\$0.00	
26-00230	01/29/26	JPMONZOMJPMONZO MUNICIPAL	Ethics Webinar 2/12/2026	Open	\$50.00	\$0.00	
26-00233	01/30/26	BOARDCHRCHRISTINE BOARDMAN HANDL		Open	\$1,255.00	\$0.00	
26-00234	01/30/26	CADGELLC CADGE LLC	REFUND ESCROW 5137-39 CENTR	Open	\$113.47	\$0.00	
26-00237	01/30/26	TCTA3	TAX COLLECTOR'S/TREASURER TCTA OF CAPE MAY - 2026 DUES	Open	\$150.00	\$0.00	
26-00238	01/30/26	JPMONZOMJPMONZO MUNICIPAL	Webinar March 18, 2026	Open	\$50.00	\$0.00	
26-00243	02/02/26	GETEW	GETAWAYS ON DISPLAY	Open	\$7,356.00	\$0.00	
26-00244	02/02/26	PADISPLA	PENNSYLVANIA ON DISPLAY	Open	\$3,600.00	\$0.00	
26-00245	02/02/26	KATHRYNF KATHRYN FLYNN	Refund Aquatic \$ Fitness Ctr	Open	\$319.16	\$0.00	
26-00247	02/02/26	BRASSRIN	BRASS RING ENTERPRISES	Open	\$1,398.45	\$0.00	
26-00248	02/02/26	CTACMC	ASSOCIATION OF CERTIFIED TA membership dues	Open	\$660.00	\$0.00	
26-00250	02/02/26	COPIE	COPIERS PLUS, INC.	Open	\$147.00	\$0.00	
26-00252	02/02/26	JULIANOG	GAETAN JULIANO	Open	\$810.00	\$0.00	
26-00253	02/02/26	UNIT REN	UNITED RENTALS (NA), INC	Open	\$671.94	\$0.00	
26-00254	02/02/26	MGL	MGL PRINTING SOLUTIONS 2026 Marriage Book	Open	\$139.00	\$0.00	
26-00258	02/03/26	WISERLIN	WISER LINK ADVERTISING, INC	Open	\$367.50	\$0.00	
26-00259	02/03/26	DAVIDSHU	DAVID SCHULTZ AIRSHOWS LLC	Open	\$2,000.00	\$0.00	
26-00260	02/03/26	RECDESK	RECDESK, LLC	Open	\$29,000.00	\$0.00	
26-00262	02/03/26	JUSTR	JUST RIGHT TV PRODUCTIONS I Video Taping/City Wide	Open	\$560.00	\$0.00	
26-00263	02/03/26	MALIA	MALIA'S RUBBER STAMP COMP/ Notary Stamp Melissa Rasner	Open	\$45.00	\$0.00	
26-00276	02/05/26	IFP	THE INSTITUTE FOR FORENSIC	Open	\$2,050.00	\$0.00	
26-00277	02/05/26	SCHOP	WILLIAM SCHOPPY TROPHY CO	Open	\$50.85	\$0.00	
26-00278	02/05/26	NJSAC	NJ STATE ASSOCIATION OF CHIE	Open	\$275.00	\$0.00	
26-00289	02/06/26	FIRSS	FIRE & SAFETY SERVICES, LTD. Res.24-60-081	Open	\$3,151.46	\$0.00	
26-00290	02/06/26	FIRSS	FIRE & SAFETY SERVICES, LTD. Res.24-60-081	Open	\$787.50	\$0.00	
26-00291	02/06/26	FIRSS	FIRE & SAFETY SERVICES, LTD. Res.24-60-081	Open	\$788.47	\$0.00	
26-00292	02/06/26	JOHNT	JOHNSON & TOWERS, INC.	Open	\$2,270.74	\$0.00	
26-00293	02/06/26	JOHNT	JOHNSON & TOWERS, INC.	Open	\$5,052.01	\$0.00	
26-00294	02/06/26	FIRSS	FIRE & SAFETY SERVICES, LTD. Res 24-60-081	Open	\$3,564.79	\$0.00	
26-00295	02/06/26	VISCUSOF	FRANK VISCUSO	Open	\$2,750.00	\$0.00	
26-00296	02/06/26	ACTIONUN	ACTION UNIFORM CO., L.L.C Res 24-60-286	Open	\$1,637.00	\$0.00	
