



BOROUGH OF OCEANPORT MAYOR & COUNCIL

REGULAR MEETING • AGENDA

Clement V. Sommers Municipal Building
910 Oceanport Way, Oceanport, NJ 07757

FEBRUARY 26, 2026 at 7:00 PM

1. **Call to Order**
2. **Statement of Compliance with Open Public Meetings Act:** This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 15, 2026, of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Website.
3. **Flag Salute, Statement to the Public:** Often times it may appear that the Mayor & Council take action with very little comment and in many cases by unanimous vote. Many items are of routine business that are placed on a Consent Agenda as they do not require additional discussion. Items not of a routine nature are first listed for discussion at a Workshop meeting prior to being listed for action at a Regular Meeting. Where appropriate, items are referred to a Council Committee for further study and investigation before being returned with a recommendation for the full Council to consider. The members of the Borough Council work via committees along with the Mayor, Borough Clerk and Administration to assure that the members fully understand the matter. There are occasions where matters are presented to the Mayor & Council for discussion and action at the same meeting when of a timely nature.
4. **Roll Call**
5. **PUBLIC COMMENT - Action Items Only:** At this time, comments are invited on action items only. Upon being recognized by the Mayor, anyone wishing to address the Governing Body, please state your name and address. No member of the public may address or question individual Governing Body members or administration. Although public participation is welcomed and encouraged, the governing body may, through the Mayor or presiding officer, terminate remarks to and/or by any individual not keeping with the conduct of a proper and efficient meeting. The Borough bears no responsibility for comments made by members of the public. In order to permit the fair and orderly expression of public comment, questions from the public will be responded to, if feasible, after the public comment portion of the meeting is closed.
6. **Administrator's Report**
7. **Clerk's Report**
8. **Consent Agenda:** All items listed under Consent Agenda, are considered routine by the Borough Council and will be enacted by one motion in the form listed below. There will not be separate discussion of these items.. If discussion is desired, that item will be removed from the Consent Agenda by request of the Council member and considered separately. There will be one motion for all items listed.

Resolution #2026-73 - Payment of Bills

Resolution #2026-74 - Approving Lawrence Seymour for Oceanport First Aid Membership

Resolution #2026-75 - Approving David Pizzo for Oceanport First Aid Membership

Resolution #2026-76 - Authorizing the Appointment of Sharon O'Conner as Part Time Violations Clerk

Resolution #2026-77 - Authorizing Full Time Employment and Revised Salary for Michael

Horton- Electrical Subcode and Inspector

Resolution #2026-78 - Authorizing Full Time Employment and Revised Salary for Anthony Montagna-Building Subcode and Inspector

Resolution #2026-79 - Resolution Awarding a Contract to the Borja Group for Turf Field Consultants

Resolution #2026-80 - Awarding a Non-Fair and Open Contract to Intron for IT Management

Resolution #2026-81 - Authorizing a Refund to FMERA for Balance of Contract for Stormwater Study Infrastructure

Resolution #2026-82 - Authorizing 2026 Budget Appropriation Reserve Transfer

Resolution #2026-83 - Authorizing the Purchase a Vehicle from All American Ford Fleet

Resolution #2026-84 - Authorizing the Use of Competitive Contracting for Cleaning Services for Borough Buildings

Resolution #2026-85 - Amending Resolution #2024-109 Appointing Michael A. Thulen JR as Construction Official

Resolution #2026-86 - Amending Resolution 2025-44 Clarifying Position of John Palmer as Plumbing Sub-Code Official

Resolution #2026-87 - Authorizing an Exception to Noise Ordinance- Nurses Quarters Development

Resolution #2026-88 - Urging the Legislature to Defeat S-5028 - A-6301 - Reduce the Minimum Horse Racing Dates - Monmouth Park

9. Second Reading & Public Hearing Ordinances

Ordinance #1119 - Affordable Housing Ordinance Implementing the Fourth Round Housing Plan Element and Fair Share Plan

Ordinance #1120 - Amending Chapter 390-14 -Zoning R-5 Affordable Housing Overlay (R-5) Zone

10. Council Standing Committee Reports

Councilman Deerin - Parks and Recreation

Councilman Gallo - Public Works and Engineering

Councilman Keeshen - Public Safety

Councilman O' Brien - Finance and Administration

Councilwoman Manna - Health and Human Services

Councilwoman Cooper - Planning and Development

11. Mayor Tvrdik's Report

12. Public Comments

13. **Adjourn to Executive Session**

Resolution #2026-89 - Authorizing Executive Session — Collective Bargaining and Contract Agreements; Litigation, Negotiations and Attorney-Client Privilege; Open Space Land Acquisition, Employment Relationship

14. **Return from Executive Session**

15. **Adjournment**

**RESOLUTION OF THE BOROUGH OF OCEANPORT AUTHORIZING PAYMENT OF
BILL LIST FOR FEBRUARY 26, 2026**

**Resolution #2026-73
2/26/2026**

WHEREAS, the Governing Body has considered the payment of said bills as set forth at its public meeting of February 26, 2026.

BE IT RESOLVED, by the Mayor and Council that the bills be paid as on the attached bill list for **\$1,003,020.15**

CERTIFICATION OF FUNDS

I, Catherine D. LaPorta, Chief Financial Officer, of the Borough of Oceanport do hereby certify that funds are available for the purpose stated herein.

CATHERINE D. LaPORTA, CFO

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-73
approved by the Oceanport Borough Council at the
Regular Meeting held February 26, 2026

STEPHANIE KRAMER
ACTING BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

26-Feb-26

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$183,605.57 PR #4
DCRP	\$434.53
MANUAL CHECKS	
NJIB - DEBT SERVCIE	\$376,171.59
GRANT FUND	\$0.00
CAPITAL TRUST TOTAL	
DOG REGISTRY TOTAL	\$145.20
OPEN SPACE TRUST TOTAL	\$4,288.04
SUI	\$3,558.59
UCC TRUST	\$2,691.17
TRUST OTHER TOTAL	\$1,250.35
ESCROW TRUST TOTAL	\$25,832.31
NON BUDGETARY	
2025 VOUCHERS PAID THIS MEETING	\$343,194.60
2026 VOUCHERS PAID THIS MEETING	\$61,848.20
TOTAL	\$1,003,020.15

I CERTIFY THAT THE ABOVE ITEMS ARE TRUE AND CORRECT AS PRESENTED



List of Bills - (All Funds)

Vendor	Description	Payment	Check Total
Current Fund			
1007 - ACTION UNIFORMS, LLC	PO 21757 Uniforms 48, 52, Traffic	836.50	836.50
1012 - ALL HANDS FIRE EQUIPMENT, LLC	PO 21898 SWIFTWATER RESCUE EQUIPMENT	2,512.00	2,512.00
2248 - ANGELO'S PAVING INC.	PO 21748 ROAD REPAIR	5,200.00	5,200.00
2389 - ARROWHEAD FORENSICS	PO 21798 Detective Supplies	341.76	341.76
1795 - ATLANTIC PRINTING & DESIGN	PO 22193 LANDSCAPER/BOAT RAMP TAGS	617.50	
	PO 22258 Business Cards #62, #63	97.00	714.50
1972 - AUTOMATED BUILDING CONTROLS	PO 22276 REPLACE DISCONNECT COVER FOR CU-1- POLIC	437.79	437.79
1029 - BEATRIZ C CRANEY	PO 22017 INTERPRETING - JUNE 2025	255.00	
	PO 22018 INTERPRETING - JUNE 2025	375.00	
	PO 22019 INTERPRETING - AUGUST 2025	215.00	845.00
1032 - BOB JENSEN PLUMBING, INC	PO 22137 REPAIRS	166.00	166.00
1047 - CENTRAL JERSEY HEALTH INSURANC	PO 22404 HEALTH / DENTAL INSURANCE - MARCH 2026	115,912.00	
	PO 22405 HEALTH / DENTAL INSURANCE - FEBRUARY 202	114,468.00	230,380.00
2102 - DCH FORD OF EATONTOWN	PO 22151 Units 7, 10, 15 service, brakes, rotors	4,171.93	
	PO 22300 Ford Unit 2 Repairs	1,261.24	
	PO 22312 Unit 14 Service & Unit 12 New Starter	886.70	6,319.87
1084 - DYNAMIC TESTING SERVICE LLC	PO 22083 TESTING- 1ST QUARTER 2025	190.00	190.00
1088 - EDMUNDS GOVTECH, INC	PO 22109 MSI FINANCE SOFTWARE SUPPORT & MAINT	10,211.96	10,211.96
1767 - EVERON, LLC (90-0008456)	PO 22372 FIRE MONITORING - 2/28/26-3/29/26	74.25	74.25
1105 - FIREFIGHTER ONE LLC	PO 22194 EZ FLO & DIAPHRAGM VALVE ASSEMBLY	589.06	589.06
1109 - FMERA	PO 22346 RT 537 -1/1/26-1/31/26	273.26	
	PO 22347 BLDG 977- 1/5/26-2/2/26- POLICE	2,535.44	
	PO 22348 BLDG 900 -1/1/26-1/31/26- DPW	458.06	
	PO 22349 BLDG 901 - 1/5/2026-2/2/2026- BORO HALL	1,299.65	4,566.41
1889 - GREAT AMERICA FINANCIAL SERVICES	PO 22342 MONTHLY RENTAL	159.00	159.00
1133 - GREATLAND CORPORATION	PO 22341 2025 FILING	1,500.00	1,500.00
1649 - INTRON TECHNOLOGY, LLC	PO 22401 DOMAIN RENEWAL 1 YEAR	15.00	
	PO 22402 IT Managed Services & Softwares	4,259.25	
	PO 22403 IT Managed Services - PD	3,000.50	7,274.75
1153 - JERSEY CENTRAL POWER & LIGHT	PO 22329 MAIN & INTERSECTION - 12/30/25-1/27/26	75.92	75.92
1529 - JOHN GUIRE SUPPLY LLC	PO 22132 ROAD SALT FOR SNOW STORM	252.84	
	PO 22192 salt	1,329.55	
	PO 22221 ROCK SALT	931.86	
	PO 22222 ROCK SALT	667.26	3,181.51
1476 - KING SECURITY	PO 22111 PAP ALARM MONITORING	384.00	384.00
1672 - Kyle + McManus Associates LLC	PO 22332 PLANNER SERVICES	187.50	187.50
2305 - LANGUAGE LINE SERVICE	PO 22362 OCEANPORT BORO COURT	66.30	66.30
1814 - LEAF	PO 22345 OEM COPIER - 2/25/26	90.55	90.55
1188 - LEE'S GARAGE, INC.	PO 22131 FORD S/N 1FM5K8AB8LGB67910 (FIRE DEPART	2,828.00	2,828.00
2011 - MAZZA MULCH, INC	PO 22119 LEAF DISPOSAL	390.00	
	PO 22120 LEAF DISPOSAL 2025	975.00	
	PO 22250 LEAF DISPOSAL 2025	2,340.00	3,705.00
1219 - MONMOUTH COUNTY POLICE CHIEFS	PO 22126 MCPCA 2026 Dues	250.00	250.00
1220 - MONMOUTH COUNTY PUBLIC WORKS	PO 22293 SALT	673.40	
	PO 22295 SALT	2,240.57	
	PO 22333 SALT	673.40	
	PO 22354 OEM GASOLINE - DECEMBER 2025	152.53	
	PO 22355 POLICE GASOLINE - DECEMBER 2025	2,543.73	6,283.63
1220 - MONMOUTH COUNTY PUBLIC WORKS	PO 22356 FIRST AID GASOLINE - DECEMBER 2025	230.92	
	PO 22357 FIRE DEPT GASOLINE -DECEMBER 2025	516.16	
	PO 22358 DPW - GASOLINE - DECEMBER 2025	2,644.09	3,391.17
1445 - Monmouth County SPCA	PO 22263 ANIMAL CONTROL SERVICES - DECEMBER 2025	446.25	446.25
1239 - MUNICIPAL RECORD SERVICE	PO 22090 COURT SUPPLIES - WEST LONG BRANCH	717.00	717.00
1245 - NJ AMERICAN WATER CO	PO 22385 380 PORT AU PECK 2 -1/14/26-2/11/26	26.00	
	PO 22386 OLD WHARF - 1/14/26-2/11/26	64.97	
	PO 22387 LIBRARY -1/14/26-2/11/26	26.00	
	PO 22388 24 PORT AU PECK -1/14/26-2/11/26	208.14	
	PO 22389 FIRE - 1/14/26-2/11/26	269.17	
	PO 22390 MUNICIPAL COMPLEX #2 - 1/14/26-2/11/26	275.65	
	PO 22391 910-930 OCEANPORT WAY IRRG 1/14/26-2/11/	26.00	

List of Bills - (All Funds)

