

**CITY OF SEA ISLE CITY  
NEW JERSEY**

**REGULAR MEETING – MARCH 10, 2026 – 10:00 AM  
COUNCIL CHAMBERS – 3<sup>RD</sup> FLOOR - CITY HALL - 233 JFK BOULEVARD**

**A G E N D A**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE AND PRAYER**

**ROLL CALL**

**APPROVAL OF MINUTES**

**OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT**

**REPORTS–MAYOR & ADMINISTRATION – A. Previti Presentation on Shade Structures**

**REPORTS - COUNCIL MEMBERS**

**ORDINANCES- Introduction & First Reading**

1733 - ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

1734 – AN ORDINANCE TO AMEND “EXAMINATION AND COPYING OF PUBLIC RECORDS” IN CHAPTER 2 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY TO REFLECT AMENDMENTS TO POLICE COPYING FEES

**ORDINANCES- Second reading & Public Hearing**

1731 – AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY, CHAPTER 26 TO IMPLEMENT FAIR SHARE HOUSING AGREEMENT TERMS AND RESOLVE A DISCREPANCY IN THE LANGUAGE USED IN THE GENERAL REQUIREMENTS FOR MAXIMUM BUILDING HEIGHT

1732 - AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY “AFFORDABLE HOUSING” CHAPTER 26, SECTION 43 TO IMPLEMENT FAIR SHARE HOUSING AGREEMENT TERMS

**RESOLUTION NO. 019- *Introduction of the 2026 Local Municipal Budget***

**CITIZEN COMMENT ~ Resolution on Consent Agenda**

**RESOLUTION – Consent Agenda:**

- 020 Approval of Vouchers from 2-24-2026 Canceled Meeting
- 021 Approval of Vouchers
- 022 Appointing Tax Collector
- 023 Authorizing Refund of a Tourism Fall Family Festival Weekend Vendor Registration Fees
- 024 Authorizing a Closed Executive Session for the Purpose of Discussing Pending Litigation (*380 47<sup>th</sup> Place Condominium Association v. 384 47<sup>th</sup> Place Condominium Association and the City of Sea Isle City, DOCKET NO. CMP-L-000002-26*)
- 025 Authorizing Refund of Tax Payment
- 026 Authorizing Professional Services for Labor Council (*Mark S. Ruderman of Ruderman & Roth LLC, \$250 per hour*)
- 027 Authorizing the Acceptance of Award and Execution of a Grant Agreement Between the State of New Jersey by and for the Department of Environmental Protection and the City of Sea Isle City for It Pay to Plug In: NJ’s Electric Vehicle Charging Grant Program
- 028 Resolution of the Council of the City of Sea Isle City Approving a Fourth Round Affordable Housing Trust Fund Spending Plan and Requesting Court Approval of the Spending Plan
- 029 Resolution of the Council of the City of Sea Isle City Appointing a Municipal Liaison and Administrative Agent to Administer the City’s Affordable Housing Program
- 030 Resolution of the Council of the City of Sea Isle City Adopting Affordability Assistance Program Policies and Procedures Manual, Adopting the Market to Affordable Program Manual and Adopting an Affirmative Marketing Plan
- 031 Resolution of The City of Sea Isle City Petitioning and Endorsing the Adopted Revised Housing Element and Revised Fair Share Plan

**PENDING BUSINESS**

**NEW BUSINESS**

**CITIZEN COMMENT**

**ADJOURNMENT - *Adjourn into Closed Session***

**ADJOURNMENT**

CITY OF SEA ISLE CITY  
NEW JERSEY  
ORDINANCE NO. 1733 (2026)

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

WHEREAS, the local government Cap Law, N.J.S. 40A: 4-45.1 et seq. provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriation, subject to certain exceptions; and,

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

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

WHEREAS, the City Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$815,101.22 excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Sea Isle City, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2026 budget year, the final appropriations of the City of Sea Isle City shall, in accordance with this ordinance and N.J.S.A. 40a: 4-45.14, be increased by 3.5%, amounting to \$815,101.22, and that the CY 2026 municipal budget for the City of Sea Isle City be approved and adopted in accordance with this ordinance; and,

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

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

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

\_\_\_\_\_  
Mary Tighe, Council President

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Leonard C. Desiderio, Mayor

I HEREBY CERTIFY THAT the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey, on first reading at the regular meeting of said Council held on the 10th day of March, 2026, and will be taken up for second reading, public hearing and final passage at the regular meeting of said Council held on 14<sup>th</sup> day of April, 2026, in City Hall, 3<sup>rd</sup> floor Council Chambers 233 John F. Kennedy Blvd., Sea Isle City, New Jersey at 10:00 a.m.

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Shannon D. Romano, Municipal Clerk

**CITY OF SEA ISLE CITY  
NEW JERSEY**

**ORDINANCE NO. 1734 (2026)**

**AN ORDINANCE TO AMEND “EXAMINATION AND COPYING OF PUBLIC RECORDS” IN  
CHAPTER 2 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY TO  
REFLECT AMENDMENTS TO POLICE COPYING FEES**

**WHEREAS**, the City of Sea Isle City is continuing its ongoing review of its ordinances and as permitted by the City police and general welfare powers finds it is in the best interests of the City and prudent to adjust the fees for the production by the City of certain police records; and

**WHEREAS**, the City of Sea Isle City Police Department (“Department”) expends significant time and resources in responding to requests for copies of body-worn camera footage (“BWC footage”) and vehicle mounted cameras footage (“VMC Footage”); and

**WHEREAS**, the Department must redact such BWC footage and VMC footage under the rules and regulations of the Open Public Records Act (“OPRA”); and

**WHEREAS**, for each hour of BWC footage and/or VMC footage requested, approximately three (3) hours of time is required to redact same; and

**WHEREAS**, the Department has received requests for BWC footage and/or VMC footage which encumber a substantial amount of time and cost.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Sea Isle City, County of Cape May and State of New Jersey as follows:

**SECTION I.** Chapter 2 Section 26.4 of the Revised General Ordinances of the City of Sea Isle City, entitled “Copying Fees - Police” is hereby amended to delete the existing section in its entirety and replace same as follows:

**2-26.4. Copying Fees — Police.**

- a. In Person Requests. For all police reports for which the applicant appears in person requesting a copy, the following fees shall be charged:
  1. Police Reports and Discovery: Fees are based upon the size of the paper on which the document is copied.
    - (a) Letter size (8.5" x 11") paper or smaller: \$0.05 per page.
    - (b) Legal size (8.5" x 14") paper or larger: \$0.07 per page.
  2. Photographs: \$7.50 for photographs to size eight inches by 10 inches. Any photographs larger than eight inches by 10 inches shall be charged at the direct cost of reproducing copies thereof.
- b. Written Requests. For all police reports for which the applicant submits a written request for a copy, the following fees shall be charged:
  1. Police Reports and Discovery: Fees are based upon the size of the paper on which the document is copied.
    - (a) Letter size (8.5" x 11") paper or smaller: \$0.05 per page.
    - (b) Legal size (8.5" x 14") paper or larger: \$0.07 per page.
  2. Photographs: \$7.50 for photographs to size eight inches by 10 inches. Any photographs larger than eight inches by 10 inches shall be charged at the direct cost of reproducing copies thereof.
- c. Camera Footage - When body-worn camera/police vehicle camera footage is requested from the City of Sea Isle City Police Department, the footage generally requires review for possible redaction.
  1. For every one (1) hour of camera footage requested, it shall be assumed that three (3) hours were required to review the footage for redaction purposes.
  2. Requests of camera footage will be charged a fee of \$50.00 per hour of review for

redaction purposes.

3. Camera footage review fees shall be billable in 15-minute increments or part thereof.
  4. Requests of body-worn/vehicle camera footage with run-times of one (1.0) hour or less shall be provided free of charge; the fee for redaction shall begin in the second hour of run-time. Requests which include more than one video shall be calculated in the aggregate and the fee for redaction shall begin in the second hour, and calculation shall be performed from the lowest run-time to the highest.
  5. Prior to review and production of recorded camera footage, the requester shall be provided with an estimated charge for production of the footage. In order for the review and production to proceed, the requester shall provide the City of Sea Isle City Police with a deposit in the amount of 50 percent (50%) of the estimated charge.
  6. If the actual review time is under the estimated cost, the requestor shall only be charged for actual cost less the deposit paid. If the actual review time is over the estimated cost, the requestor shall only be charged the amount of the estimate and no higher. If the actual review time is less than the deposit paid, the requestor shall be refunded the difference between the deposit and the actual cost.
  7. Victims of crime shall not be charged any fee for redaction when requesting body-worn/vehicle camera footage of such incident.
- d. Identification of Party Making Request. All requests for police reports and/or photographs, whether in person or by mail, shall be accompanied by a letter of authority with sufficient identification naming the person or persons applying for such copies and indicating the authority or capacity of the person or persons making such request for such report or photograph. Sufficient identification of each person or persons making requests shall be required before any report or photograph may be released.
- e. Exceptions: The following shall be exceptions to the fee schedule set forth in paragraphs 1 and 2 of this section paragraph a and b. There shall be no fees charged to or for the following:
1. A local municipal agency, County agency, State of New Jersey agency or Federal agency.
  2. A charitable, nonprofit corporation or religious corporation.
  3. No handling fee if the photograph or record is not on file.
  4. No reports concerning criminal activities or pending criminal hearings shall be released, except pursuant to the rules of criminal discovery.
- f. Collection of Fees. The Police Department will collect such fees as are herein established and will pay the same over, within 48 hours of collection, to the Chief Financial Officer.

**SECTION II.** Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

**SECTION III.** Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION IV.** Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

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Mary Tighe, Council President

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Mayor Leonard C. Desiderio

**I HEREBY CERTIFY THAT** the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey on first reading at the regular meeting of said Council held on the 10<sup>th</sup> day of March, 2026 and will be taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 14th day of April, 2026, in City Hall, 3<sup>rd</sup> Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00 a.m.

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Shannon D. Romano, Municipal Clerk

**CITY OF SEA ISLE CITY  
NEW JERSEY**

**ORDINANCE NO. 1731 (2026)**

**AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY, CHAPTER 26 TO IMPLEMENT FAIR SHARE HOUSING AGREEMENT TERMS AND RESOLVE A DISCREPANCY IN THE LANGUAGE USED IN THE GENERAL REQUIREMENTS FOR MAXIMUM BUILDING HEIGHT**

**WHEREAS**, from time to time, periodic revisions are made to the Revised General Ordinances as deemed appropriate; and

**WHEREAS**, the New Jersey Council on Affordable Housing (hereinafter “COAH”) has promulgated rules, set forth in N.J.A.C. sections 5:93 and 5:91, concerning the substantive and procedural requirements for obtaining judicial certification of the City’s Housing Elements and Fair Share Plan; and

**WHEREAS**, On March 10, 2015, the New Jersey Supreme Court transferred responsibility to review and approve housing elements and fair share plans from COAH to designated Mount Laurel trial judges within the Superior Court division; and

**WHEREAS**, the City of Sea Isle City (hereinafter the “City” or “Sea Isle”) having filed a resolution of participation in the Affordable Housing Dispute Program (hereinafter the “Program”) and a declaratory judgment action pursuant to N.J.S.A. 52:27-7D-301 to -329.20 (hereinafter the “Fair Housing Act”) on January 29, 2025; and

**WHEREAS**, the Court entered an order on March 27, 2025, setting the City’s Fourth Round fair share obligations and ordering the City to file a Housing Element and Fair Share Plan (hereinafter “HEFSP”) by June 30, 2025; and

**WHEREAS**, On August 27, 2025, Fair Share Housing Center (hereinafter “FSHC”) filed a challenged pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the City’s filed HEFSP; and

**WHEREAS**, On December 18, 2025, the City entered into a Mediation Agreement memorializing the settlement terms with FSHC that determined the City’s prior round, present, and fourth round obligations which was uploaded to the Mount Laurel trial judge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) and Administrative Directive #14-24, which if approved would result in a certification of compliance with the Fair Housing Act; and

**WHEREAS**, on February 3, 2026, the New Jersey Superior Court approved the Mediation Agreement memorializing the settlement terms; and

**WHEREAS**, the Revised General Ordinances of Sea Isle City contain language that conflicts with the Mediation Agreement and in order to meet full compliance and receive a declaratory judgment from the Superior Court this difference in language must be resolved; and

**WHEREAS**, from time to time, periodic reviews of the Revised General Ordinances by the City uncover discrepancies in language between the various requirements in the zoning ordinance; and

**WHEREAS**, one such discrepancy was discovered between the language used in the general requirements for the maximum height of buildings and the maximum height of buildings in each specific zone; and

**WHEREAS**, the City’s intention is to correct this discrepancy by amending the general requirements for the maximum height to match the language used for building height requirements in each zone; and

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Sea Isle City, County of Cape May and State of New Jersey as follows:

**SECTION I.** Chapter 26 Section 43.2.2 of the Revised General Ordinances of the City of Sea Isle City, entitled “Requirements” is hereby amended as follows:

**26-43.2.2. Requirements.**

- c. For inclusionary projects in which the low- and moderate-income units are to be offered for sale, the set-aside percentage shall be 20%; for projects in which the low- and moderate-income units are to be offered for rent, the set-aside percentage should be 20%.

**SECTION II.** Chapter 26 Section 43.2.3 of the Revised General Ordinances of the City of Sea Isle City, entitled “Payment in Lieu of Unit Development” is hereby amended as follows:

**26-43.2.3. Payment in Lieu of Unit Development.**

- a. Developers unable to provide the 20% affordable housing units on site will have the option of providing the units as family affordable housing units elsewhere in the municipality. In a case when fractional units would be required, a payment-in-lieu of providing the fractional affordable units will be permitted.
- b. The payment-in-lieu amount for the fractional unit as provided for in item a, above, shall be as recommended by the Affordable Housing formulas, which in the past has resulted in an amount of \$182,859 per unit. This would require any developer who has a fractional unit as part of their affordable housing obligation to make a payment to the City in the amount of \$182,859 or current amount based on acceptable Affordable Housing formulas per unit, to be deposited into the City's Affordable Housing Trust Fund. The affordable housing requirement shall not be rounded.

**SECTION III.** Chapter 26 Section 43.3.3 of the Revised General Ordinances of the City of Sea Isle City, entitled “Incentives for Affordable Housing Development” is hereby amended as follows:

**26-43.3.3. Incentives for Affordable Housing Development.**

- a. For all mixed-use/residential development, any developer seeking five units or more shall set aside 20% of the units (one affordable unit for every five market-rate units by the developer) for development as affordable housing units. The developer shall be permitted an increase in density from the allocation of four upper-story residential units per each 5,000-square-foot lot, as permitted as of November 14, 2017, to an increased density allowing six upper-story residential units per each 5,000-square-foot lot.

**SECTION IV.** Chapter 26 Section 43.3.4 of the Revised General Ordinances of the City of Sea Isle City, entitled “Payment in Lieu of Unit Development” is hereby amended as follows:

**26-43.3.4. Payment in Lieu of Unit Development.**

- a. Developers unable to provide the 20% affordable housing units on site will have the option of providing the units as family affordable housing units elsewhere in the municipality. In a case when fractional units would be required, a payment-in-lieu of providing the fractional affordable units will be permitted.
- b. The payment-in-lieu amount for the fractional unit as provided for in item a, above, shall be as recommended by the Affordable Housing formulas, which in the past has resulted in an amount of \$182,859 per unit. This would require any developer who has a fractional unit as part of their affordable housing obligation to make a payment to the City in the amount of \$182,859 or current amount based on acceptable Affordable Housing formulas per unit, to be deposited into the City's Affordable Housing Trust Fund. The affordable housing requirement shall not be rounded.

**SECTION V.** Chapter 26 Section 52.7 of the Revised General Ordinances of the City of Sea Isle City, entitled “Mixed Nonresidential and Residential Standards” is hereby amended as follows:

**26-52.7 Mixed Nonresidential and Residential Standards.**

- e. Any development which creates multi-family residential units is subject to the

provisions relating to affordable housing under Section 26-43.2.

**SECTION VI.** Chapter 26 Section 53.7 of the Revised General Ordinances of the City of Sea Isle City, entitled “Mixed Nonresidential and Residential Standards” is hereby amended as follows:

**26-53.7 Mixed Nonresidential and Residential Standards.**

- e. Any development which creates multi-family residential units is subject to the provisions relating to affordable housing under Section 26-43.2.

**SECTION VII.** Chapter 26 Section 54.7 of the Revised General Ordinances of the City of Sea Isle City, entitled “Mixed Nonresidential and Residential Standards” is hereby amended as follows:

**26-54.7 Mixed Nonresidential and Residential Standards.**

- e. Any development which creates multi-family residential units is subject to the provisions relating to affordable housing under Section 26-43.2.

**SECTION VIII.** Chapter 26 Section 55.13 of the Revised General Ordinances of the City of Sea Isle City, entitled “Mixed Nonresidential and Residential Standards” is hereby amended as follows:

**26-55.13 Mixed Nonresidential and Residential Standards.**

- e. Any development which creates multi-family residential units is subject to the provisions relating to affordable housing under Section 26-43.2.

**SECTION IX.** Chapter 26 Section 56.14 of the Revised General Ordinances of the City of Sea Isle City, entitled “Mixed Nonresidential and Residential Standards” is hereby amended as follows:

**26-56.14 Mixed Nonresidential and Residential Standards.**

- e. Any development which creates multi-family residential units is subject to the provisions relating to affordable housing under Section 26-43.2.

**SECTION X.** Chapter 26 Section 21.1 of the Revised General Ordinances of the City of Sea Isle City, entitled “Principal Buildings or Structures” is hereby amended as follows:

**26-21.1 Principal Buildings or Structures.**

- a. Unless specified in the regulations of a particular zoning district, the height of principal buildings or structures in all residential districts and residential structures in nonresidential districts shall not exceed thirty-three (33') feet in a "V" Zone or thirty-two (32') feet in an "A" Zone above the height standards set forth in the local design flood elevation as determined in Chapter 14 entitled “Flood Damage Prevention,” where there is a pitched roof, or twenty-six (26') feet in a "V" Zone or twenty-five (25') feet in an "A" Zone above the height standards set forth in the local design flood elevation as determined in Chapter 14 entitled “Flood Damage Prevention,” where there is a flat roof.
- b. Unless specified in the regulations of a particular zoning district, the height of principal nonresidential buildings or structures in all commercial districts shall not exceed thirty-three (33') feet in a "V" Zone or thirty-two (32') feet in an "A" Zone above the height standards set forth in the local design flood elevation as determined in Chapter 14 entitled “Flood Damage Prevention,” where there is a pitched roof, or twenty-six (26') feet in a "V" Zone or twenty-five (25') feet in an "A" Zone above the height standards set forth in the local design flood elevation as determined in Chapter 14 entitled “Flood Damage Prevention,” where there is a flat roof.

**SECTION XI.** Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

**SECTION XII.** Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION XIII.** Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

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Mary Tighe, Council President

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Mayor Leonard C. Desiderio

**I HEREBY CERTIFY THAT** the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey on first reading at the regular meeting of said Council held on the 10th day of February, 2026 and was taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 10th day of March, 2026, in City Hall, 3<sup>rd</sup> Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00 a.m.

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Shannon D. Romano, Municipal Clerk

**CITY OF SEA ISLE CITY  
NEW JERSEY**

**ORDINANCE NO. 1732 (2026)**

**AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE  
CITY OF SEA ISLE CITY, “AFFORDABLE HOUSING” CHAPTER 26, SECTION 43  
TO IMPLEMENT FAIR SHARE HOUSING AGREEMENT TERMS**

**WHEREAS**, in accordance with N.J.S.A. 52:27D-304.1 et seq., the Governing Body of the City of Sea Isle intends upon amending “Affordable Housing” Chapter 26, Section 43, so as to incorporate and implement its present and prospective Fair Share Plan as provided by the Fair Housing Act, N.J.S.A. 52:27D-301 et al.; and

**WHEREAS**, on June 9, 2025 the Planning Board of the City of Sea Isle, Cape May County, State of New Jersey, adopted a Resolution approving a Fourth Round Housing Element of the Master Plan and Fair Share Plan; and

**WHEREAS**, on June 10, 2025 the City Governing Body endorsed the Fourth Round Housing Element and Fair Share Plan adopted by the Land Use Board; and

**WHEREAS**, the Governing Body of the City of Sea Isle intends upon considering the adoption of an Ordinance amending, Chapter 26, Section 43 of the Code of the City of Sea Isle, to implement the required affordable housing ordinances, development fee ordinances and implementing ordinances, and has introduced on first reading Ordinance 1731 - 2026 and moved to submit the same to the Planning Board of the City of Sea Isle for consideration and recommendation; and

**WHEREAS**, the City Planning Board recommends the adoption of this ordinance pursuant to the approval of the Housing Element and Fair Share Plan and Spending Plan to the Governing Body in accordance with the requirements of N.J.S.A. 40:55D-64. The Planning Board found that the proposed ordinance is consistent with the adopted Master Plan Elements and made a favorable recommendation supporting the ordinance amendments at their March 9, 2026 meeting.

**NOW THEREFORE, BE IT ORDAINED** by the Governing Body of the City of Sea Isle, County of Cape May, State of New Jersey that, Chapter 26, Section 43 of the Code of the City of Sea Isle, be amended, revised and supplemented in accordance with the following:

**SECTION I. REPEAL AND REPLACE Chapter 26 Sections 26-43.1 through 26-43.1.20 regarding Affordable Housing with the following:**

**Section 26-43.1 Affordable Housing**

**A. Introduction & Applicability**

1. This section of the Code sets forth regulations regarding the very low-, low- and moderate-income housing units in Sea Isle 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 the provisions set forth below in item 5.c. below.

3. The Sea Isle City Planning Board has adopted a HEFSP pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan describes the ways the municipality shall address its fair share of very low-, low- and moderate-income housing as approved by the Superior Court and documented in the Housing Element.
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, NJ Supreme Court upheld COAH regulations at N.J.A.C. 5:93 and 5:97, and UHAC at N.J.A.C. 5:80-26.1, as may be amended and supplemented.
5. Applicability
  - a. The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created pursuant to the municipality's most recently adopted HEFSP.
  - b. This Ordinance shall apply to all developments that contain very low-, low- and moderate-income housing units included in the Municipal HEFSP, including any unanticipated future developments that will provide very low-, low- and moderate-income housing units.
  - c. Projects receiving federal Low Income Housing Tax Credit financing and are proposed for credit shall comply with the low/moderate split and bedroom distribution requirements, maximum initial rents and sales prices requirements, 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.

### **Section 23-43.1.1 Definitions**

#### **A. 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 et seq.

“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 et seq.) 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 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-1 et seq.).

“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 et seq. 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 P.L.2024, c. 2 (C.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 (C.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 et seq.).

“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 et seq.

“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 et seq.

“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-1 et seq.).

“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 et seq.

“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 et seq., 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 et seq.

“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.

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

“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 et seq., 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, as defined by N.J.S.A. 34:1B-21.24, that is affordable to very low-, low- or moderate-income households and is reserved for occupancy by a supportive housing household. 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 26-43.1.2 Monitoring and Reporting Requirements**

A. 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 26-43.1.3 New Construction**

A. 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 et seq.). 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.

1. The following requirements shall apply to all new or planned developments that contain very low-, 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.
2. 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

3. 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 may 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 (The municipality has chosen to allow rounding for the bedroom distribution as indicated below):
    - 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 up or down, of the total number of low- and moderate-income units.
    - iv. At least 30% of all low- and moderate-income units, rounded up or down, shall be two-bedroom units.
    - v. At least 20% of all low- and moderate-income units, rounded up or down, 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 multi-floor 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 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7, 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.

## A. 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. 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.
5. 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. Units are 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).
    - ii. Units 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.