26-00297	02/06/26	ALLEGGRAM	ALLEGRA MARKETING PRINT & I	Open	\$382.50	\$0.00	
26-00302	01/01/26	4IMPRINT	4IMPRINT, INC. PURCHASE CARD	Open	\$877.45	\$0.00	PC2
26-00303	01/01/26	ACE PLUM	ACE PLUMBING & ELEC. SUPPLI PURCHASE CARD	Open	\$416.52	\$0.00	PC2
26-00304	01/01/26	ACME	ACME MARKETS PURCHASE CARD	Open	\$725.90	\$0.00	PC2
26-00305	01/01/26	ADP	AUTOMATIC DATA PROCESSING PURCHASE CARD	Open	\$23,111.66	\$0.00	PC2
26-00306	01/01/26	AEROBOTT	AEROBOTTLE PURCHASE CARD	Open	\$25.74	\$0.00	PC2
26-00307	01/01/26	AHA	AMERICAN HEART ASSOCIATION PURCHASE CARD	Open	\$628.47	\$0.00	PC2
26-00308	01/01/26	ALLBRAND	ALL BRAND APPLIANCE PARTS PURCHASE CARD	Open	\$95.09	\$0.00	PC2
26-00309	01/01/26	ALWAYSAD	ALWAYS ADVANCING PURCHASE CARD	Open	\$395.91	\$0.00	PC2
26-00310	01/01/26	AMAZON	AMAZON.COM PURCHASE CARD	Open	\$10,220.17	\$0.00	PC2
26-00311	01/01/26	AMAZONPR	AMAZONPRIME MEMBERSHIP PURCHASE CARD	Open	\$1,338.71	\$0.00	PC2
26-00312	01/01/26	APRSUPPL	APR SUPPLY CO PURCHASE CARD	Open	\$2,896.88	\$0.00	PC2
26-00313	01/01/26	AUSTN	AUSTIN'S SPORTS PURCHASE CARD	Open	\$2,857.40	\$0.00	PC2

Po #	Po Date	Vendor	Po Description	Status	Amount	Void Amount	Po Type
26-00314	01/01/26	B H PHOT	B & H PHOTO-VIDEO PURCHASE CARD	Open	5,427.50	\$0.00	PC2
26-00315	01/01/26	BILLO	BILLOWS ELECTRIC SUPPLY CO PURCHASE CARD	Open	\$5,524.97	\$0.00	PC2
26-00316	01/01/26	BLOODGOC	BLOODGOOD LAW ENFORCEMENT PURCHASE CARD	Open	\$395.00	\$0.00	PC2
26-00317	01/01/26	BLUETRIT	BLUETRITON BRANDS INC PURCHASE CARD	Open	\$831.87	\$0.00	PC2
26-00318	01/01/26	BMI	BROADCAST MUSIC INC. PURCHASE CARD	Open	\$1,524.19	\$0.00	PC2
26-00319	01/01/26	BRICKSRU	BRICKSRUS.COM PURCHASE CARD	Open	\$250.27	\$0.00	PC2
26-00320	01/01/26	BUDSIESP	BUDSIES PR LLC PURCHASE CARD	Open	\$1,982.75	\$0.00	PC2
26-00321	01/01/26	CDW-G	CDW-G GOVERNMENT INC. PURCHASE CARD	Open	\$4,520.46	\$0.00	PC2
26-00322	01/01/26	CINTA	CINTAS FIRST AID, CORP PURCHASE CARD	Open	\$1,426.53	\$0.00	PC2
26-00323	01/01/26	COMCAST	COMCAST CABLE PURCHASE CARD	Open	\$423.55	\$0.00	PC2
26-00324	01/01/26	COMCASTP	COMCAST OF PLEASANTVILLE PURCHASE CARD	Open	\$8,346.70	\$0.00	PC2
26-00325	01/01/26	CVS	CVS PURCHASE CARD	Open	\$185.85	\$0.00	PC2
26-00326	01/01/26	CYCLEPAR	CYCLE PARTS NATION PURCHASE CARD	Open	\$554.31	\$0.00	PC2
26-00327	01/01/26	DOLRTREE	DOLLAR TREE STORE INC PURCHASE CARD	Open	\$3.75	\$0.00	PC2
26-00328	01/01/26	DRYFLY	DRY FLY PURCHASE CARD	Open	\$101.00	\$0.00	PC2