Vendor	Description	Payment	Check Total
1245 - NJ AMERICAN WATER CO	PO 22392 MUNICIPAL COMPLEX #1 - 1/14/26-2/11/26	429.95	1,325.88
	PO 22393 CHARLES PARK -1/14/26-2/11/26	26.00	
	PO 22394 PORT AU PECK FIRE HOUSE -1/14/26-2/11/26	227.43	253.43
1245 - NJ AMERICAN WATER CO	PO 22395 BLACKBERRY BAY -1/14/26-2/11/26	84.26	
	PO 22396 OLD WHARF #1 -1/14/26-2/11/26	208.14	
	PO 22397 OLD WHARF #2- 1/14/26/-2/11/26	26.00	318.40
1248 - NJ LEAGUE OF MUNICIPALITIES	PO 22256 WEBINAR - PHELPS	75.00	75.00
1249 - NJ MOTOR VEHICLE COMMISSION	PO 22323 New Police Vehicle Title / Registration	60.00	60.00
1262 - OCEANPORT FIRST AID SQUAD	PO 22359 ELECTION PAYMENT	400.00	400.00
1263 - OCEANPORT HOOK & LADDER	PO 22360 ELECTION PAYMENT	400.00	400.00
1543 - OTC BRANDS, INC.	PO 19286 Candy for Egg Scramble	235.88	235.88
1865 - FMC ASSOCIATES	PO 21628 RADIO MIC	468.00	468.00
1283 - POWER DMS	PO 21731 Power Standard Accreditation	378.72	378.72
2130 - REARDON ANDERSON, LLC	PO 22334 LEGAL SERVICES	70.00	70.00
1315 - SEABOARD WELDING SUPPLY, INC.	PO 22122 MONTHLY COMPRESSED GAS RENTAL	97.50	
	PO 22286 MONTHLY RENTAL CYLINDER OXYGEN, ARGON	43.75	141.25
1974 - SERVICE TIRE TRUCK CENTER INC	PO 21175 TIRES CASE 521G	6,893.50	
	PO 21261 TIRES 38-90	3,552.63	10,446.13
1320 - SHORE BUSINESS SOLUTIONS, INC	PO 22324 SD PRO SCANNER NET-01 CONTRACT -COURT	496.00	496.00
1322 - SHORE REGIONAL BOARD OF ED	PO 22315 2026 STUDENT TRANSPORT - JAN 2026	5,275.84	
	PO 22316 2025 STUDENT TRANSPORT - DECEMBER	5,275.84	
	PO 22317 2025 STUDENT TRANSPORT - NOVEMBER	5,275.84	
	PO 22318 2025 STUDENT TRANSPORT - OCTOBER	5,275.84	
	PO 22319 2025 STUDENT TRANSPORT - SEPTEMBER	5,275.85	26,379.21
1326 - SIPS PAINT & HARDWARE	PO 22139 SUPPLIES	75.18	75.18
1327 - SLATTERY PEST MANAGEMENT, LLC	PO 21357 SPRAY FOR YELLOW JACKETS AT OEM / POLICE	700.00	700.00
1337 - SUBURBAN DISPOSAL	PO 22351 DISPOSAL FEE - JANUARY 2026	22,863.90	
	PO 22353 COLLECTION - FEBRUARY 2026	39,500.00	62,363.90
1348 - THE HOME DEPOT CREDIT SERVICES	PO 22298 LIGHTS	49.76	
	PO 22299 SUPPLIES	273.42	323.18
1580 - THE TWO RIVER TIMES	PO 22414 ADS #26059 #26058 #26054	62.31	
	PO 22415 ADS #26089 #26098	15.81	78.12
1373 - TWO RIVER WATER RECLAMATION	PO 22303 LIBRARY - 1ST QTR 2025	100.00	
	PO 22350 OLD WHARF HOUSE - 1ST QRT 2026	100.00	200.00
1383 - V&B AUTO REPAIR LLC	PO 21822 Daily Checks	2,202.00	2,202.00
1387 - VERIZON	PO 22376 OLD WHARF HOUSE FIRE MONITORING -2/8/26-	138.59	
	PO 22377 910 OCEANPORT WAY FIRE MONITORING -2/12/	180.97	319.56
1559 - Verizon Wireless	PO 22331 WIRELESS - 1/2/26-2/1/26	169.34	169.34
1388 - VERIZON WIRELESS	PO 22374 DPW - 1/2/26-2/1/26	78.36	
	PO 22384 FIRE BUREAU WIRELESS - 1/2/26-2/1/26	46.73	125.09
1558 - Verizon Wireless	PO 22383 FIRE WIRELESS -1/2/26-2/1/26	140.13	140.13
1389 - VERIZON WIRELESS (OEM)	PO 22373 OEM WIRELESS - 1/2/26-2/1/26	40.01	40.01
2022 - VERMEER NORTH ATLANTIC SALES & SERVICE	PO 21184 SERVICE, PARTS AND BLADES BC1000XL S/N	1,423.85	1,423.85
1392 - W.B. MASON CO, INC	PO 22249 SUPPLIES- PD,ADMIN,DPW,BLDG,CLERK	505.48	505.48
2385 - WhenToWork, LLC	PO 21638 SCHEDULING SOFTWARE	881.00	881.00
1417 - WINNER FORD, INC	PO 22264 Winner Ford Unit 10 PA Mic	122.38	122.38
DOG TRUST FUND			
1367 - TREASURER:STATE OF NJ HEALTH	PO 22314 DOG REPORT - JANUARY	135.60	
	PO 22380 DOG LICENSE	9.60	145.20
OPEN SPACE TRUST			
1032 - BOB JENSEN PLUMBING, INC	PO 22138 REPAIRS OPEN SPACE	200.00	200.00
2302 - DAVID ZUIDEMA INC.	PO 22128 PORTABLE TOILET RENTAL AT MARIA GATTA	420.00	
	PO 22129 PORTABLE TOILETS + CLEANING MARIA GATTA	500.00	
	PO 22130 PORTABLE TOILETS + CLEANING MARIA GATTA	2,670.00	
	PO 22211 PORTABLE TOILET RENTAL AT MARIA GATTA PA	420.00	4,010.00
1388 - VERIZON WIRELESS	PO 22375 BBB & OLD WHARF -1/2/26-2/1/26	78.04	78.04
SUI Trust			
1330 - STATE OF NEW JERSEY	PO 22302 REIMBURSEMENT CHARGE	3,558.58	3,558.58
UCC Trust			

List of Bills - (All Funds)

Vendor	Description	Payment	Check Total
1814 - LEAF	PO 22344 LEAF CONTRACT- BLDG	788.33	788.33
2205 - MICHAEL THULEN	PO 22340 INTERNATIONAL CODE COUNCIL REIMBURSEMENT	794.00	794.00
2299 - MONMOUTH OCEAN TECHNICAL ASSISTANT ASSOC	PO 22268 2026 MEMBERSHP - FORNAROTTO	30.00	
	PO 22269 2026 MEMBERSHP - ANSEIMI	30.00	
	PO 22270 2026 MEMBERSHP - ECKART	30.00	90.00
2034 - NJAPZA TREASURER	PO 22335 2026 MEMBERSHIP- ECKART	120.00	
	PO 22336 2026 MEMBERSHIP- THULEN	120.00	240.00
2401 - NJBOA	PO 22162 2026 MEMBERSHP -Montagna	100.00	
	PO 22163 2026 MEMBERSHP - Anselmi	100.00	
	PO 22164 2026 MEMBERSHP - Thulen	100.00	
	PO 22165 2026 MEMBERSHP - Fornarotto	100.00	
	PO 22166 2026 MEMBERSHP - Eckart	100.00	500.00
1559 - Verizon Wireless	PO 22331 WIRELESS - 1/2/26-2/1/26	253.22	253.22
1392 - W.B. MASON CO, INC	PO 22249 SUPPLIES- PD,ADMIN,DPW,BLDG,CLERK	25.62	25.62
OTHER TRUST			
1098 - ENZO'S	PO 22202 FOOD - SNOW STORM 01/25/26	349.35	349.35
1434 - Jersey Printing Associates, Inc.	PO 22073 HISTORICAL COMMITTEE - POSTER	101.00	101.00
2395 - RICHARD M GEFFKEN	PO 22064 LIVING HISTORY PRESENTATION	300.00	300.00
2396 - RONALD R RINALDI	PO 22112 PRESENTATION ON GEORGE WASHINGTON	500.00	500.00
DEVELOPERS ESCROW TRUST			
1720 - CGP&H	PO 22039 ADM AGENT FOR AFFORDAGLE HOUSING - DECE	240.00	240.00
1807 - COLLIER'S ENGINEERING & DESIGN	PO 20974 PB Engineering- THE LOFT	2,431.25	
	PO 21242 PB Engineering - THE LOFT PARTNERSHIP	482.50	
	PO 21452 PB Engineering - THE LOFT PARTNERSHIP	142.50	
	PO 21706 PB Engineering - THE LOFT PARTNERSHIP	237.50	
	PO 21907 PB Engineering - THE LOFT PARTNERSHIP	922.50	
	PO 22378 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	4,341.25
1200 - McMANIMON*SCOTLAND*BAUMANN LLC	PO 22416 NETFLIX- 10/31/2025	9,993.50	
	PO 22417 NETFLIX- 1/30/26	3,493.46	
	PO 22418 NETFLIX- 12/31/2025	4,557.85	18,044.81
1639 - NW FINANCIAL GROUP, LLC	PO 21978 FINANCIAL ADVISORY SERVICES - NETFLIX	2,025.00	
	PO 22419 FINANCIAL ADVISORY SERVICES - NETFLIX	1,181.25	3,206.25
TOTAL			442,808.45

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-101-01-000-011	CASH OPERATING			0.00	405,042.80
01-201-20-100-200	ADMINISTRATIVE & EXECUTIVE OE	567.92			
01-201-20-120-200	MUNICIPAL CLERK OE	8,256.86			
01-201-20-130-200	FINANCIAL ADMINISTRATION OE	10,197.85			
01-201-20-145-200	COLLECTION OF TAXES OE	1,552.45			
01-201-20-155-200	LEGAL SERVICES OE	70.00			
01-201-21-181-205	PLANNER SERVICES & FEES	187.50			
01-201-23-210-202	HEALTH	220,617.00			
01-201-23-210-203	DENTAL	9,763.00			
01-201-25-240-200	POLICE OE	6,870.34			
01-201-25-252-200	EMERGENCY MANAGEMENT OE	130.56			
01-201-25-265-200	FIRE DEPARTMENT OE	729.19			
01-201-25-265-400	FIRE BUREAU OE	46.73			
01-201-26-300-273	SUPPLIES	792.50			
01-201-26-300-282	SALT & SAND	6,073.88			
01-201-26-305-200	SANITATION-TRASH REMOVAL OE	32,000.00			
01-201-26-306-200	RECYCLING OE	7,500.00			
01-201-26-310-200	PUBLIC BUILDINGS & GROUNDS OE	323.18			
01-201-26-310-252	REPAIRS & EQUIPMENT	896.04			
01-201-29-405-200	TRANS OF HS STUDENTS OE	5,275.84			
01-201-31-430-201	ELECTRICITY	4,293.15			

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-31-430-203	TELEPHONE/INTERNET	460.52			
01-201-31-430-204	WATER/SEWER	2,097.71			
01-201-31-430-207	STREET LIGHTING	349.18			
01-201-31-465-200	SANITATION DUMPING FEES	22,863.90			
01-201-42-140-201	West Long Branch Court	717.00			
01-201-43-490-200	MUNICIPAL COURT OE	562.30			
01-203-20-120-200	(2025) MUNICIPAL CLERK OE		800.00		
01-203-25-240-200	(2025) POLICE OE		3,881.36		
01-203-25-260-200	(2025) FIRST AID ORGANIZATION OE		1,349.00		
01-203-25-265-200	(2025) FIRE DEPARTMENT OE		2,512.00		
01-203-25-265-209	(2025) REPAIRS & MAINTENANCE		3,552.63		
01-203-26-300-200	(2025) STREETS & ROADS OTHER EXPENSES		5,243.75		
01-203-26-300-271	(2025) REPAIRS		4,251.85		
01-203-26-300-272	(2025) TIRES		5,893.50		
01-203-26-300-284	(2025) STREET SWEEPING		390.00		
01-203-26-310-200	(2025) PUBLIC BUILDINGS & GROUNDS OE		3,390.18		
01-203-26-310-252	(2025) REPAIRS & EQUIPMENT		866.00		
01-203-27-335-340	(2025) ANIMAL CONTROL		446.25		
01-203-28-371-200	(2025) PARKS AND PLAYGROUNDS OE		235.88		
01-203-29-405-200	(2025) TRANS OF HS STUDENTS OE		21,103.37		
01-203-31-430-208	(2025) GASOLINE & OIL		5,087.43		
01-203-43-490-200	(2025) MUNICIPAL COURT OE		845.00		
TOTALS FOR	Current Fund	343,194.60	61,848.20	0.00	405,042.80
05-101-00-100-011	CASH - TD			0.00	145.20
05-161-00-500-040	DUE TO STATE OF NJ			145.20	
TOTALS FOR	DOG TRUST FUND	0.00	0.00	145.20	145.20
06-101-01-100-011	OPEN SPACE CASH - TD			0.00	4,288.04
06-270-00-500-020	RESERVE FOR OPEN SPACE			4,288.04	
TOTALS FOR	OPEN SPACE TRUST	0.00	0.00	4,288.04	4,288.04
14-101-01-100-101	Cash SUI Trust			0.00	3,558.58
14-270-55-600-155	Reserve for SUI			3,558.58	
TOTALS FOR	SUI Trust	0.00	0.00	3,558.58	3,558.58
18-101-01-100-101	CASH UCC TRUST			0.00	2,691.17
18-270-55-600	RESERVE FOR UCC TRUST			2,691.17	
TOTALS FOR	UCC Trust	0.00	0.00	2,691.17	2,691.17
60-101-01-100-101	CASH-OTHER TRUST - TD			0.00	1,250.35
60-270-55-600-135	RES.FOR HISTORICAL COMMITTEE			901.00	
60-270-55-600-170	RESERVE FOR STROM RECOVERY			349.35	
TOTALS FOR	OTHER TRUST	0.00	0.00	1,250.35	1,250.35
61-101-01-100-101	CASH-DEV.ESCROW/TD			0.00	25,832.31
61-270-55-600-205	RES.FOR DEV.ESCROW			25,832.31	
TOTALS FOR	DEVELOPERS ESCROW TRUST	0.00	0.00	25,832.31	25,832.31

Total to be paid from Fund 01 Current Fund	405,042.80
Total to be paid from Fund 05 DOG TRUST FUND	145.20
Total to be paid from Fund 06 OPEN SPACE TRUST	4,288.04
Total to be paid from Fund 14 SUI Trust	3,558.58
Total to be paid from Fund 18 UCC Trust	2,691.17
Total to be paid from Fund 60 OTHER TRUST	1,250.35

ACCOUNT	DESCRIPTION	CURRENT YR	APPROF. YEAR	NON-BUDGETARY	CREDIT

Total to be paid from Fund 61 DEVELOPERS ESCROW TRUST		25,832.31			

		442,808.45			

Pending Payments (*Not Finalized*)

All Funds

Month of February

From 02/01/2026 to 02/28/2026 With a Line Amount > 10000.00

Date	ENTRY	ACCOUNT	PO	Check #	VENDOR/DESCRIPTION	DEBIT	CREDIT	CR ACCOUNT
02/19/2026	73223	01-201-20-130-205	22109		REAL PROPERTY TAX BILLING	2,848.23		
						<u>2,848.23</u>	-	
02/19/2026	73224	01-201-20-145-201	22109		WIPP TAX MAINTENANCE	1,552.45		
						<u>1,552.45</u>	-	
02/19/2026	73225	01-201-20-130-205	22109		APP SERVER MAIN & SUPPORT	764.03		
						<u>764.03</u>	-	
02/19/2026	73226	01-201-20-130-205	22109		FUND ACCT SYS SUPPORT	3,519.18		
						<u>3,519.18</u>	-	
02/19/2026	73227	01-201-20-130-205	22109		WEB REQ SUPPORT	1,528.07		
						<u>1,528.07</u>	-	
02/19/2026	22109		22109		EDMUNDS GOVTECH, INC		10,211.96	01-101-01-000-011
						-	<u>10,211.96</u>	
02/19/2026	74193	01-201-31-465-201	22351		DISPOSAL	17,198.51		
						<u>17,198.51</u>	-	
02/19/2026	74194	01-201-31-465-201	22351		RECYCLING ENHANCEMENT ACT	578.49		
						<u>578.49</u>	-	
02/19/2026	74195	01-201-31-465-201	22351		RECYCLING FEE	5,086.90		
						<u>5,086.90</u>	-	
02/19/2026	22351		22351		SUBURBAN DISPOSAL		22,863.90	01-101-01-000-011
						-	<u>22,863.90</u>	
02/19/2026	74359	01-201-26-305-201	22353		COLLECTION	32,000.00		
						<u>32,000.00</u>	-	
02/19/2026	74360	01-201-26-306-201	22353		RECYCLING	7,500.00		
						<u>7,500.00</u>	-	
02/19/2026	22353		22353		SUBURBAN DISPOSAL		39,500.00	01-101-01-000-011
						-	<u>39,500.00</u>	
02/19/2026	74391	01-201-23-210-202	22405		HEALTH	109,614.00		
						<u>109,614.00</u>	-	
02/19/2026	74392	01-201-23-210-203	22405		DENTAL	4,854.00		
						<u>4,854.00</u>	-	
02/19/2026	22405		22405		CENTRAL JERSEY HEALTH INSURANC		114,468.00	01-101-01-000-011
						-	<u>114,468.00</u>	
02/19/2026	74393	01-201-23-210-202	22404		HEALTH	111,003.00		