- iii. 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.
- iv. Housing that is age-restricted shall be included with the maximum number of units that may be age-restricted pursuant to the Act.
- v. Occupancy shall not be restricted to youth under 18 years of age.
- vi. 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.
- vii. 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 approved by the sponsoring program;
  - (b) Affordability average and bedroom distribution (N.J.A.C. 5:80-26.4).
- viii. 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.
- ix. 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.
- x. The following documentation shall be submitted by the sponsor to the municipality prior to marketing the completed units or facility:
  - (a) An Affirmative Marketing Plan in accordance with D1 above; and
  - (b) 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 26-43.1.5 Regional Income Limits**

#### **A. Regional Income Limits.**

1. Administrative agents shall use the current regional income limits 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 26-43.1.6 Maximum Initial Rents and Sales Prices

### A. 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.
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% of regional median income. The maximum rent may be increased to no more than 70 percent of regional median income for moderate-income units within affordable developments where very-low-income units compose at least 13 percent of the restricted units; however, the number of units with rent affordable to households earning 70 percent of regional median income may not exceed the number of very-low-income units in excess of 13 percent (rounded up) of the restricted units.
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, provided that at least 13% of all low- and moderate-income rental units shall be affordable to households earning no more than 30% of median income. These very low-income units shall be part of the low-income requirement and very-low-income units should 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.
5. The maximum sales price of restricted ownership units within each affordable housing development shall be affordable to households earning no more than 70% of median income, and each affordable housing development must achieve an affordability average that does not exceed 55% 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. The initial rent for a restricted rental unit shall be calculated so the eligible monthly housing expenses/income, including an allowance for tenant-paid utilities does not exceed 30 percent of gross income of and the appropriate household size as determined pursuant to N.J.A.C. 5:80-26.3, as may be amended and supplemented.
11. At the anniversary date of the tenancy of the certified household occupying a restricted rental unit, following proper notice provided to the occupant household pursuant to N.J.S.A. 2A:18-61.1.f, 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." Rent increases for units constructed pursuant to Low-Income Housing Tax Credit regulations shall be indexed pursuant to the regulations governing Low-Income Housing Tax Credits.

#### **Section 26-43.1.7 Affirmative Marketing**

##### **A. 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 Atlantic, Cape May, 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. The Township may add a list of community and regional organizations to receive notice of the availability of affordable housing units in addition to the following required entities: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, the Cape May County, Mainland/Pleasantville, and Atlantic City Branches of the NAACP. 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.
10. 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 26-43.1.8 Selection of Occupants of Affordable Housing Units**

##### **A. 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 26-43.1.9 Occupancy Standards**

##### **A. 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 26-43.1.10 Control Periods for Restricted Ownership Units and Enforcement Mechanisms**

**A. Control Periods for Restricted Ownership Units 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 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 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 26-43.1.11 Price Restrictions for Restricted Ownership Units and Resale Prices**

**A. 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, as may be amended and supplemented, including:
  - 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 26-43.1.12 Buyer Income Eligibility**

#### **A. 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% 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% of median income and moderate-income ownership units shall be reserved for occupancy by households with a gross household income less than 80% 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 26-43.1.13 Limitations on Indebtedness Secured by Ownership Unit; Subordination.**

##### **A. 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 26-43.1.14 Control Periods for Restricted Rental Units**

##### **A. 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 26-43-1.15**

##### **A. 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 26-43.1.16 Tenant Income Eligibility**

#### **A. 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 26-43.1.17 Municipal Housing Liaison**

#### **A. 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 in N.J.A.C. 5:99-1 et seq.
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 26-43.1.18 Administrative Agent**

#### **A. 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, NJAC 5:99-1 et seq. 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 N.J.A.C. 5:80-26.1 et seq.
  - 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 26-43.1.19 Responsibilities of the Owner of a Development Containing Affordable Units**

A. 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 A 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 A, 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.
  - 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 26-43.1.20 Enforcement of Affordable Housing Regulations**

#### **A. 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 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 \$1,000.00 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 low- or moderate-income 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 his or her 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 NJHRC 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
  - a. 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 II. REPEAL AND REPLACE Chapter 26 Sections 26-43.4 through 26-43.4.8 regarding Nonresidential Affordable Housing Development Fees with the following:**

**Section 26-43.4 Nonresidential Affordable Housing Development Fees**

**Section 26-43.4.1. Purpose**

- a. This section establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with the amended Fair Housing Act (P.L.2024, c.2), 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.

**Section 26-43.4.2 Basic Requirements**

- a. The definitions of Section 115-15.1.B shall apply.
- b. The municipality previously adopted a development fee ordinance, which established the Municipal Affordable Housing Trust Fund.
- c. The municipality shall not spend development fees until the court has approved a plan for spending such fees.

**Section 26-43.4.3 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.

#### **Section 26-43.4.4 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. One hundred percent (100%) of the development fee 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.

#### **Section 26-43.4.5 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.

#### **Section 26-43.4.6 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.

**Section 26-43.4.7 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 homeowners association or condominium fees and special assessments, infrastructure assistance, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the Spending Plan.
  - 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.

**Section 26-43.4.8 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 AHMS 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.4), 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.

**Section 26-43.4.9 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).

**Section 26-43.4.10 Emergent Affordable Housing Opportunities.**

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

**SECTION III. Severability.** If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

**SECTION IV. Repealer.** Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION V. Publication.** This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

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Mary Tighe, Council President

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Mayor Leonard C. Desiderio

**I HEREBY CERTIFY THAT** the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey on first reading at the regular meeting of said Council held on the 10th day of February, 2026 and was taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 10th day of March, 2026, in City Hall, 3<sup>rd</sup> Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00 a.m.

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Shannon D. Romano, Municipal Clerk

# Resolution 19

# 2026 MUNICIPAL DATA SHEET

(MUST ACCOMPANY 2026 BUDGET)

**CAP**

MUNICIPALITY: CITY OF SEA ISLE CITY

COUNTY: CAPE MAY

Leonard C. Desiderio	December 31, 2027
Mayor's Name	Term Expires

Municipal Officials	
Shannon D. Romano	1/1/2018
Municipal Clerk	Date of Orig. Appt.
Jessica Gibson	C-1659
Tax Collector	Cert. No.
Jennifer McIver	T-8483
Chief Financial Officer	Cert. No.
Leon P Costello, CPA	RMA 393
Registered Municipal Accountant	Lic. No.
Paul Baldini	
Municipal Attorney	
George Savastano - City Administrator	

Governing Body Members	
Name	Term Expires
Frank P. Edwardi, Jr.	12/31/2027
William J. Kehner	12/31/2027
Mary Tighe - Council President	12/31/2029
Michael A. Jargowsky	12/31/2029
Ian Ciseck	12/31/2029

Official Mailing Address of Municipality

CITY HALL

233 J.F.K. Blvd

Sea Isle City, NJ 08243

Fax #: 609-263-6139

Sheet A

# 2026 MUNICIPAL BUDGET

Municipal Budget of the \_\_\_\_\_ CITY \_\_\_\_\_ of \_\_\_\_\_ SEA ISLE CITY \_\_\_\_\_, County of \_\_\_\_\_ CAPE MAY \_\_\_\_\_ for the Fiscal Year 2026.

It is hereby certified that the Budget and Capital Budget annexed hereto and hereby made a part hereof is a true copy of the Budget and Capital Budget approved by resolution of the Governing Body on the

24th day of February, 2026  
and that public advertisement will be made in accordance with the provisions of N.J.S.A. 40A:4-6 and N.J.A.C. 5:30-4.4(d).

Certified by me, this 24th day of February, 2026

\_\_\_\_\_  
Clerk  
233 J.F.K. Blvd  
Address  
Seal Isle City, NJ 08243  
Address  
609-263-4461  
Phone Number

It is hereby certified that the approved Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof, and the total of anticipated revenues equals the total of appropriations.

Certified by me, this 24th day of February, 2026

Leon P. Costello, CPA, RMA  
Registered Municipal Accountant  
Ocean City, NH 08226  
Address  
1535 Haven Avenue  
Address  
609-399-6333 ex225  
Phone Number

It is hereby certified that the approved Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof, the total of anticipated revenues equals the total of appropriations and the budget is in full compliance with the Local Budget Law, N.J.S.A. 40A:4-1 et seq.

Certified by me, this 24th day of February, 2026

\_\_\_\_\_  
Chief Financial Officer

DO NOT USE THESE SPACES

## CERTIFICATION OF ADOPTED BUDGET

*(Do not advertise this Certification form)*

It is hereby certified that the amounts to be raised by taxation for local purposes has been compared with the approved Budget previously certified by me and any changes required as a condition to such approval have been made. The adopted budget is certified with respect to the foregoing only.

STATE OF NEW JERSEY  
Department of Community Affairs  
Director of the Division of Local Government Services

Dated: \_\_\_\_\_, 2026 By: \_\_\_\_\_

Sheet 1

# MUNICIPAL BUDGET NOTICE

## Section 1.

Municipal Budget of the \_\_\_\_\_ CITY \_\_\_\_\_ of \_\_\_\_\_ SEA ISLE CITY \_\_\_\_\_, County of \_\_\_\_\_ CAPE MAY \_\_\_\_\_ for the Fiscal Year 2026

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2026;

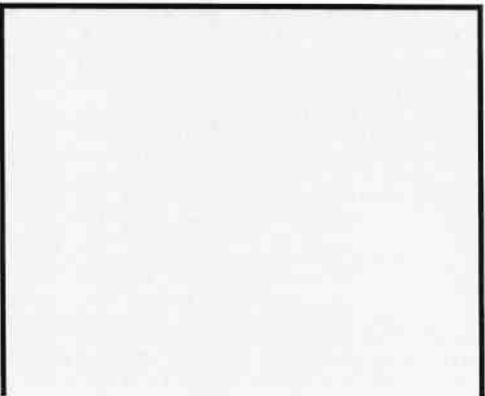
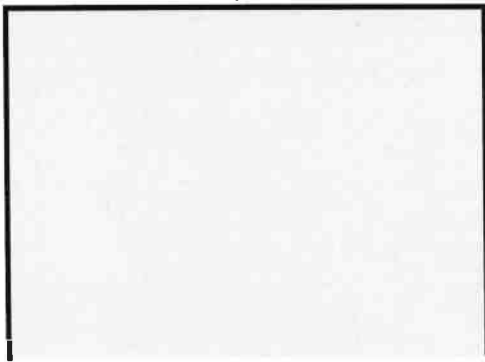
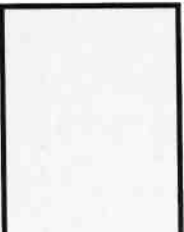
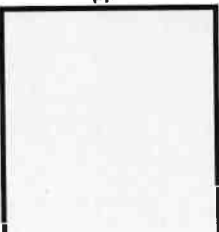
Be it Further Resolved, that said Budget be published on the official website \_\_\_\_\_ on \_\_\_\_\_, 2026;

Also, if applicable, it will be advertised in the following on-line publication of \_\_\_\_\_ on \_\_\_\_\_, 2026.

The Governing Body of the \_\_\_\_\_ CITY \_\_\_\_\_ of \_\_\_\_\_ SEA ISLE CITY \_\_\_\_\_ does hereby approve the following as the Budget for the year 2026:

### RECORDED VOTE

(Insert Last Name)

Ayes	Nays	Abstained	Absent
			

Notice is hereby given that the Budget and Tax Resolution was approved by the \_\_\_\_\_ COUNCIL MEMBERS \_\_\_\_\_ of the \_\_\_\_\_ CITY \_\_\_\_\_ of \_\_\_\_\_ SEA ISLE CITY \_\_\_\_\_, County of \_\_\_\_\_ CAPE MAY \_\_\_\_\_, on \_\_\_\_\_ February \_\_\_\_\_ 24th \_\_\_\_\_, 2026.

A Hearing on the Budget and Tax Resolution will be held at \_\_\_\_\_ CITY HALL \_\_\_\_\_, on \_\_\_\_\_ March \_\_\_\_\_ 24th \_\_\_\_\_, 2026 at \_\_\_\_\_ 10:00 o'clock \_\_\_\_\_ A.M. \_\_\_\_\_ at which time and place objections to said Budget and Tax Resolution for the year 2026 may be presented by taxpayers or other interested persons.

**Information Required for Municipal Budget Document:**

**Municipal Budget Version 2026.0 Responses and Data**

Name and County of Municipality	Sea Isle City, Cape May County		
Full Name of Municipality	CITY OF SEA ISLE CITY		
County of Municipality	CAPE MAY		
Name of Municipality	SEA ISLE CITY		
Type	CITY		
Governing Body Type	COUNCIL MEMBERS		
Location	CITY HALL		
Address	233 J.F.K. Blvd		
Address	Sea Isle City, NJ 08243		
Phone	609-263-4461		
Fax	609-263-6139		
Clerk	Shannon D. Romano		<u>Cert #</u> C-1659
Tax Collector	Jessica Gibson		T-8483
Chief Financial Officer	Jennifer McIver		N-0811
Registered Municipal Accountant	Leon P Costello, CPA		RMA 393
Municipal Attorney	Paul Baldini		
Website URL for Publishing	https://www.seaislecitynj.us/CityAuditsBudgets		
Date of Website Posting	10th	March	3/10/2026
On-line Publication for Publishing	https://www.seaislecitynj.us/CityOfficialPublicN		
Date of On-line Publication Posting	10th	March	4/14/2026
	<u>Day</u>	<u>Month</u>	
Date of Introduction	10th	March	3/10/2026
Date of Public Hearing	14th	April	4/14/2026
Time of Public Hearing	10:00		
Net Valuation Taxable Current	5,075,799,200		
Net Valuation Taxable Prior	5,032,302,500		
	<u>43,496,700</u>		

<b>Budget Year</b>	<b>2026</b>	<b>Budget Year Type:</b>	<b>Calendar Year</b>
--------------------	-------------	--------------------------	----------------------

Municipal Code 0509

How many utilities does municipality have?*	1	<i>*One (1) utility listed by default. Select "0"</i>	
<b>Utility #</b>	<b>Utility Name</b>	<b>Utility Type</b>	<b>Ca</b>
Utility 1	Water & Sewer		<b># of Years</b>
Utility 2			<b>Beginning Year</b>
Utility 3			<b>Ending Year</b>
Utility 4			
Utility 5			
Utility 6			
Utility Assessment (Tab 37)			
Utility Assessment (Tab 38)			

<b>Page Count - Standard or Expanded:</b>	<b>Start with "Standard" and mov</b>	
Grant Revenues (Sheet 9)	Standard	"Standard" will provide two (2) sheets for Grant Re
Other Special Item Revenues (Sheet 10)	Standard	"Standard" will provide two (2) sheets for Other Sp
General Appropriations (Sheet 15)	Standard	"Standard" will provide nine (9) sheets for Genera
Grant Appropriations (Sheet 24)	Standard	"Standard" will provide three (3) sheets for Grant A
Capital Improvements (Sheets 40b, 40c, 40d)	Standard	"Standard" will provide three (3) sheets per section

<b>Hide/Unhide "Summary" Tabs:</b>	
Summary Data, Budget Summary, Tax Summary	Unhidden

Date of Original Appt.

1/1/2018

35 day(s) between publication and hearing

35 day(s) between intro and hearing

*Calendar or State Fiscal*

*if you do not have any utilities.*

Capital Improvement Program

6

2026

2031

**Change to "Expanded" only as needed.**

Revenues.

Special Items of Revenue.

Capital Appropriations.

Operating Appropriations.

7.

## EXPLANATORY STATEMENT

### SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET

			YEAR 2026
General Appropriations For: (Reference to item and sheet number should be omitted in advertised budget)			
XXXXXX			
1. Appropriations within "CAPS" -			
XXXXXX			
(a) Municipal Purposes {(Item H-1, Sheet 19)(N.J.S.A. 40A:4-45.2)}			
24,514,248.25			
XXXXXX			
2. Appropriations excluded from "CAPS" -			
(a) Municipal Purposes {(Item H-2, Sheet 28)(N.J.S.A. 40A:4-53.3 as amended)}			
8,761,877.15			
(b) Local District School Purposes in Municipal Budget (Item K, Sheet 29)			
-			
Total General Appropriations excluded from "CAPS" (Item O, Sheet 29)			
8,761,877.15			
3. Reserve for Uncollected Taxes (Item M, Sheet 29) Based on Estimated			
		97.50%	
		Percent of Tax Collections	
		Building Aid Allowance	2026 - \$
		for Schools-State Aid	2025 - \$
			34,457,780.89
4. Total General Appropriations (Item 9, Sheet 29)			
11,491,561.15			
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)			
XXXXXX			
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget (as follows)			
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes (Item 6(a), Sheet 11)			
22,966,219.74			
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)			
-			
(c) Minimum Library Tax			
-			

**EXPLANATORY STATEMENT - (Continued)**

**SUMMARY OF 2025 APPROPRIATIONS EXPENDED AND CANCELED**

	General Budget	Water & Sewer Utility	Utility	Utility	Utility	Utility	Utility	Utility
Budget Appropriations - Adopted Budget	32,591,243.69	10,402,129.77	-	-	-	-	-	-
Budget Appropriations Added by N.J.S.A. 40A:4-87	30,806.78							
Emergency Appropriations	-	-	-	-	-	-	-	-
Total Appropriations	32,622,050.47	10,402,129.77	-	-	-	-	-	-
<u>Expenditures:</u>								
Paid or Charged (Including Reserve for Uncollected Taxes)	30,491,106.92	9,518,733.83	-	-	-	-	-	-
Reserved	2,127,005.95	818,481.16	-	-	-	-	-	-
Unexpended Balances Canceled	3,937.60	64,914.78	-	-	-	-	-	-
Total Expenditures and Unexpended Balances Canceled	32,622,050.47	10,402,129.77	-	-	-	-	-	-
Overexpenditures *	-	-	-	-	-	-	-	-

EXPLANATORY STATEMENT - (Continued)

BUDGET MESSAGE

<u>CAP CALCULATION</u>		<u>CAP CALCULATION</u>	
Total General Appropriations for 2025	32,591,243.69	Allowable Operating Appropriations before	23,754,378.51
Cap Base Adjustment:		Additional Exceptions per (N.J.S.A. 40A:4-45.3)	
Subtotal	32,591,243.69		
Exceptions Less:		Additions:	
Total Other Operations	127,089.00	New Construction (Assessor Certification)	210,509.03
Total Uniform Construction Code		2024 Cap Bank Available	76,394.05
Total Interlocal Service Agreement		2025 Cap Bank Available	221,498.49
Total Additional Appropriations	471,500.00		
Total Capital Improvements	7,477,325.00	Total Additions	508,401.57
Total Debt Service		Maximum Appropriations within "CAPS" Sheet 19 @	2.0%
Transferred to Board of Education			24,262,780.08
Type I School Debt	38,933.12	Additional Increase to COLA rate.	3.5%
Total Public & Private Programs	15,145.00	Amount of Increase allowable.	1.5%
Judgements	1,172,645.19		349,329.10
Total Deferred Charges	9,302,637.31	Maximum Appropriations within "CAPS" Sheet 19 @	3.5%
Cash Deficit			24,612,109.17
Reserve for Uncollected Taxes	23,288,606.38	Total General Appropriations for Municipal Purposes	24,514,248.25
Total Exceptions	465,772.13	(Sheet 19, H-1)	
Amount on Which CAP is Applied		Over or (Under) Appropriations Cap	(97,860.92)
2.0% CAP			
Allowable Operating Appropriations before	23,754,378.51		
Additional Exceptions per (N.J.S.A. 40A:4-45.3)			

NOTE:

**MANDATORY MINIMUM BUDGET MESSAGE MUST INCLUDE A SUMMARY OF:**

1. HOW THE "CAP" WAS CALCULATED. (Explain in words what the "CAPS" mean and show the figures.)
2. A SUMMARY BY FUNCTION OF THE APPROPRIATIONS THAT ARE SPREAD AMONG MORE THAN ONE OFFICIAL LINE ITEM (e.g. if Police S & W appears in the regular section and also under "Operation Excluded from "CAPS" section, combine the figures for purposes of citizen understanding.)

Sheet 3b

EXPLANATORY STATEMENT - (Continued)

BUDGET MESSAGE

**RECAP OF GROUP INSURANCE APPROPRIATION**

Following is a recap of the Municipality's Employee Group Insurance

Estimated Group Insurance Costs - 2026

Estimated Amounts to be Contributed by Employees:

Contribution from all eligible emp.

Budgeted Group Insurance - Inside CAP  
 Budgeted Group Insurance - Utilities  
 Budgeted Group Insurance - Outside CAP  
 TOTAL

Instead of receiving Health Benefits, \_\_\_\_\_ employees have elected an opt-out for 2026. This opt-out amount is budgeted separately.

Health Benefits Waiver  
 Salaries and Wages

**"2010" LEVY CAP BANKS:**

2023

Maximum Allowable Amount to be Raised by Taxation  
 Amount to be Raised by Taxation for Municipal Purpose  
 Available for Banking (CY 2026)  
 Amount Used in CY 2026  
 Balance to Expire

1,384,601  
 1,384,601

2024

Maximum Allowable Amount to be Raised by Taxation  
 Amount to be Raised by Taxation for Municipal Purpose  
 Available for Banking (CY 2026 - CY 2027)  
 Amount Used in CY 2026  
 Balance to Carry Forward (CY 2027)

-  
 -  
 -

2025

Maximum Allowable Amount to be Raised by Taxation  
 Amount to be Raised by Taxation for Municipal Purpose  
 Available for Banking (CY 2026 - CY 2028)  
 Amount Used in CY 2026  
 Balance to Carry Forward (CY 2027 - CY2028)

22,405,808  
 22,405,808  
 -  
 -

2026

Maximum Allowable Amount to be Raised by Taxation  
 Amount to be Raised by Taxation for Municipal Purpose  
 Available for Banking (CY 2027 - CY 2029)

-  
 -  
 -

Total Levy CAP Bank

-

Sheet 3b (2)

BUDGET MESSAGE

**NEW JERSEY 2010 LOCAL UNIT LEVY CAP LAW**

P.L. 2007, c. 62, was amended by P.L. 2008 c. 6 and P.L. 2010 c. 44 (S-29 R1). The last amendment reduces the 4% to 2% and modifies some of the exceptions and exclusions. It also removes the LFB waiver. The voter referendum now requires a vote in excess of only 50% which is reduced from the original 60% in P.L. 2007, c. 62.