26-00329	01/01/26	EASTCFLA	EAST COAST FLAG & FLAGPOLE PURCHASE CARD	Open	\$1,412.00	\$0.00	PC2
26-00330	01/01/26	EASTERNS	EASTERNS SURPLUS & EQUIP., PURCHASE CARD	Open	\$2,234.00	\$0.00	PC2
26-00331	01/01/26	EVOSTUDI	EVO STUDIOS INC. PURCHASE CARD	Open	\$921.00	\$0.00	PC2
26-00332	01/01/26	EZPASS	NEW JERSEY E-Z PASS PURCHASE CARD	Open	\$385.00	\$0.00	PC2
26-00333	01/01/26	FAMILYAU	FAMILY AUTO GLASS PURCHASE CARD	Open	\$850.00	\$0.00	PC2
26-00334	01/01/26	FASTENAL	FASTENAL COMPANY PURCHASE CARD	Open	\$117.79	\$0.00	PC2
26-00335	01/01/26	FEDEX	FEDERAL EXPRESS CORPORAT PURCHASE CARD	Open	\$128.72	\$0.00	PC2
26-00336	01/01/26	FEDEXFRE	FEDEX FREIGHT PURCHASE CARD	Open	\$18.95	\$0.00	PC2
26-00337	01/01/26	FROMEAPA	FRO ME A PARTY PURCHASE CARD	Open	\$78.84	\$0.00	PC2
26-00338	01/01/26	GENTI	GENTILINI FORD INC. PURCHASE CARD	Open	\$204.04	\$0.00	PC2
26-00339	01/01/26	GESOFTWAG	SOFTWARE INC PURCHASE CARD	Open	\$160.00	\$0.00	PC2
26-00340	01/01/26	GLOUCTWPG	GLOUCESTER TOWNSHIP POLIC PURCHASE CARD	Open	\$390.00	\$0.00	PC2
26-00341	01/01/26	GOOGLE	GOOGLE, INC. PURCHASE CARD	Open	\$99.98	\$0.00	PC2
26-00342	01/01/26	GOTOCOM	GOTO.COM PURCHASE CARD	Open	\$184.99	\$0.00	PC2
26-00343	01/01/26	GRAIN	GRAINGER, INC. W.W. PURCHASE CARD	Open	\$2,622.88	\$0.00	PC2
26-00344	01/01/26	HDSUPPLY	HD SUPPLY PURCHASE CARD	Open	\$209.75	\$0.00	PC2
26-00345	01/01/26	HERTZ	HERTZ EQUIPMENT RENTAL COI PURCHASE CARD	Open	\$153.28	\$0.00	PC2
26-00346	01/01/26	HOMED	HOME DEPOT PURCHASE CARD	Open	\$1,898.04	\$0.00	PC2
26-00347	01/01/26	IACP	INTERNATIONAL ASSOCIATION C PURCHASE CARD	Open	\$270.00	\$0.00	PC2
26-00348	01/01/26	JOHNO	JOHNSON'S POPCORN PURCHASE CARD	Open	\$238.56	\$0.00	PC2
26-00349	01/01/26	JOHNSTON	JOHNSTONE SUPPLY PURCHASE CARD	Open	\$4,390.92	\$0.00	PC2
26-00350	01/01/26	JOTFORM	JOTFORM PURCHASE CARD	Open	\$39.00	\$0.00	PC2
26-00351	01/01/26	KILWINS	KILWINS - OCEAN CITY NJ PURCHASE CARD	Open	\$25.50	\$0.00	PC2
26-00352	01/01/26	LODCI	LIBERTY OVERHEAD DOOR CO I PURCHASE CARD	Open	\$229.00	\$0.00	PC2
26-00353	01/01/26	LOWES	LOWE'S HOME CENTER INC. PURCHASE CARD	Open	\$750.30	\$0.00	PC2
26-00354	01/01/26	MAILCHIM	MAILCHIMP PURCHASE CARD	Open	\$385.00	\$0.00	PC2
26-00355	01/01/26	MCKISSOC	MCKISSOCK LLC PURCHASE CARD	Open	\$65.00	\$0.00	PC2
26-00356	01/01/26	MEDIASIG	MEDIA SIGNAGE INC PURCHASE CARD	Open	\$358.92	\$0.00	PC2
26-00357	01/01/26	MICROSOFT	MICROSOFT PURCHASE CARD	Open	\$63.00	\$0.00	PC2
26-00358	01/01/26	MIDATLAN	MID-ATLANTIC TRUCK & EQUIPM PURCHASE CARD	Open	\$1,498.07	\$0.00	PC2