Pending Payments (*Not Finalized*)

All Funds

Month of February

From 02/01/2026 to 02/28/2026 With a Line Amount > 10000.00

Date	ENTRY	ACCOUNT	PO	Check #	VENDOR/DESCRIPTION	DEBIT	CREDIT	CR ACCOUNT
						111,003.00	-	
02/19/2026	74394	01-201-23-210-203	22404		DENTAL	4,909.00		
						4,909.00	-	
02/19/2026	22404		22404		CENTRAL JERSEY HEALTH INSURANC		115,912.00	01-101-01-000-011
							- 115,912.00	
						302,955.86	302,955.86	

February Totals

Totals by Account for February

ACCOUNT	ACCOUNT TITLE	LY BUDGET CY	NON BUDGET BUDGET PENDING CR
01-101-01-000-011	CASH OPERATING		302,955.86
01-201-20-130-205	MAINTENANCE CONTRACTS	8,659.51	
01-201-20-145-201	COLLECTOR'S EXPENSES	1,552.45	
01-201-23-210-202	HEALTH	220,617.00	
01-201-23-210-203	DENTAL	9,763.00	
01-201-26-305-201	SANITATION-TRASH REMOVAL	32,000.00	
01-201-26-306-201	OTHER EXPENSES	7,500.00	
01-201-31-465-201	SANITATION DUMPING FEES	22,863.90	
Totals		- 302,955.86	- 302,955.86

Range Total

Totals by Account for Range

ACCOUNT	ACCOUNT TITLE	LY BUDGET CY	NON BUDGET BUDGET PENDING CR
01-101-01-000-011	CASH OPERATING		302,955.86
01-201-20-130-205	MAINTENANCE CONTRACTS	8,659.51	
01-201-20-145-201	COLLECTOR'S EXPENSES	1,552.45	
01-201-23-210-202	HEALTH	220,617.00	
01-201-23-210-203	DENTAL	9,763.00	
01-201-26-305-201	SANITATION-TRASH REMOVAL	32,000.00	
01-201-26-306-201	OTHER EXPENSES	7,500.00	
01-201-31-465-201	SANITATION DUMPING FEES	22,863.90	
Totals		- 302,955.86	- 302,955.86

**RESOLUTION OF THE BOROUGH OF OCEANPORT APPROVING LAWRENCE SEYMOUR FOR
OCEANPORT FIRST AID MEMBERSHIP**

Resolution #2026-74

2/26/2026

WHEREAS, Lawrence Seymour, Oceanport, NJ, has submitted a Membership Application to join the Oceanport Volunteer First Aid & Rescue Squad; and

WHEREAS, the application has been approved and accepted by the Squad membership, approved by the First Aid Captain and received Police Chief designation of suitable for service,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Oceanport that the First Aid Department Membership Application of Lawrence Seymour is hereby approved.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-74 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026

STEPHANIE KRAMER
ACTING BOROUGH CLERK

BOROUGH OF OCEANPORT

Gary J. Grimes
Chief of Police
Gregory Laurretta
Captain



POLICE DEPARTMENT

P.O. BOX 370, OCEANPORT, NEW JERSEY 07757

732.222.6300
Main
732.222.6301 ext 1015
Records
732.222.0945
Fax

Tuesday, February 17, 2026

To: Jonathan Ryan, Oceanport First Aid
Donna Phelps, Oceanport Borough Administrator

Reference: Lawrence Seymour, First Aid Applicant

Please be advised that the record check of the above applicant for membership in a volunteer organization is complete. Our investigation has led to the following finding:

X

The applicant is suitable for membership.

 The applicant is **NOT** suitable for membership.

If there are any further questions regarding this applicant, please contact my office.

Sincerely,

A handwritten signature in black ink, appearing to be "GJ Grimes", written over a horizontal line.

Gary J. Grimes
Chief of Police

Cc: file copy

**RESOLUTION OF THE BOROUGH OF OCEANPORT APPROVING DAVID PIZZO FOR
OCEANPORT FIRST AID MEMBERSHIP**

Resolution #2026-75

2/26/2026

WHEREAS, David Pizzo, Oceanport, NJ, has submitted a Membership Application to join the Oceanport Volunteer First Aid & Rescue Squad; and

WHEREAS, the application has been approved and accepted by the Squad membership, approved by the First Aid Captain and received Police Chief designation of suitable for service,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Oceanport that the First Aid Department Membership Application of David Pizzo is hereby approved.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-75 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026

STEPHANIE KRAMER
ACTING BOROUGH CLERK

BOROUGH OF OCEANPORT

Gary J. Grimes
Chief of Police
Gregoy A. Laurretta
Captain



POLICE DEPARTMENT
P.O. BOX 370, OCEANPORT, NEW JERSEY 07757

732.222.6300
Main
732.222.6301 ext 1015
Records
732.222.0945
Fax

Thursday, February 05, 2026

To: Jonathan Ryan, Oceanport First Aid
Donna Phelps, Oceanport Borough Administrator

Reference: David Pizzo, First Aid Applicant

Please be advised that the record check of the above applicant for membership in a volunteer organization is complete. Our investigation has led to the following finding:

 X

The applicant is suitable for membership.

 The applicant is **NOT** suitable for membership.

If there are any further questions regarding this applicant, please contact my office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gary J. Grimes".

Gary J. Grimes
Chief of Police

Cc: file copy

**RESOLUTION OF THE BOROUGH OF OCEANPORT AUTHORIZING THE APPOINTMENT
OF SHARON O'CONNER AS PART TIME VIOLATIONS CLERK FOR THE COURT OFFICE**

**Resolution #2026-76
02/26/2026**

WHEREAS, there is a need for a part time Violations Clerk in the Court Office to assist the Court Administrator with daily operations; and

WHEREAS, the Court Administrator and Borough Administrator have recommended that the position be filled by Sharon O'Conner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Sharon O'Conner is hereby appointed as a part time Violations Clerk to the Court Office effective February 23, 2026, at an hourly rate of \$25.00 in accordance with the Salary Ordinance; and

BE IT FURTHER RESOLVED that a certified true copy of the within Resolution be furnished to the Borough Administrator, the Chief Financial Officer, the Payroll Clerk, and Sharon O'Conner.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-76 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026.

STEPHANIE KRAMER
ACTING BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING FULL TIME EMPLOYMENT AND REVISED SALARY FOR MICHAEL HORTON AS
ELECTRICAL SUBCODE OFFICIAL AND INSPECTOR**

Resolution 2026-77

2/26/2026

WHEREAS, Michael Horton currently serves as the Borough's Electrical Subcode Official and Inspector as a part time employee; and

WHEREAS, there is a need to increase his hours because of the fluctuating demands for inspection and plan reviews related to redevelopment of the former Fort Monmouth, including the Netflix project; and

WHEREAS, the Construction Official and Borough Administrator have recommended that Mr. Horton work full time for a total of 35 hours at an annual salary of \$95,000, effective March 2, 2026; and

WHEREAS, Mr. Horton is willing and able to accept the position and has the appropriate license requirements.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, that Michael Horton be appointed as Electrical Subcode Official and Inspector under the new terms as stated in this Resolution, effective March 2, 2026, for a four (4) year term as per N.J.S.A.52:27D-126.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Construction Official, Borough Administrator, Chief Financial Officer and the Payroll Clerk.

Motion:	Second:			
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-77 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026.

STEPHANIE KRAMER
ACTING BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING FULL TIME EMPLOYMENT AND REVISED SALARY FOR ANTHONY
MONTAGNA AS BUILDING SUBCODE OFFICIAL AND INSPECTOR**

Resolution 2026-78

2/26/2026

WHEREAS, Anthony Montagna currently serves as the Borough's Building Subcode Official and Inspector as a part time employee; and

WHEREAS, there is a need to increase his hours because of the fluctuating demands for inspection and plan reviews related to redevelopment of the former Fort Monmouth, including the Netflix project; and

WHEREAS, the Construction Official and Borough Administrator have recommended that Mr. Montagna work full time for a total of 35 hours at an annual salary of \$89,000, effective March 2, 2026; and

WHEREAS, Mr. Montagna is willing and able to accept the position and has the appropriate license requirements.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, that Anthony Montagna be appointed as Building Subcode Official and Inspector under the new terms as stated in this Resolution, effective March 2, 2026, for a four (4) year term as per N.J.S.A.52:27D-126.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Construction Official, Borough Administrator, Chief Financial Officer and the Payroll Clerk.

Motion:	YES	NO	ABSTAIN	ABSENT
ROLL CALL				
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-78 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026.

STEPHANIE KRAMER
ACTING BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT TO THE BORJA GROUP FOR TURF FIELD SPORTS CONSULTANT FOR
THE PERIOD MARCH 1, 2026 TO DECEMBER 31, 2026**

**Resolution #2026-79
2/26/2026**

WHEREAS, the Borough of Oceanport has a need to retain turf field sports consulting services for the Borough in connection with the Maria Gatta Park Turf Fields; and

WHEREAS, a determination has been made by the Borough that the value of the services will exceed \$17,500.00.

WHEREAS, these contracts constitute a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, this services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, the Borough received one (1) formal written response to the Borough's Request for Proposals for the aforesaid turf field sports consulting services for which they are qualified, ready and able to provide said services; and

WHEREAS, the Borough of Oceanport desires to appoint The Borja Group as the Borough's Turf Field Sports Consultant for the period commencing March 1, 2026, and ending December 31, 2026, and

WHEREAS, funds are available in the Open Space Trust Fund as certified below by the Chief Financial Officer,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Oceanport as follows:

1. A contract is hereby awarded to the Borja Group as Turf Fields Sports Consultant.
2. That the Mayor and Borough Clerk are authorized to execute the contract with The Borja Group consistent with their proposal and the Borough's RFP subject to review by the Borough Attorney.
3. The term of the contract shall be March 1, 2026, to December 31, 2026
4. That the compensation associated with the contract shall not exceed the total contract amount of \$90,000.00.
5. That the Borough Clerk shall publish a notice of the award in the Two River Times and the resolution and contract shall remain on file in the Borough Clerk's office.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient uncommitted funds available in Account #06-270-00-500-024 (Open Space Trust) in the amount of \$90,000.00 for CY2026 subject to availability of funds in the Open Space Trust Fund.

Catherine D. LaPorta

Catherine D. LaPorta, CFO

Motion:		Second:		
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-79 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026.

STEPHANIE KRAMER
ACTING BOROUGH CLERK

WEDNESDAY, FEBRUARY 18, 2026

**REQUEST FOR
PROPOSALS/QUALIFICATIONS**

TURF FIELD SPORTS CONSULTANT 2026

Mayor & Council

Attn: Catherine D. LaPorta, Purchasing Agent

Borough of Oceanport

910 Oceanport Way

Oceanport, New Jersey 07757

Santiago P. Borja, Managing Director

The Borja Group

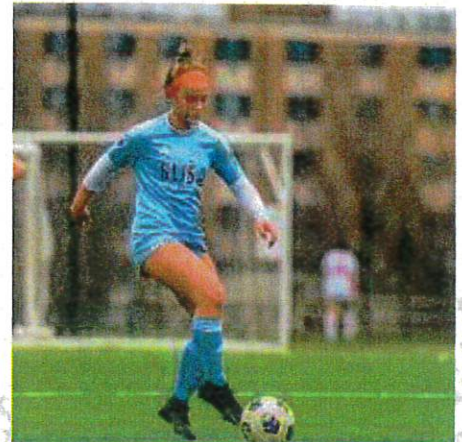
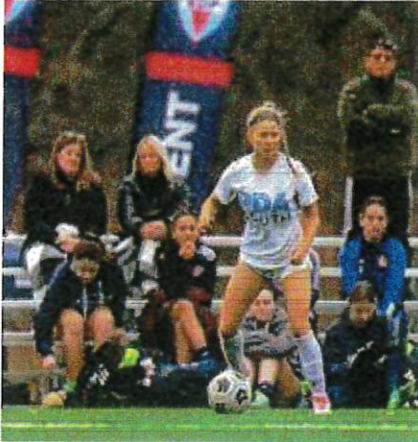
PO Box 222 • Oceanport, New Jersey • 07757

(732) 630-6300 • (212) 203-8035





THE BORJA GROUP introduction .A



The Borja Group is committed to uniting communities through sports and delivering an exceptional customer experience, which embodies our vision of **"The Partnership That Fits."** This partnership will empower the Borough of Oceanport to guide the development of Maria Gatta Community Park and establish day-to-day management protocols for the town's sports facilities. Our expertise in strategic facility planning and implementation, combined with the use of best-in-class technology, will help maximize the earning potential of the turf fields and generate a significant economic impact for the borough, the Monmouth County community, and the entire state of New Jersey.

Our proposal for **2026** is a comprehensive financial and targeted marketing plan, grounded in a solid understanding of demographic trends, local and regional revenue streams, and dynamic market conditions. At Maria Gatta, the **Borja Group** aims to elevate the 1.3 million dollar economic outcome of 2023, 2024 and 2025 while introducing new programs to maximize field use and event revenue for the Borough of Oceanport.

Our team consists of innovative and dedicated individuals who are leaders in the sports property management field. We will support the borough's growth initiatives by leveraging our extensive expertise and industry relationships. With over 70 years of combined experience in youth sports and facility management, our interconnected knowledge, strong passion, agility, and creativity position the **Borja Group** as a leader in the industry, delivering customized solutions with proven strategies to enhance results for the Borough of Oceanport.

B.

2023-25 highlights



A PARTNERSHIP THAT FITS

Highlights

Over the past five renting seasons, The Borja Group's targeted marketing plan and innovative field design protocol at Maria Gatta Park have generated more than \$1,200,000 in new field rental revenues for the Borough of Oceanport. The proprietary scheduling innovations applied to weekend sporting events resulted in a year-over-year revenue growth rate exceeding 20%.