**SUMMARY LEVY CAP CALCULATION**

**LEVY CAP CALCULATION**

Prior Year Amount to be Raised by Taxation	22,405,807.57
Less:	
Less: Prior Year Deferred Charges to Future Taxation Unfunded	15,145.00
Less: Prior Year Deferred Charges: Emergencies	
Less: Prior Year Recycling Tax	
Less:	
Net Prior Year Tax Levy for Municipal Purpose Tax for CAP Calculation	22,390,662.57
Plus 2% CAP Increase	447,813.25
<b>ADJUSTED TAX LEVY</b>	<b>22,838,475.82</b>
Plus: Assumption of Service/Function	
<b>ADJUSTED TAX LEVY PRIOR TO EXCLUSIONS</b>	<b>22,838,475.82</b>

**ADJUSTED TAX LEVY PRIOR TO EXCLUSIONS**

22,838,475.82

Exclusions:

Allowable Shared Service Agreements Increase	445,149.00	
Allowable Health Insurance Costs Increase	2,059.00	
Allowable Pension Obligations Increases		
Allowable LOSAP Increase		
Allowable Capital Improvements Increase	436,065.00	
Allowable Debt Service and Capital Leases Inc.		
Recycling Tax appropriation		
Deferred Charge to Future Taxation Unfunded	7,250.00	
Current Year Deferred Charges: Emergencies		
Add Total Exclusions		890,523.00
Less Cancelled or Unexpended Waivers		
Less Cancelled or Unexpended Exclusions		3,938.00

**ADJUSTED TAX LEVY**

23,725,060.82

Additions:

New Ratables - Increase for new construction	47,305.400	
Prior Year's Local Purpose Tax Rate (per \$100)	0.445	
New Ratable Adjustment to Levy		
Amounts approved by Referendum		210,509.03
Levy CAP Bank Applied		

**MAXIMUM ALLOWABLE AMOUNT TO BE RAISED BY TAXATION**

23,935,569.85

**AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES**

22,966,219.74

**OVER OR (UNDER) 2% LEVY CAP**

(969,350.11)

(must be equal or under for Introduction)

EXPLANATORY STATEMENT - (Continued)

BUDGET MESSAGE

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Sheet 3d

## CURRENT FUND - ANTICIPATED REVENUES

	FCOA	Anticipated		Realized in
		2026	2025	
<b>GENERAL REVENUES</b>				
1. Surplus Anticipated	08-101	4,500,000.00	3,650,000.00	3,650,000.00
2. Surplus Anticipated with Prior Written Consent of Director of Local Government Services	08-102			
Total Surplus Anticipated	08-100	4,500,000.00	3,650,000.00	3,650,000.00
3. Miscellaneous Revenues - Section A: Local Revenues	XXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
Licenses:	XXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
Alcoholic Beverages	08-103	15,000.00	15,000.00	17,764.80
Other	08-104	160,000.00	160,000.00	170,485.00
Fees and Permits	08-105	250,000.00	250,000.00	266,978.23
Fines and Costs:	XXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
Municipal Court	08-110	250,000.00	250,000.00	296,611.21
Other	08-109			
Interest and Costs on Taxes	08-112	60,000.00	60,000.00	84,515.69
Interest and Costs on Assessments	08-115			
Parking Meters	08-111	285,000.00	285,000.00	296,723.23
Interest on Investments and Deposits	08-113	505,900.00	200,000.00	1,167,059.26
Anticipated Utility Operating Surplus	08-114			

## CURRENT FUND - ANTICIPATED REVENUES - (Continued)

GENERAL REVENUES	FCOA	Anticipated		Realized in
		2026	2025	Cash in 2025
<b>3. Miscellaneous Revenues - Section A: Local Revenues (continued)</b>				
Beach Fees	08-105	1,700,000.00	1,700,000.00	1,935,398.00
Marina Slip Rentals	08-105	205,000.00	205,000.00	233,460.00
Local Franchise Fee- Cable and Beach Vendors	08-105	450,000.00	365,000.00	585,755.06
Telephone Cell Tower Rental	08-230	340,000.00	340,000.00	375,681.25





**CURRENT FUND - ANTICIPATED REVENUES - (Continued)**

	FCOA	Anticipated		Realized in
		2026	2025	Cash in 2025
<b>3. Miscellaneous Revenues - Section B: State Aid Without Offsetting Appropriations</b>				
<b>GENERAL REVENUES</b>				
Transitional Aid	09-212			
Energy Receipts Tax (P.L. 1997, Chapters 162 & 167)	09-202	296,503.00	296,503.00	296,502.58
Garden State Trust	09-206			
Watershed Aid	09-207			
Municipal Relief Fund				
<b>Total Section B: State Aid Without Offsetting Appropriations</b>	<b>09-001</b>	<b>296,503.00</b>	<b>296,503.00</b>	<b>296,502.58</b>





# CURRENT FUND - ANTICIPATED REVENUES - (Continued)

GENERAL REVENUES	FCOA	Anticipated		Realized in
		2026	2025	Cash in 2025
3. Miscellaneous Revenues - Section D: Special Items of General Revenue Anticipated				
With Prior Written Consent of the Director of Local Government Services				
Shared Service Agreements Offset With Appropriations:	xxxxxxx	xxxxxxxxxxxxx	xxxxxxxxxxxxx	xxxxxxxxxxxxx



**CURRENT FUND - ANTICIPATED REVENUES - (Continued)**

GENERAL REVENUES	FCOA	Anticipated		Realized in Cash in 2025
		2026	2025	
3. Miscellaneous Revenues - Section D: Special Items of General Revenue Anticipated				
With Prior Written Consent of the Director of Local Government Services				
Shared Service Agreements Offset With Appropriations:	xxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
<b>Total Section D: Shared Service Agreements Offset With Appropriations</b>	11-001	-	-	-

### CURRENT FUND - ANTICIPATED REVENUES - (Continued)

GENERAL REVENUES	FCOA	Anticipated		Realized in
		2026	2025	Cash in 2025
3. Miscellaneous Revenues - Section E: Special Items of General Revenue Anticipated				
With Prior Written Consent of the Director of Local Government Services -				
Additional Revenues Offset with Appropriations (N.J.S.A. 40A:4-45.3h):	xxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
Total Section E: Special Item of General Revenue Anticipated with Prior Written	xxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
Consent of Director of Local Government Services - Additional Revenues	08-003	-	-	-

**CURRENT FUND - ANTICIPATED REVENUES - (Continued)**

	FCOA	Anticipated		Realized in Cash in 2025
		2026	2025	
<b>3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated</b>				
<b>With Prior Written Consent of Director of Local Government Services - Public and</b>				
<b>Private Revenues Offset with Appropriations:</b>				
	XXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
Clean Communities Program	10-602	36,587.26	36,889.32	36,889.32
COPS in Shops	10-694			-
				-
Body Armor Grant	10-505	2,570.89	2,043.80	2,043.80
Click or Ticket	10-725			-
Drunk Driving Enforcement Fund	10-510		30,806.78	30,806.78
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-

**CURRENT FUND - ANTICIPATED REVENUES - (Continued)**

	FCOA	Anticipated		Realized in
		2026	2025	Cash in 2025
<b>3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated</b>				
<b>With Prior Written Consent of Director of Local Government Services - Public and</b>				
<b>Private Revenues Offset with Appropriations (Continued):</b>	xxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
				-
<b>Total Section F: Special Item of General Revenue Anticipated with Prior Written</b>	xxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
<b>Consent of Director of Local Government Services - Public and Private Revenues</b>	10-001	39,158.15	69,739.90	69,739.90

**CURRENT FUND - ANTICIPATED REVENUES - (Continued)**

	GENERAL REVENUES	FCOA	Anticipated		Realized in Cash in 2025
			2026	2025	
3. Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated					
With Prior Written Consent of Director of Local Government Services - Other Special					
Items:		xxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
Utility Operating Surplus of Prior Year		08-116			
Recreation Fees		08-241	40,000.00	35,000.00	53,988.00
Festival Income		08-242	40,000.00	35,000.00	55,525.00
Ambulance Fees		08-243	125,000.00	125,000.00	152,334.28
City of Ocean City- Construction Code Official-Variou		08-244	325,000.00	305,000.00	481,951.64
Dennis Township Court		08-245	120,000.00	85,000.00	76,666.66
Reserve for Debt Service		08-227	1,000,000.00	1,000,000.00	1,000,000.00

## CURRENT FUND - ANTICIPATED REVENUES - (Continued)

GENERAL REVENUES	FCOA	Anticipated		Realized in
		2026	2025	Cash in 2025
<b>3. Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated</b> With Prior Written Consent of Director of Local Government Services - Other Special Items:	xxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
<b>Total Section G: Special Items of General Revenue Anticipated with Prior Written</b>	xxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx	xxxxxxxxxxxx
<b>Consent of Director of Local Government Services - Other Special Items</b>	08-004	1,650,000.00	1,585,000.00	1,820,465.58

**CURRENT FUND - ANTICIPATED REVENUES - (Continued)**

	FCOA	Anticipated		Realized in
		2026	2025	Cash in 2025
<b>GENERAL REVENUES</b>				
<b>Summary of Revenues</b>				
<b>1. Surplus Anticipated (Sheet 4, #1)</b>	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
	08-101	4,500,000.00	3,650,000.00	3,650,000.00
	08-102	-	-	-
<b>2. Surplus Anticipated with Prior Written Consent of Director of Local Government Services (Sheet 4, #2)</b>	08-102	-	-	-
<b>3. Miscellaneous Revenues:</b>	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
Total Section A: Local Revenues	08-001	4,220,900.00	3,830,000.00	5,430,431.73
Total Section B: State Aid Without Offsetting Appropriations	09-001	296,503.00	296,503.00	296,502.58
Total Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations	08-002	425,000.00	425,000.00	628,390.00
Total Section D: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Shared Service Agreements	11-001	-	-	-
Total Section E: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Additional Revenues	08-003	-	-	-
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues	10-001	39,158.15	69,739.90	69,739.90
Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items	08-004	1,650,000.00	1,585,000.00	1,820,465.58
<b>Total Miscellaneous Revenues</b>	13-099	6,631,561.15	6,206,242.90	8,245,529.79
<b>4. Receipts from Delinquent Taxes</b>	15-499	360,000.00	360,000.00	484,392.30
<b>5. Subtotal General Revenues (Items 1, 2, 3 and 4)</b>	13-199	11,491,561.15	10,216,242.90	12,379,922.09
<b>6. Amount to be Raised by Taxes for Support of Municipal Budget:</b>	XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	07-190	22,966,219.74	22,405,807.57	XXXXXXXXXXXX
b) Addition to Local District School Tax	07-191	-	-	XXXXXXXXXXXX
c) Minimum Library Tax	07-192	-	-	XXXXXXXXXXXX
<b>Total Amount to be Raised by Taxes for Support of Municipal Budget</b>	07-199	22,966,219.74	22,405,807.57	23,340,433.88
<b>7. Total General Revenues</b>	13-299	34,457,780.89	32,622,050.47	35,720,355.97

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS  (A) Operations - within "CAPS"	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
DEPARTMENT OF ADMINISTRATION:							
General Administration					-		-
Salaries and Wages	20-100	565,564.00	587,750.00		587,750.00	541,083.91	46,666.09
Other Expenses	20-100	369,786.00	355,014.00		355,014.00	346,929.09	8,084.91
Mayor					-		-
Salaries and Wages	20-105	15,000.00	15,000.00		15,000.00	15,000.00	-
Other Expenses	20-105	1,700.00	1,700.00		1,700.00	1,694.86	5.14
City Council					-		-
Salaries and Wages	20-105	45,000.00	45,000.00		45,000.00	45,000.00	-
Other Expenses	20-105	7,225.00	6,950.00		6,950.00	753.58	6,196.42
Municipal Clerk					-		-
Salaries and Wages	20-120	215,365.00	199,550.00		199,550.00	190,800.37	8,749.63
Other Expenses	20-120	49,610.25	49,610.25		49,610.25	21,457.68	28,152.57
Elections					-		-
Salaries and Wages	20-120	3,500.00	6,500.00		6,500.00	2,138.48	4,361.52
Other Expenses	20-120	15,000.00	28,600.00		28,600.00	16,103.75	12,496.25
Municipal Engineer					-		-
Other Expenses	20-165	108,500.00	93,500.00		104,500.00	104,500.00	-
					-		-

## CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS  (A) Operations - within "CAPS" - (continued)	FCOA	Appropriated					Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved	
DEPARTMENT OF ADMINISTRATION: (continued)								
Fire Inspector								
Salaries and Wages	22-196	1	25,000.00	25,000.00		25,000.00	21,588.84	3,411.16
Other Expenses	22-196	2	4,800.00	4,800.00		4,800.00	-	4,800.00
Insurance						-		-
Surety Bond Premiums	23-211	2	910.00	910.00		910.00	-	910.00
Reserve for Insurance	23-211	2	21,000.00	21,000.00		21,000.00	4,000.00	17,000.00
Other Expenses	23-211	2	28,500.00	36,805.00		36,805.00	31,646.20	5,158.80
General Liability	23-210	2	355,336.00	264,763.00		264,763.00	245,560.90	19,202.10
Workers Compensation Insurance	23-215	2	443,600.00	481,883.00		481,883.00	481,882.92	0.08
Employee Group Health	23-220	2	3,334,857.00	3,202,004.00		3,154,504.00	3,045,548.83	108,955.17
Health Benefits Waiver						-		-
Salaries and Wages	23-222	1	85,000.00	73,000.00		74,500.00	70,997.84	3,502.16
						-		-
						-		-
						-		-
						-		-
						-		-
						-		-
						-		-
						-		-
						-		-

## CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS  (A) Operations - within "CAPS" - (continued)	FCOA	Appropriated					Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved	
DEPARTMENT OF LAW:								
Legal Services and Costs								
Salaries and Wages	20-155	1				-		-
Other Expenses	20-155	2	350,000.00	350,000.00		350,000.00	304,277.00	45,723.00
Municipal Prosecutor						-		-
Salaries and Wages	25-275	1				-		-
Other Expenses	25-275	2	50,000.00	47,500.00		47,500.00	47,500.00	-
Public Defender						-		-
Salaries and Wages	43-495	1				-		-
Other Expenses	43-495	2	21,000.00	20,000.00		20,000.00	20,000.00	-
DEPARTMENT OF FINANCE:								
Financial Administration						-		-
Salaries and Wages	20-130	1	244,587.00	237,000.00		237,000.00	230,494.68	6,505.32
Other Expenses:						-		-
Postage	20-130	2	34,000.00	32,000.00		32,000.00	30,000.00	2,000.00
Audit Services	20-130	2	40,000.00	40,000.00		40,000.00	40,000.00	-
Miscellaneous Other Expenses	20-130	2	36,635.00	36,635.00		36,635.00	18,500.50	18,134.50
						-		-

Sheet 14

## CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS  (A) Operations - within "CAPS" - (continued)	FCOA	Appropriated					Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved	
DEPARTMENT OF FINANCE: (continued)								
Collection of Taxes						-		-
Salaries and Wages	20-145	92,086.50	92,050.00		92,050.00	81,725.38	10,324.62	
Other Expenses	20-145	8,534.00	8,585.00		8,585.00	3,942.77	4,642.23	
Liquidation of Tax Title Liens & Foreclosed Property					-		-	
Other Expenses	20-145	750.00	750.00		750.00	-	750.00	
Assessment of Taxes					-		-	
Salaries and Wages	20-150	205,708.00	193,290.00		193,290.00	191,407.09	1,882.91	
Other Expenses	20-150	17,000.00	17,000.00		17,000.00	8,082.28	8,917.72	
Bathing Beaches					-		-	
Salary and Wages	28-380	320,000.00	306,225.00		306,225.00	298,767.45	7,457.55	
Other Expenses	28-380	59,550.00	59,550.00		59,550.00	58,724.58	825.42	
Environmental Commission(NJS40:56A-1, et seq)					-		-	
Salary and Wages	27-335	3,460.00	3,350.00		3,350.00	3,342.04	7.96	
Other Expenses	27-335	4,000.00	4,000.00		4,000.00	3,725.00	275.00	
Shade Tree Commission					-		-	
Other Expenses	26-294	1,000.00	1,000.00		1,000.00	899.97	100.03	
					-		-	
					-		-	

## CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS  (A) Operations - within "CAPS" - (continued)	FCOA	Appropriated					Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved	
DEPARTMENT OF POLICE:								
Police								
Salaries and Wages	25-240	1	4,024,090.00	3,988,799.00		3,988,799.00	3,489,781.43	499,017.57
Other Expenses	25-240	2	205,600.00	283,100.00		283,100.00	272,476.98	10,623.02
Emergency Management Services								
Salaries and Wages	25-252	1	29,572.00	26,200.00		26,200.00	26,070.46	129.54
Other Expenses	25-252	2	2,600.00	2,600.00		2,600.00	-	2,600.00
Fire								
Salaries and Wages	25-265	1	25,960.00	24,000.00		24,000.00	24,000.00	-
Other Expenses	25-265	2	714,000.00	578,000.00		578,000.00	549,980.24	28,019.76
Emergency Medical Services								
Salaries and Wages	25-261	1	734,900.00	611,200.00		611,200.00	567,127.44	44,072.56
Other Expenses	25-261	2	112,100.00	107,000.00		107,000.00	73,849.08	33,150.92
Marina								
Salaries and Wages	28-370	1	34,000.00	34,000.00		34,000.00	25,792.00	8,208.00
Other Expenses	28-370	2	9,500.00	9,250.00		9,250.00	9,115.57	134.43
Street Lines and Safety Signs								
Salaries and Wages	26-300	1	145,665.00	150,875.00		150,875.00	106,135.28	44,739.72
Other Expenses	26-300	2	27,300.00	27,200.00		27,200.00	21,150.76	6,049.24

Sheet 15a

## CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS  (A) Operations - within "CAPS" - (continued)	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
DEPARTMENT OF POLICE: (continued)					-		-
Lifeguards					-		-
Salary and Wages	28-380	1	1,125,955.00	1,062,355.00	1,062,355.00	1,061,851.35	503.65
Other Expenses	28-380	2	95,975.00	89,900.00	89,900.00	86,006.48	3,893.52
Animal Control Contract					-		-
Other Expenses	27-340	2	33,000.00	31,000.00	31,000.00	21,192.74	9,807.26
Cape May County Dispatch	25-280	2	231,000.00	231,000.00	231,000.00	231,000.00	-
DEPARTMENT OF PUBLIC WORKS:					-		-
Administration of Public Works					-		-
Salaries and Wages	26-291	1	272,392.00	274,250.00	274,250.00	243,365.70	30,884.30
Other Expenses	26-291	2	19,575.00	19,575.00	19,575.00	1,440.72	18,134.28
Maintenance - Vehicles					-		-
Salaries and Wages	26-315	1	128,419.00	123,800.00	123,800.00	121,590.46	2,209.54
Other Expenses	26-315	2	38,600.00	38,600.00	38,600.00	33,236.58	5,363.42
Road Repairs and Maintenance					-		-
Salaries and Wages	26-290	1	293,686.00	284,097.00	284,097.00	153,727.19	130,369.81
Other Expenses	26-290	2	46,510.00	46,510.00	46,510.00	24,040.23	22,469.77

Sheet 15b

## CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS  (A) Operations - within "CAPS" - (continued)	FCOA	Appropriated					Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved	
Department of Public Works: (continued)								
Street Cleaning								
Salaries and Wages	26-290	1	280,492.00	275,505.00		275,505.00	178,729.25	96,775.75
Other Expenses	26-290	2	23,877.50	23,877.50		23,877.50	18,859.08	5,018.42
Solid Waste Management (40A:4-45.32)								
Salaries and Wages	26-305	1	597,442.00	544,850.00		544,850.00	507,548.44	37,301.56
Other Expenses	26-305	2	46,975.00	39,975.00		39,975.00	24,750.28	15,224.72
Garbage and Trash Removal								
Salaries and Wages	26-305	1	371,450.00	408,450.00		408,450.00	280,664.04	127,785.96
Other Expenses:								
Contractual	26-305	2	380,000.00	380,000.00		380,000.00	337,623.94	42,376.06
Miscellaneous Other Expenses	26-305	2	83,505.00	83,505.00		83,505.00	72,687.49	10,817.51
Public Buildings and Grounds								
Salaries and Wages	26-310	1	592,712.00	576,635.00		576,635.00	549,119.15	27,515.85
Other Expenses	26-310	2	220,681.00	166,270.63		166,270.63	131,862.26	34,408.37
Shore Protection								
Salaries and Wages	28-380	1	443,397.00	420,525.00		420,525.00	418,395.89	2,129.11
Other Expenses	28-380	2	114,050.00	114,050.00		114,050.00	40,389.92	73,660.08

Sheet 15c

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	(A) Operations - within "CAPS" - (continued)	FCOA	Appropriated				Expended 2025	
			for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
Department of Public Works: (continued)						-		-
American with Disabilities Act						-		-
Other Expenses	26-310	2	5,000.00	5,000.00		5,000.00	4,200.85	799.15
Historical Commission						-		-
Other Expenses	20-175	2	1,000.00	1,000.00		1,000.00	-	1,000.00
						-		-
						-		-
						-		-
						-		-
						-		-
						-		-
DEPARTMENT OF COMMUNITY DEVELOPMENT:						-		-
Municipal Land Use Law (NJSA 40:55D-1)						-		-
Zoning board						-		-
Salaries and Wages	21-185	1	7,979.00	7,800.00		7,800.00	6,653.21	1,146.79
Other Expenses	21-185	2	14,450.00	17,700.00		17,700.00	8,355.21	9,344.79
Planning Board						-		-
Salaries and Wages	21-180	1	7,979.00	7,800.00		7,800.00	5,809.33	1,990.67
Other Expenses	21-180	2	12,700.00	12,450.00		12,450.00	8,646.95	3,803.05
						-		-
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## CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS  (A) Operations - within "CAPS" - (continued)	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
Department of Community Services:							-
Recreation					-		-
Salaries and Wages	28-370	1	606,200.00	429,275.00	429,275.00	385,114.26	44,160.74
Other Expenses	28-370	2	226,800.00	184,545.00	184,545.00	171,394.86	13,150.14
Expense of Participation in Free County Library					-		-
Salaries and Wages	29-392	1	5,900.00	5,900.00	5,900.00	4,932.90	967.10
Tourism					-		-
Salaries and Wages	20-104	1	273,895.00	261,350.00	261,350.00	237,724.26	23,625.74
Other Expenses	20-104	2	263,800.00	262,800.00	262,800.00	227,672.31	35,127.69
					-		-
					-		-
					-		-
					-		-
Department of Municipal Court:					-		-
Municipal Court					-		-
Salaries and Wages	43-490	1	202,711.00	204,200.00	204,200.00	184,677.63	19,522.37
Other Expenses	43-490	2	28,700.00	25,700.00	25,700.00	20,339.21	5,360.79
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## CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS		FCOA	Appropriated					Expended 2025	
(A) Operations - within "CAPS" - (continued)			for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved	
UNCLASSIFIED:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	
Computer Services - All Departments	31-460	2	152,200.00	133,000.00		133,000.00	129,377.06	3,622.94	
Utility Expenses and Bulk Purchases:						-		-	
Electricity	31-430	2	300,000.00	190,000.00		190,000.00	190,000.00	-	
Street Lighting	31-435	2	182,000.00	152,000.00		177,000.00	177,000.00	-	
Telephone	31-440	2	72,250.00	70,000.00		70,000.00	68,331.38	1,668.62	
Natural Gas	31-446	2	195,000.00	75,650.00		75,650.00	60,471.49	15,178.51	
Fuel Oil	31-447	2	2,000.00	2,000.00		2,000.00	-	2,000.00	
Gasoline	31-460	2	188,785.00	188,785.00		188,785.00	179,539.85	9,245.15	
Water and Sewer	31-445	2	62,000.00	62,000.00		62,000.00	41,808.10	20,191.90	
						-		-	
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**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS  (A) Operations - within "CAPS" - (continued)	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
UNCLASSIFIED:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Total Operations {Item 8(A)} within "CAPS"	34-199	21,968,877.25	20,781,123.38	-	20,771,123.38	18,748,058.24	2,023,065.14
B. Contingent	35-470	3,000.00	3,000.00	XXXXXXXXXX	3,000.00		3,000.00
Total Operations Including Contingent - within "CAPS"	34-201	21,971,877.25	20,784,123.38	-	20,774,123.38	18,748,058.24	2,026,065.14
Detail:		XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Salaries & Wages	34-201	12,409,350.50	11,871,221.00	-	11,872,721.00	10,635,230.74	1,237,490.26
Other Expenses (Including Contingent)	34-201	9,562,526.75	8,912,902.38	-	8,901,402.38	8,112,827.50	788,574.88

Sheet 17a

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
(E) Deferred Charges and Statutory Expenditures - Municipal within "CAPS"	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX		XXXXXXXXXXXX
(1) DEFERRED CHARGES	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX		XXXXXXXXXXXX
Emergency Authorizations	46-870			XXXXXXXXXXXX	-		XXXXXXXXXXXX
				XXXXXXXXXXXX	-		XXXXXXXXXXXX
				XXXXXXXXXXXX	-		XXXXXXXXXXXX
				XXXXXXXXXXXX	-		XXXXXXXXXXXX
				XXXXXXXXXXXX	-		XXXXXXXXXXXX
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**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
(E) Deferred Charges and Statutory Expenditures - Municipal within "CAPS"	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
(1) DEFERRED CHARGES	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
				XXXXXXXXXXXX	-	XXXXXXXXXXXX	XXXXXXXXXXXX
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Sheet 18a

## CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
(E) Deferred Charges and Statutory Expenditures - Municipal within "CAPS" - (continued)	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
(2) STATUTORY EXPENDITURES:	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
Contribution to:							
Public Employees' Retirement System	36-471	764,953.00	748,425.00		758,425.00	758,425.00	-
Social Security System (O.A.S.I.)	36-472	820,000.00	820,000.00		820,000.00	782,060.70	37,939.30
Consolidated Police & Fireman's Pension Fund	36-474				-		-
Police and Firemen's Retirement System of NJ	36-475	884,418.00	865,058.00		865,058.00	865,058.00	-
Unemployment Compensation Insurance (N.J.S.A. 43:21-3 et seq.)	23-225	48,000.00	46,000.00		46,000.00	40,268.05	5,731.95
Lifeguard Pension		10,000.00	10,000.00		10,000.00	10,000.00	-
Retirement Reserve		5,000.00	5,000.00		5,000.00	5,000.00	-
Defined Contribution Retirement Program (DCRP)	36-477	10,000.00	10,000.00		10,000.00	4,819.44	5,180.56
Total Deferred Charges and Statutory Expenditures - Municipal within "CAPS"	34-209	2,542,371.00	2,504,483.00	-	2,514,483.00	2,465,631.19	48,851.81
(F) Judgments	37-480				-		XXXXXXXXXXXX
(G) Cash Deficit of Preceding Year	46-855				-		-
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	34-299	24,514,248.25	23,288,606.38	-	23,288,606.38	21,213,689.43	2,074,916.95

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS  (A) Operations - Excluded from "CAPS"	FCOA		Appropriated				Expended 2025	
			for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
LOSAP	25-286	2	75,000.00	75,000.00		75,000.00	-	-
Employee Group Health	23-220	2	381,017.00	52,089.00		52,089.00	-	52,089.00
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**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS  (A) Operations - Excluded from "CAPS"	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
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<b>Total Other Operations - Excluded from "CAPS"</b>	<b>34-300</b>	<b>456,017.00</b>	<b>127,089.00</b>	<b>-</b>	<b>127,089.00</b>	<b>75,000.00</b>	<b>52,089.00</b>

Sheet 20a

# CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS	FCOA	Appropriated					Expended 2025	
		(A) Operations - Excluded from "CAPS"						
			for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
Uniform Construction Code Appropriations Offset by Increased Fee Revenues (N.J.A.C. 5:23-4.17)	XXXXXX XXXXXX	XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXX XXXXXXXXXX	XXXXXXXXXX XXXXXXXXXX	
<b>Total Uniform Construction Code Appropriations</b>	22-999	-	-	-	-	-	-	









**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS	FCOA	Appropriated				Expended 2025		
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved	
(A) Operations - Excluded from "CAPS"								
Public and Private Programs Offset by Revenues								
Matching Funds for Grants	41-899	2				-	-	-
						-	-	-
Clean Communities Program	41-602	2	36,587.26	36,889.32		36,889.32	36,889.32	-
						-	-	-
Municipal Alliance on Alcoholism and Drug Abuse						-	-	-
County Share	41-506	2				-	-	-
Local Share	41-506	2				-	-	-
						-	-	-
COPS in Shops	41-694	2				-	-	-
						-	-	-
Body Armor Grant	41-505	2	2,570.89	2,043.80		2,043.80	2,043.80	-
Body Worm Camera	41-728	2				-	-	-
Drunk Driving Enforcement	41-510	2		30,806.78		30,806.78	30,806.78	-
Click or Ticket	41-725	2				-	-	-
						-	-	-
						-	-	-



## CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS  (A) Operations - Excluded from "CAPS" (continued)	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
Public and Private Programs Offset by Revenues (cont)	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
					-	-	-
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Total Public and Private Programs Offset by Revenues	40-999	39,158.15	69,739.90	-	69,739.90	69,739.90	-
Total Operations - Excluded from "CAPS"	34-305	495,175.15	196,828.90	-	196,828.90	144,739.90	52,089.00
Detail:							
Salaries & Wages	34-305	-	-	-	-	-	-
Other Expenses	34-305	495,175.15	196,828.90	-	196,828.90	144,739.90	52,089.00

**CURRENT FUND - APPROPRIATIONS**

8. GENERAL APPROPRIATIONS  (C) Capital Improvements - Excluded from "CAPS"	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
Down Payments on Improvements	44-902				-		-
Capital Improvement Fund	44-901	350,000.00	471,500.00	XXXXXXXXXX	471,500.00	471,500.00	-
					-		-
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## CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS	FCOA		Appropriated				Expended 2025	
			for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
(D) Municipal Debt Service - Excluded from "CAPS"								
Payment of Bond Principal	45-920		5,230,000.00	5,190,000.00		5,190,000.00	5,190,000.00	XXXXXXXXXX
Payment of Bond Anticipation Notes and Capital Notes	45-925		200,000.00	200,000.00		200,000.00	200,000.00	XXXXXXXXXX
Interest on Bonds	45-930		1,376,125.00	669,825.00		669,825.00	669,824.90	XXXXXXXXXX
Interest on Notes	45-935		1,103,327.00	1,417,500.00		1,417,500.00	1,413,562.50	XXXXXXXXXX
Green Trust Loan Program:	XXXXXX		XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
						-		XXXXXXXXXX
						-		XXXXXXXXXX
						-		XXXXXXXXXX
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						-		XXXXXXXXXX
						-		XXXXXXXXXX

Sheet 27

# CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS (D) Municipal Debt Service - Excluded from "CAPS" (cont.)	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
					-		XXXXXXXXXX
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					-		XXXXXXXXXX
<b>Total Municipal Debt Service Excluded from "CAPS"</b>	45-999	7,909,452.00	7,477,325.00	-	7,477,325.00	7,473,387.40	XXXXXXXXXX

Sheet 27a

## CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS	FCOA	Appropriated				Expended 2025		
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved	
(E) Deferred Charges - Municipal - Excluded from "CAPS"								
<b>(1) DEFERRED CHARGES:</b>	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Emergency Authorizations	46-870			XXXXXXXXXX	-		XXXXXXXXXX	XXXXXXXXXX
Special Emergency Authorization - 5 Years (N.J.S.A. 40A:4-55)	46-875			XXXXXXXXXX	-		XXXXXXXXXX	XXXXXXXXXX
Special Emergency Authorization - 3 Years (N.J.S.A. 40A:4-55.1 & 40A:4-	46-871			XXXXXXXXXX	-		XXXXXXXXXX	XXXXXXXXXX
Unfunded Ordinances				XXXXXXXXXX	-		XXXXXXXXXX	XXXXXXXXXX
Ord # 1652			895.00	XXXXXXXXXX	895.00		895.00	XXXXXXXXXX
Ord # 1675			4,750.00	XXXXXXXXXX	4,750.00		4,750.00	XXXXXXXXXX
Ord # 1688			9,000.00	XXXXXXXXXX	9,000.00		9,000.00	XXXXXXXXXX
Ord # 1710			500.00	XXXXXXXXXX	500.00		500.00	XXXXXXXXXX
Ord # 1723			7,250.00	XXXXXXXXXX	-			XXXXXXXXXX
Total Deferred Charges - Municipal - Excluded from "CAPS"	46-999		7,250.00	XXXXXXXXXX	15,145.00		15,145.00	XXXXXXXXXX
(F) Judgments (N.J.S.A. 40A:4-45.3cc)	37-480				-			XXXXXXXXXX
(N) Use of Local Schools (N.J.S.A. 40:48- 17.1 & 17.3)	29-405			XXXXXXXXXX	-			XXXXXXXXXX
(G) With Prior Consent of Local Finance Board: Cash Deficit of Preceding Year	46-885			XXXXXXXXXX	-			XXXXXXXXXX
(H-2) Total General Appropriations for Municipal Purposes Excluded from	34-309		8,761,877.15	-	8,160,798.90		8,104,772.30	52,089.00

## CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
For Local District School Purposes - Excluded from "CAPS"	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
(I) Type 1 District School Debt Service	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Payment of Bond Principal	48-920						XXXXXXXXXX
Payment of Bond Anticipation Notes	48-925						XXXXXXXXXX
Interest on Bonds	48-930						XXXXXXXXXX
Interest on Notes	48-935						XXXXXXXXXX
							XXXXXXXXXX
							XXXXXXXXXX
							XXXXXXXXXX
<b>Total of Type 1 District School Debt Service - Excluded from "CAPS"</b>	<b>48-999</b>	-	-	-	-	-	XXXXXXXXXX
Deferred Charges and Statutory	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
(J) Expenditures - Local School -							XXXXXXXXXX
Emergency Authorizations - Schools	29-406						XXXXXXXXXX
Capital Project for Land, Building or Equipment N.J.S.A. 18A:22-20	29-407						XXXXXXXXXX
Expenditures - Local School - Excluded from "CAPS"	29-409						XXXXXXXXXX
(K) District School Purposes {Items (I) and (J) - Excluded from "CAPS"	29-410						XXXXXXXXXX
(O) Total General Appropriations - Excluded from "CAPS"	34-399	8,761,877.15	8,160,798.90	-	8,160,798.90	8,104,772.30	52,089.00
(L) Subtotal General Appropriations {Items (H-1) and (O)}	34-400	33,276,125.40	31,449,405.28	-	31,449,405.28	29,318,461.73	2,127,005.95
(M) Reserve for Uncollected Taxes	50-899	1,181,655.49	1,172,645.19	XXXXXXXXXX	1,172,645.19	1,172,645.19	XXXXXXXXXX
9. Total General Appropriations	34-499	34,457,780.89	32,622,050.47	-	32,622,050.47	30,491,106.92	2,127,005.95

Sheet 29

## CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS		Appropriated				Expended 2025	
Summary of Appropriations	FCOA	for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	34-299 XXXXXX	24,514,248.25	23,288,606.38	-	23,288,606.38	21,213,689.43	2,074,916.95
(A) Operations - Excluded from "CAPS"	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Other Operations	34-300	456,017.00	127,089.00	-	127,089.00	75,000.00	52,089.00
Uniform Construction Code	22-999	-	-	-	-	-	-
Shared Service Agreements	42-999	-	-	-	-	-	-
Additional Appropriations Offset by Revenues	34-303	-	-	-	-	-	-
Public & Private Programs Offset by Revenues	40-999	39,158.15	69,739.90	-	69,739.90	69,739.90	-
Total Operations Excluded from "CAPS"	34-305	495,175.15	196,828.90	-	196,828.90	144,739.90	52,089.00
(C) Capital Improvements	44-999	350,000.00	471,500.00	-	471,500.00	471,500.00	-
(D) Municipal Debt Service	45-999	7,909,452.00	7,477,325.00	-	7,477,325.00	7,473,387.40	XXXXXX
(E) Total Deferred Charges (Sheet 28)	46-999	7,250.00	15,145.00	XXXXXXXXXX	15,145.00	15,145.00	XXXXXXXXXX
(F) Judgments (Sheet 28)	37-480	-	-	-	-	-	XXXXXXXXXX
(G) Cash Deficit - With Prior Consent of Local Finance Board	46-885	-	-	XXXXXXXXXX	-	-	XXXXXXXXXX
(K) Local District School Purposes	29-410	-	-	-	-	-	XXXXXXXXXX
(N) Transferred to Board of Education	29-405	-	-	XXXXXXXXXX	-	-	XXXXXXXXXX
(M) Reserve for Uncollected Taxes	50-899	1,181,655.49	1,172,645.19	XXXXXXXXXX	1,172,645.19	1,172,645.19	XXXXXXXXXX
<b>Total General Appropriations</b>	34-499	34,457,780.89	32,622,050.47	-	32,622,050.47	30,491,106.92	2,127,005.95

Sheet 30

## DEDICATED WATER & SEWER UTILITY BUDGET

10. DEDICATED REVENUES FROM WATER & SEWER UTILITY	FCOA	Anticipated		Realized in
		2026	2025	Cash in 2025
Operating Surplus Anticipated	08-501	2,155,962.75	2,014,129.77	2,014,129.77
Operating Surplus Anticipated with Prior Written Consent of Director of Local Government Services	08-502			
<b>Total Operating Surplus Anticipated</b>	08-500	2,155,962.75	2,014,129.77	2,014,129.77
Rents	08-503	8,245,000.00	8,245,000.00	9,185,867.91
Penalties	08-506			
Miscellaneous	08-505	143,000.00	143,000.00	587,060.52
Special Items of General Revenues Anticipated with Prior Written Consent of Director of Local Government Services	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Deficit (General Budget)	08-549			
<b>Total Water &amp; Sewer Utility Revenues</b>	08-599	10,543,962.75	10,402,129.77	11,787,058.20

# DEDICATED WATER & SEWER UTILITY BUDGET - (continued)

	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
<b>11. APPROPRIATIONS FOR WATER &amp; SEWER</b>							
<b>Operating:</b>	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Salaries & Wages	55-501	1,469,575.50	1,498,190.00		1,498,190.00	1,348,822.52	149,367.48
Other Expenses	55-502	1,034,286.25	1,005,378.23		1,005,378.23	864,478.60	140,899.63
Insurance	55-503	1,031,797.00	929,418.00		929,418.00	919,311.95	10,106.05
Cape May County MUA Charges	55-504	4,244,000.00	4,244,000.00		4,244,000.00	3,725,893.00	518,107.00
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## DEDICATED WATER & SEWER UTILITY BUDGET - (continued)

11. APPROPRIATIONS FOR WATER & SEWER	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
<b>Operating:</b>	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Salaries & Wages	55-501				-		-
Other Expenses	55-502				-		-
					-		-
					-		-
					-		-
					-		-
					-		-
<b>Capital Improvements:</b>	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Down Payments on Improvements	55-510				-		-
Capital Improvement Fund	55-511			XXXXXXXXXX	-		-
Capital Outlay	55-512				-		-
					-		-
					-		-
					-		-
<b>Debt Service:</b>	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Payment on Bond Principal	55-520	1,040,000.00	1,020,000.00		1,020,000.00	1,020,000.00	XXXXXXXXXX
Payment on Bond Anticipation Notes & Capital Notes	55-521	1,000,000.00	700,000.00		700,000.00	700,000.00	XXXXXXXXXX
Interest on Bonds	55-522	154,900.00	185,500.00		185,500.00	178,625.00	XXXXXXXXXX
Interest on Notes	55-523	142,136.00	154,175.00		154,175.00	96,229.15	XXXXXXXXXX
USDA Debt Service	55-524	104,030.00	104,030.00		104,030.00	103,936.07	XXXXXXXXXX
					-		XXXXXXXXXX
					-		XXXXXXXXXX

Sheet 32b

## DEDICATED WATER & SEWER UTILITY BUDGET - (continued)

	FCOA	Appropriated				Expended 2025	
		for 2026	for 2025	for 2025 By Emergency Appropriation	Total for 2025 As Modified By All Transfers	Paid or Charged	Reserved
<b>11. APPROPRIATIONS FOR WATER &amp; SEWER UTILITY</b>							
Deferred Charges and Statutory Expenditures:	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
DEFERRED CHARGES:	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
Emergency Authorizations	55-530			XXXXXXXXXXXX	-		XXXXXXXXXXXX
				XXXXXXXXXXXX	-		XXXXXXXXXXXX
Unfunded Ordinance 1674	55-543		250,000.00	XXXXXXXXXXXX	250,000.00	250,000.00	XXXXXXXXXXXX
				XXXXXXXXXXXX	-		XXXXXXXXXXXX
				XXXXXXXXXXXX	-		XXXXXXXXXXXX
<b>STATUTORY EXPENDITURES:</b>	XXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
Contribution To:							
Public Employee's Retirement System	55-540	191,238.00	187,107.00		187,107.00	187,106.00	1.00
Social Security System (O.A.S.I.)	55-541	120,000.00	114,611.54		114,611.54	114,611.54	-
Unemployment Compensation Insurance (N.J.S.A. 43:21-3 et. Seq.)	55-542	12,000.00	9,720.00		9,720.00	9,720.00	-
					-		-
					-		-
					-		-
Judgements	55-531				-		XXXXXXXXXXXX
Deficit in Operations in Prior Years	55-532			XXXXXXXXXXXX	-		XXXXXXXXXXXX
Surplus (General Budget )	55-545			XXXXXXXXXXXX	-		XXXXXXXXXXXX
<b>TOTAL WATER &amp; SEWER UTILITY APPROPRIATIONS</b>	55-599	10,543,962.75	10,402,129.77	-	10,402,129.77	9,518,733.83	818,481.16

Sheet 33

## DEDICATED ASSESSMENT BUDGET

	FCOA	Anticipated		Realized in Cash in 2025
		2026	2025	
<b>14. DEDICATED REVENUES FROM</b>				
Assessment Cash	51-101			
Deficit (General Budget)	51-885			
Total Assessment Revenues	51-899	-	-	-
<b>15. APPROPRIATIONS FOR ASSESSMENT DEBT</b>				
Payment of Bond Principal	51-920			
Payment of Bond Anticipation Notes	51-925			
Total Assessment Appropriations	51-999	-	-	-

## DEDICATED ASSESSMENT BUDGET UTILITY

	FCOA	Anticipated		Realized in Cash in 2025
		2026	2025	
<b>14. DEDICATED REVENUES FROM</b>				
Assessment Cash	52-101			
Deficit ( Utility Budget)	52-885			
Total Utility Assessment Revenues	52-899	-	-	-
<b>15. APPROPRIATIONS FOR ASSESSMENT DEBT</b>				
Payment of Bond Principal	52-920			
Payment of Bond Anticipation Notes	52-925			
Total Utility Assessment Appropriations	52-999	-	-	-

## DEDICATED ASSESSMENT BUDGET UTILITY

14. DEDICATED REVENUES FROM	FCOA	Anticipated		Realized in
		2026	2025	Cash in 2025
Assessment Cash	53-101			
Deficit ( Utility Budget)	53-885			
<b>Total Utility Assessment Revenues</b>	53-899	-	-	-
<b>15. APPROPRIATIONS FOR ASSESSMENT DEBT</b>		<b>Appropriated</b>		<b>Expended 2025</b>
		<b>2026</b>	<b>2025</b>	<b>Paid or Charged</b>
Payment of Bond Principal	53-920			
Payment of Bond Anticipation Notes	53-925			
<b>Total Utility Assessment Appropriations</b>	53-999	-	-	-

Dedication by Rider - (N.J.S.A. 40A: 4-39) dedicated revenues anticipated during the year 2026 from Animal Control State or Federal Aid for Maintenance of Libraries Bequest, Escheat; Construction Code Fees Due Hackensak Meadowlands Development Commission; Outside Employment of Off-Duty Municipal Police Officers; Unemployment Compensation Insurance; Reimbursement of Sale of Gasoline to State Automobiles; State Training Fees - Uniform Construction Code Act; Older Americans Act - Program Contributions; Municipal Alliance on Alcoholism and Drug Abuse - Program Income; Recycling Program; Disposal of Forfeited Property; Housing and Urban Development Act of 1974; Recreation Trust Fund Fees; Parking Adjudication Act; Uniform Fire Safety; Lifeguard Pension Fund; Self Insurance Program; Accumulated Absences; Developer's Escrow Fund; Tourist Development Comm.; Environmental Comm.; Contributions: recreational/Tourism Events Acceptance of Bequests/Gifts.

are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement."

## APPENDIX TO BUDGET STATEMENT

### CURRENT FUND BALANCE SHEET - DECEMBER 31, 2025

ASSETS	
Cash and Investments	14,710,535.12
Due from State of N.J.(c. 20, P.L. 1961)	
Federal and State Grants Receivable	
Receivables with Offsetting Reserves:	XXXXXXXXXX
Taxes Receivable	382,541.23
Tax Title Lien Receivable	10,010.90
Property Acquired by Tax Title Lien Liquidation	23,372.00
Other Receivables	3,380.68
Deferred Charges Required to be in 2026 Budget	-
Deferred Charges Required to be in Budgets Subsequent to 2026	-
<b>Total Assets</b>	<b>15,129,839.93</b>

### LIABILITIES, RESERVES AND SURPLUS

*Cash Liabilities	5,352,350.81
Reserves for Receivables	419,304.81
Surplus	9,358,184.31
<b>Total Liabilities, Reserves and Surplus</b>	<b>15,129,839.93</b>

School Tax Levy Unpaid	1,178,779.04
Less: School Tax Deferred	913,651.00
*Balance Included in Above "Cash Liabilities"	265,128.04

### COMPARATIVE STATEMENT OF CURRENT FUND OPERATIONS AND CHANGE IN CURRENT SURPLUS

	YEAR 2025	YEAR 2024
Surplus Balance, January 1	8,047,679.67	7,473,631.92
<b>CURRENT REVENUE ON A CASH BASIS:</b>	XXXXXXXXXX	XXXXXXXXXX
Current Taxes:*(Percentage Collected 2025: 99.11%, 2024: 98.89%)	45,421,583.90	44,433,241.99
Delinquent Taxes	484,392.30	512,032.93
Other Revenues and Additions to Income	10,123,879.92	10,099,971.79
Total Funds	64,077,535.79	62,518,878.63
<b>EXPENDITURES AND TAX REQUIREMENTS:</b>	XXXXXXXXXX	XXXXXXXXXX
Municipal Appropriations	31,445,467.68	31,015,071.66
School Taxes (Including Local and Regional)	2,357,758.00	2,357,758.00
County Taxes (Including Added Tax Amounts)	20,896,037.21	21,098,369.30
Special District Taxes	-	-
Other Expenditures and Deductions from Income	20,088.59	-
Total Expenditures and Tax Requirements	54,719,351.48	54,471,198.96
Less: Expenditures to be Raised by Future Taxes	-	-
Total Adjusted Expenditures and Tax Requirements	54,719,351.48	54,471,198.96
Surplus Balance, December 31	9,358,184.31	8,047,679.67

\*Nearest even percentage may be used

#### Proposed Use of Current Fund Surplus in 2026 Budget

Surplus Balance, December 31	9,358,184.31
Current Surplus Anticipated in 2026 Budget	4,500,000.00
Surplus Balance Remaining	4,858,184.31

(Important: This appendix must be included in advertisement of Budget.)

**2026  
CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROGRAM**

This section is included with the Annual Budget pursuant to N.J.A.C. 5:30-4. It does not in itself confer any authorization to raise or expend funds. Rather it is a document used as part of the local unit's planning and management program. Specific authorization to expend funds for purposes described in this section must be granted elsewhere, by a separate bond ordinance, by inclusion of a line item in the Capital Improvement Section of this budget, by an ordinance taking the money from the Capital Improvement Fund, or other lawful means.