26-00359	01/01/26	MMCLEAN	M&M COMMERCIAL & RESIDENT PURCHASE CARD	Open	\$990.00	\$0.00	PC2
26-00360	01/01/26	NAPAAUTO	SEAVILLE NAPA AUTO PARTS PURCHASE CARD	Open	\$1,437.12	\$0.00	PC2
26-00361	01/01/26	NET3TECH	NET3 TECHNOLOGY PURCHASE CARD	Open	\$780.61	\$0.00	PC2

CITY OF OCEAN CITY
Bill List By P.O. Number

03/09/2026

11:54 AM

Po #	Po Date	Vendor	Po Description	Status	Amount	Void Amount	Po Type
26-00362	01/01/26	NHPRUDUCNATIONAL HIGHWAY PRODUCTS	PURCHASE CARD	Open	\$519.80	\$0.00	PC2
26-00363	01/01/26	NJBUSINE NJ BUSINESS SERVICES	PURCHASE CARD	Open	\$630.00	\$0.00	PC2
26-00364	01/01/26	NJGOVSERNJ GOV'T SERVICES	PURCHASE CARD	Open	\$1,219.39	\$0.00	PC2
26-00365	01/01/26	NJMVC NJMVC CARDIFF CARD	PURCHASE CARD	Open	\$350.00	\$0.00	PC2
26-00366	01/01/26	OCCHA O.C. REGIONAL CHAMBER OF	PURCHASE CARD	Open	\$300.00	\$0.00	PC2
26-00367	01/01/26	OPENRANGOPEN RANGE FOOD & DRINK	PURCHASE CARD	Open	\$341.00	\$0.00	PC2
26-00368	01/01/26	OTTERAI OTTER.AI	PURCHASE CARD	Open	\$108.86	\$0.00	PC2
26-00369	01/01/26	PARK PARK ELECTRIC MOTOR COMPA	PURCHASE CARD	Open	\$3,481.38	\$0.00	PC2
26-00370	01/01/26	PATCHPLA PATCH PLAQUES AND MORE	PURCHASE CARD	Open	\$203.45	\$0.00	PC2
26-00371	01/01/26	PHILI PHILADELPHIA INQUIRER, INC.	PURCHASE CARD	Open	\$27.96	\$0.00	PC2
26-00372	01/01/26	PHLAIRPO PHILADELPHIA AIRPORT	PURCHASE CARD	Open	\$64.97	\$0.00	PC2
26-00373	01/01/26	PITNC PITNEY BOWES SUPPLY OPERA	PURCHASE CARD	Open	\$409.69	\$0.00	PC2
26-00374	01/01/26	POWER DMPOWERDMS, INC	PURCHASE CARD	Open	\$15,949.80	\$0.00	PC2
26-00375	01/01/26	PRESS THE PRESS OF ATLANTIC CITY	PURCHASE CARD	Open	\$120.77	\$0.00	PC2
26-00376	01/01/26	PROFENCEPROGRESSIVE FENCE & LANDS	PURCHASE CARD	Open	\$2,806.75	\$0.00	PC2
26-00377	01/01/26	PROVI PRO VIDEO ENGINEERING	PURCHASE CARD	Open	\$9,686.00	\$0.00	PC2
26-00378	01/01/26	REIBII REIBII.COM	PURCHASE CARD	Open	\$1,214.22	\$0.00	PC2
26-00379	01/01/26	REPAIRCL REPAIRCLINIC.COM	PURCHASE CARD	Open	\$749.22	\$0.00	PC2
26-00380	01/01/26	RICCIARD RICCIARDI BROTHERS OF SJ INC	PURCHASE CARD	Open	\$169.17	\$0.00	PC2
26-00381	01/01/26	ROGUE ROGUE FITNESS	PURCHASE CARD	Open	\$117.02	\$0.00	PC2
26-00382	01/01/26	RUTGU RUTGERS UNIVERSITY CON. ED	PURCHASE CARD	Open	\$120.00	\$0.00	PC2
26-00383	01/01/26	SAM 1 SAM'S CLUB/GEMB	PURCHASE CARD	Open	\$4,723.11	\$0.00	PC2
26-00384	01/01/26	SECRE THE SECRET GARDEN FLORIST	PURCHASE CARD	Open	\$137.00	\$0.00	PC2