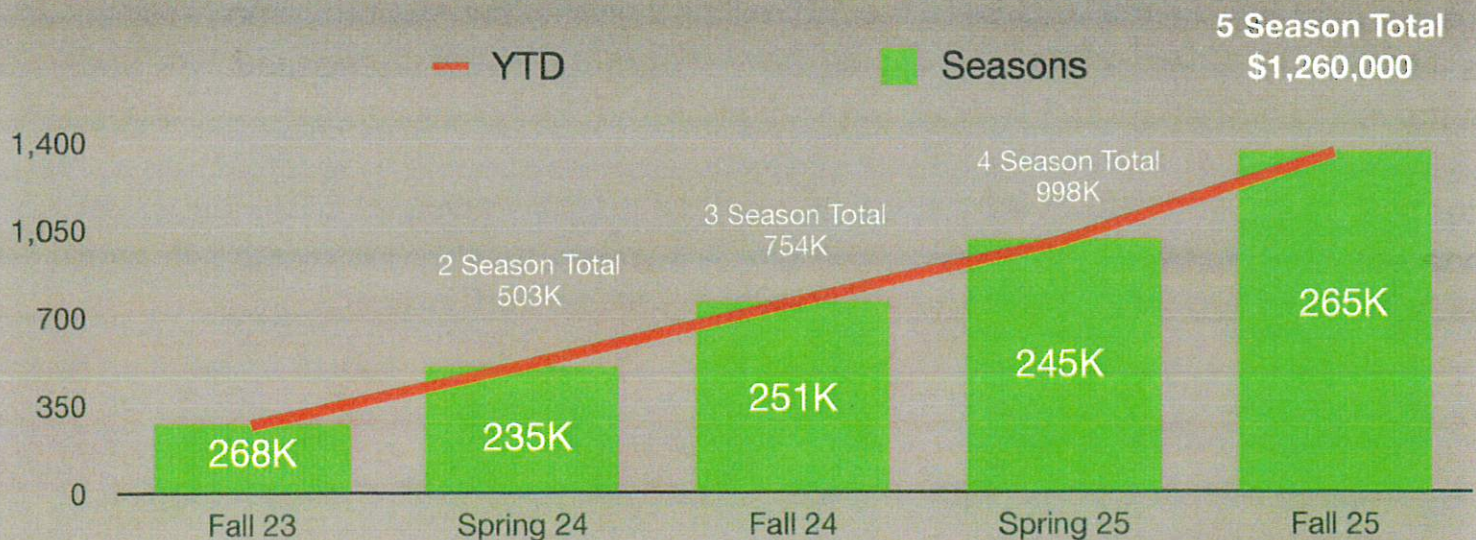
In addition to the significant revenue increase, The Borja Group has brought over 60,000 new visitors to the Borough of Oceanport, contributing an estimated economic boost of over \$1,000,000.



65,000 New Visitors to the Community



\$1,00,000 of Economic Boom





2024-25 review

.C

Weekday Turf Space



Spring/Fall Review

Over the initial 2024 Turf Field Sports Consulting Agreement, The Borja Group's maximum utilization of the facilities and innovative field design protocol at Maria Gatta Community Park has delivered over 500 youth and high school sporting game/events and an impressive 42 days of major national tournaments for the Borough of Oceanport.

Without missing an opportunity for growth, The Borja Group developed a plan to assist and deliver turf playing fields for Seven Oceanport School District athletic teams and three recreational town youth sports programs. The Borja Group has maintained an impressive 96+% rental efficiency during the week days of the Fall 24, Spring 25, and Fall 25 seasons, ensuring smooth operations and maximum utilization of the facilities and managing the day to day lighting protocol for all 3 turf fields.

- ✓ Introduced 12 Different New Sporting Events in the Fall, Winter & Spring 2024-2025
- ✓ Developed the Spring/Fall Week Day schedule - Operated a over 96% Efficiency
- ✓ Managed 5 Maple Place fall/spring youth sports teams.
- ✓ Developed the 2025 Spring/Fall Weekend Game schedule with over 400 games played on the Turf
- ✓ Managed the collection of over \$510,000 of revenue in December 2025.
- ✓ Developed the business plan and revenue projections for 2026 at Maria Gatta Community Park
- ✓ Managed the collection of over \$140,000 of revenue in JAN, FEB 2026.

Total New Revenues 510K



D.

FEE proposals



Deliverables and Scope of Work

1. **Status:** Independent Contractor - Consulting Group
2. **Term: 10 Months (10)**, with an effective start date of March 1, 2026.
3. **Fee:** Ten (10) payments following the provided fee schedule, with funds available on the last week of each month of the term.

MONTH	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
FEE	\$22,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500

4. **Schedule of payments:** 1st Payment - Due March, 2026
5. **Capital Expenditures:** The Borough of Oceanport will manage all related capital purchases.
6. **Approvals:** The BorjaGroup is required to obtain prior written approval of all projects.
7. **Personal Expenses:** The BorjaGroup is responsible for all personal expenses during the proposal term.
8. **Termination:** This agreement can be terminated upon sixty (60) days' written notice to The BorjaGroup

Targeted Plan





Projections

.E

2024

+ 150k of New Field Revenues

2026

The Borja Group's **MAXIMIZATION** targeted 2024-2026 facility's plan and innovative sports programs will bring an additional \$150,000 in new revenues during periods of lighter utilized field space throughout the term of the new appointment. Limiting factors would be the detrimental effect of cold winter months.

Establish & Manage

- ✓ 7 EDP Winter Events
- ✓ Spring Week Day Season (6 Team)
- ✓ Spring Weekend Season (200+)
- ✓ 3 LAX MEGA Summer Events
- ✓ 4 US Soccer Coaching Lic
- ✓ 2 US Olympic Program
- ✓ 3 NJYS Olympic Development

Field Maximization Plan

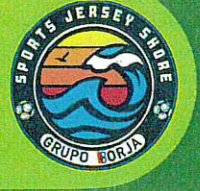
- ✓ Elite Development Program Spring
- ✓ Elite Development Program Summer
- ✓ Recreation Field System Development
- ✓ 6 Adult Mens Soccer League
- ✓ Co-Ed Soccer League
- ✓ 2 High School Shore Boys League
- ✓ 2 High School Shore Girls League

- ✓ 2 Youth Roots Program @ MGP
- ✓ 2 Adult Shore Soccer Tournament
- ✓ 6 Fall Adult Soccer League
- ✓ Fall Week day Season (6 Teams)
- ✓ Fall Weekend Season (250+)
- ✓ Shore Conference All-Start Game
- ✓ Shore Conference Girls All-Start
- ✓ REC Soccer Development MSL GO

2024 - 2026 Revenue Projections



F. References



1. USA SOCCER - New Jersey Youth Soccer
Biggest Event & Special Programs Partner of Maria Gatta Park
2. Trinity Hall - Young Women in the Catholic Tradition
High School Partner of Maria Gatta Park - 8 Varsity & JV Teams
3. Peninsula Soccer Club
Biggest Revenue Partner of Maria Gatta Park - 35% of Total Sales
4. Rumson Futbol Club
2nd Biggest Revenue Partner of Maria Gatta Park - 15% of Total Sales
5. Shore Fire FC / Dutchmen FC
Local Travel Soccer Partner of Maria Gatta Park - Over 100 Local Kids
6. Maple Place Middle School
Local Middle School Partner of MGP - 4 Practice Teams & Games
7. Sports Lines LLC
Biggest Vendor Partner of Maria Gatta Park - Fall/Spring 2023-2025



New Jersey Youth Soccer
3 Paragon Way
Suite 400
Freehold, NJ 07728
609-490-0725
communications@njyouthsoccer.com

NJ Youth Soccer has benefited greatly from the opportunity to work with The Borja Group. Primarily, this regards events that we have hosted in Oceanport. Having had the privilege of working closely with The Borja Group on several occasions, I can attest to their exceptional professionalism, expertise, and dedication to delivering outstanding results.

The following are examples of how The Borja Group has proven to be a valuable collaborator:

1. **Expertise and Experience:** The Borja Group brings a wealth of expertise and experience to the events we have hosted in Oceanport. Their deep understanding of event logistics, competition and marketing strategies has enabled us to raise the profile of our premier events, such as the State Cup finals and Olympic Development Program tournaments.
2. **Relationships:** The Borja Group's strong relationships with a network of local vendors, providers and clubs has ensured top-quality results for our major events. Relationships with hotel providers, local soccer clubs, and restaurants created a first-class experience for the US Soccer National C license we hosted in Oceanport with coaches who traveling into New Jersey from across the country.
3. **Problem Solving:** The Borja Group's ability to problem solve in a professional manner has been invaluable. We know live events bring the unexpected and Santiago's ability to address each issue has been exemplary. As an example, the day before the US Soccer National C license we learned that the lead instructor tore a ligament in her knee and was on crutches. Immediately, Santiago worked through logistics (e.g. access to a golf cart, adjust venue access) to minimize the strain on the instructor.

We look forward to hosting more events in Oceanport because of the professionalism that The Borja Group has demonstrated to ensure the success of our events.

Sincerely,

Evan Dabby

NJYS Executive Director



TRINITY HALL

Attn: Borough of Oceanport Department of Parks

It is with great pleasure that I write in support of The Borja Group.

Trinity Hall are long term renters of two of the fields at Maria Gatta Park. We started this relationship at the beginning of the 2023-2024 school year and it has been a great pairing.

The Borja Group has made sure that our scheduling needs are met and has done an outstanding job in maintaining the flexibility of time needed when high school sports become less predictable.

The Borja Group has been instrumental in keeping the relationship that Trinity Hall has with fellow renters amicable. Santiago consistently checks in and we schedule weekly conversations to go over and confirm the upcoming week's schedule. If there is a conflict, we as renters have always been able to work it out to the mutual benefit of Trinity Hall, Maria Gatta Community Park and their other tenants.

The Borja Group, when representing the Borough Of Oceanport, is in the customer service business. Trinity Hall has been nothing but pleased with the support and the availability of The Borja Group. There is always someone available to answer a question or help solve whatever problem may arise.

Trinity Hall looks forward to maintaining a long and mutually beneficial relationship with the Borough of Oceanport and Maria Gatta Community Park. We feel that The Borja Group has gone above and beyond to make us feel welcome and accommodated.

I am open to answering any questions, feel free to contact me at any time.

Sincerely,

--

Robert Bagley

Director of Athletics

Trinity Hall

101 Corregidor rd.

Tinton Falls, NJ, 07724

www.trinityhallnj.org

Office: 732 291 1297 ex: 168

Mobile: 917 696 9321



Tuesday, December 2, 2025

Dear Santi,

We wanted to touch base as our season comes to a close and extend our sincere thanks for your support in coordinating our Fall-2025 schedule.

Your exceptional attention to detail ensured that every field assignment, time slot, and facility need was handled smoothly and thoughtfully, making the entire scheduling process as seamless as possible for our club administrator. We also greatly appreciate the continued emphasis on safety—your careful planning around field conditions, weather considerations, parking and facility preparedness helped create a safe and enjoyable environment for all participants.

Thank you again for all the behind the scenes work that make our season possible. Your dedication and professionalism have truly made a difference in the success of our club. We hope you and your family have a wonderful holiday season and we look forward to a continued partnership with The Borja Group.

Sincerely,

The PSC Board of Directors

To Whom it May Concern:

Please accept this letter in support of The Borja Group's.

As the president of Peninsula Soccer Club, I have had the pleasure of working with Mr. Santi Borja, the President of the Borja Group over the past 3 years in connection with the use of the turf fields at Maria Gatta Community Park.

Our club has been fortunate enough to rent the fields at Maria Gatta since its inception in approximately 1985. We are a non-profit 501(3)-C travel soccer club that is made up of around 25 teams in a given year. We provide approximately 400 children ages 7 through 17 the opportunity to play travel soccer in the Monmouth County area.

When Maria Gatta underwent its turf renovation in 2022, Santi worked diligently and loyally to secure our existing rental opportunity at Maria Gatta. He was able to accommodate our rental needs, which include usage sometimes seven (7) days a week, almost year round, as we play and practice from August through June. Santi always provided open and honest lines of communication regarding potential field conflicts, working hand-in-hand with our field scheduler to ensure our needs and players were taken care of. This was especially appreciated by our club as we have seen firsthand the much increased demand for the newly turfed fields at Maria Gatta. Peninsula has long considered Maria Gatta to be our home fields, and Santi was crucial in ensuring that we were able to maintain this consistency after the renovation of the fields.

Santi has devoted his time, attention and care to our club's ever changing scheduling needs over the past few years. He is a professional and gracious businessman who is a pleasure to work with. I would highly recommend his firm.

Respectfully,



Jim Curley
President, Peninsula Soccer Club



To Whom It May Concern:

I am delighted to write this recommendation letter on behalf of the Borja Group in Oceanport, NJ. Over the past year, I have had the pleasure of working with the Borja Group, and specifically with Santiago Borja. In my role as a founding board member and the current field coordinator and borough liaison for the Rumson Futbol Club in Rumson, NJ, I have been tasked with acquiring field space for our club's twenty-two teams for games and practices. The Borja Group has consistently demonstrated exceptional dedication and resourcefulness in helping us secure the necessary facilities.

Santiago is not only hardworking and well-organized but also incredibly proactive and solution oriented. He has repeatedly gone above and beyond to ensure our needs are met, often finding creative solutions to challenges that arise. His commitment and reliability have made him an invaluable partner for the Rumson Futbol Club.

I wholeheartedly recommend Santiago Borja and the Borja Group without reservation.

If you have any questions, feel free to call me at (917) 691-1429.

Sincerely,



Managing Member
Vectra Capital LLC
(917) 691-1429
resposito@vectracap.com

Re: Borough of Oceanport, Use of Facilities

To whom it may concern:

I am compelled to write and sing the praises of the Borja Group, and specifically Santiago Borja, for his responsiveness, zeal, and concern for the professional scheduling of field use – specifically the highly-sought turf at Maria Gatta.

Santi has walked me through every step of the process, so both of our organizations (boasting many Oceanport players) have access to the wonderful facility at Gatta. He is always attentive, and if there is a way to assist us in a scheduling conflict, he is more than willing to see if any change is possible.

I have also observed Santi's utmost commitment to caring for the fields. Whether it is picking up water bottles or ensuring that the parking lot behind Enzo's is not improperly being used, Santi is visible and active in making sure things are done correctly.

Both the Shore Fire FC and Dutchmen FC soccer clubs are thankful for making Gatta our home, and we are also thankful to work with someone as helpful as Santi!