**CAPITAL BUDGET**

- A plan for all capital expenditures for the current fiscal year.  
If no Capital Budget is included, check the reason why:

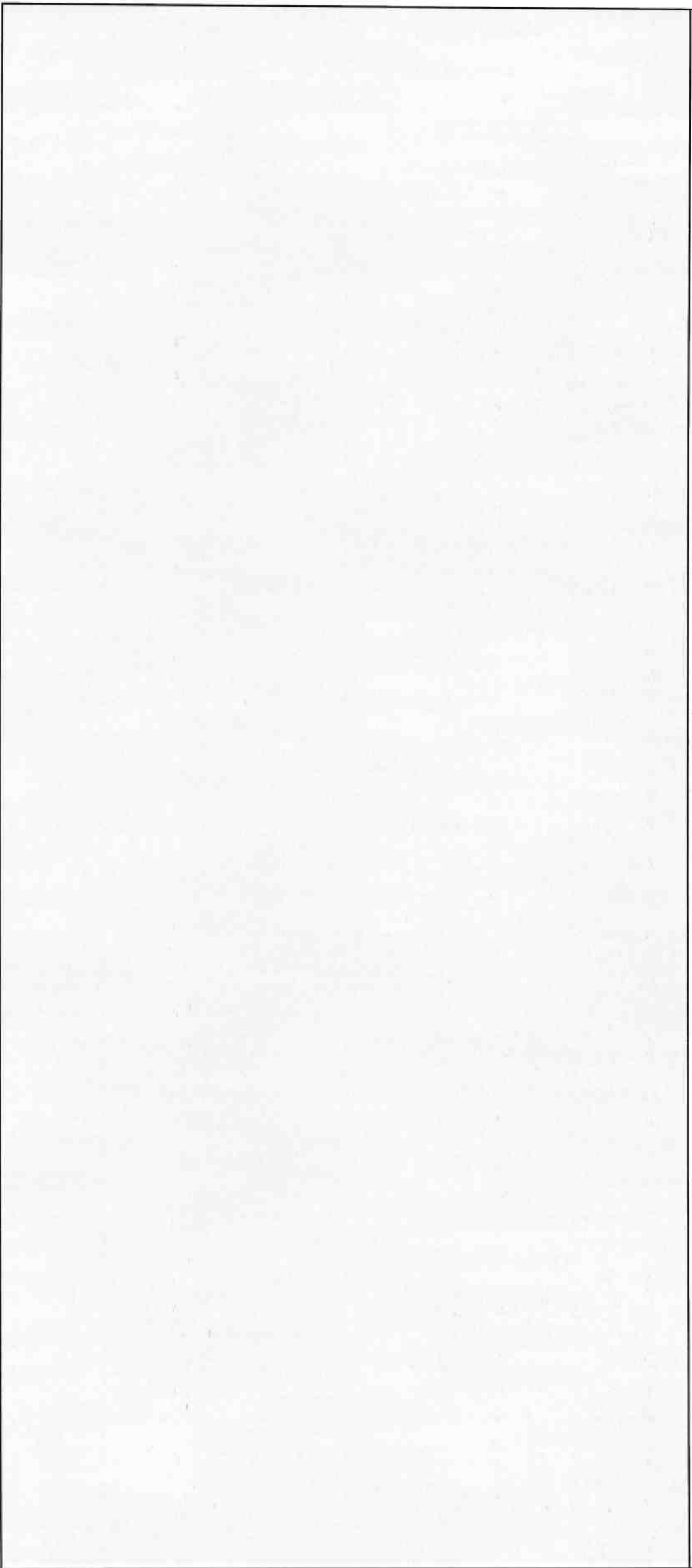
- Total capital expenditures this year do not exceed \$25,000, including appropriations for Capital Improvement Fund, Capital Line items and Down Payments on Improvements.
- No bond ordinances are planned this year.

**CAPITAL IMPROVEMENT PROGRAM**

- A multi-year list of planned capital projects, including the current year.  
Check appropriate box for number of years covered, including current year:

- 3 years: (Population under 10,000)
- 6 years: (Over 10,000 and all county governments)
- years exceeding minimum time period.
- Check if municipality is under 10,000, has not expended more than \$25,000 annually for capital purposes in immediately previous three years, and is not adopting CIP.

**CITY OF SEA ISLE CITY  
NARRATIVE FOR CAPITAL IMPROVEMENT PROGRAM**



**Sheet 40a**

**C - 2**

### CAPITAL BUDGET (Current Year Action) 2026

Local Unit \_\_\_\_\_ CITY OF SEA ISLE CITY

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SERVICES FOR CURRENT YEAR - 2026					6 TO BE FUNDED IN FUTURE YEARS
				5a 2026 Budget Appropriations	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
GENERAL CAPITAL		-							
Purchase of Vehicles all Departments	1	7,282,000.00				65,000.00		1,235,000.00	5,982,000.00
Beach to Bay Promenade	2	10,280,000.00				31,000.00		589,000.00	9,660,000.00
Road Reconstruction, Curbs & Sidewalk	3	17,500,000.00				150,000.00		2,850,000.00	14,500,000.00
City Wide Building Improvements	4	7,225,000.00				62,250.00		1,182,750.00	5,980,000.00
Marina Construction	5	600,000.00				17,500.00		332,500.00	250,000.00
Operations & Office Equipment	6	1,610,000.00				22,250.00		422,750.00	1,165,000.00
<b>TOTAL - THIS PAGE</b>	<b>XXXXXX</b>	<b>44,497,000.00</b>				<b>348,000.00</b>		<b>6,612,000.00</b>	<b>37,537,000.00</b>

Sheet 40b

C - 3

# CAPITAL BUDGET (Current Year Action) 2026

Local Unit \_\_\_\_\_ CITY OF SEA ISLE CITY

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	6 PLANNED FUNDING SERVICES FOR CURRENT YEAR - 2026					6 TO BE FUNDED IN FUTURE YEARS
				5a 2026 Budget Appropriations	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
WATER & SEWER UTILITY CAPITAL:		-							
W & S chlorine analyzer	1	100,000.00							100,000.00
W&S Chlorine analyzer upgrade	2	300,000.00							300,000.00
51 Lead Service Lines to replace	3	210,000.00						100,000.00	110,000.00
scada upgrade	4	500,000.00						100,000.00	400,000.00
tower painting	5	1,000,000.00							1,000,000.00
meter replacements	6	900,000.00						410,000.00	490,000.00
40th street aerator painting	7	150,000.00						50,000.00	100,000.00
automatic gates/40th st tower	8	100,000.00						50,000.00	50,000.00
55th street aerator	9	100,000.00							100,000.00
40th st wel decking	10	30,000.00						30,000.00	-
40th st well heating and ac mini splits	11	20,000.00						20,000.00	-
50th st well heating and ac mini splits	12	20,000.00						20,000.00	-
		-							
		-							
		-							
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		-							
		-							
		-							
<b>TOTAL - THIS PAGE</b>	XXXXX	3,430,000.00		-	-	-	-	780,000.00	2,650,000.00

Sheet 40b1

# CAPITAL BUDGET (Current Year Action) 2026

Local Unit \_\_\_\_\_

CITY OF SEA ISLE CITY

PROJECT TITLE 1	PROJECT NUMBER 2	ESTIMATED TOTAL COST 3	AMOUNTS RESERVED IN PRIOR YEARS 4	PLANNED FUNDING SERVICES FOR CURRENT YEAR - 2026					TO BE FUNDED IN FUTURE YEARS 6	
				5a 2026 Budget Appropriations	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized		
		-								
		-								
		-								
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<b>TOTAL - ALL PROJECTS</b>	XXXXX	47,927,000.00		-	-	348,000.00	-	-	7,392,000.00	40,187,000.00

# 6 YEAR CAPITAL PROGRAM - 2026 to 2031

## ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS

Local Unit

CITY OF SEA ISLE CITY

PROJECT TITLE	PROJECT NUMBER	ESTIMATED TOTAL COST	Estimated Completion Time	FUNDING AMOUNTS PER BUDGET YEAR						
				5a 2026	5b 2027	5c 2028	5d 2029	5e 2030	5f 2031	
GENERAL CAPITAL		-								
Purchase of Vehicles all Departments	1	7,282,000.00		1,300,000.00	1,038,000.00	3,469,000.00	1,235,000.00	240,000.00		
Beach to Bay Promenade	2	10,280,000.00		620,000.00	4,560,000.00	400,000.00	1,450,000.00	3,250,000.00		
Road Reconstruction, Curbs & Sidewalk	3	17,500,000.00		3,000,000.00	2,000,000.00	4,000,000.00	4,000,000.00	4,500,000.00		
City Wide Building Improvements	4	7,225,000.00		1,245,000.00	370,000.00	1,720,000.00	2,520,000.00	1,370,000.00		
Marina Construction	5	600,000.00		350,000.00	50,000.00	100,000.00	-	100,000.00		
Operations & Office Equipment	6	1,610,000.00		445,000.00	445,000.00	180,000.00	430,000.00	110,000.00		
		-								
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<b>TOTAL - THIS PAGE</b>	<b>XXXXX</b>	<b>44,497,000.00</b>	<b>XXXXXXXXXX</b>	<b>6,960,000.00</b>	<b>8,463,000.00</b>	<b>9,869,000.00</b>	<b>9,635,000.00</b>	<b>9,570,000.00</b>		<b>-</b>

**6 YEAR CAPITAL PROGRAM - 2026 to 2031**  
**ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS**

Local Unit

CITY OF SEA ISLE CITY

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 Estimated Completion Time	FUNDING AMOUNTS PER BUDGET YEAR						
				5a 2026	5b 2027	5c 2028	5d 2029	5e 2030	5f 2031	
WATER & SEWER UTILITY CAPITAL:		-								
W & S chlorine analyzer	1	100,000.00			50,000.00	50,000.00				
W&S Chlorine analyzer upgrade	2	300,000.00			100,000.00	100,000.00	100,000.00			
51 Lead Service Lines to replace	3	210,000.00		100,000.00	110,000.00					
scada upgrade	4	500,000.00		100,000.00	200,000.00	200,000.00				
tower painting	5	1,000,000.00			500,000.00	500,000.00				
meter replacements	6	900,000.00		410,000.00	490,000.00					
40th street aerator painting	7	150,000.00		50,000.00	50,000.00	50,000.00				
automatic gates/40th st tower	8	100,000.00		50,000.00	50,000.00					
55th steet aerator	9	100,000.00			80,000.00	20,000.00				
40th st wel decking	10	30,000.00		30,000.00						
40th st well heating and ac mini splits	11	20,000.00		20,000.00						
50th st well heating and ac mini splits	12	20,000.00		20,000.00						
		-								
		-								
		-								
		-								
		-								
		-								
		-								
		-								
		-								
<b>TOTAL - THIS PAGE</b>	<b>XXXXX</b>	<b>3,430,000.00</b>	<b>XXXXXXXXXX</b>	<b>780,000.00</b>	<b>1,630,000.00</b>	<b>920,000.00</b>	<b>100,000.00</b>	<b>-</b>	<b>-</b>	<b>C - 4</b>

Sheet 40c1











# SECTION 2 - UPON ADOPTION FOR YEAR 2026

## RESOLUTION

Be it Resolved by the SEA ISLE CITY COUNCIL MEMBERS of the CAPE MAY CITY of the County of \_\_\_\_\_ that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 22,966,219.74 (Item 2 below) for municipal purposes, and
- (b) \$ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
- (c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ - (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ - (Sheet 44) Arts and Culture Trust Fund Levy
- (f) \$ - (Item 5 Below) Minimum Library Tax

**RECORDED VOTE**  
(Insert last name)

	Ayes	Nays	Abstained	Absent
	[ ]	[ ]	[ ]	[ ]

**SUMMARY OF REVENUES**

1. General Revenues					
Surplus Anticipated				08-100	\$ 4,500,000.00
Miscellaneous Revenues Anticipated				13-099	\$ 6,631,561.15
Receipts from Delinquent Taxes				15-499	\$ 360,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSED (Item 6(a), Sheet 11)					
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:					
Item 6, Sheet 42	07-195	\$ -			
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	\$ -			
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY					\$ -
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:					
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)				07-191	\$ -
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX					
				07-192	\$ -
<b>Total Revenues</b>				13-299	<b>\$ 34,457,780.89</b>

## SUMMARY OF APPROPRIATIONS

<b>5. GENERAL APPROPRIATIONS:</b>		XXXXXX	XXXXXXXXXXXXXXXXXX
<u>Within "CAPS"</u>		XXXXXX	XXXXXXXXXXXXXXXXXX
<u>(a &amp; b) Operations Including Contingent</u>		34-201	\$ 21,971,877.25
<u>(e) Deferred Charges and Statutory Expenditures - Municipal</u>		34-209	\$ 2,542,371.00
<u>(g) Cash Deficit</u>		46-885	\$ -
<b>Excluded from "CAPS"</b>		XXXXXX	XXXXXXXXXXXXXXXXXX
<u>(a) Operations - Total Operations Excluded from "CAPS"</u>		34-305	\$ 495,175.15
<u>(c) Capital Improvements</u>		44-999	\$ 350,000.00
<u>(d) Municipal Debt Service</u>		45-999	\$ 7,909,452.00
<u>(e) Deferred Charges - Municipal</u>		46-999	\$ 7,250.00
<u>(f) Judgments</u>		37-480	\$ -
<u>(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 &amp; 17.3)</u>		29-405	\$ -
<u>(g) Cash Deficit</u>		46-885	\$ -
<u>(k) For Local District School Purposes</u>		29-410	\$ -
<u>(m) Reserve for Uncollected Taxes</u>		50-899	\$ 1,181,655.49
<b>6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S.A. 40A:4-13)</b>		07-195	
<b>Total Appropriations</b>		34-499	<b>\$ 34,457,780.89</b>

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the \_\_\_\_\_ day of \_\_\_\_\_, 2026. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2026 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this \_\_\_\_\_ day of \_\_\_\_\_, 2026, \_\_\_\_\_, Clerk

*Signature* \_\_\_\_\_

DEDICATED REVENUES FROM TRUST FUND	FCOA	Anticipated		Realized in Cash in 2025	APPROPRIATIONS	FCOA	Appropriated		Expended 2025	
		2026	2025				for 2026	for 2025	Paid or Charged	Reserved
Amount to be Raised By Taxation	54-190				Development of Lands for Recreation and Conservation:		xxxxxxx	xxxxxxx	xxxxxxx	xxxxxxx
					Salaries & Wages	54-385-1				-
					Other Expenses	54-385-2				-
Interest Income	54-113				Maintenance of Lands for Recreation and Conservation:		xxxxxxx	xxxxxxx	xxxxxxx	xxxxxxx
					Salaries & Wages	54-375-1				-
					Other Expenses	54-372-2				-
Reserve Funds:	54-101				Historic Preservation:		xxxxxxx	xxxxxxx	xxxxxxx	xxxxxxx
					Salaries & Wages	54-176-1				-
					Other Expenses	54-176-2				-
					Acquisition of Lands for Recreation and Conservation	54-915-2				-
					Acquisition of Farmland	54-916-2				-
					Down Payments on Improvements	54-902-2				-
					Debt Service:		xxxxxxx	xxxxxxx	xxxxxxx	xxxxxxx
					Payment of Bond Principal	54-920-2				xxxxxxx
					Payment of Bond Anticipation Notes and Capital Notes	54-925-2				xxxxxxx
					Interest on Bonds	54-930-2				xxxxxxx
					Interest on Notes	54-935-2				xxxxxxx
					Reserve for Future Use	54-950-2				-
					Total Trust Fund Appropriations:	54-499	-	-	-	-

**Summary of Program**

Year Referendum Passed/Implemented:	(Date)	
Rate Assessed:	\$	
Total Tax Collected to date:	\$	
Total Expended to date:	\$	
Total Acreage Preserved to date:	(Acres)	
Recreation land preserved in 2025:	(Acres)	
Farmland preserved in 2025:	(Acres)	



Annual List of Change Orders Approved  
Pursuant to N.J.A.C. 5:30-11

Contracting Unit: CITY OF SEA ISLE CITY

Year Ending: December 31, 2025

The following is a complete list of all change orders which caused the originally awarded contract price to be exceeded by more than 20 percent. For regulatory details please consult N.J.A.C. 5:30-11.1 et seq. Please identify each change order by name of the project.

--

For each change order listed above, submit with introduced budget a copy of the governing body resolution authorizing the change order and an Affidavit of Publication for the newspaper notice required by N.J.A.C. 5:30-11.9(d). (Affidavit must include a copy of the newspaper notice.)

If you have not had a change order exceeding the 20 percent threshold for the year indicated above, please check here  and certify below.

Date \_\_\_\_\_

Clerk of the Governing Body \_\_\_\_\_

CITY OF SEA ISLE CITY  
NEW JERSEY

RESOLUTION NO. 020 2025

WHEREAS, N.J.S.A. 40A:5-17 provides for the approval of claims in manner provides by ordinance; and

WHEREAS, the City Council of Sea Isle City duly enacted Ordinances which provide a method for approval of claims, recordation thereof, and the payment of such claims by the City of Sea Isle City; and:

WHEREAS, The City Council have reviewed and considered invoices as follows:

PREVIOUS PAID BILLS:

SEA ISLE CITY PAYROLL 427,764.82

<u>VENDOR</u>	<u>AMOUNT</u>
ACE PLUMBING	171.90
ATLANTIC CITY ELECTRIC	12,942.59
ATLANTICARE PHYSICIAN GROUP	32.00
ADVANTAGE RENTAL & SALES	66.98
ATLANTIC CRANE INSPECTION	810.20
ALLEGRA PRINTING	600.00
ATLERNATIVE MICROGRAPHICS	1,895.00
ACT ENGINEERS	1,172.98
AXION	2,944.56
PAUL J BALDINI PA	23,426.25
BILLOWS ELECTRIC	79.26
HORIZON BCBS	407,970.32
BOUND TREE MEDICAL	97.14
BRAVEN HEALTH	36,055.53
BLANEY WEINBERG CURIO	2,000.00
BUSINESS SOLVER	346.73
CMC CHAMBER OF COMMERCE	1,876.25
CMC LEAGUE OF MUNICIPALITIES	700.00
COYNE CHEMICAL	4,439.52
COMCAST	264.33
CAPE MAY COUNTY MUA	8,935.92
COMPUTER ACCESS	233.30
CHASE BANK	120,450.00
CDW®	1,176.84

CASA REPORTING SERVICES	491.40
COLLIERS	60,563.66
CF GROUP DBA FALCON PRODUCTS	60,776.65
DISCOUNT HYDRAULICS	170.02
DEVINE BROTHERS	2,489.41
DAFELDECKER ASSOCIATES	1,089.00
EDMUNDS & ASSOCIATED	60.00
ELMER DOOR	855.75
ELAVON	84.01
EAST COAST MEDICAL CONSULTANTS	2,200.00
ENCORE SIGNS	400.00
ENCORE FIRE PROTECTION	2,350.00
FORD SCOTT & ASSOCIATES	16,000.00
FORERUNNER INDUSTRIES	17,480.00
FAMILY AUTO GLASS	800.00
GARDNER HARDWARE	24.97
GENTILINI FORD	18.30
GLOUCESTER CITY POLICE ACADEMY	75.00
GREAT OPENINGS	967.50
HERALD NEWSPAPER	582.20
HENRY HENGCHUA ARCHITECT	52,400.00
INSTITUTE FOR FORENSIC	1,150.00
INSTRATA COMMUNICATIONS	20,000.00
KINDLE FORD	5,511.83
KYOCERA	235.37
KRUEGER INTERNATIONAL	107,501.33
LILLISTON DODGE	24.38
LEXIPOL	8,023.50
LIFEFITNESS	15,928.73
MES SERVICE EQUIPMENT	541.00
MARMORA HARDWARE	84.95
MILES PARTNERSHIP	3,165.00
MAJESTIC OIL	3,595.85
NJ ASSOCIATION OF CHIEFS PD	625.00
NAPA AUTO PARTS	546.21
NJ WATER ASSOCIATION	35.00
OCEAN CITY SENTINAL	180.00
PITNEY BOWES	1,277.07
POSTNET	94.00
POLICE & SHERIFFS PRESS	40.00
PLANT SERVICE	260.00
PMC WIRELESS	2,414.90
RR DONNELLY	138.75
REVESCENT	300.94
SAFETY KLEEN	721.04
SOUTH JERSEY GAS	17,040.16
SEASHORE ASPHALT	282.38
SERVICE TIRE TRUCK	1,089.48
DEPARTMENT OF LAW TO PUBLIC SAFETY	900.00
VAL U AUTO	244.09
VERIZON	6.55
VIA INC	28,405.44
WESTERN TERMITE & PEST	1,889.28
W.S. GOFF	8,050.00

W.B. MASON  
WIRELESS ELECTRONICS

842.40  
1,746.00

1,509,220.92

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Sea Isle City, NJ as follows:

1. All of those invoices as set forth above (with the exception of those items containing a line drawn through them and relisted to paragraph 2 below) are hereby approved. The Municipal Clerk is hereby authorized (as per section 6 of Ordinance 716) to indicate said approval on each invoice and to record same in the official minutes.
2. All of the following invoices are disapproved by this Council:

**VENDOR AMOUNT:**

The Municipal Clerk is hereby directed to appropriately record the disapproval of the invoices noted in this paragraph in the official minutes.

3. All of those invoices listed in the recital as set forth above containing the initials of not more than one council Person immediately to the left of each line shall be deemed approved (as per paragraph number one above) by a majority vote of the remaining Council members. Those invoices listed in the recital as set forth above containing a line drawn through the vendor's name and amount and relisted in paragraph 2 shall be deemed a rejection of said invoices and shall not be paid.

**Recorded Vote:**

\_\_\_\_\_  
**Mary Tighe , Council President**

Council	Yes	No	Abstain	Absent	Moved	Second
Edwardi						
Jargowsky						
Ciseck						
Kehner						
Tighe						

**I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of Sea Isle City, New Jersey, at the regular meeting held on TUESDAY MARCH 10, 2026.**

\_\_\_\_\_  
**Shannon D. Romano, Municipal Clerk**

CITY OF SEA ISLE CITY  
NEW JERSEY

RESOLUTION NO. 021 2025

WHEREAS, N.J.S.A. 40A:5-17 provides for the approval of claims in manner provides by ordinance; and

WHEREAS, the City Council of Sea Isle City duly enacted Ordinances which provide a method for approval of claims, recordation thereof, and the payment of such claims by the City of Sea Isle City; and:

WHEREAS, The City Council have reviewed and considered invoices as follows:

PREVIOUS PAID BILLS:

SEA ISLE CITY PAYROLL	487,991.58
TREASURER STATE OF NEW JERSEY	9,000.00
WEIGHTS AND MEASURERS FUND	220.00
TREASURER STATE OF NEW JERSEY	3,000.00

<u>VENDOR</u>	<u>AMOUNT</u>
ADVANTAGE	18.19
ANIMAL CONTROL OF SOUTH JERSEY	1,900.00
ALLEGRA PRINTING	670.00
ACTION UNIFORM	2,454.00
AMAZON	2,963.92
AXION	2,812.61
ACCURATE LANGUAGE SERVICES	600.00
AUTOZONE PARTS	1,073.95
ALS GROUP USA	460.00
BACKGROUND INVESTIGATIONS	151.00
BLANEY WEINBERG CURIO	2,000.00
BRADLEY MATTHEW	761.05
CMC JUDGES ASSOC	75.00
COMPUTER ACCESS	430.40
CAPE MEDIATION SERVICES	378.72
CHASE BANK	37,200.00
CDW®	89.04
CASA REPORTING SERVICES	812.65
CORE & MAIN	360.00
COLLIERS	47,105.72
CONTEMPORARY TECHNOLOGIES	7,670.00
COMCAST	3,184.65
CHV EGG HARBOR INC	116.66
DISCOUNT HYDRAULICS	295.09

DEVINE BROTHERS	875.00
CUSTER, KATHERINE	200.00
EZ PASS	850.00
ELMER DOOR	780.00
ESRI NC	816.00
EVERON	920.86
GILL ASSOCIATES	3,837.00
GARREFFI ANTHONY	200.00
GILLIAN SCHWARTZ LAW LLC	666.66
HOME DEPOT	2,260.31
HELMER COLEY AND KASSELMAN	204.75
JERSEY CAPE DIAGNOSTICS	20,325.00
JACKSON BRIANNE	5,000.00
JP MONZO MUNICIPAL CONSULTING	50.00
LAWMAN	498.12
LAWSON	396.77
MASER ENGINEERING	120.00
MARSHALL SWIFT	1,469.95
EQUITABLE LIFE	15.70
MARLEE CONTRACTORS	3,871.68
MAJESTIC OIL	3,465.54
NATIONAL TIME SYSTEMS	90.50
NJ DEPT OF HEALTH AND SENIOR SERVICES	4.20
NJ SHADE TREE FEDERATION	150.00
NATIONAL HIGHWAY PRODUCTS	1,271.70
NINE TO FIVE SEATING	2,686.32
OCEAN CITY SENTINAL	332.50
OUTFRONT MEDIA	18,411.74
PITNEY BOWES	636.96
POSTNET	156.08
PUBLIC SAFETY TRAINING	1,070.00
RIGGINS	5,842.27
SJ COURT ADMIN ASSOC	75.00
SEA ISLE CITY TRUST ACCT	14,850.00
SEA ISLE CITY BOARD OF ED	196,479.83
SEA ISLE VOLUNTEER FIRE CO	41,600.00
SIGNARAMA CAPE MAY COUNTY	1,499.49
SAR AUTOMOTIVE	32,918.99
SEA GEAR	495.62
SERVICE TIRE TRUCK	1,825.66
TAX & TREAS ASSOC OF NJ	125.00
TAX COLL TREAS ASSOC OF CMC	150.00
TEC ELEVATOR	647.70
TRANSUNION	1,000.00
TIFFANY A CUVIELLO	1,650.00
DICCIANI MARC	3,356.65
MARTIN JOHN	125.00
ULINE	1,212.97
VAL U AUTO	46.98
VISION BENEFITS OF AMERICA	960.27
W.B. MASON	80.59
WELLS FARGO	2,624.93
WIRELESS ELECTRONICS	276.00
BELL MICHAEL	369.53

DIBBABO ANTHONYY

410.35

994,050.40

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Sea Isle City, NJ as follows:

1. All of those invoices as set forth above (with the exception of those items containing a line drawn through them and relisted to paragraph 2 below) are hereby approved. The Municipal Clerk is hereby authorized (as per section 6 of Ordinance 716) to indicate said approval on each invoice and to record same in the official minutes.
  