26-00385	01/01/26	SEETON SEETON TURF WAREHOUSE, LL	PURCHASE CARD	Open	\$2,282.00	\$0.00	PC2
26-00386	01/01/26	SHERW SHERWIN WILLIAMS #3760	PURCHASE CARD	Open	\$110.52	\$0.00	PC2
26-00387	01/01/26	SHOEM SHOEMAKER LUMBER COMPAN	PURCHASE CARD	Open	\$753.23	\$0.00	PC2
26-00388	01/01/26	SHOIFY SHOIFY HARDWARE	PURCHASE CARD	Open	\$5,115.55	\$0.00	PC2
26-00389	01/01/26	SHORH SHORE HARDWARE	PURCHASE CARD	Open	\$179.99	\$0.00	PC2
26-00390	01/01/26	SOJER SOUTH JERSEY PAPER PROD,C	PURCHASE CARD	Open	\$4,454.48	\$0.00	PC2
26-00391	01/01/26	SPARKCONSPARK CONTRACTORS	PURCHASE CARD	Open	\$634.12	\$0.00	PC2
26-00392	01/01/26	STARLINK STARLINK INTERNET	PURCHASE CARD	Open	\$165.00	\$0.00	PC2
26-00393	01/01/26	START STARLITE PRODUCTIONS	PURCHASE CARD	Open	\$634.61	\$0.00	PC2
26-00394	01/01/26	STICKERM STICKER MULE	PURCHASE CARD	Open	\$19.00	\$0.00	PC2
26-00395	01/01/26	STREAMHOSTREAMHOSTER COM	PURCHASE CARD	Open	\$30.00	\$0.00	PC2
26-00396	01/01/26	SUPPLYHO SUPPLYHOUSE.COM	PURCHASE CARD	Open	\$1,748.96	\$0.00	PC2
26-00397	01/01/26	SWIMOUTL SWIMOUTLET.COM	PURCHASE CARD	Open	435.50	\$0.00	PC2
26-00398	01/01/26	SYSCO SYSCO CORPORTATION	PURCHASE CARD	Open	\$6,362.29	\$0.00	PC2
26-00399	01/01/26	TEDFARIN TED FARINA ELECTRONICS LLC	PURCHASE CARD	Open	\$1,150.00	\$0.00	PC2
26-00400	01/01/26	THEFLOWETHE FLOWER COMPANY	PURCHASE CARD	Open	\$94.97	\$0.00	PC2
26-00401	01/01/26	TLO TLO TRANSUNION, LLC	PURCHASE CARD	Open	\$106.63	\$0.00	PC2
26-00402	01/01/26	VERIW VERIZON WIRELESS	PURCHASE CARD	Open	\$1,050.99	\$0.00	PC2
26-00403	01/01/26	VIKINGEN VIKING ENGRAVING LLC	PURCHASE CARD	Open	\$565.00	\$0.00	PC2
26-00404	01/01/26	WALLA WALLACE HARDWARE INC.	PURCHASE CARD	Open	\$341.33	\$0.00	PC2
26-00405	01/01/26	WALMART WALMART.COM	PURCHASE CARD	Open	\$45.39	\$0.00	PC2
26-00406	01/01/26	WBMASON W. B. MASON COMPANY, INC.	PURCHASE CARD	Open	\$2,738.12	\$0.00	PC2
26-00407	01/01/26	WEISSMUS STEVE WEISS MUSIC, INC.	PURCHASE CARD	Open	421.95	\$0.00	PC2
26-00408	01/01/26	ZOOMUS ZOOM.US	PURCHASE CARD	Open	\$33.04	\$0.00	PC2
26-00415	02/12/26	ENGDAM ENGINEERING DESIGN ASSOCIA	2026 EDA ZB PROFESSIONAL	Open	\$2,277.50	\$0.00	

CITY OF OCEAN CITY
Bill List By P.O. Number

Po #	Po Date	Vendor	Po Description	Status	Amount	Void Amount	Po Type
26-00416	02/12/26	MANOSLLC MANOS LAW FIRM LLC	2026 ZB SOLICITOR MANOS	Open	\$1,135.00	\$0.00	
26-00418	02/12/26	SJOVE SOUTH JERSEY OVERHEAD DO		Open	\$6,240.90	\$0.00	
26-00419	02/12/26	WITMER WITMER PUBLIC SAFTEY GROU	Res 25-61-234	Open	\$609.13	\$0.00	