Sincerely,

John Terlecsky
Shore Fire FC President/Dutchmen FC Administrator
74 Brookwillow Avenue
West Long Branch, NJ 07764
(908) 433-6838

I am writing this letter in reference to Santi Borja and his company, The Borja Group. I am the field hockey coach at Maple Place Middle School in Oceanport and had the pleasure of working with Santi last fall. We were fortunate enough to have all of our home games on the turf fields at Maria Gatta Park. The league was also able to host the Championship game there.

Santi was great in getting us turf time for home games. This wasn't always easy as he had to juggle other groups times in order to accommodate us. At our first game he met us at the field and had the benches and flags all set up. He was very positive and said if we needed anything else to just let him know. He chatted with the team and wished us good luck. He made the girls feel special and they loved playing on the turf!

Santi getting us turf time was greatly appreciated. There were times when we were the only team to play games on certain days due to rain. This was important as we didn't get backed up with our schedule like many of the other teams.

I have already talked to Santi about our fall schedule this year and he is working on getting us a field for all of our home games. I look forward to working with him again during the upcoming season.

Sincerely,

Lisa Caprioni
Field Hockey Coach
Maple Place Middle School



SPORT LINES LLC

PO Box 503
Colts Neck NJ 07722
732.400.4845
hello@sportlinesllc.com

To Whom It May Concern:

I am writing to wholeheartedly recommend the Borja Group for any event management project they may pursue. Having had the privilege of working with them, I can attest to their exceptional professionalism, efficiency, ease of collaboration, expertise in event management, and the unique perspective they bring to the table as a leader in their field.

The Borja Group consistently demonstrates an unwavering commitment to professionalism in every aspect of event planning and execution. Their approach is meticulous, ensuring that every detail is considered and executed flawlessly. From coordinating logistics to managing resources, they uphold the highest standards of excellence, ensuring that every event they undertake is a resounding success.

The Borja Group possesses the unique ability to streamline processes, optimize resources, and deliver results with precision and speed. Their proactive approach to problem-solving ensures that any challenges that arise are addressed promptly and effectively, allowing events to unfold seamlessly.

Moreover, working with the Borja Group is an absolute pleasure due to their collaborative and approachable nature. They foster an environment of open communication and mutual respect, making it easy for all stakeholders to contribute ideas and feedback. Their willingness to listen and adapt ensures that the vision for each event is realized with creativity and innovation.

As the founder of Sport Lines, specializing in event and sports field lining, we have had the opportunity to collaborate with numerous event operators, and it is without reservation that I can say the Borja Group stands out as the best. Their expertise and attention to detail have consistently exceeded our expectations, and their ability to work seamlessly with different event operators further underscores their versatility and professionalism.

Should you require any further information, please do not hesitate to contact me.

Sincerely,

Dennis Mann
Founder
Sport Lines
610-209-5640

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

March 1st to December 31st, 2026 - BOROUGH TURF FIELD SPORTS CONSULTANT

REFERENCES

Experience & Qualifications Questionnaire

Please provide at least 3 references below:

Name: Jim Curley - Peninsula Soccer Club

Phone: (980)601-3668

Address: PO Box 311, Little Silver, NJ 07739

Equipment/Service Provided: Field Management and Event Support

Contract Amount: \$160,000.00

Name: Robert Bagley - Trinity Hall

Phone: (732)291-1297 EX: 168

Address: 101 Corregidor Rd., Tinton Falls, NJ 07724

Equipment/Service Provided: Field Management and Event Support

Contract Amount: \$45,000.00

Name: Robert Esposito - Rumson Futbol Club

Phone: (917)691-1429

Address: 445 Park Ave., Suite 10C - New York, NY 10022

Equipment/Service Provided: Field Management and Event Support

Contract Amount: \$52,000.00



Forms

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1. Ownership Disclosure Certification
2. Business Registration Certificate
3. W-9 Form
4. Affirmative Action Affidavit - Employee Report
5. Affidavit of Non-Collusion
6. Disclosure of Investment Activities with Iran
7. Disclosure of Investment in prohibited activities with Russia or Belarus
8. Acknowledgment of Receipt of Addenda
9. Signature Page

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

March 1st to December 31st, 2026 - BOROUGH TURF FIELD SPORTS CONSULTANT

DOCUMENT CHECKLIST

***Mandatory**

**Initial and submit
each item**

*	Proposal with Three References	SFB
*	Fee Proposal	SFB
*	Ownership Disclosure Certification	SFB
*	Affidavit of Non-Collusion	SFB
	Business Registration Certificate and W-9 Form	SFB
	Affirmative Action Affidavit – Copy of “Certificate of Employee Information Report” or AA-302	SFB
*	Disclosure of Investment Activities with Iran	SFB
*	Certification of non-involvement in prohibited activities with Russia or Belarus	SFB
*	Acknowledgment of Receipt of Addenda	SFB
*	Signature Page	SFB

*This form shall be submitted with the proposal.

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

July 1st to December 31st, 2025 - BOROUGH TURF FIELD SPORTS CONSULTANT

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: THE BORJA GROUP

Organization Address: 285 E. Main St., #222, Oceanport, NJ 07757

Part I - Check the box that represents the type of business organization:

- ☐ Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- ☐ Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- ☒ For-Profit Corporation (any type) ☐ Limited Liability Company (LLC)
- ☐ Partnership ☐ Limited Partnership ☐ Limited Liability Partnership (LLP)
- ☐ Other (be specific): _____

Part II

☒ The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

☐ No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address
SANTIAGO P. BORJA	113 S. PEMBERTON AVE., OCEANPORT, NJ 07757

Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

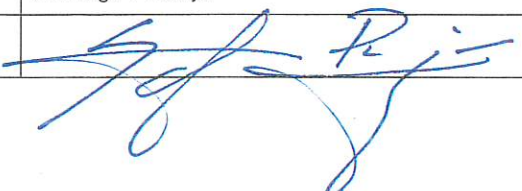
Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above.** The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

Part IV Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the Borough of Oceanport is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Borough of Oceanport to notify the Borough of Oceanport in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the Borough of Oceanport and permitting the Borough of Oceanport to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):	Santiago P. Borja	Title:	MANAGING DIRECTOR
Signature:		Date:	2/18/2026

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

March 1st to December 31st, 2026 - BOROUGH TURF FIELD SPORTS CONSULTANT

**NEW JERSEY BUSINESS REGISTRATION
REQUIREMENTS – NON-CONSTRUCTION**

All New Jersey and out of state business organizations must obtain a Business Registration Certificate (BRC) from the Department of Treasury, Division of Revenue, prior to conducting business in the State of New Jersey. **Proof of valid business registration with the Division of Revenue, Department of Treasury, State of New Jersey, must be submitted with this proposal.** No contract will be awarded without proof of business registration with the Division of Revenue. The contract will contain provisions in compliance with N.J.S.A. 52:32-44, as amended, outlined below.

The contractor shall provide written notice to its subcontractors and suppliers of the responsibility to submit proof of business registration to the contractor. Before final payment of the contract is made by the contracting agency, the contractor shall submit an accurate list and proof of business registration of each subcontractors were used.

For the term of the contract, the contractor and each of its affiliates and each subcontractor and each of its affiliates (N.J.S.A. 52:32-44 (g) (3)) shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the "Sales and Use Tax Act" (N.J.S.A. 54:32 B-1, et seq.) on all sales of tangible personal property delivered into this state.

A business organization that fails to provide a copy of a registration as required pursuant to section 1 of P.L. 2001, c.134 (N.J.S.A. 52:32-44 et. seq.) or subsection e. or f. of section 92 of P.L. 1977, c.120 (N.J.S.A. 5:13-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25.00 for each day of violation, not to exceed \$50,000.00 for each business registration copy not properly provided under a contract with a contracting agency.

Other forms, such as a Certificate of Authority to collect Sales and Use Taxes or a Certificate of Employee Information Report Approval, are not acceptable.

Any questions in this regard can be directed to the Division of Revenue at (609) 292-1730. Form NJ-REG can be filed online at:

<http://www.state.nj.us/treasury/revenue/gettingregistered.htm#busentity>



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: THE BORJA GROUP CORPORATION

Trade Name:

Address: 137 WASHINGTON AVENUE #139
BELLEVILLE, NJ 07109

Certificate Number: 1720689

Effective Date: June 01, 2012

Date of Issuance: February 20, 2025

For Office Use Only:

20250220161437138

Return

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE AND ENTERPRISE SERVICES
LONG FORM STANDING WITH CHARTER DOCUMENTS

THE BORJA GROUP CORPORATION

0101022017

I, the Treasurer of the State of New Jersey, do hereby certify that the above-named New Jersey Domestic For-Profit Corporation was registered by this office on May 29, 2012.

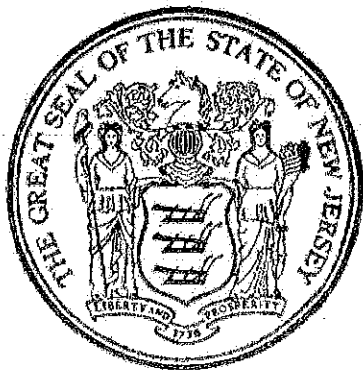
As of the date of this certificate, said business continues as an active business in good standing in the State of New Jersey, and its Annual Reports are current.

I further certify that the registered agent and office are:

SANTIAGO P BORJA
113 S. PEMBERTON AVE.
OCEANPORT, NJ 07757

I further certify that as of the date of this certificate, the following amendments and changes are on file in this office:

Annual Report Filing with address change	03/20/2016
Annual Report filing with officer/member change	03/20/2016
CHANGE OF AGENT AND OFFICE	03/21/2016



IN TESTIMONY WHEREOF, I have
hereunto set my hand and affixed
my Official Seal at Trenton, this
3rd day of May, 2025

Elizabeth Maher Muoio
State Treasurer

Certificate Number : 6164242431

Verify this certificate online at

https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp

Request for Taxpayer Identification Number and Certification

Go to www.irs.gov/FormW9 for instructions and the latest information.

Give form to the
requester. Do not
send to the IRS.

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See Specific Instructions on page 3.	1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.) The Borja Group Corporation	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) _____ (Applies to accounts maintained outside the United States.)
	2 Business name/disregarded entity name, if different from above. The Borja Group - Sports Jersey Shore	
	3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor ☒ C corporation ☐ S corporation ☐ Partnership ☐ Trust/estate ☐ LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) _____ Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner. ☐ Other (see instructions) _____	
	3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions. _____ ☐	
	5 Address (number, street, and apt. or suite no.). See instructions. PO Box 222 6 City, state, and ZIP code Oceanport, NJ 07757 7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

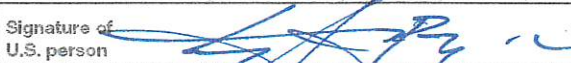
Social security number									
			-						
or									
Employer identification number									
4	5	-	5	3	8	1	8	6	5

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person 	Date 2-18-2026
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

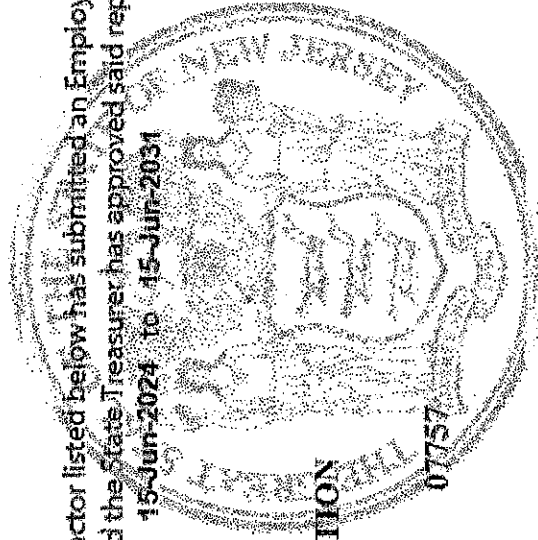
Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they

Certification 73878

CERTIFICATE OF EMPLOYEE INFORMATION REPORT INITIAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of 15-Jun-2024 to 15-Jun-2031



THE BORJA GROUP CORPORATION

285 E. MAIN ST. #222

OCEANPORT

NJ

07757



Elizabeth Maher Muoic

ELIZABETH MAHER MUOIC

State Treasurer

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

March 1st to December 31st, 2026 - BOROUGH TURF FIELD SPORTS CONSULTANT

NON-COLLUSION AFFIDAVIT

State of New Jersey

County of Monmouth ss:

I, Santiago P. Borja residing in THE BOROUGH OF OCEANPORT
(name of affiant) (name of Borough)

in the County of MONMOUTH and State of NEW JERSEY of
full age, being duly sworn according to law on my oath depose and say that:

I am _____ of the firm of THE BORJA GROUP
(title or position) (name of firm)

_____ the bidder making this Proposal for the bid entitled
TURF FIELD SPORTS CONSULTANT, and that I executed the said proposal with
(title of bid proposal)

full authority to do so that said bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the Borough of Oceanport relies upon the truth of the
THE BORJA GROUP statements contained
(name of contracting unit)

in said Proposal and in the statements contained in this affidavit in awarding the contract for the said project. I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by
THE BORJA GROUP.

Subscribed and sworn to

before me this 18th day Feb

of _____, 2026

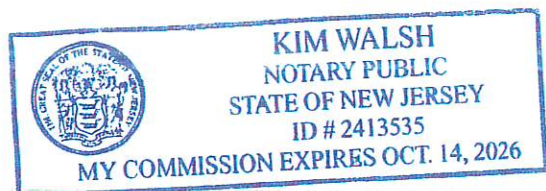
Kim Walsh

Notary public of New Jersey

My Commission expires October 14, 2026
(Seal)

Signature

SANTIAGO P. BORJA
(print name of affiant under signature)



BOROUGH OF OCEANPORT
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

PART 1: CERTIFICATION
BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.
FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders **must** review this list prior to completing the below certification. **Failure to complete the certification will render a bidder's proposal non-responsive.** If the Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party

PLEASE CHECK THE APPROPRIATE BOX:



I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.