2. All of the following invoices are disapproved by this Council:

**VENDOR AMOUNT:**

The Municipal Clerk is hereby directed to appropriately record the disapproval of the invoices noted in this paragraph in the official minutes.

3. All of those invoices listed in the recital as set forth above containing the initials of not more than one council Person immediately to the left of each line shall be deemed approved (as per paragraph number one above) by a majority vote of the remaining Council members. Those invoices listed in the recital as set forth above containing a line drawn through the vendor's name and amount and relisted in paragraph 2 shall be deemed a rejection of said invoices and shall not be paid.

**Recorded Vote:**

\_\_\_\_\_  
**Mary Tighe , Council President**

Council	Yes	No	Abstain	Absent	Moved	Second
Edwardi						
Jargowsky						
Ciseck						
Kehner						
Tighe						

**I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of Sea Isle City, New Jersey, at the regular meeting held on TUESDAY MARCH 10, 2026.**

\_\_\_\_\_  
**Shannon D. Romano, Municipal Clerk**

**CITY OF SEA ISLE CITY  
NEW JERSEY**

**RESOLUTION NO. 022 (2026)  
APPOINTING TAX COLLECTOR**

**WHEREAS**, the City of Sea Isle City is in need of a New Jersey Licensed Tax Collector as per N.J.S.A. 40A:9-145.7 due to the separation of the current tax collector, and

**WHEREAS**, N.J.S.A. 40A:9-145.7 requires each New Jersey municipality to have a New Jersey Licensed Tax Collector, and

**WHEREAS**, the City of Sea Isle City’s administration is recommending that Jessica N. Pearson-Gibson, CTC be appointed as the Tax Collector for the City of Sea Isle City, effective March 1, 2026, subject to the consent of City Council; and.

**NOW THEREFORE BE IT RESOLVED**, by the City of Sea Isle City Council that it hereby appoints Jessica N. Pearson-Gibson, CTC as the Tax Collector for the City of Sea Isle City, and

**BE IT FURTHER RESOLVED**, that said appointment is consistent with the rules and laws of the State of New Jersey N.J.S.A 40A:9-145.8, and

**BE IT FURTHER RESOLVED**, that Jessica N. Pearson-Gibson, CTC, as the New Jersey Certified Tax Collector, shall fulfill all of the duties and responsibilities as is required by N.J.S.A. 40A:9-145.8.

\_\_\_\_\_  
Mary L. Tighe, Council President

Recorded Vote

Council	Yes	No	Abstain	Absent	Moved	Second
Edwardi						
Ciseck						
Kehner						
Tighe						
Jargowsky						

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of Sea Isle City, New Jersey, at the regular meeting held on Tuesday, March 10, 2026.

\_\_\_\_\_  
Shannon D. Romano, Municipal Clerk

CITY OF SEA ISLE CITY  
NEW JERSEY  
RESOLUTION NO. 023 (2026)

AUTHORIZING REFUND OF A TOURISM FALL FAMILY FESTIVAL  
WEEKEND VENDOR REGISTRATION FEES

WHEREAS, the City of Sea Isle City received payment for a Fall Family Festival Weekend Vendor Registration Fee; and

WHEREAS, from time to time, the City is required to refund payments as approved by the Department Heads.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Sea Isle City, New Jersey, that the following refunds shall be made:

<u>Name of Registrant</u>	<u>Registration Fee to Be Refunded</u>
John Martin 505 Maplecrest Road P.O Box 88 Maplecrest, NY 12454	\$125.00

BE IT FURTHER RESOLVED, that a copy of this Resolution be filed with the Chief Financial Officer.

\_\_\_\_\_  
Mary Tighe, Council President

**Recorded Vote:**

<b>Council</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>	<b>Moved</b>	<b>Second</b>
<b>Edwardi</b>						
<b>Ciseck</b>						
<b>Jargowsky</b>						
<b>Kehner</b>						
<b>Tighe</b>						

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Sea Isle City, New Jersey, at the regular meeting held on Tuesday, March 10, 2026.

\_\_\_\_\_  
Shannon D. Romano, Municipal Clerk

**CITY OF SEA ISLE CITY  
NEW JERSEY**

**RESOLUTION NO. 024 (2026)**

**AUTHORIZING A CLOSED EXECUTIVE SESSION  
FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION**

(380 47<sup>th</sup> Place Condominium Association v. 384 47<sup>th</sup> Place Condominium Association  
and the City of Sea Isle City, DOCKET NO. CMP-L-000002-26)

**WHEREAS**, pursuant to N.J.S.A. 10:4-12, the City Council of the City of Sea Isle City is authorized to hold a closed session, and

**WHEREAS**, the City Administrator has advised the City Council that a closed session is necessary to discuss Pending Litigation – 380 47<sup>th</sup> Place Condominium Association v. 384 47<sup>th</sup> Place Condominium Association and the City of Sea Isle City, DOCKET NO. CMP-L-000002-26, Docket No. CMP-L-139-23.

**NOW, THEREFORE, BE IT RESOLVED** that a closed session of the City Council of the City of Sea Isle City shall be held on Tuesday, March 10, 2026, in the Council Chambers, to discuss the Pending Litigation as described.

**BE IT FURTHER RESOLVED**, that upon completion of the above matter, the minutes of said meeting will be available to the public.

\_\_\_\_\_  
Mary L. Tighe, Council President

**Recorded Vote:**

Council	Yes	No	Abstain	Absent	Moved	Second
<b>Jargowsky</b>						
<b>Edwardi</b>						
<b>Kehner</b>						
<b>Tighe</b>						
<b>Ciseck</b>						

**I HEREBY CERTIFY THAT** the foregoing resolution was duly adopted by the City Council of the City of Sea Isle City, New Jersey, at a meeting held on Tuesday, March 10, 2026.

\_\_\_\_\_  
Shannon Romano, Municipal Clerk

**CITY OF SEA ISLE CITY  
NEW JERSEY  
RESOLUTION NO. 025 (2026)**

**RESOLUTION AUTHORIZING REFUND OF TAX PAYMENT**

**WHEREAS**, the Tax Collector has notified the City Clerk of tax overpayments; and

**WHEREAS**, the overpayment was a result of the property owner being awarded a County Tax Appeal Judgement for the property's 2025 added omitted assessment.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Sea Isle City, County of Cape May, State of New Jersey that the Chief Financial Officer be and is hereby authorized and directed to make the following refund:

<u>Block/Lot/Qual.</u>	<u>Amount</u>	<u>Year</u>	<u>Refund To</u>
55.04 / 1549	\$3,356.65	2025	Dicciani, Marc 2535 Stony Creek Rd Lansdale, PA 19446

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately.

\_\_\_\_\_  
**Mary L. Tighe, Council President**

**Recorded Vote:**

<b>Council</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>	<b>Moved</b>	<b>Second</b>
Jargowsky						
Edwardi						
Ciseck						
Kehner						
Tighe						

**I HEREBY CERTIFY THAT** the foregoing resolution was duly adopted by the City Council of the City of Sea Isle City, New Jersey, at the regular meeting held on Tuesday March. 10th, 2026.

\_\_\_\_\_  
**Shannon D. Romano, Municipal Clerk**

CITY OF SEA ISLE CITY  
NEW JERSEY

RESOLUTION NO. 026 (2026)

**AUTHORIZING PROFESSIONAL SERVICES FOR LABOR COUNCIL**

WHEREAS, the City selects Mark S. Ruderman of Ruderman & Roth LLC (Vendor), 150 Morris Avenue, Suite 206, Springfield, NJ 07081 as labor council from January 1, 2026 through December 31, 2026 pursuant to N.J.S.A. 40A:11-5(1)(a)(i) on professional services; and

WHEREAS, work completed by Vendor shall be compensated based upon the following rate:

Hourly Fee Schedule

Mark S. Ruderman.....\$235.00 per hour

WHEREAS, Vendor has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure form; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Sea Isle City that the above recitals are wholly incorporated into this Resolution and granted the full force of law; and

BE IT FURTHER RESOLVED that City officials may sign, amend and/or revoke formal written contracts; and

BE IT FURTHER RESOLVED that City employees may issue purchase orders to the Vendor not to exceed \$20,000.00; and

BE IT FURTHER RESOLVED that City employees may issue change orders as necessary that result in minor price increases or decreases to the original anticipated value of purchase orders, or any of their parts, pursuant to N.J.S.A. 5:30-11.4; and

BE IT FURTHER RESOLVED that a brief notice shall be printed once in an official newspaper of the City.

The certification of availability of funds shall be executed through the budgetary accounting encumbrance process pursuant to N.J.A.C. 5:30-5.5(b) on open end contracts and N.J.A.C. 5:30-5.5(a)(2) on temporary budgets.

\_\_\_\_\_  
Mary Tighe, Council President

Recorded vote:

<u>Council</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	<u>Moved</u>	<u>Second</u>
Ciseck						
Edwardi						
Jargowsky						
Kehner						
Tighe						

I HEREBY CERTIFY THAT the foregoing Resolution was duly adopted by the City Council of the City of Sea Isle City at the meeting held on March 10, 2026.

\_\_\_\_\_  
Shannon D. Romano, Municipal Clerk

**CITY OF SEA ISLE CITY  
 CAPE MAY COUNTY, NEW JERSEY  
 RESOLUTION NO. 027 (2026)**

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF AWARD AND EXECUTION OF  
 A GRANT AGREEMENT BETWEEN THE STATE OF NEW JERSEY BY AND FOR THE  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE CITY OF SEA ISLE  
 CITY FOR ; IT PAYS TO PLUG IN: NJ'S ELECTRIC VEHICLE CHARGING GRANT  
 PROGRAM**

**WHEREAS**, the Governing body of the City of Sea Isle City desires to further public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$400,000 to fund the following project:

It Pay\$ to Plug In: NJ's Electric Vehicle Charging Grant Program

**WHEREAS**, it is in the best interest of the City of Sea Isle City and its residents to award and execute the grant agreement with the State of New Jersey.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Sea Isle City, County of Cape May, State of New Jersey, that this governing body formally accepts and approves the grant agreement for the EV Charging grant program,

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Sea Isle City and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

\_\_\_\_\_  
 Mary L. Tighe, Council President

**Recorded Vote:**

Council	Yes	No	Abstain	Absent	Moved	Second
<b>Feeley</b>						
<b>Edwardi</b>						
<b>Kehner</b>						
<b>Tighe</b>						
<b>Gibson</b>						

**I HEREBY CERTIFY THAT** the foregoing resolution was duly adopted by City Council of the City of Sea Isle City, New Jersey, at the meeting held on Tuesday, March 10, 2026.

\_\_\_\_\_  
 Shannon Romano, Municipal Clerk

**GRANT AGREEMENT BETWEEN  
City of Sea Isle City AND  
THE STATE OF NEW JERSEY BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GRANT IDENTIFIER: EVFC2025-00157**

**PART 1: GENERAL TERMS AND CONDITIONS** *(found as a separate PDF in NJDEP SAGE under Forms Menu)*

- I. Compliance with Existing Laws and Policies
- II. Insurance
- III. Indemnification
- IV. Assignments and Subcontracts
- V. Availability of Funds
- VI. Procurement Standards
- VII. Property Management Standards
- VIII. Method of Payment
- IX. Interest
- X. Allowable Costs
- XI. Matching and Cost Sharing Requirements
- XII. Program Income
- XIII. Special Grant Conditions for "High Risk" Grantees
- XIV. Financial Management System
- XV. Financial and Performance Reporting
- XVI. Monitoring Performance
- XVII. Audit Requirements.
- XVIII. Agreement Amendment
- XIX. Closeout Procedures
- XX. Termination, Expiration, and Suspension
- XXI. Access to Records
- XXII. Record Retention
- XXIII. Approvals and Authorizations
- XXIV. Miscellaneous Provisions

**PART 2: GRANT AGREEMENT AND ATTACHMENTS\***

- X A. Additional Provisions and Special Modifications
  - A-1. Additional Provisions for Federally Funded Agreements
  - A-1-A. Certification of Lobbying and Disclosure of Lobbying Activities
  - A-2. Federal Funding Accountability and Transparency Act (FFATA) Request Form
  - A-3. U.S. Environmental Protection Agency Funded Agreements
  - A-4. Community Development Block Grant (CDBG) Funded Projects
  - A-4-A. Non-Disclosure Agreement - CDBG Funded Projects
- X B. Approved Project Budget
  - B-1. Itemization and Justification of Budget
  - B-2. Advance Payment
- X D. Scope of Services
- X D-1. Project Requirements
- X D-2. Grantee's Proposal
- E. Resolution Type:
  - X Governing Body Resolution
  - Corporate Resolution
  - LLC Resolution
  - Entity Resolution
  - Not Required
- F. Subcontractor List
- G. Statement of Adequacy of Accounting System

\* Wherever this agreement form, including any attachments, presents alternatives, choices must be indicated as follows: An "X" within brackets or on a blank line shall indicate selection of the particular alternative. "NA" or "-" (a dashed line) shall indicate that no information is to be entered on a particular blank line.

**GRANT AGREEMENT BETWEEN  
City of Sea Isle City AND  
THE STATE OF NEW JERSEY BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GRANT IDENTIFIER: EVFC2025-00157**

**GRANT AWARD DATA AND APPROVAL SIGNATURES**

**Grantee's Name:** City of Sea Isle City (the "Granting Agency")  
**Address:** 233 JFK Blvd., Sea Isle City, Cape May County, New Jersey 08243

**Vendor ID #:** V00071846  
**DUNS # (required only for Federally-funded awards):**

**Financial Officer's - Name:** Jennifer McIver  
**Title: (The "Chief Financial Officer"):** Chief Financial Officer

**The State of New Jersey (The "State")  
 Department of Environmental Protection (The "Department" or the "DEP")**

**Granting Agency's**

**Name:** New Jersey Department of Environmental Protection (the "Granting Agency")  
**Address:** 401 East State Street, PO Box 420, Mail Code 401-02E, Trenton, NJ 08625-0420

**Granting Officer's**

**Name:** Jeremy Valle (the "Grant Officer")  
**Title:** Environmental Services Trainee  
**Email Address:** jeremy.valle@dep.nj.gov  
**Phone Number:** (609) 292-7953

**Spending Plan Approval #:** DC26-007SP

**TITLE OF GRANT:** It Pay\$ to Plug In: NJ's Electric Vehicle Charging Grant Program

**AMOUNT OF GRANT:** Equal to  Up to \$400,000.00

Source of Funds							
Total Project Funding	AMOUNT	STATE ACCOUNT NUMBER					
		FY	Fund	Org	Appr	Activity	Job Number
State General Fund							
Federal							
Grantee							
Other (identify below)							
GGI FY26	\$400,000.00	26	71H	4801	003	V7ND	39991260
	\$400,000.00	TOTAL APPROVED PROJECT AMOUNT					

**WORK PERIOD:** The "effective date" of this grant agreement is the date the Grantee executes it or the date the State executes it, whichever date is later.

The "Work Period" for this grant commences on **02/06/2026** or the effective date, whichever is Earlier  Later,  and runs for a period of 12 months thereafter, until \_\_\_\_\_.

Grant funds may be used only to satisfy obligations which arise during the Work Period.

**PURPOSE AND AUTHORITY:**

Grant Project to be funded: It Pay\$ to Plug In: NJ's Electric Vehicle Charging Grant Program

Grant will be used for Research and Development (R&D):  Yes  
 No

Statutory Authority for this Grant:

N.J.S.A. 13:1D-9; N.J.S.A. 13:1D-134; N.J.S.A. 26:2C-9(b)(6); N.J.S.A. 13:1B-3

**STATE AND GRANTEE APPROVAL SIGNATURES**

**APPROVED AS TO LEGAL FORM**

For the State:

Deputy Attorney General:

Date:

**I have acknowledged and approved.**

A confidential and privileged memorandum (Protocol Memo) pre-approving this agreement as to legal form has  has not been provided to the Granting Agency by the Deputy Attorney General.

Upload Protocol Memo Here:

**Approval of Granting Agency**

Granting Agency Name: New Jersey Department of Environmental Protection

Director: Melissa Evanego

Date: 02/26/2026

**I have acknowledged and approved.**

**EXECUTION SIGNATURES**

By the signatures below, the Grantee and the State (the "parties") execute this agreement and confirm that they are mutually bound by all provisions contained herein and are fully authorized and empowered to enter into and bind their organization to all obligations under this agreement.

**Grantee**

Grantee Name: City of Sea Isle City

Authorized Official:

Date:

**I have acknowledged and approved.**

**State of New Jersey/DEP**

Assistant Commissioner/Delegate:

Date:

**I have acknowledged and approved.**

**GRANT AGREEMENT BETWEEN  
City of Sea Isle City AND  
THE STATE OF NEW JERSEY BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GRANT IDENTIFIER: EVFC2025-00157**

This Attachment A outlines the responsibilities established by the terms, conditions, requirements, and provisions of the General Terms and Conditions. Any modifications to the General Terms and Conditions of this agreement are set forth in Section X, below.

**I. Insurance** *(See section II of the General Terms and Conditions of this agreement - Insurance.)*

**NOTE: No payment can be made until the Department has received acceptable documentation of these required coverages:**

A. The Grantee maintains and must continue to maintain the required insurance coverages as follows:

1. Comprehensive General Liability

- Insurance
- Self-insurance
- Not Required
- Combination of Insurance/Self-Insured

2. Automobile Liability

- Insurance
- Self-insurance
- Not Required
- Combination of Insurance/Self-Insured

3. Worker's Compensation

- Insurance
- Self-insurance
- Not Required
- Combination of Insurance/Self-Insured

4. Employer's Liability

- Insurance
- Self-insurance
- Not Required
- Combination of Insurance/Self-Insured

B. Certificates of Insurance or documentation of self-insurance

- are on file with the department.
- will be forthcoming within 30 days after the effective date of this agreement.
- are not required

**II. Availability of Funds** *(See section V of the General Terms and Conditions of this agreement - Availability of Funds.)*

Based upon funds available to the Department in the State's fiscal year, this agreement is:

- fully funded
- partially funded in the amount of

**III. Method of Payment** *(See section VIII of the General Terms and Conditions of this agreement - Method of Payment.)*

A. Advance payment, if justified and itemized in Attachment B-2 - Advance Payment, is

- authorized, in total, for
- not applicable

B. Progress payments

shall be made on a (e.g. mo./qtr./deliverable) basis for per payment

shall be based on actual expenditures on a **quarterly** (e.g. mo./qtr.) basis accompanied by receipts.  
 shall be made on submission of deliverables in accordance with the project specifications and requirements.  
 are not applicable.

C. Final payment of (amount or description)

shall be withheld pending receipt of all final reports.  
 is not applicable.

(other, please specify) **Remaining balance of grant (at least 25%) shall be withheld pending receipt of all final reports**

**NOTE: No payment can be made unless an Expenditure Report is submitted with appropriate justification, receipts, etc. and all reporting requirements are met as specified in this agreement.**

IV. **Matching and Cost Sharing Requirements** (See section XI of the General Terms and Conditions of this agreement - Matching and Cost Sharing Requirements.)

The Grantee shall provide the matching or cost sharing amounts indicated in the Grant Award Data, and described further in Attachment B - Approved Project Budget.

Matching and cost sharing requirements do not apply.

V. **Certification of Adequacy of Accounting System** (See section XIV of the General Terms and Conditions of this agreement - Financial Management System.)

A. Attachment G - Statement of Adequacy of Accounting System

must be completed by the Financial Officer identified in the Grant Award Data and Signatures section.

is not required.

B. Expenditure Reports shall be prepared in a manner consistent with the Grantee's normal accounting records, which are kept on

a cash basis

an accrual basis

modified accrual basis

(other, please specify)

VI. **Financial and Performance Reporting** (See section XV of the General Terms and Conditions of this agreement - Financial and Performance Reporting.)

A. All Expenditure Reports must be certified by the Financial Officer.

B. Periodic Expenditure Reports shall be submitted

days following the end of the (e.g. month/quarter). Quarter shall be defined as January through March, April through June, July through September and October through December.

(other, specify) **Not required**, but no later than the due date of the final Expenditure Report.

C. Performance reports shall be submitted on a **3 months and 6 months from grant execution** basis. These reports should be submitted no later than days after the end of each **3 months and 6 months from grant execution** (e.g. quarter/year). Quarter shall be defined as set forth in Subparagraph B above.

D. Final Expenditure and performance report, shall be submitted by the Grantee no later than **21** days after

the Grantee's completion of all agreement tasks

the end of the Work Period

VII. **Audit Requirements** (See section XVII of the General Terms and Conditions of this agreement - Audit Requirements.)

A. Pursuant to State and Federal Requirements, the Grantee is

required to have an annual single audit or program-specific audit (expenditures  $\geq$  \$750,000/fiscal year)

required to have a financial statement audit or program-specific audit (expenditures between \$100,000-\$749,999/fiscal year)

not required to have an annual single audit, a financial statement audit or a program-specific audit (expenditures  $<$  \$100,000/fiscal year)

- B. The Department's records show the Grantee's fiscal year ends on **12/31/2025**. The Grantee shall notify the Department immediately if this date is incorrect or is changed.
- C. Copies of all audit reports must be submitted to DEP, Internal Audit Unit at PO Box 420, 428 East State St., Trenton, NJ, 08625-0420 and to the **New Jersey Department of Environmental Protection**, not later than nine months after the close of the Grantee's fiscal year.

**VIII. Agreement Amendment** (See section XVIII of the General Terms and Conditions of this agreement - Agreement Amendment.)

All revisions and modifications must be submitted through NJDEP SAGE to **Jeremy Valle, Environmental Services Trainee** or the successor to that position (the "Grant Officer").

**IX. Authorizations and Disclosures** (See section XXIII of the General Terms and Conditions of this agreement - Approvals and Authorizations.)

- A. The Grantee is a/an **Municipality**
- B. Appended hereto as Attachment E is
- a governing body resolution
  - a corporate resolution
  - an LLC resolution
  - an Entity resolution
  - not required
- C. A Business Registration Certificate for Grantee's subcontractors to do business in New Jersey
- will be submitted
  - is not applicable
  - is on file with the Department or uploaded below

Business Registration Certificate (if applicable):

**NOTE: No payment can be made until the Department has received all documents required under this Section IX, Authorizations and Disclosures.**

**X. Modifications to General Terms and Conditions**

The General Terms and Conditions of this agreement are changed, supplemented, or deleted ("modified") as specified in this Section X, which supersedes inconsistent terms, conditions, requirements, or provisions contained elsewhere in this agreement.

This Section X does not contain modifications to the General Terms and Conditions of this agreement.