26-00420	02/13/26	01PARDO PARDO, JOSEPH & MELISSA	TAX OVERPAYMENT REFUND#2026	Open	\$1,265.56	\$0.00	
26-00421	02/13/26	01CORELO CORELOGIC TAX SERVICES	TAX OVERPAYMENT REFUND#2026	Open	\$1,283.25	\$0.00	
26-00422	02/13/26	CYNTHIAS CYNTHIA SABATINI	REFUND FACILITY RENTAL	Open	\$100.00	\$0.00	
26-00423	02/13/26	ELMERESCELMER ESCOBAR	REFUND FACILITY RENTAL	Open	\$100.00	\$0.00	
26-00425	02/13/26	NICOLETT WILLIAM NICOLETTI	REFUND ESCROW 4061-63 ASBURY	Open	\$423.90	\$0.00	
26-00426	02/13/26	STPETERS ST PETERS UMC	ESCROW REFUND 721 CENTRAL	Open	\$500.00	\$0.00	
26-00428	02/13/26	GOODVIBE GOOD VIBES LLC	REFUND ESCROW 200 6TH STREE	Open	\$185.00	\$0.00	
26-00429	02/13/26	DEVINERK RICHARD & KIMBERLY DEVINE	REFUND ESCROW 413 54TH STREE	Open	\$200.50	\$0.00	
26-00430	02/13/26	CELLUZZR ROSANNA & ALEX CELLUZZI	REFUND ESCROW 3016-18 WESLE	Open	\$432.25	\$0.00	
26-00431	02/13/26	OTHERSID OTHERSIDE AVENUE LLC	REFUND ESCROW 719 ASBURY AVI	Open	\$25.00	\$0.00	
26-00432	02/13/26	WILHELM MMICHAEL WILHELM	REFUND ESCROW 1-3 ATLANTIC AV	Open	\$854.56	\$0.00	
26-00437	02/17/26	MEE MUNICIPAL EQUIPMENT ENTERF		Open	\$876.00	\$0.00	
26-00440	02/18/26	MARIBETH MARIBETH GRASSO		Open	\$42.67	\$0.00	
26-00443	02/18/26	CHILDSPL CHILD'S PLAY CHALLENGE COU		Open	\$3,792.00	\$0.00	
26-00444	02/18/26	FRIEN FRIENDS OF THE POPS		Open	\$5,000.00	\$0.00	
26-00449	02/18/26	SONJMFA STATE OF NJ - MFA	NJMFA LICENCE RENEWAL2026	Open	\$150.00	\$0.00	
26-00450	02/19/26	SJOVE SOUTH JERSEY OVERHEAD DO		Open	\$3,637.56	\$0.00	
26-00459	02/24/26	EASTS EASTERN SIGN CO		Open	\$1,241.60	\$0.00	
26-00465	02/25/26	IFP THE INSTITUTE FOR FORENSIC		Open	\$475.00	\$0.00	
26-00466	02/25/26	CORESTAT CORESTATES INC	REFUND ESCROW 900-44 WEST AV	Open	\$113.25	\$0.00	
26-00467	02/25/26	SARIANGL GREGORY & LAUREL SARIAN TF	REFUND ESCROW 155 E ATLANTIC	Open	\$543.25	\$0.00	
26-00468	02/25/26	GLOUC GLOUCESTER COUNTY POLICE		Open	\$75.00	\$0.00	
26-00469	02/25/26	NJAPZ N.J. ASSN OF PLANNING & ZONII		Open	\$120.00	\$0.00	
26-00470	02/25/26	V2PROPER V2 PROPERTIES LLC	REFUND ESCROW 43 SUNSET PLA	Open	\$109.08	\$0.00	
26-00471	02/25/26	MAL LIEM MA & NHU TRAN	REFUND ESCROW 612 ASBURY AVI	Open	\$557.75	\$0.00	
26-00472	02/26/26	ACCESS RETRIEVEX HOLDINGS CORP	Storage	Open	\$1,928.48	\$0.00	
26-00474	02/26/26	ACTIONUN ACTION UNIFORM CO., L.L.C	RESOLUTION #25-62-386	Open	\$657.00	\$0.00	