OR



I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

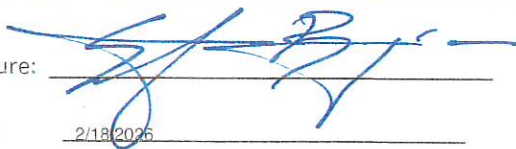
You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

Name	Relationship to Bidder/Offeror
Description of Activities	
Duration of Engagement	Anticipated Cessation Date
Bidder/Offeror Contact Name	Contact Phone Number:

Certification: I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder; that the State of New Jersey is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): SANTIAGO P. BORJA

Signature: 

Title: MANAGING DIRECTOR

Date: 2/18/2026

BOROUGH OF OCEANPORT

CERTIFICATION OF NON-INVOLVEMENT IN
PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS

Pursuant to N.J.S.A. 52:32-60.1, et seq. (L. 2022, c. 3) any person or entity (hereinafter "Vendor") that seeks to enter into or renew a contract with a State agency for the provision of goods or services, or the purchase of bonds or other obligations, must complete the certification below indicating whether or not the Vendor is identified on the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, available here: <https://sanctionssearch.ofac.treas.gov/>. If the Department of the Treasury finds that a Vendor has made a certification in violation of the law, it shall take any action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

I, the undersigned, certify that I have read the definition of "Vendor" below, and have reviewed the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, and having done so certify:

(Check the Appropriate Box)

☒ A. That the Vendor is not identified on the OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus

☐ B. That I am unable to certify as to "A" above, because the Vendor is identified on the OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus

OR

☐ C. That I am unable to certify as to "A" above, because the Vendor is identified on the OFAC Specially Designated Nationals and Blocked Persons list. However, the Vendor is engaged in activity related to Russia and/or Belarus consistent with federal law, regulation, license or exemption. A detailed description of how the Vendor's activity related to Russia and/or Belarus is consistent with federal law is set forth below.

(Attach Additional Sheets If Necessary.)



Signature of Vendor's Authorized Representative

2/18/2026

Date

SANTIAGO P. BORJA, MANAGING DIRECTOR

Print Name and Title of Vendor's Authorized Representative

45-5381865

Vendor's FEIN

THE BORJA GROUP

Vendor's Name

(212)203-80835

Vendor's Phone Number

285 E. MAIN ST., #222

Vendor's Address (street address)

(732)630-6300

Vendor's fax number

OCEANPORT, NJ 07757

Vendor's Address (City/State/Zip Code)

SANTIAGO@BORJAGROUP.COM

Vendor's email address

i Vendor means: (1) A natural person, corporation, company, limited partnership, limited liability partnership, limited liability company, business association, sole proprietorship, joint venture, partnership, society, trust, or any other nongovernmental entity, organization, or group; (2) Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in Section 1701(c)(3) of the International Financial Institutions Act, 22 U.S.C. 262r(c)(3); or (3) Any parent, successor, subunit, direct or indirect subsidiary, or any entity under common ownership or control with, any entity described in paragraph (1) or (2).

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

March 1st to December 31st, 2026 - BOROUGH TURF FIELD SPORTS CONSULTANT

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

The undersigned Proposer hereby acknowledges receipt of the following Addenda:

Addendum Number		Acknowledge
Number	Dated	Receipt (initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

No addenda were received: x

Acknowledged for: THE BORJA GROUP
(Name of Proposer)

By: 
(Signature of Authorized Representative)

Name: SANTIAGO P. BORJA
(Print or Type)

Title: MANAGING DIRECTOR

Date: 2/18/2026

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A NON-FAIR AND OPEN CONTRACT FOR IT MANAGEMENT SERVICES AND
PHONE & DATA TECHNOLOGY SERVICES BETWEEN INTRON TECHNOLOGY AND THE
BOROUGH OF OCEANPORT**

Resolution #2026-80
2-26-2026

WHEREAS, the Borough of Oceanport desires to retain information technology services by means of a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20. B; and,

WHEREAS, this contract constitutes a provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software and therefore, may be awarded without competitive bidding pursuant to N.J.S.A.40A:11-5(dd), et seq.; and

WHEREAS, Intron Technology presently provides the Borough's monthly managed IT services, VoIP Phone Services, network and computer licensing and has submitted proposals to continue providing monthly managed services that includes the provision of phone and data services, system/data backup and recovery services; and

WHEREAS, the Borough has determined that the value of the services will exceed \$17,500.00.

WHEREAS, Intron Technologies has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure Form which certifies that Spatial Data Logic is compliant pursuant with **P.L. 2023, c.20**;and

WHEREAS, the anticipated term of this contract is for the period January 1, 2026 through December 31, 2026; and

WHEREAS, funds are available in the operating budget as evidenced by the CFO's certification of funds below,

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey that:

1. Intron Technology is hereby appointed to provide information technology managed services and VoIP phone services for the period January 1, 2026 through December 31, 2026.
2. The contract amount for IT Managed Services, network and computer licensing, system/data backup and recovery services for all departments and other associated services shall not exceed \$85,000 for CY2026.
3. The contract amount for VoIP Phone Services shall not exceed \$20,000 for CY2026.
4. The Mayor and Borough Clerk are hereby authorized to enter into a contract on behalf of the Borough of Oceanport.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Political Contribution Disclosure Form be placed on file with said contract.

BE IT FURTHER RESOLVED that a summary of the above shall be published in the Two River Times as required by law.

CERTIFICATION OF FUNDS

I, Catherine D .LaPorta, Chief Financial Officer of the Borough of Oceanport, hereby certify that funds are available in the 2026 budget in Account# 01-201-20-120-227 for the amount of \$85,000 and Account #01-201-31-430-203 for the amount of \$20,000, subject to the adoption of the 2026 budget.

CATHERINE D. LaPORTA,CFO

Motion:	YES	NO	ABSTAIN	ABSENT
ROLL CALL				
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-80 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026.

STEPHANIE KRAMER
ACTING BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT AUTHORIZING REFUND TO FMERA FOR
BALANCE IN CONTRACT FOR STORMWATER STUDY MOU

Resolution 2026-81
02/26/2026

WHEREAS, pursuant to the adoption of Resolution #2024-43, the Borough of Oceanport entered into a Memorandum of Understanding (MOU) with the Fort Monmouth Economic Revitalization Authority (FMERA) for engineering services related to the Stormwater Infrastructure Study of the Fort's stormwater system; and

WHEREAS, FMERA, in accordance with the MOU, provided funding for the project in the amount of \$327,200.00 to the Borough of Oceanport; and

WHEREAS, Colliers Engineering & Design performed services in connection with the project, and total invoices submitted for the completed work amounted to \$261,816.92; and

WHEREAS, the project has been completed, and the total amount expended under the MOU is \$261,816.92, leaving a remaining balance of \$65,383.08; and

WHEREAS, pursuant to the terms of the MOU, the remaining balance of funds must be returned to FMERA.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Chief Financial Officer is hereby authorized to refund the sum of \$65,383.08 to the Fort Monmouth Economic Revitalization Authority, representing the unexpended balance of funds provided under the Memorandum of Understanding for the Stormwater Infrastructure Study project.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that funds are available for refund in Account No. 02-213-40-700-071 in the amount of \$65,383.08 for the purposes described herein.

Catherine LaPorta

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-81 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026

STEPHANIE KRAMER
ACTING BOROUGH CLERK

Stephanie Kramer

From: Katie LaPorta
Sent: Friday, February 6, 2026 9:08 AM
To: William White
Cc: Stephanie Kramer; Katie Cassidy; Donna Phelps
Subject: RE: FMERA MOU for Stormwater Study

So, we need a resolution authorizing a refund to FMERA in the amount of \$65,383.08. This is the refund for the Stormwater Study MOU (2024-066) – the GL account number is 02-213-40-700-071.

Doesn't have to be for this meeting – next meeting is fine.

Thank you

Katie LaPorta, CMFO, QPA
Borough of Oceanport
910 Oceanport Way
PO Box 370
Oceanport, NJ 07757
Phone – 732-222-8221 x1019
Fax – 732-222-0904

From: William White <William.White@collierseng.com>
Sent: Friday, February 6, 2026 8:50 AM
To: Katie LaPorta <KLaPorta@oceanportboro.com>
Subject: FMERA MOU for Stormwater Study

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Katie,

This project is complete and closed out.

MOU	\$327,200.00
CED invoices total	\$261,816.92
To be refunded to FMERA	\$65,383.08

Please do not hesitate to contact me with any questions.
Have a good weekend.
Bill

William White, PE, PP, CFM, CME, CPWM

Sr. Project Manager | Municipal

Principal

william.white@collierseng.com

Direct: 732-704-5978 | Main: 877 627 3772

101 Crawfords Corner Road Suite 3400 | Holmdel, New Jersey 07733



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**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING 2026 BUDGET APPROPRIATION RESERVE TRANSFERS**

**Resolution #2026-82
02/26/2026**

WHEREAS, it shall become necessary to expend for some of the purposes specified in the Budget an excess of the respective sums appropriated, and

WHEREAS, there is an excess in one or more appropriations over and above the amount deemed necessary to fulfill the purposes of such appropriations, and

WHEREAS, the transfers about to be authorized do not affect an appropriation to which or from which transfers are prohibited under the statutes.

NOW, THEREFORE, BE IT RESOLVED the following transfers between appropriations reserves be authorized pursuant to N.J.S.A. 40A:4-58:

FROM:

	AMOUNT	ACCOUNT
Legal Services	\$15,000.00	01-203-20-155-200

TOTAL	\$15,000.00	
--------------	--------------------	--

TO:	Storm Recovery/SW	\$15,000.00	01-203-26-311-101
------------	-------------------	-------------	-------------------

TOTAL	\$15,000.00	
--------------	--------------------	--

BE IT FURTHER RESOLVED that a copy of this resolution be filed forthwith with the Borough's Chief Financial Officer.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-82 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026

STEPHANIE KRAMER
ACTING BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE PURCHASE OF A NEW VEHICLE FROM ALL AMERICAN FORD FLEET
THROUGH THE BERGEN COUNTY COOPERATIVE 24-43 PURCHASING SYSTEM**

Resolution 2026-83

02/26/26

WHEREAS, the Oceanport Building Department has need to purchase a 2025 Maverick and funds have been appropriated in the UCC Trust account 18-270-55-600-213 for the purchase of said vehicle for use by the Building Departments two new full time employees; and

WHEREAS, N.J.S.A. 40A:11-3(a) allows for the award of a contract without the necessity of public advertising for bids when the procurement is made through a Cooperative Purchasing System, and

WHEREAS, the recommendation is to purchase said vehicle, 2025 Maverick, from All American Ford Fleet, 375 Route 17 South, Paramus, NJ 07652, which is available through the Bergen County Cooperative 24-43 System for a total amount not to exceed \$32,649.30, and

WHEREAS, the Chief Financial Officer has confirmed that funds are available for the stated purpose as indicated below by the Certification of Funds.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council that the purchase of said vehicle, 2025 Maverick for a total price of \$32,649.30 from All American Ford Fleet, 375 Route 17 South, Paramus, NJ 07652 pursuant with Bergen County Cooperative 24-43 is hereby authorized.

CERTIFICATION OF FUNDS

As required by N.J.S.A. 5:34-5.1, et. Seq., and any other applicable requirement, I, Catherine D LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient uncommitted funds available in the Account #18-270-55-600-213 in the amount of \$32,649.30 for the stated purpose.

Catherine D LaPorta

Motion:	YES	NO	ABSTAIN	ABSENT
ROLL CALL				
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-83 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026

STEPHANIE KRAMER
ACTING BOROUGH CLERK



A DIVISION OF PARAMUS FORD, INC.

375 ROUTE 17 SOUTH • PARAMUS, NJ 07652 • 201-262-4900

Linda Hoffman

856-816-5494 Cell

201-734-6195 Fax

lhoffman@allamericanford.net

Bergen County Co-Op 24-43

February 13, 2026
Ocean Port Borough
ATTN: Mike Thulen

2025 Maverick		MSRP	DISCOUNT
W8B	Crew Cab All Wheel Drive	27890.00	26216.60
	Includes Destination and Delivery		
993	2.5L Hybrid Engine	INC	INC
44E	Automatic Transmission	INC	INC
101A	XL Trim	2220.00	2086.80
121"	Wheelbase	INC	INC
60B	2K Trailer Package	100.00	94.00
66C	Ford Co-Pilot 360	795.00	747.30
16C	Floor Liners	135.00	126.90
96J	Drop in Bedliner	375.00	352.50
90K	8 Way Power Drivers Seat	285.00	267.90
942	Daytime Running Lights	45.00	42.30
Delivery Charge			450.00
COST OF VEHICLE:			30384.30
Emergency Equipment			
Amber Grill Lights, and Rear Lights With switch			2295.00
COMPLETE COST OF VEHICLE:			32679.30

MECHANICAL • 2.5L Hybrid w/ Power-Split Electric CVT Transmission • 4-Wheel Disc Anti-Lock Brake System (ABS) • Electric Parking Brake • Electronic Brake Boost • Electronic Power-Assist Steering (EPAS) • Post Impact Braking • Rotary Gear Shift Dial Includes Select Drive Modes: Slippery, ECO, Normal, Sport, and Tow/Haul • Variable-Assist Power Steering



A DIVISION OF PARAMUS FORD, INC.

375 ROUTE 17 SOUTH • PARAMUS, NJ 07652 • 201-262-4900

EXTERIOR • Black Mesh Grille w/Black Surround • Box Top and Tailgate Moldings • Cargo Lamp – Integrated with Center High-mounted Stop Lamp (CHMSL) • Easy Fuel® Capless Fuel-Filler • FLEXBED® Storage System • Fuel Tank — 16.5 Gallon – Gas — 13.8 Gallon – Hybrid • Handles, Black – Door and Tailgate • Hooks – Cargo Tie-Downs, six (6) • LED Reflector Headlamps • Mirrors, Sideview – Manual-folding, Manual Glass with MIC Black Skull Caps • Maverick® XL Fender Badge • Rocker Molding • Spare Tire Carrier – Rear Under Frame • Spare Tire (Mini) (155/70R17) • Bumper, Front & Rear • Trailer Sway Control • Tailgate – Manual Locking • Tires – P225/65R 17" A/S BSW • Wheels – 17" Sparkle Silver Steel • Windshield Wipers – Intermittent Speed

INTERIOR/COMFORT • 8" Productivity Screen in Instrument Cluster • Cruise Control • Dual Vanity Mirrors • Floor Covering – Carpet • Floor Mats – Front Carpet • Front Door Stowage Bins • Front Map Lights/Overhead Console • Front/Rear Cargo Compartment Dome Lamps (Fade-to-off) • Instrumentation (Door Ajar, Lamps On, Low Fuel & Washer Fluid, Tach, Clock) • Front/Rear Grab Handles (3) Three • Manual Air Conditioning, Single Zone • Power Door Unlock and Lock • Powerpoint 12V – Front (1) • Rear Coat Hooks • Rear Under Seat Storage Bins • Rear-Window with Fixed Privacy Glass • Seat, Front — 6-Way Manual Adjustable Driver — 4-Way Manual Adjustable Passenger — Bucket Seats — Cloth Trim — Front Floor Console w/ Armrest & Storage Bin — Seat Back Map Pocket, Passenger • Seat, Rear — Full Bench Rear Cloth Folding Seatback — Flip-Up Seat Cushion • Steering Wheel, Black Urethane – Manual Tilt/Telescoping and Manual Locking w/ Audio Controls • Vinyl Console Lid • Windows — Power Front/Rear Windows — 1-Touch Down Driver Window — Rear Privacy Glass