This Section X does contain modifications to the General Terms and Conditions of this agreement, as follows:

**GRANT AGREEMENT BETWEEN  
City of Sea Isle City AND  
THE STATE OF NEW JERSEY BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GRANT IDENTIFIER: EVFC2025-00157**

**APPROVED PROJECT BUDGET**

<b>EXPENSE CATEGORY</b>	<b>TOTAL BUDGET</b>	<b>FEDERAL</b>	<b>STATE</b>	<b>GRANTEE ("MATCH")</b>	<b>OTHER</b>
A. Personnel Costs					
Salaries	\$0.00				
Fringe Benefits	\$0.00				
B. Subcontractors and/or Consultants	\$0.00				
C. Other Costs Specify Below					
EV Charger purchase and maintenance	\$400,000.00				\$400,000.00
D. Audit	\$0.00				
<b>Subtotal Direct Costs</b>	<b>\$400,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$400,000.00</b>
Less Program Income (enter as negative)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Direct Costs</b>	<b>\$400,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$400,000.00</b>
Indirect Costs (Indicate rate: 0%)	\$0.00				
<b>TOTAL PROJECT AMOUNT</b>	<b>\$400,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$400,000.00</b>

Match % of Total Project Amount: 0%

Total Grant Amount: **Up To \$400,000.00**

The sums identified in the "Total Budget" column are itemized and justified in (check one or more as appropriate)

Attachment B-1 - Itemization and Justification of Budget

Attachment D - Scope of Services

Attachment D-2 - Grantee's Proposal

**GRANT AGREEMENT BETWEEN  
City of Sea Isle City AND  
THE STATE OF NEW JERSEY BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GRANT IDENTIFIER: EVFC2025-00157**

**SCOPE OF SERVICES**

The Scope of Services for this agreement incorporates the Grantee's proposal, as approved by the Department (Attachment D-2); any project requirements delineated in Attachment D-1 - Project Requirements; and any modifications, amendments, and additions thereto. In case of conflict among the provisions of Attachments D, D-1, and D-2, the order of priority shall be: (1) Attachment D-1 - Project Requirements, (2) Attachment D - Scope of Services, (3) Attachment D-2 - Grantee's Proposal. Please note that it may be necessary to use the scroll bar to see all the information contained in this section.

**Introduction/Summary:**

The Department has received funding from various sources to provide grant funding for the "It Pay\$ to Plug In: NJ' s Electric Vehicle Charging Grant Program."

The Grantee is a public, private, for-profit, not-for-profit, educational or government entity participating in It Pay\$ to Plug In: NJ' s Electric Vehicle Charging Grant Program that provides grants to offset the costs of electric vehicle charging stations. This program is designed to expand New Jersey's growing network of electric vehicle infrastructure, allowing residents, businesses, and government agencies to purchase and drive electric vehicles. Electric vehicles dramatically reduce vehicle emissions and improve air quality for everyone.

The project will contribute to DEP's overall strategic plan to reduce range anxiety and increase the number of electric vehicles on the road, as well as support the New Jersey Partnership to Plug-In which has a goal of registering 330,000 Zero Emission Vehicles by 2025.

**Grantee's required activities/tasks with projected timeframe/duration for each:**

The Grantee must provide usage data to the DEP Bureau of Mobile Sources in a .csv file (or any format requested by the Department) on a quarterly basis for a period of no less than five (5) years from the date of installation. Alternatively, the grantee shall allow the Department to obtain data directly from the network provider, if requested by the Department. The data that must be provided is included, but not limited to, the following:

- Unique ID for identifying the EVSE
- Charging data such as date and time of usage (start and stop times)
- Number of charging events
- Total energy (kWh) per charging event
- Total dollar amount charged to the user (if applicable)
- Malfunction or operating errors
- Percentage or length of time of station downtimes

**DCFC (Direct Current Fast Charging) Grantees:**

1. Within three (3) months from grant execution, the applicant must provide proof of the following milestones:

- Approval for new services from the utility at the power levels required, if not behind the meter
- Detailed site design including site engineering, electrical, and signage plan
- Fully executed site host agreement (where the applicant is not the site host)
- Evidence that applications for local permits and approvals have been submitted

2. Within six (6) months from grant execution, the applicant must provide proof that all necessary approvals have been obtained, and physical construction has started.

Grantee's responsibilities and deliverables, including summary of payment/reimbursement schedule:

Grantee must submit their charging stations to the Alternative Fuels Data Center's Alternative Fueling Station Locator at <https://afdc.energy.gov/stations/#/station/new> prior to reimbursement. If the Grantee is participating in It Pay\$ to Plug In and a utility charging incentive program simultaneously, the Grantee must notify the Department and the appropriate utility program of the dual participation.

Charging stations must maintain a 97% annual uptime requirement. Should repair be necessary, the service provider must be contacted within 24 hours and the station up and fully operational within 48 hours to ensure a 97% annual uptime guarantee.

Funding for the installation of the electric vehicle charging stations described in this grant agreement shall not be used to satisfy or substitute for or be credited against any Supplemental Environmental Project or other mitigation requirements established pursuant to an Administrative Consent Order or other enforcement agreement with the Department or any other government entity. Grantee asserts that this instant grant is for the purchase of additional electric vehicle charging stations and is in no way associated with an Administrative Consent Order or other enforcement agreement with the Department or any other government entity.

Pursuant to the terms of this agreement, the Department shall reimburse the Grantee for eligible costs, up to a maximum dollar amount identified in the Overview and Instructions at the time of application.

The Department shall reimburse the Grantee for its purchases only after the submission and approval of a Reimbursement Request form or Financial Report and Charging Equipment Information forms in DEP's Electronic Grant Management Portal, along with payment receipts detailing the costs of the purchase, maintenance, and installation, if applicable, of the charging station(s). DCFC Grantees may submit for reimbursement quarterly, but 25% of the grant amount will be reserved for final payment. Grantee shall make all purchases and complete all work prior to the expiration of the Work Period of this agreement, in accordance with all applicable State and Federal procurement and public works requirements. The Grantee shall submit the Reimbursement Request Form or Financial Report and Charging Equipment Information forms in DEP's Electronic Grant Management Portal and payment receipts, no later than twenty-one (21) days after the expiration of the Work Period.

Although the Department will reserve funding for each application approved, reimbursement will occur only after the work has been completed in a manner that satisfies the It Pay\$ to Plug In: NJ's Electric Vehicle Charging Grant Program criteria and the charging station(s) has been placed in service. The determination as to whether the Grantee has satisfied its obligations for reimbursement, including the eligibility of costs for reimbursement, shall be at the Department's sole discretion. The Grantee may be asked to provide access to the charging stations for site visits to verify installation.

Under no circumstances shall the Department reimburse the Grantee for: (1) an amount greater than that documented by the payment receipts; or (2) costs expended in excess of the amounts set forth for each category in Attachment B of this agreement. Reimbursement is contingent upon availability of funding. The Department reserves the right to limit the amount of reimbursement per applicant.

Granting Agency's method for determining Grantee's compliance with/satisfaction of the Agreement:

The determination as to whether Grantee has satisfied its obligations for reimbursement, including the eligibility of costs for reimbursement, shall be at the sole discretion of the Department in accordance with all applicable State, federal, and program requirements. After the initial document review by the DEP Grant Officer, any outstanding documentation requirements identified must be submitted before the end of the Work Period.

The Department shall reimburse the Grantee for eligible costs, up to 100% of the total approved project amount ("Eligible Costs"). Regardless of the method of payment selected by the Grantee, the Department shall withhold at least ten percent (10%) of the Eligible Costs until the Grantee has completed all required grant tasks as outlined in this Attachment D.

Reimbursement shall be made to Grantee upon the Department's determination that Grantee has met all obligations pursuant to this agreement. The Department shall ensure that the Eligible Costs align with applicable programmatic requirements. Any changes to the stipulated reimbursement conditions that differ from said requirements shall be subject to internal legal review by the Department.

Under no circumstances shall the Department reimburse Grantee for an amount greater than 100% of the total approved project amount specified herein.

**GRANT AGREEMENT BETWEEN  
City of Sea Isle City AND  
THE STATE OF NEW JERSEY BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GRANT IDENTIFIER: EVFC2025-00157**

**PROJECT REQUIREMENTS**

Listed below are specific requirements, including special conditions, of the program and the project covered by this agreement. The Grantee shall comply with the requirements set forth below, as well as any requirements of the program's enabling legislation and any rules and regulations promulgated pursuant thereto.

Grantee has certified that it is in compliance or will comply with all of the requirements set forth in the Application Form, Certification Checklist, Deadlines Acknowledgement, and the Site Verification Form at Attachment D-2.

Grantee also certifies that it has fully complied with all applicable State and Federal requirements, including, but not limited to, those regarding procurement and antidiscrimination, in all activities performed in anticipation of or as part of its application for this award.

Grantee must comply with all applicable requirements of the Air Pollution Control Act at N.J.S.A. 26:2C-1 through -25.2 and the Air Pollution Control Act Regulations, specifically, N.J.A.C. 7:27-1.1 through 1.39, and 7:27A-3.1 through -3.12.

**GRANT AGREEMENT BETWEEN  
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GRANT IDENTIFIER: EVFC2025-00157**

**GRANTEE'S PROPOSAL**

The Grantee's project proposal, as approved by the Department, is incorporated into this agreement as this Attachment D-2. Except as modified, amended, or supplemented by this agreement, this Attachment D-2 describes the assignment tasks and project work units which the Grantee shall perform and deliver pursuant to this agreement.

**Complete application can be found within NJDEP Sage.**

**The following modifications, amendments and/or supplemental language shall supercede that which is in the proposal and shall be performed and delivered by the Grantee pursuant to this agreement:**

**GRANT AGREEMENT BETWEEN  
City of Sea Isle City AND  
THE STATE OF NEW JERSEY BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GRANT IDENTIFIER: EVFC2025-00157**

**Governing Body Resolution**

The governing body of **City of Sea Isle City** desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately **\$400,000.00** to fund the following project:

It Pay\$ to Plug In: NJ's Electric Vehicle Charging Grant Program

Therefore, the Governing Body resolves that Andrew Previti [name of Authorized Official] or the successor of the office of \_\_\_\_\_ Engineer [title/o of Authorized Officer] is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$0.00 and not more than \$400,000.00 and (c) to execute.

any amendments thereto

any amendments thereto which do not increase the Grantee's obligations

no amendments thereto

\*The \_\_\_\_\_ authorizes and hereby agrees to match % of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. % of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).

The Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

Introduced and passed:

\*Where in-kind services are allowed and are stipulated by the Grantee, an attachment must be provided and appended hereto, breaking out the in-kind services. This can be uploaded in the Miscellaneous Attachments section. In-kind contributions are considered volunteer work or the donation of equipment or property. If no match is required, then 0% should be entered in each of the boxes above.

**GRANT AGREEMENT BETWEEN  
City of Sea Isle City AND  
THE STATE OF NEW JERSEY BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GRANT IDENTIFIER: EVFC2025-00157**

**ATTACHMENT E-1 - RESOLUTION CERTIFICATION**

I, **Shannon Romano** [name of secretary or equivalent], **Municipal Clerk** [title] of City of Sea Isle City certify that this resolution was duly adopted by Mayor and Council at a meeting duly held on ; that this resolution has not been amended or repealed; and that it remains in full force and effect on the date I have subscribed my signature.

**Acknowledgement**

Name:

Date:

**NOTE:** Certification must be signed by officer other than the individual authorized to execute the agreement unless the company bylaws allow a single person to occupy all offices and do not require multiple signatures to execute the agreement.

**NOTE:** This date must be no more than sixty (60) days prior to the Grantee's execution of the agreement. If the original certification expires prior to the Grantee's execution, the Grantee must submit a currently certified copy of this Attachment E-1 when it returns the executed agreement to the Department.

CITY OF SEA ISLE CITY  
NEW JERSEY  
RESOLUTION NO. 028 (2026)

**RESOLUTION OF THE COUNCIL OF THE CITY OF SEA ISLE CITY APPROVING A FOURTH ROUND AFFORDABLE HOUSING TRUST FUND SPENDING PLAN AND REQUESTING COURT APPROVAL OF THE SPENDING PLAN**

**WHEREAS**, the City of Sea Isle City (hereinafter the “City” or “Sea Isle”) has an approved Development Fee Ordinance, which established standards for the collection, maintenance, and expenditure of development fees; and

**WHEREAS**, the City’s previous Affordable Housing Trust Fund Spending Plan was approved by the Court in the Third Round; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the "Amended FHA") which governs how municipalities will comply with their affordable housing obligations for the Fourth Round (2025-2035); and

**WHEREAS**, the Administrative Office of the Courts issued Directive #/24-40 (“AOC Directive #14-24”), governing how municipalities file their compliance documents with the Affordable Housing Dispute Resolution Program ("the Program"); and

**WHEREAS**, the City has prepared a Fourth Round Spending Plan consistent with the Amended FHA, AOC Directive #24-40 and other applicable regulations, which projects anticipated revenues to the City's Affordable Housing Trust Fund and describes the anticipated expenditures of funds.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Sea Isle City, County of Cape May, State of New Jersey, as follows:

1. The City Council of the City of Sea Isle City hereby approves the Fourth Round Spending Plan that is attached hereto as Exhibit A and requests that the Program and the Court review and approve the City’s Fourth Round Spending Plan.
2. This Resolution shall take effect immediately upon its passage and adoption.

\_\_\_\_\_  
Mary Tighe, Council President

Recorded Vote:

Council	Yes	No	Abstain	Absent	Moved	Second
Tighe						
Jargowsky						
Ciseck						
Kehner						
Edwardi						

**I HEREBY CERTIFY THAT** the foregoing Resolution was duly adopted by the City Council of the City of Sea Isle City, New Jersey, at the regular meeting of said Council held on Tuesday, March 10, 2026.

\_\_\_\_\_  
Shannon D. Romano, Municipal Clerk

**City of Sea Isle  
Cape May County**

**Spending Plan  
March 6, 2026**



Approved by the Governing Body on March 10, 2026  
By Resolution No. 028-2026

City of Sea Isle  
233 John F. Kennedy Boulevard  
Sea Isle City, NJ 08243

Prepared By:

*Tiffany A. CuvIELLO, PP, LLC*  
*T.A. Community Development  
& Planning*

*Tiffany A. Morrissey, PP, AICP*  
*7 Equestrian Drive*  
*Galloway, NJ 08205*  
*(856) 912-4415*  
*tamorrissey@comcast.net*

**City of Sea Isle  
Cape May County**

**Spending Plan  
March 6, 2026**

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***MAYOR AND COUNCIL***

Mayor Leonard C. Desiderio  
Council President Bill Kehner  
J.B. Feeley  
Frank Edwardi  
Jack Gibson  
Mary Tighe

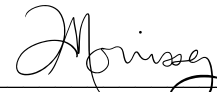
Shannon D. Romano, City Clerk

***PLANNING BOARD***

Antimo Ferrilli – Chairman  
Rod Greco– Vice Chairman  
Leonard C. Desiderio, Mayor  
Frank Edwardi, Jr., Councilperson  
Michael Baldini  
Philip Bonifazi  
Richard Hooper  
Donna Miller  
Michael O’Neill  
Frances Steelman  
Carmine Ragucci, Alt 1  
Jason Pellegrini, Alt 2

Genell Ferrilli, Board Secretary

Prepared By:



Tiffany A. Morrissey, AICP, PP#5533

The original of this document was signed and sealed in accordance with NJAC 13:41-1.3.b

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## INTRODUCTION

This 2026 spending plan addresses the Fourth-Round Housing Element and Fair Share Plan (HEFSP) mechanisms and components and accounts for the funds already deposited, and to be deposited through 2035, into the City's Mount Laurel Trust Fund; and (2) demonstrates the manner in which the City intends to expend the funds to advance the interests of the region's low- and moderate-income households.

This Spending Plan is prepared in accordance with the provisions of the amended Fair Housing Act under N.J.S.A. 52:27D-301 et seq., the Fair Housing Act Regulations at N.J.A.C. 5:99 et seq., and is subject to all laws, regulations, ordinances, codes of the New Jersey Department of Community Affairs and the Municipality.

In 2018, the City of Sea Isle prepared, adopted, and endorsed an Affordable Housing Plan ("2018 Plan") to address its Affordable Housing Obligation. The 2018 Affordable Housing Plan included the Mount Laurel compliance techniques through which the City will satisfy its Prior Round and Third-Round obligation. The City obtained a Judgment of Compliance and Repose, which approved the City's 2018 HEFSP and 2018 Spending Plan, on August 28, 2018, after a duly noticed Compliance Hearing held on June 1, 2018. This Plan amends the approved 2018 Spending Plan to provide for projections through 2035.

## **SPENDING PLAN**

A development fee ordinance creating a dedicated revenue source for affordable housing was adopted by the municipality under Ordinance 1628 on November 27, 2018. The ordinance establishes the City of Sea Isle's affordable housing trust fund for which this Spending Plan is prepared.

This Spending Plan has been prepared in accordance with the provisions of the amended Fair Housing Act under N.J.S.A. 52:27D-301 et seq., the Fair Housing Act Regulations at N.J.A.C. 5:99 et seq., and has been submitted to the Program for approval as part of the City's compliance certification as required.

### **Revenues for Certification Period**

To calculate a projection of revenue anticipated during the period relevant to the City's Fourth Round HEFSP (2025-2035), the City of Sea Isle considered the following:

- Development fees:
  - Projects which have had development fees imposed upon them at the time of development approvals;
  - All projects currently before the planning and zoning boards for development approvals that may apply for certificates of occupancy; and
  - Future development that is likely to occur based on historical rates of development and/or projected development in accordance with COAH projections.
  - Revenues from the 2.5 non-residential, for all commercial development
- Other funding sources: No other funds have been or are anticipated to be collected.

- Projected interest: Interest on the projected revenue in the municipal affordable housing trust fund based upon the average amount earned on prior years. This is subject to change as interest rates change and the account balance will fluctuate with approved spending.

SOURCE OF FUNDS	PROJECTED REVENUES-HOUSING TRUST FUND 2025 THROUGH 2035 \$85,541.18 Starting Balance (March 1, 2026)									
	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
(a) Projected Development fees:	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
(b) Payments in Lieu of Construction	0	0	0	0	0	0	0	0	0	0
(c) Other Funds	0	0	0	0	0	0	0	0	0	0
(d) Interest – estimated	500	500	500	500	500	500	500	500	500	500
<b>Totals</b>	10,500	10,500	10,500	10,500	10,500	10,500	10,500	10,500	10,500	10,500
<b>TOTAL PROJECTED REVENUES AND INTEREST 2025-2035</b>					<b>\$105,000.00</b>					
<b>TOTAL PROJECTION STARTING BALANCE AND PROJECTIONS</b>					<b>\$190,541.18</b>					

The above projected revenues are based upon projected non-residential development growth rates from prior years. All funds deposited into the AHTF were from non-residential developments. The City does not collect funds from residential developments.

Non-Residential Development Fees in the City have been generated from five developments over a nine-year period. Based on recent Planning Board approvals and expected new applications the City is projecting deposits of \$100,000 from non-residential development fees spread across the next ten-year period through 2035.

All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing. The projected interest through 2035 is \$5,000, when added to the estimated deposits the City will realize an estimated \$105,000 in additional deposits (including interest).

### **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 City of Sea Isle:

- Collection of development fee revenues shall be consistent with the City's development fee ordinance for residential developments in accordance with the rules and regulations at N.J.A.C. 5:99-3.1 et. seq. and for non-residential development consistent with N.J.S.A. 52:27D-329 et. seq. and N.J.S.A. 40:55D-8.1 through 8.7.
- Distribution of development fee revenues. The City of Sea Isle's Municipal Housing Liaison shall recommend to the governing body the expenditure of development fee revenues as set forth in this Spending Plan. The governing body shall then review the request and, assuming for consistency with the Spending Plan, shall authorize the expenditure by resolution.
- The release of funds requires the adoption of the governing body resolution in accordance with the City's approved amended spending plan. Once a request is approved by resolution, the Chief Financial Officer shall release the requested revenue from the Affordable Housing Trust Fund for the specific use approved in the governing body's resolution referenced immediately above.

- 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. and as provided for herein.

### **Accounting of Affordable Housing Funds**

As of February 2026, the City has collected just over \$85,000 in development fees and interest. The City has not expended any funds. The current balance in the AHTF will be used for future housing activity in accordance with the provisions of this Spending Plan. The following table identifies required/expected future expenditures of funds to be further addressed throughout this Spending Plan.

The City has a starting balance of \$85,541.18 entering the Fourth Round. This Spending Plan provides for expenditures of this balance and projected balances in accordance with the current regulations. It includes the required expenditures for affordability assistance and provides funds for programs identified in the City's 2025 Fourth Round HEFSP.

<b>TABLE 1</b>		
<b>Account Activity Through February 2026</b>		
Income collected through February 2026		\$85,541.18
<b>Available Funds February 2026</b>		<b>\$85,541.18</b>
Required Affordability Assistance Expenditures (MINIMUM 30% of Total Income)		\$25,662.35
Permitted Administrative Expenditures (MAXIMUM 20% of Total Income)		\$17,108.24
Available Funds Remaining After Required Affordability Assistance and Permitted Administrative Expenses		\$42,770.59
<b>Anticipated Account Activity through 2035</b>		
Estimated Income through 2035		\$105,000.00
Less Required Affordability Assistance	-	\$31,500.00
Less Permitted Administrative Expenses	-	\$21,000.00
Additional Estimated Available Funds for Housing Activity through 2035	=	\$52,500.00

### **Anticipated Use Of Affordable Housing Funds**

Regulations permit the use of revenues generated by a Development Fee Ordinance for activities that address the municipal fair share obligation including, but not limited to, rehabilitation, new construction, improvement to land, roads, and infrastructure for affordable housing, assistance to render units more affordable, and administrative costs of housing plan implementation. In accordance with N.J.A.C. 5:99-2.2(f) funds may not be used for the following purposes:

- To reimburse the municipality for activities that occurred prior to the authorization of a municipality to collect development fees;
- On attorney fees or court costs to obtain a judgment of compliance or order of repose, including any associated administration costs;

- On any costs in connection with a challenge to a determination of the municipality's fair share obligation; or
- On any costs in connection with a challenge to the municipality's obligation, housing element, or fair share plan.

**New construction programs and projects (N.J.A.C. 5:99-2.3)**

The City of Sea Isle will dedicate an estimated \$95,270 of funds (current and projected through 2035) to the creation of new affordable housing units or the rehabilitation of existing housing units. The City of Sea Isle will implement a market to affordable program which would subsidize existing units to make them affordable to low-income households. Additional funding may be provided through the Affordability Assistance program to designate these units for very low-income households. The City currently does not have sufficient funds in their Trust Fund to support this program and is expecting to either partner with a developer and/or seek additional grants or funding from other sources. If the projected deposits into the Trust Fund exceed the estimates the City will use those funds, after accounting for the required affordability assistance, for a market to affordable program

<b>TABLE 2</b>		
<b>New Construction Expenditure Estimates</b>		
Available Funds for New Construction Programs as of February 2026 (Table 1)		\$42,770.59
Projected New Construction Funds Available 2026-2035 (Table 1)	+	\$52,500.00
<b>Total Available/Projected New Construction Funds through 2035</b>	=	<b>\$95,270.59</b>
<b>New Construction Program Estimates (Current Funds)</b>		
Market to Affordable Program		\$42,770.59
<b>Total New Construction Estimates</b>	=	<b>\$42,770.59</b>
<b>Projected Fund Estimates</b>		
Market to Affordable Program		\$52,500.00
<b>Total Projected New Construction</b>	=	<b>\$52,500.00</b>

**Affordability Assistance N.J.S.A. 52:27D-392.2.c.(3) and N.J.A.C. 5:99-2.5**

The City shall provide affordability assistance in accordance with the rules and requirements of the Fair Housing Act. The City of Sea Isle will dedicate a minimum of 30% of the total collected fees from the Affordable Housing Trust Fund to render units more affordable, including a minimum of 1/3<sup>rd</sup> of the required 30% to render units more affordable to households earning 30 percent or less of median income by region. These funds will go to existing affordable housing units and future affordable housing units.

The City has prepared an affordability assistance manual which is included in the Appendix of this Plan. As provided for under N.J.A.C. 5:99-2.5 affordability assistance includes the following:

- A municipality shall set aside a portion of all development fees collected and interest earned for the purpose of providing affordability assistance to very low-, low- and moderate-income households in affordable units included in the municipality's fair share plan.
- Affordability assistance for very-low-income households may include offering a subsidy to developers of inclusionary or 100 percent affordable housing developments or buying down the cost of low- or moderate-income units in a municipal fair share plan to make them affordable to very low-income households, including special needs and supportive housing opportunities.
- A municipality may contract with a private or public entity to administer any part of its housing element and fair share plan, including the requirement for affordability assistance, or any program or activity for which the municipality expends development fee proceeds.