26-00485	03/03/26	ACTIONUN ACTION UNIFORM CO., L.L.C	Resv24-60-286	Open	\$294.00	\$0.00	

Total Purchase Orders:	219	Total P.O. Line Items:	0	Total List Amount:	\$2,111,961.42	Total Void Amount:	\$0.00
-------------------------------	------------	-------------------------------	----------	---------------------------	-----------------------	---------------------------	---------------

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Project Total
	5-01	\$275,102.72	\$0.00	\$275,102.72	\$0.00	\$0.00	\$0.00
	6-01	\$383,022.24	\$0.00	\$383,022.24	\$200.00	\$0.00	\$0.00
	6-12	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$13,905.51
	6-13	\$11,323.50	\$0.00	\$11,323.50	\$0.00	\$0.00	\$0.00
	Year Total:	\$394,345.74	\$0.00	\$394,345.74	\$200.00	\$0.00	\$13,905.51
	C-04	\$509,340.93	\$0.00	\$509,340.93	\$0.00	\$0.00	\$0.00
	G-02	\$882,352.04	\$0.00	\$882,352.04	\$0.00	\$0.00	\$0.00
	T-12	\$36,714.48	\$0.00	\$36,714.48	\$0.00	\$0.00	\$0.00
Total Of All Funds:		\$2,097,855.91	\$0.00	\$2,097,855.91	\$200.00	\$0.00	\$13,905.51

Project Description	Project No.	Rcvd Total
721 CENTRAL AVENUE	12-014PMIS	\$500.00
900-44 WEST AVENUE	18-004IPBA	\$113.25
201 9TH ST & 211 9TH ST	18-017IPBA	\$150.00
1-3 ATLANTIC AVENUE	18-021IPBA	\$854.56
5137-39 CENTRAL AVENUE	19-004IZBA	\$113.47
400 W SURF ROAD	20-014IPBA	\$150.00
719 ASBURY AVENUE	20-017PBA	\$25.00
1649 & 1651 WEST AVENUE	21-0101IPB	\$300.00
1357 ASBURY AVENUE	21-019IPBA	\$225.00
1417 OCEAN AVENUE	21-022IPBA	\$300.00
824 ATLANTIC AVENUE	21-024IPBA	\$225.00
828-30 ATLANTIC AVENUE	21-025IPBA	\$225.00
413 54TH STREET	21-031ZBA	\$200.50
4061-63 ASBURY AVENUE	22-001IZBA	\$423.90
43 SUNSET PLACE	22-0021PBA	\$109.08
106 12TH STREET	22-007IPBA	\$225.00
130& 136 WEST AVENUE	22-010IPBA	\$225.00
155 E ATLANTIC BLVD	22-016ZBA	\$543.25
1124-62 WEST AVENUE	22-026PBA	\$790.00
612 ASBURY AVENUE	23-003PBA	\$557.75
3016-18 WESLEY AVENUE	23-007ZBA	\$432.25
62 ASBURY AVENUE	23-0222IPB	\$300.00
200 6TH STREET	24-005PBA	\$185.00
709 9TH STREET	25-004PBA	\$375.00
858 ASBURY AVENUE	25-006PBA	\$765.00
3400-02 WEST AVENUE	25-008PBA	\$1,490.00
112 SIXTH STREET	25-010PBA	\$825.00
600 BOARDWALK	25-011PBA	\$200.00
505 GULL ROAD AKA GULL HAVEN D	25-011ZBA	\$202.50
114 12TH STREET	25-012ZBA	\$202.50
3214 HAVEN AVENUE	25-017ZBA	\$150.00
108-10 53RD STREET	25-018ZBA	\$555.00
2316-19 SIMPSON AVENUE	25-019ZBA	\$836.25
3128 ASBURY AVENUE	26-001PBA	\$450.00
1833-35 WESLEY AVENUE	26-001ZBA	\$681.25
Total Of All Projects:		\$13,905.51