SAFETY/SECURITY • Anti-Theft Engine Immobilizer • Airbags — Driver and Passenger Front Airbags — Safety Canopy® Side-Curtain Airbags — Driver and Passenger Side Airbags — Driver Knee Airbag • Belt-Minder® (Front Safety Belt Reminder) • Center Rear Seat Shoulder Belt • Configurable Daytime Running Lamps (DRL) • Driver & Passenger Height Adjustable Retractable Seatbelts • LATCH (Lower Anchors and Tether Anchors for Children) • Power Central Locking • SecuriLock® Passive Anti-Theft System • Smart Occupant Sensing airbags • Tire Pressure Monitoring System (TPMS) FORD CO-PILOT360® TECHNOLOGY • Auto LED High-Beam • Lane-Keeping-Aid • Pre-Collision Assist® with Automatic Emergency Braking (AEB) (Pedestrian Detection, Forward Collision Warning, Dynamic Brake Support) • Rear View Camera

FUNCTIONAL • 2 USB Ports (Front) and 1 USB Port (Rear) • AM/FM Stereo w/ 6 Speakers • Autolamp – Auto On/Off LED Headlamps • Battery Saver • Electronic Stability Control • Extended Service Interval Monitor • FordPass® Connect (5G) — 5G LTE Wi-Fi hotspot connects up to 10 devices¹ — Schedule specific times to remotely start vehicle² — Locate parked vehicle² — Check vehicle status² Note: Ford Telematics is available for fleet customers, providing access to real-time OEM-grade data (including GPS tracking, vehicle health, driver behavior and other unique information) in a web based application. Learn more about our telematics products at https://www.fordpro.com/enus/intelligence/or_email telematics@fordpro.com, or by calling 833-327-FORD (833-327-3763). • Keyed Ignition • Particulate Air Filter • Remote Keyless Entry / Panic Button (Key Fobs (2)) • SYNC® 4 with Enhanced Voice Recognition (Incl. SiriusXM® with 360L) — 13.2" LCD Touchscreen with Swipe Capability — Wireless Phone Connection — Cloud Connected — AppLink® w/App Catalog — 911 Assist® — Apple CarPlay® and Android Auto™ Compatibility — Digital Owner's Manual — Conversational Voice Command Recognition

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE USE OF COMPETITIVE CONTRACTING FOR CLEANING SERVICES
FOR BOROUGH BUILDINGS FOR THER PERIOD APRIL 1, 2026 TO DECEMBER 31, 2026**

Resolution #2026-84

02/26/2026

WHEREAS, as of January 1, 2006, N.J.S.A. 19:44A-20.1 et. seq. commonly known as the “State Pay to Play” Law, enacted by the New Jersey State Legislature shall become effective; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20. et. seq., a municipality may not award a contract with a value in excess of \$17,500 to a business entity unless that business entity has filed a business disclosure and political contribution disclosure pursuant with P.L. 2023, c.20 that has made a contribution within one year of the date the contract is to be awarded that is reportable by the recipient under P.L. 2023, c.20 and P.L. 1973, c.83 (C.19.44A-1 et seq.) to a municipal political party committee in that municipality if a member of that party is serving in an elective public office when such a contract is awarded or to any candidate committee of any person who is serving in an elective public office of the municipality when such contract is awarded, unless the contract is awarded under a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et. seq.; and

WHEREAS, the Borough of Oceanport is seeking qualified individuals and/or firms to provide cleaning services for Borough Hall, Police Department & OEM Headquarters, Borough Library, Old Wharf House and the Blackberry Bay Pavilion.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey that the use of competitive contracting for a Cleaning Services is hereby authorized; and

BE IT FURTHER RESOLVED, that the Borough Administrator is authorized to prepare a Request for Qualifications for Cleaning Services for Borough Buildings and the Borough Clerk is directed to advertise pursuant to N.J.S.A. 19:44A-20.4, et. seq.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-84 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026.

STEPHANIE KRAMER
ACTING BOROUGH CLERK

REQUEST FOR PROPOSALS/QUALIFICATIONS

Cleaning Services

April 1st to December 31st 2026



Borough of Oceanport
County of Monmouth, State of New Jersey

SUBMISSIONS DUE: March 19, 2026

Table of Contents

PURPOSE AND INTENT	4
ADMINISTRATIVE CONDITIONS AND REQUIREMENTS.....	4
SELECTION CRITERIA.....	6
STATUTORY AND OTHER REQUIREMENTS /.....	6
INSURANCE AND INDEMNIFICATION	8
PAYMENT.....	9
OWNERSHIP	9
DISCLAIMER.....	10
DOCUMENT CHECKLIST	12
APPENDICES/FORMS	13
REFERENCES.....	14
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE.....	15
STATEMENT OF OWNERSHIP DISCLOSURE	17
NON-COLLUSION AFFIDAVIT	19
NEW JERSEY BUSINESS REGISTRATION.....	20
DISCLOSURE OF CONTRIBUTIONS TO NEW JERSEY	21
ELECTION LAW ENFORCEMENT COMMISSION (ELEC).....	21
ACKNOWLEDGMENT OF RECEIPT OF ADDENDA.....	22
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN.....	23
CERTIFICATION OF NON-INVOLVEMENT IN	24
PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS	<u>25</u>
SIGNATURE PAGE.....	26

**PUBLIC NOTICE
BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY**

NOTICE IS HEREBY GIVEN that the Borough of Oceanport is soliciting proposals and qualifications through the Competitive Contracting and Fair and Open process in accordance with N.J.S.A. 19:44A-2 0.5 et seq. and N.J.S.A. 40A:11-4. (b)(2) et seq. (hereinafter the "Borough") for Cleaning Services for the period April 1 through December 31, 2026.

Sealed proposals will be received by the Municipal Clerk of the Borough of Oceanport, New Jersey at Clement V. Sommers Municipal Building, 910 Oceanport Way, Oceanport, New Jersey, on March 19, 2026 on or before 11 AM. Each proposal and all required submittals must be signed by a person authorized to do so. Proposals must cover all the information in this request. Responses which in the judgment of the Borough fail to meet the requirements of this request, which are in any way conditional, incomplete, obscure, contain additions or deletions from requested information, or contain errors may be rejected. All communications concerning this request shall be directed, in writing, to the Municipal Clerk.

Specification and other information may be obtained in person from the Borough Administrator at 910 Oceanport Way, Oceanport, NJ 07757, during Borough business hours or send your request via email to dphelps@oceanportboro.com All inquiries or requests for clarification shall be submitted no later than March 12, 2026.

During the period provided for the preparation of responses to this request, the Borough may issue addenda or answers to written inquiries. Addenda will be noticed by the Borough and will constitute part of this request. All responses shall be prepared with full consideration of any addenda issued. The proposer must complete and submit the Acknowledgment of Receipt of Addenda Form attached.

All Proposers are required to comply with the requirements of N.J.S.A. 52:32-44 (Business Registration of Public Contractors), N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. (Contract compliance and Equal Employment Opportunities in Public Contracts). Submissions by Corporations and Partnerships shall include a completed Disclosure of Ownership form (N.J.S.A.52:25-24.2) and shall include a completed Non-Collusion Affidavit.

The Borough of Oceanport reserves the right to reject any or all proposals and to waive any and all irregularities as is in the best interest of the Borough of Oceanport in accordance with N.J.S.A.40A:11-4. The Borough of Oceanport also reserves the right to conduct interviews with any or all Proposers, as it deems necessary.

STEPHANIE KRAMER
Acting Municipal Clerk

PURPOSE AND INTENT

The purpose of this Request for Cleaning Services is to solicit interest from qualified firms and/or individuals to provide Cleaning Services at the Borough's Municipal Building, Police Building, Library, Old Wharf House and Blackberry Bay Park Pavilion. Proposals are being solicited through a fair and open process in accordance with N.J.S.A.19:44A-20.5 et. seq. The following criteria will be used in the awarding of contracts for services:

1. Experience and knowledge in the field.
2. Compensation proposal.
3. Any other factors deemed to be in the best interest of the Borough as detailed in the scope of services below.

In addition, the Borough reserves the right to consider the following other factors:

1. Does the vendor's proposal indicate a clear understanding of the scope of work and related objectives?
2. Is the vendor's proposal complete and responsive to the public notice and specifications?
3. Does the vendor have a record of honesty and moral integrity?
4. Does the vendor have a record of reliability?
5. Vendor's past performance to the Authority, and willingness to document same.
6. Vendor's past performance of similar services, and willingness to document same.
7. Does the vendor have an experienced, qualified staff to assist him in completing the Authority's assignments?
8. Are the vendor's resources, i.e. personnel, facilities etc. in reasonable proximity to Lakewood, New Jersey?
9. Will the vendor provide a timely, fully explained billing for his goods/services, including a comprehensive breakdown of specific tasks?
10. Is the vendor financially stable and strong?

SCOPE OF SERVICES

Vendor shall provide all necessary labor, material & products to complete a cleaning program for the Borough as follows:

LOCATIONS:

Municipal Complex

- Borough Hall, 910 Oceanport Way, Oceanport
- Police Department/Office of Emergency Services, 930 Oceanport Way

Borough Library – 8 Iroquois Avenue, Oceanport

Old Wharf House – 315 East Main Street, Oceanport

Blackberry Bay Park Pavilion – 440 Port Au Peck Avenue, Oceanport

SITE VISITS: Requests will be accepted for site visits to each building from the hours of 9:00 am to 2:00 pm by emailing Kelle Burrough at kburrough@oceanportboro.com. Site visits can be scheduled on the following dates during the above-mentioned scheduled hours: March 10, 11, 12, 16 and 17.

SERVICES TO BE PERFORMED:

All work will be performed to keep and maintain clean and sanitary environment in the buildings specified above. Specific work to be performed as follows:

- Borough Hall - Police Department/Officer of Emergency Services – Wednesdays and Fridays
- Borough Library – Tuesdays and Fridays
- Old Wharf House – Tuesdays and Fridays
- Blackberry Bay Park Pavilion – Tuesdays and Fridays

(A) All buildings will not be cleaned before 4:30 p.m. with the following services:

- Empty all trash/recycling containers throughout buildings in all offices and in common areas; trash and recyclables will be disposed of separately
- Dust windowsills and ledges, sweep, mop and vacuum
- Kitchen table, counters, sink, microwave will be cleaned with a disinfecting product
- Toilets, bathrooms sinks, mirrors, and floors will be disinfected

(B) Weekly Maintenance at all locations

- Clean conference room table
- Wipe off visible signs of dust and dirt from conference room chairs
- Dust off coffee table and chairs in waiting area
- Clean all glass entry and interior doors and glass partitions

ADMINISTRATIVE CONDITIONS AND REQUIREMENTS

The following items express the administrative conditions and requirements of this RFQ/RFP. Together with the other RFQ/RFP sections, they will apply to the Competitive Contracting and RFQ/RFP process, the subsequent contract and project production. Any proposed change, modification, or exception to these conditions and requirements may be the basis for the Borough of Oceanport, hereinafter referred to as Owner, to determine the proposal as non-responsive to the RFP and will be a factor in the determination of an award of a contract. The contents of the proposal of the successful Respondent, as accepted by the Owner, will become part of any contract awarded as a result of this RFQ/RFP.

i. SCHEDULE: The dates established for the procurement are:

Release of RFP:	March 2, 2026
Proposal Due Date:	March 19, 2026
Governing Body Action:	March 26, 2026

ii. PROPOSAL SUBMISSION

One (1) original and one (1) copy of each Proposal must be submitted in accordance with the requirements set forth herein. All prices and amounts must be written in ink or preferably typewritten. All erasures or corrections must be initialed by each signatory to the Proposal. Each Proposal shall be addressed to Mayor and Council, Attn: Stephanie Kramer, Municipal Clerk
Borough of Oceanport, 910 Oceanport Way, Oceanport, NJ 07757, and shall be marked “Cleaning

Services” and “Sealed Submission Enclosed” and must be delivered at the place and time for receipt of Proposals, as set forth in the Notice, or mailed so as to be received on or before the date and time specified in said Notice.

All inquiries or requests for clarification shall be submitted to the below individuals no later than March 12, 2026.

Donna M. Phelps
Administrator
dphelps@oceanportboro.com
732-222-8221, ext. 1003

iii. PREVAILING WAGE; REQUIREMENTS OF LAW

If required by law, the Contractor will be required to comply with the provisions of the New Jersey Prevailing Wage Act, Chapter 150 of the Laws of 1963, and any and all statutory requirements of the Local Public Contracts Law.

iv. ERRORS IN PROPOSALS

In the event there is a discrepancy between the unit prices and the extended totals, the unit prices shall govern or if between the correct sum of the extended totals and the total Proposal submitted, the correct sum extended total shall govern. Amounts written in words shall govern over the amounts given in numerals.

No remedy provided within the terms of the Contract and specifications shall be deemed to preclude the Borough from taking any other action, but on the contrary, shall be deemed to be a remedy in addition to any and all other legal or equitable remedies permissible by law.

v. TIME FOR AWARD OF CONTRACT

The Contract shall be awarded, or all Proposals therefore rejected within sixty (60) days after the opening of Proposals. The award of the Contract for this work will not be made until the necessary funds have been provided by the Borough in a lawful manner.

vi. MODIFICATIONS OF PROPOSALS

Proposals may be modified by registered mail prior to the stipulated time for opening Proposals as set forth in the Notice; however, Proposals may not be modified within 24 hours of the stipulated opening time.

vii. REJECTION OF PROPOSALS

The Borough reserves the right to reject any Proposal that is incomplete pursuant to the “Documents Checklist” contained in this Request for Proposals package, or that takes exceptions to the within Specifications in any material way, or which is not properly executed, or which contains proven misrepresentations or falsehoods. The Borough also reserves the right to reject all Proposals according to the criteria set forth in the N.J. Local Public Contracts Law, N.J.S.A. 40A:11- 1, *et seq.* Any such determinations shall be made in the sole discretion of the Borough.

viii. RIGHT TO WAIVE INFORMALITIES RESERVED

The Borough expressly reserves the right to waive any informality in any Proposal, and to accept the Proposal which, in the Borough’s judgment, serves its best interests. The right is also reserved for the Borough to award the Contract in whole or in part as, in the Borough’s judgment, it deems appropriate as serving the public interest.

ix. BID BOND	Not required in connection with this RFP.
x. CONSENT OF SURETY	Not required in connection with this RFP.
xi. PERFORMANCE BOND	Not required in connection with this RFP.

SELECTION CRITERIA

A selection committee will review the proposals and rank them according to the criteria set forth in the Proposal Evaluation Form.

Appointment is for a nine-month term from April 1, 2026, through December 31, 2026.