<b>TABLE 3</b>		
<b>Affordability Assistance Expenditure Estimates</b>		
Required Affordability Assistance Expenditures (MINIMUM 30% of Total Income)		\$25,662.35
Projected Affordability Assistance Funds Available 2026-2035 (Table 1)	+	\$31,500.00
<b>Total Affordability Assistance Funds Estimated as required through 2035</b>	=	<b>\$57,162.35</b>
<b>REQUIRED MINIMUM Very Low-Income Affordability Assistance Requirement through February 2026</b>		
		\$8,554.12
<b>PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement through 2035</b>	+	\$10,500.00
<b>TOTAL MINIMUM Very Low-Income Affordability Assistance Requirement through 2035 Required and Projected</b>	=	\$19,054.12

#### **Administrative Expenses N.J.S.A. 52:27D-392.2.c.(5) and N.J.A.C. 5:99-2.4**

The City of Sea Isle is permitted to expend a maximum of 20% of the collected revenues from the Affordable Housing Trust Fund to be used for administrative purposes. As provided for under N.J.A.C. 5:99-2.4 Administrative expenses are limited to the following items:

- Administrative expenses may include costs reasonably related to the determination of the fair share obligation and the development of a municipal housing element and fair share plan and may include fees necessary to develop or implement affordable housing programs, an affirmative marketing program, and/or expenses that are reasonably necessary for compliance with the processes of the Program, including, but not limited to, the costs to the municipality of resolving a challenge pursuant to the Program.

- Administrative expenses may also include costs associated with functions carried out in compliance with UHAC, including activities related to the marketing program and waitlist management, administering the placement of occupants in housing units, income qualification of households, monitoring the turnover of sale and rental units, preserving existing affordable housing, and compliance with the Division’s monitoring requirements.
- The proportion of a municipal employee’s salary related to the MHL or RCA administrator functions and fees for required educational programs, may be paid as an administrative expense from the municipal affordable housing trust fund.

<b>TABLE 4</b>		
<b>Administrative Expenditures Estimates</b>		
Permissible Funds for Administrative Expenses as of February 2026 (Table 1)		\$17,108.24
Estimated Available Funds for Administrative Expenses 2026-2035 (Table 1)	+	\$21,000.00
<b>Total Available Funds for Administrative Expenses through 2035</b>	=	<b>\$38,108.24</b>

### Expenditure Schedule

The City of Sea Isle intends to use Affordable Housing Trust Fund revenues for the creation of new affordable housing units through a market to affordable program and/or to address the City’s rehabilitation requirement if necessary. The following summarizes the use of the funds as required:

<b>TABLE 5</b>		
<b>Expenditure Schedule</b>		
Available Funds February 2026		\$85,541.18
Less Required Affordability Assistance Expenditures (MINIMUM 30% of Total Income)	-	\$25,662.35
Less Permitted Additional Administrative Expenditures (MAXIMUM 20% of Total Income)	-	\$17,108.24
Available Funds for Housing Activity including: Market to Affordable Units	-	\$42,770.59
<b>Anticipated Account Activity through 2035</b>		
Estimated Income through 2035		\$105,000.00
Less Required Affordability Assistance	-	\$31,500.00
Less Permitted Administrative Expenses	-	\$21,000.00
New Housing Activity through 2035 Market to Affordable Units	-	\$52,500.00

### **Expedited Approval of Expenditures for Emergent Opportunities to Create Affordable Housing**

In accordance with N.J.A.C. 5:99-4.1 the City may consider expenditures for affordable housing opportunities which are not in the adopted HEFSP. The City may request authorization from the Division for expenditure of excess affordable housing trust funds on emergent affordable housing opportunities not included in the municipal fair share plan. In order to be considered a request shall be consistent with the Fair Housing Act and shall not remove or reduce any approved affordable housing delivery mechanisms.

Emergent affordable housing opportunities may include, but are not limited, to, those activities permitted pursuant to N.J.A.C. 5:99-2.3. A request to utilize excess affordable housing trust funds on emergent affordable housing opportunities shall be in the form of a resolution from the governing body of the municipality and shall include the following:

- Documented proof that the excess funds are not accounted for in the municipality’s spending plan approved by the Program or a court of competent jurisdiction;
- A description of the affordable housing activity;

- Documentation demonstrating that the entire municipal trust fund balance will be spent and/or committed for expenditure within four years, as set forth at N.J.A.C. 5:99-5.5; and
- A certification that the affordable housing opportunity is consistent with the Act and include a description of the proposed affordable housing mechanism. The certification shall demonstrate that the proposal does not alter the spending plan approved by the Program or court of competent jurisdiction.

## **FOUR YEAR SPENDING PLAN:**

In accordance with N.J.S.A. 52:27D-329.2.d and N.J.A.C. 5:99-5.5 development fees collected are required to be committed for expenditure within four years of the date of collection. In accordance with N.J.A.C. 5:99-5.5(b) funds are expended, or committed for expenditure, if one of the following standards has been met:

- The funds have been spent on a housing activity in accordance with N.J.A.C. 5:99-2.3;
- The Division has been provided with an executed contract or legally enforceable agreement funding the implementation of an allowable housing activity in accordance with N.J.A.C. 5:99-2.3, and the following, as applicable:
  - a municipal resolution or ordinance creating the affordable housing program, a policy and procedures manual, and completion of affordable housing trust fund and unit monitoring, indicating units completed or rehabilitated,
  - or the municipality has otherwise demonstrated a firm and binding obligation to spend such funds in a manner consistent with addressing its respective affordable housing obligation.

- For affordability assistance expenses, the Division has been provided with the following:
  - demonstration of a firm and binding obligation to spend such funds in a manner consistent with addressing the affordability assistance obligation required by the Act; or
  - a municipal resolution or ordinance and an executed contract or agreement for expenses related to providing affordability assistance to existing low- and moderate-income households, a policies and procedures manual for any affordability assistance program executed by the municipality, and a contract with an administrative agent to carry out the program if applicable.
  
- For administrative expenses, the Division has been provided with the following:
  - a municipal resolution or ordinance and an executed contract or agreement for expenses related to administering affordable housing.

As of February 2026, the Affordable Housing Trust Fund had a balance of \$85,541.18. This money must be committed for use within four years of collection. The City commits to utilize funds as follows:

<b>TABLE 6</b>		
<b>Four Year AHTF Expenditure Schedule</b>		
Available Funds February 2026		\$85,541.18
Less Required Affordability Assistance Expenditures (MINIMUM 30% of Total Income)	-	\$25,662.35
Less Permitted Additional Administrative Expenditures (MAXIMUM 20% of Total Income)	-	\$17,108.24
Available Funds for Housing Activity including: Market to Affordable Units	-	\$42,770.59
<b>Anticipated Account Activity through 2035</b>		
Estimated Income through 2035		\$105,000.00
Less Required Affordability Assistance	-	\$31,500.00
Less Permitted Administrative Expenses	-	\$21,000.00
New Housing Activity through 2035 Market to Affordable Units		\$52,500.00

The City has adopted an Affordability Assistance Manual. The Affordability Assistance Manual is included in the Appendix of this Plan and was adopted by resolution of the Governing Body. This meets the requirement of committing the \$25,662.35 of existing funds and \$31,500.00 of projected funds for affordability assistance through 2035. As new funds are collected the City will continue to utilize the same programs further committing the required funds for affordability assistance.

The City has proposed to implement a Market to Affordable Program committing the existing funds of \$42,770.59 and projected funds of \$52,500.00 to the creation of new market to affordable units. The City will implement this program through partnerships or with other funding sources if the projected deposits into the Trust Fund are not sufficient to support the program.

In accordance with the above the Borough has “Committed” the AHTF for expenditure as required under the Fair Housing Act and the Fair Housing Act Regulations.

## **SUMMARY**

The City of Sea Isle intends to spend affordable housing trust fund revenues as approved by the court pursuant to the Fair Housing Act and consistent with the housing programs outlined in the Housing Element and Fair Share Plan.

**APPENDIX – AFFORDABILITY ASSISTANCE MANUAL**

**CITY OF SEA ISLE CITY  
NEW JERSEY**

**RESOLUTION NO. 029 (2026)**

**RESOLUTION OF THE COUNCIL OF THE CITY OF SEA ISLE CITY APPOINTING A  
MUNICIPAL LIAISON AND ADMINISTRATIVE AGENT TO ADMINISTER THE CITY'S  
AFFORDABLE HOUSING PROGRAM**

**WHEREAS**, pursuant to P.L. 2024, c.2, the City of Sea Isle City (“City”) is required to appoint a Municipal Housing Liaison for the oversight of administration of the 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**, the City has amended Chapter 26-43.1.17 entitled “Municipal Housing Liaison” to provide for the appointment of a Municipal Housing Liaison to administer the City’s affordable housing program; and

**WHEREAS**, the City has amended Chapter 26-43.1.18 entitled “administrative Agent” to provide for the appointment of an Administrative Agent to administer the City’s affordable housing program.

**NOW THEREFORE BE IT RESOLVED**, by the Governing Body of the City of Sea Isle City in the County of Cape May, and the State of New Jersey that George Savastano is hereby appointed by the Governing Body of the City as the Municipal Housing Liaison and Administrative Agent for the administration of the affordable housing program, pursuant to and in accordance with Sections 26-43.1.17 and 26-43.1.18 of the City’s zoning Code.

\_\_\_\_\_  
Mary Tighe, Council President

Recorded Vote:

Council	Yes	No	Abstain	Absent	Moved	Second
Tighe						
Jargowsky						
Ciseck						
Kehner						
Edwardi						

**I HEREBY CERTIFY THAT** the foregoing Resolution was duly adopted by the City Council of the City of Sea Isle City, New Jersey, at the regular meeting of said Council held on Tuesday, March 10, 2026.

\_\_\_\_\_  
Shannon D. Romano, Municipal Clerk

**CITY OF SEA ISLE CITY**

**NEW JERSEY**

**RESOLUTION NO. 030 (2026)**

**RESOLUTION OF THE COUNCIL OF THE CITY OF SEA ISLE CITY ADOPTING AFFORDABILITY ASSISTANCE PROGRAM POLICIES AND PROCEDURES MANUAL, ADOPTING THE MARKET TO AFFORDABLE PROGRAM MANUAL AND ADOPTING AN AFFIRMATIVE MARKETING PLAN**

**WHEREAS**, the City of Sea Isle City (hereinafter the “City” or “Sea Isle”) having filed a resolution of participation in the Affordable Housing Dispute Program (hereinafter the “Program”) and a declaratory judgment action pursuant to N.J.S.A. 52:27-7D-301 to -329.20 (hereinafter the “Fair Housing Act”) on January 29, 2025; and

**WHEREAS**, the Court entered an order on March 27, 2025, setting the City’s Fourth Round fair share obligations and ordering the City to file a Housing Element and Fair Share Plan (hereinafter “HEFSP”) by June 30, 2025; and

**WHEREAS**, On August 27, 2025, Fair Share Housing Center (hereinafter “FSHC”) filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the City’s filed HEFSP; and

**WHEREAS**, On December 18, 2025, the City entered into a Mediation Agreement memorializing the settlement terms with FSHC that determined the City’s prior round, present, and fourth round obligations which was uploaded to the Mount Laurel trial judge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) and Administrative Directive #14-24, which if approved would result in a certification of compliance with the Fair Housing Act; and

**WHEREAS**, on February 3, 2026, the New Jersey Superior Court approved the Mediation Agreement memorializing the settlement terms; and

**WHEREAS**, the City has prepared an Affordability Assistance Program Policies and Procedures Manual, Market to Affordable Program Manual and an Affirmative Marketing Plan that are consistent with the applicable statutes and regulations and the Settlement Agreement between the City and FSHC.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Sea Isle City, County of Cape May, State of New Jersey, as follows:

1. The City of Sea Isle City (“City”) does hereby adopt the Affordability Assistance Program Policies and Procedures Manual, Market to Affordable Program Manual and the Affirmative Marketing Plan.
2. This Resolution shall take effect immediately upon its passage and adoption.

---

Mary Tighe, Council President

Recorded Vote:

Council	Yes	No	Abstain	Absent	Moved	Second
Tighe						
Jargowsky						
Ciseck						
Kehner						
Edwardi						

**I HEREBY CERTIFY THAT** the foregoing Resolution was duly adopted by the City Council of the City of Sea Isle City, New Jersey, at the regular meeting of said Council held on Tuesday, March 10, 2026.

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Shannon D. Romano, Municipal Clerk

# City of Sea Isle



## AFFIRMATIVE MARKETING PLAN

City of Sea Isle  
233 John F. Kennedy Boulevard  
Sea Isle City, NJ 08243  
609-263-4461  
[www.seaislecitynj.us](http://www.seaislecitynj.us)  
March 2026

### **Affirmative Marketing Plan**

- A. 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, English-speaking ability, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children, source of lawful income, or any other characteristic described in the New Jersey Law Against Discrimination, to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also 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 the Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Borough of Woodbine is located in Housing Region 6, consisting of Atlantic, Cape May, Cumberland and Salem Counties.
- B. The Borough of Woodbine has a plan to address both its Prior Round Obligation (1987-2025) and its Fourth Round Obligation (2025-2035). This Affirmative Marketing Plan shall apply to all developments that contain or will contain very low-, low- and moderate-income units, including those that are part of the municipality's Housing Element and Fair Share Plan, and those that may be constructed in future developments not yet anticipated by the Housing Element and Fair Share Plan.
- C. The Affirmative Marketing Plan shall be implemented by the Administrative Agent under contract to the Borough of Woodbine, or the Administrative Agent of any specific developer approved by the municipality.
- D. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of affordable unit(s), and all such advertising and affirmative marketing shall be subject to approval and oversight by the designated Administrative Agent.
- E. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days prior to expected occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low-, low- and moderate-income housing units are initially occupied and for as long as the affordable units remain deed restricted such that qualifying new tenants and/or purchasers continues to be necessary.
- F. The Affirmative Marketing Plan is a continuing program that shall be followed throughout the entire period of affordability restrictions. In implementing the Affirmative Marketing Plan, the Administrative Agent, whether acting on behalf of the Borough of Woodbury

Heights or on behalf of a specific developer, shall meet the following requirements at a minimum:

1. The primary marketing and advertising must be employed at the start of the marketing program and continue until all units are leased or sold or until the number of applications received is at least three times the number of units. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of all publications to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.
2. The advertisements shall, at a minimum, include:
  - a. The name and location of the housing project;
  - b. An address sufficient to find directions to the housing units;
  - c. A range of prices or rents for the affordable housing units;
  - d. The sizes, as measured in number of bedrooms of the affordable housing units;
  - e. The types (that is, family, age-restricted, or supportive) and number of affordable units available;
  - f. The number of units available to very low-, low-, and moderate-income households;
  - g. The accessibility features, if any, of the affordable housing units;
  - h. The maximum income permitted to qualify for the affordable housing units;
  - i. The population(s), if any, given preference in the selection process pursuant to N.J.A.C. 5:80-26.17(k)2;
  - j. Where applications (paper and online) for the affordable housing units may be found;
  - k. The expected lease-up/closing date(s) for the affordable housing units;
  - l. The expected date of the random selection;
  - m. The business hours when interested households may obtain paper applications for the affordable housing units;
  - n. Contact information, including an email address and phone number that are regularly monitored by the administrative agent;
  - o. The name of the sales agent and/or rental manager; and
  - p. Application fees, if any.
3. Affirmative fair marketing of affordable units must be completed in accordance with the requirements set forth in UHAC at N.J.A.C. 5:80-26.16 in all media and outlets required by the rules.

4. Each affordable housing development must complete worksheet substantially in the form of the model affirmative marketing worksheet published by the state.
  5. Affordable units must be listed on the New Jersey Housing Resource Center's website ([www.njhrc.gov](http://www.njhrc.gov)) in accordance with N.J.A.C. 5:80-26.16(f)1 at least 60 days before the random selection.
  6. Applications, or notices thereof, used as part of the affirmative marketing program must be available in the following locations:
    - a. Atlantic County Administration Building, 1333 Atlantic Avenue, Atlantic City, NJ 08401  
Cape May County Administration Building, 4 Moore Road, Cape May Courthouse, NJ 08210  
Cumberland County Administration Building, 164 W. Broad Street, Bridgeton, NJ 08302  
Salem County Administration Building, 110 Fifth Street, Salem, NJ 08079
    - b. Atlantic County Library Headquarters, 40 Farragut Avenue, Mays Landing, NJ 08330  
Cape May County Library Headquarters, 30 Mechanic Street, Cape May Courthouse, NJ 08201  
Cumberland County Library Headquarters, 800 East Commerce Street, Bridgeton, NJ 08302  
Salem County Library Headquarters, 12 W. Broadway, Salem, NJ 08079
  7. Additional outreach efforts, as dictated by the Settlement Agreement, will include the following organizations:
    - a. Fair Share Housing Center;
    - b. The New Jersey State Conference of the NAACP
    - c. The Latino Action Network;
    - d. Atlantic, Cape May, Cumberland and Salem County Branches of the NAACP;
    - e. Senior Citizens United Community Services; and
    - f. Supportive Housing Association
  8. The municipality's Administrative Agent, or the Administrative Agent of a specific developer, shall comply with all requirements set forth in N.J.S.A. 52:27D-321.3 et seq. with regard to the affirmative marketing of affordable housing units.
- G. The municipality's Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in Atlantic, Cape May, Cumberland, and Salem Counties that will aid in the affirmative marketing program with particular

emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers.

- H. The municipality's Administrative Agent shall develop, maintain and update a list of major employers in Atlantic, Cape May, Cumberland and Salem Counties that will aid in the affirmative marketing program.
- I. A random selection method to select occupants of very low-, low- and moderate-income housing will be used by the municipality's Administrative Agent, or the Administrative Agent of any specific developer, in conformance with N.J.A.C. 5:80-26.16(d). This Affirmative Marketing Plan provides a state-wide and/or regional preference for very low-, low-, and moderate-income households that live and/or work in Housing Region 6, which is comprised of Atlantic, Cape May, Cumberland and Salem Counties. 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, provided an agreement to this effect has been executed between the developer or landlord and the municipality prior to the affirmative marketing of the units.
- J. All developers/owners of very low-, low- and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the municipality's Administrative Agent.

# City of Sea Isle



## MARKET TO AFFORDABLE MANUAL

City of Sea Isle  
233 John F. Kennedy Boulevard  
Sea Isle City, NJ 08243  
609-263-4461  
[www.seaislecitynj.us](http://www.seaislecitynj.us)  
March 2026

# **MARKET TO AFFORDABLE PROGRAM GUIDELINES**

## **Determining How Much to Spend on a Market Rate Unit**

Each new unit will receive a subsidy to help income eligible applicants purchase market rate housing units by writing down the cost of the unit to an affordable price. The amount of the subsidy will be up to \$50,000. The Administrative Agent will determine whether the unit can be a low or a moderate-income sale unit, dependent on the initial pricing of the market rate unit. The municipality shall provide a minimum of \$25,000 per unit to subsidize a moderate-income unit and/or \$30,000 per unit to subsidize each low-income unit.

Sea Isle City will find units that are appropriately priced on the market so as not to spend over the net amount. In order to accomplish this, the municipality will developed illustrative prices for affordable homes based on the local tax rate, equalization ratio, current interest rates and condominium fees as applicable. These affordable prices, plus the maximum subsidy, less any anticipated soft costs associated with the transfer of the property will give the municipality the maximum sales prices for the market rate homes.

## **Finding a Unit**

The municipality may employ any number of methods to find units suitable for the Market to Affordable (MTA) program. The number of bedrooms in a unit shall not be a factor in the determination of whether to include a unit in the Program. Sea Isle City will use the following techniques to find units to use for this program:

- Search the real estate listings to find units
- Employ a real estate agent to search MLS listings for appropriately priced units each month
- Advertise the program locally to find interested sellers
- Look for local foreclosures and visit Sheriff sales to bid on units

Once an eligible unit has been identified, Sea Isle City will work through the real estate process to purchase the unit. The municipality will negotiate the sale, either through a municipal attorney or a real estate agent. The municipality will secure a third party appraisal for the unit prior to the sale to ensure that the market rate price is accurate. Title will be transferred first to the municipality, a designated non-profit or other housing entity, then to an income-eligible household. Funds from the Affordable Housing Trust Fund will be used to purchase the unit.

## **Inspection and Rehabilitation**

The City's code inspector will perform an inspection of the unit prior to sale to determine if any rehabilitation needs to be done in order to make the unit habitable and bring it up to code. If it is determined that rehabilitation is necessary, the unit will be placed in the municipality's rehabilitation program immediately upon transfer of title to the municipality. Money for the rehabilitation must be provided through funds allocated to this Program and not through rehabilitation funds. This unit will not be eligible for a rehabilitation credit in addition to the new construction credit. Once rehabilitation is completed, the unit will be made available to an income-eligible buyer and sold pursuant to the Uniform Housing Affordability Controls (UHAC, N.J.A.C. 5:80-26.1 *et seq.*).

## **Pricing and Selling the Unit**

The unit will be priced according to the number of bedrooms, its designation as either low or moderate-income, and whether there are any condominium or homeowner's association fees for the unit. 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. The initial purchase price shall be calculated so that the monthly carrying costs of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of an eligible household's income.

Once the price has been established, the AA will use procedures outlined in UHAC and the Municipal Operating Manual for For Sale Units to affirmatively market the unit and identify an income-eligible buyer. Upon closing, proper deed and mortgage documents from UHAC will be placed on the unit, which will ensure its continued affordability. Proceeds from the sale of the unit will be placed in the Affordable Housing Trust Fund.

## **Administration**

Sea Isle City's Market to Affordable Program will be administered by the City's Administrative Agent. Interested sellers may contact the City Clerk's office to get more information on the Program. Interested purchasers may contact the City Clerk's office to learn more about how to apply for the Program.

CITY OF SEA ISLE CITY  
NEW JERSEY  
RESOLUTION NO. 031 (2026)

**RESOLUTION OF THE CITY OF SEA ISLE CITY PETITIONING AND ENDORSING  
THE ADOPTED REVISED HOUSING ELEMENT AND REVISED FAIR SHARE PLAN**

**WHEREAS**, the Planning Board of The City of Sea Isle City, Cape May County, State of New Jersey, adopted the revised Housing Element of the Master Plan on March 9, 2026; and

**WHEREAS**, a true copy of the resolution of the Planning Board adopting the revised Housing Element is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and

**WHEREAS**, the Planning Board adopted the revised Fair Share Plan on March 9, 2026; and

**WHEREAS**, a true copy of the resolution of the Planning Board adopting the revised Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

**NOW THEREFORE BE IT RESOLVED** that the Governing Body of the City of Sea Isle City, Cape May County, State of New Jersey, hereby endorses the revised Housing Element and revised Fair Share Plan as adopted by the Sea Isle City Planning Board; and

**BE IT FURTHER RESOLVED** that the Governing Body of the City of Sea Isle City pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Program and Fair Share Housing Center; and

**BE IT FURTHER RESOLVED** that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

**BE IT FURTHER RESOLVED** that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification from the Program indicating that the submission is complete and that a copy of this resolution, the adopted revised Housing Element and revised Fair Share Plan and all supporting documentation shall be made available for public inspection at the Sea Isle City Municipal Clerk's Office located at, 233 JFK Boulevard Sea Isle City, New Jersey during the hours of 9:00 am and 3:30 pm on Monday through Friday, except holidays, for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5 and available on the City website.

**BE IT FURTHER RESOLVED** this Resolution shall take effect immediately upon its passage and adoption.

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Mary Tighe, Council President

Recorded Vote:

Council	Yes	No	Abstain	Absent	Moved	Second
Tighe						
Jargowsky						
Ciseck						
Kehner						
Edwardi						

**I HEREBY CERTIFY THAT** the foregoing Resolution was duly adopted by the City Council of the City of Sea Isle City, New Jersey, at the regular meeting of said Council held on Tuesday, March 10, 2026.

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Shannon D. Romano, Municipal Clerk