Proposals submitted shall include the following information:

1. Name of Firm and individuals associated with firm including qualifications, number of years with the current firm and roles of the individuals who will perform the task and, where appropriate, a description of their experience with projects similar to the matter being advertised.
2. Address of principal place of business and all offices and corresponding telephone and fax numbers.
3. FEE PROPOSALS: Please provide specifics on cost details, including hourly rates for each individual or group of individuals who will perform services as assigned and where appropriate, estimates of time to be spent on the contract and anticipated expenses.
4. Experience related to representation of Municipalities and other public entities;
5. At least three (3) references;
6. The Professional's ability to provide the services in a timely fashion and availability for appearances on behalf of the Borough (including staffing, familiarity and location of key staff);
7. Any other information which the interested Professional deems relevant;
8. A copy of your New Jersey Business Registration Certificate;
9. A Non-Collusion Affidavit form (attached and where applicable)
10. A completed Statement of Ownership form (Attached below).
11. A Disclosure of Investment Activities in Iran (Attached below).
12. Certification of Non-involvement in Prohibited Activities in Russia or Belarus
13. A statement of compliance with P.L. 2004, C. 57 (New Jersey Business Registration Requirements) and N.J.A.C. 17:27 (Affirmative Action)

STATUTORY AND OTHER REQUIREMENTS /

Compliance with Laws

The Respondent must agree to comply with the non-discrimination provisions and all other laws and regulations applicable to the performance of services there under. The Respondent shall sign and acknowledge such forms and certificates as may be required by this section.

A. Mandatory Affirmative Action Certification

No vendor may be issued a contract unless it complies with the affirmative action regulations of N.J.S.A. 10:5-32 et seq. (Pl. 1975, c.127).

1. Procurement, Professional and Service Contracts and all successful vendors must submit within seven days after the receipt of the notice of intent to award the contract or the receipt of the contract, one of the following;

- a. A photocopy of a valid letter for an approved Federal Affirmative Action Plan (good for one year from the date of letter), or
- b. A photocopy of an approved Certificate of Employee Information Report, or
- c. If the vendor has none of the above, the public agency is required to provide the vendor with an initial Affirmative Action Employee Information Report (AA-302).

B. Statement of Ownership/Stockholder Disclosure

Chapter 33 of the Public Laws of 1977 provides that no corporation or partnership shall be awarded any contract for the performance of any work or the furnishing of any materials or supplies, unless, prior to the receipt of the proposal or accompanying the proposal of said corporation or partnership, there is submitted a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own ten percent or more of its stock or any class, or all individual partners in the partnership who own a ten percent or greater interest therein. The form of Statement is enclosed and shall be completed and returned with proposals.

C. Non-Collision Affidavit

The Non-Collusion Affidavit, which is enclosed with this RFP, shall be properly executed and submitted with the proposal.

D. New Jersey Business Registration Requirements Non-Construction Contracts

NJSA 52:32-44 requires that each vendor submit proof of business registration with the RFP package. Proof of registration shall be a copy of the Business Registration Certificate (BRC). A BRC is obtained from the New Jersey Division of Revenue on-line at www.nj.gov/njbgs or by phone at 609-292-1730.

E. Pay-To-Play Disclosure Certification and Form

Successful contractors must also be required to comply with all terms imposed by NJ Election Laws NJSA 19:44A-20.37 subject to campaign funding limits and with the Borough of Oceanport's "Pay to Play" Ordinance #782/Chapter 35 of the Borough code.

F. Americans with Disabilities Act of 1990

Discrimination on the basis of disability in contracting for the delivery of services is prohibited. Respondents are required to read the American with Disabilities language that is part of the documents attached hereto and agree that the provisions of Title II of the Act are made part of the contract. The Respondent is obligated to comply with the Act and hold the Owner harmless.

G. Disclosure of Investments Activities in Iran

The Disclosure of Investment Activities in Iran, which is enclosed with this RFP, shall be properly executed and submitted with the proposal.

H. Certification of non-involvement in Prohibited Activities in Russia or Belarus

Certification of non-involvement in Prohibited Activities in Russia or Belarus shall be properly executed and submitted with the proposal.

I. Acknowledgment of Addenda

During the period provided for the preparation of responses to this request, the Borough may issue addenda or answers to written inquiries. Addenda will be noticed by the Borough and will constitute part of this request. All responses shall be prepared with full consideration of any addenda issued. The proposer must complete and submit the Acknowledgment of Receipt of Addenda Form provided.

INSURANCE AND INDEMNIFICATION

If it becomes necessary for the successful Respondent, either as principal or by agent or employee, to enter upon the premises or property of the Owner, the successful Respondent hereby covenants and agrees to take use, provide and make all proper, necessary and sufficient precautions, safeguards, and protection against the occurrence of happenings of any accident, injuries, damages, or hurt to person or property during the course of the work herein covered and his/her sole responsibility.

The successful Respondent further covenants and agrees to indemnify and save harmless the owner from the payment of all sums of money or any other consideration(s) by reason of any, or all, such accidents, injuries, damages, or hurt that may happen or occur upon or about such work and all fines, penalties and loss incurred for or by reason of the violation of any owner regulation, ordinance or the laws of the State, or the United States while said work is in progress.

The successful Respondent shall maintain sufficient insurance to protect against all claims under Workers Compensation, General Liability and Automobile and shall be subject to approval for adequacy of protection and certificates of such insurance shall be provided. The minimum amount of insurance to be provided by the successful Respondent shall be \$1,000,000.00 for each claim and \$2,000,000.00 aggregate minimum amounts of insurance to be carried by the Vendor shall be as follows:

1. WORKER'S COMPENSATION & EMPLOYERS LIABILITY INSURANCE.

The Vendor shall take out and maintain during the life of the Contract adequate worker's compensation and employer's liability insurance for all employees employed in connection with the work, and in case any work is sublet, the Vendor shall require each sub-Contractor similarly to provide worker's compensation and employer's liability insurance for the latter's employees, unless such employees are covered by the protection afforded by the Vendor's insurance.

- Coverage A shall be New Jersey Statutory.
- Coverage B (Employer's Liability) shall be unlimited as per the New Jersey Worker's Compensation Law.

2. COMPREHENSIVE GENERAL LIABILITY INSURANCE.

Limits shall be a minimum of \$1,000,000 bodily injury per person and \$1,000,000 per occurrence, and \$250,000 property damage coverage. The Certificate of Insurance must indicate coverage at the above limits for:

- Contractually indicated on the face of the Certificate as being in accordance with the specifications.

- Independent Contractors (if any).
- Completed Operations.

3. COMPREHENSIVE AUTOMOBILE LIABILITY INSURANCE.

Limits shall be a minimum of \$1,000,000 bodily injury per person and \$1,000,000 per occurrence, and \$250,000 for property damage coverage. The Certificate of Insurance must indicate coverage at the above limits for:

- Hired Vehicles.
- Non-Owned Vehicles.

CERTIFICATE OF INSURANCE MUST INDICATE THAT THE BOROUGH OF OCEANPORT HAS BEEN NAMED AS AN ADDITIONAL NAMED INSURED FOR THIS CONTRACT.

Unsatisfactory Work:

If at any time during the Contract period the quality and/or progress of the Company's work shall not be satisfactory, the Borough reserves the unilateral right to terminate the Contract upon thirty (30) days written notice directed to the principal place of business of the Company.

Thereafter, the Borough shall be responsible only for the reasonable value of the services theretofore rendered, and in no event a sum greater than the ratio of completed work to the whole work contemplated by the Contract.

PAYMENT

Invoices shall specify, in detail, the period for which payment is claimed, the services performed during the prescribed period, and the amount claimed for services performed. The Owner may withhold all or partial payments on account of subsequently discovered evidence including but not limited to the below. When the grounds are removed, payment shall be made for amounts withheld because of them.

- Deliverables not complying with the project specification;
- Claims filed or responsible evidence indicating probability of filing claims;
- A reasonable doubt that the Contract can be completed for the balance then unpaid.

Bills are publicly approved at regular Borough Council meetings. All bills approved at such meetings are paid by checks that are mailed. No checks may be picked up by the Vendor. In order for a voucher to be placed on the agenda at said meetings for approval, they must be submitted to the Borough to be approved and signed by all appropriate Borough officials before presenting to the Chief Financial Officer no later than 10 days prior to the meeting. There are no exceptions to this rule.

OWNERSHIP

Ownership of all data, materials and documentation originated and prepared for the Owner pursuant to this Contract shall belong exclusively to the Owner. All data, reports, computerized information, programs, and materials shall be delivered to and become the property of the Owner upon completion of the project. The successful Respondent shall not have the right to use, sell, or disclose the total of the interim or final work products, or make them available to third parties, without the prior written consent of the Owner. All information supplied to the Owner shall be

provided in hard copy and digital format compatible with the Owner's computer operating system, windows based, Microsoft Office.

DISCLAIMER

"The contents and information provided in this Request for Proposals (RFP) is meant to provide general information to interested parties. The successful Proposers shall be required to execute an Agreement with the Borough that will govern the rights, duties and obligations between the Borough and the successful Proposer. Accordingly, the terms set forth within this request for proposals shall not constitute any Contract between the borough and the successful proposer. Moreover, the borough accepts no responsibility for any omissions or deletions relating to this request for proposals. However, the successful proposal will become part of the Agreement."

All documents/information submitted in response to this solicitation shall be available to the general public as required by the New Jersey Open Public Records Act N.J.S.A. 47:1A-1 et seq. The Borough will not be responsible for any costs associated with the oral or written and/or presentation of the proposals. The Borough reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Borough further reserves the right to make such investigations as it deems necessary as to the qualifications of any and all vendors submitting proposals. In the event that all proposals are rejected, the Borough reserves the right to re-solicit proposals.

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

April 1st to December 31st, 2026 – CLEANING SERVICES

PROPOSAL EVALUATION FORM

Company: _____

Evaluation Criteria	Possible Points	Awarded Points	Remarks of Review Committee
Experience / References	30		
Responsiveness to Proposal	20		
Compensation Proposal	50		
TOTAL	100		

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

April 1st to December 31st, 2026 – CLEANING SERVICES

DOCUMENT CHECKLIST

***Mandatory**

**Initial and submit
each item**

*	Proposal with Three References	
*	Fee Proposal	
*	Ownership Disclosure Certification	
*	Affidavit of Non-Collusion	
	Business Registration Certificate and W-9 Form	
	Affirmative Action Affidavit – Copy of “Certificate of Employee Information Report” or AA-302	
*	Disclosure of Investment Activities with Iran	
*	Certification of non-involvement in prohibited activities with Russia or Belarus	
*	Acknowledgment of Receipt of Addenda	
*	Signature Page	

*This form shall be submitted with the proposal.

APPENDICES/FORMS

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

April 1st to December 31st, 2026 - CLEANING SERVICES

REFERENCES

Experience & Qualifications Questionnaire

Please provide at least 3 references below:

Name: _____ Phone: _____

Address: _____

Equipment/Service Provided: _____

Contract Amount: _____

Name: _____ Phone: _____

Address: _____

Equipment/Service Provided: _____

Contract Amount: _____

Name: _____ Phone: _____

Address: _____

Equipment/Service Provided: _____

Contract Amount: _____

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)

N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national

origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

April 1st to December 31st, 2026 – CLEANING SERVICES

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: _____

Organization Address: _____

Part I Check the box that represents the type of business organization:

- ☐ Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- ☐ Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- ☐ For-Profit Corporation (any type) ☐ Limited Liability Company (LLC)
- ☐ Partnership ☐ Limited Partnership ☐ Limited Liability Partnership (LLP)
- ☐ Other (be specific): _____

Part II

☐ The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

☐ No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address

Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above.** The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

Part IV Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the Borough of Oceanport is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Borough of Oceanport to notify the Borough of Oceanport in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the Borough of Oceanport and permitting the Borough of Oceanport to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):		Title:	
Signature:		Date:	

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

April 1st to December 31st, 2026 - CLEANING SERVICES

NON-COLLUSION AFFIDAVIT

State of _____

County of _____ ss:

I, _____ residing in _____
(name of affiant) (name of Borough)

in the County of _____ and State of _____ of
full age, being duly sworn according to law on my oath depose and say that:

I am _____ of the firm of _____
(title or position) (name of firm)

_____ the bidder making this Proposal for the bid entitled
_____, and that I executed the said proposal with
(title of bid proposal)

full authority to do so that said bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the Borough of Oceanport relies upon the truth of the _____ statements contained

(name of contracting unit)

in said Proposal and in the statements contained in this affidavit in awarding the contract for the said project. I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by _____.

Subscribed and sworn to

before me this ____ day ____

of _____, 20____

Signature

(print name of affiant under signature)

Notary public of New Jersey

My Commission expires: _____
(Seal)

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

April 1st to December 31st, 2026 - CLEANING SERVICES

**NEW JERSEY BUSINESS REGISTRATION
REQUIREMENTS – NON-CONSTRUCTION**

All New Jersey and out of state business organizations must obtain a Business Registration Certificate (BRC) from the Department of Treasury, Division of Revenue, prior to conducting business in the State of New Jersey. **Proof of valid business registration with the Division of Revenue, Department of Treasury, State of New Jersey, must be submitted with this proposal.** No contract will be awarded without proof of business registration with the Division of Revenue. The contract will contain provisions in compliance with N.J.S.A. 52:32-44, as amended, outlined below.

The contractor shall provide written notice to its subcontractors and suppliers of the responsibility to submit proof of business registration to the contractor. Before final payment of the contract is made by the contracting agency, the contractor shall submit an accurate list and proof of business registration of each subcontractors were used.

For the term of the contract, the contractor and each of its affiliates and each subcontractor and each of its affiliates (N.J.S.A. 52:32-44 (g) (3)) shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the “Sales and Use Tax Act” (N.J.S.A. 54:32 B-1, et seq.) on all sales of tangible personal property delivered into this state.

A business organization that fails to provide a copy of a registration as required pursuant to section 1 of P.L. 2001, c.134 (N.J.S.A. 52:32-44 et. seq.) or subsection e. or f. of section 92 of P.L. 1977, c.120 (N.J.S.A. 5:13-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25.00 for each day of violation, not to exceed \$50,000.00 for each business registration copy not properly provided under a contract with a contracting agency.

Other forms, such as a Certificate of Authority to collect Sales and Use Taxes or a Certificate of Employee Information Report Approval, are **not** acceptable.

Any questions in this regard can be directed to the Division of Revenue at (609) 292-1730. Form NJ-REG can be filed online at:

<http://www.state.nj.us/treasury/revenue/gettingregistered.htm#busentity>

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

April 1st to December 31st, 2026 – CLEANING SERVICES

**DISCLOSURE OF CONTRIBUTIONS TO NEW JERSEY
ELECTION LAW ENFORCEMENT COMMISSION (ELEC)**

Starting in January 2007, all business entities are advised of their responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC) pursuant to N.J.S.A. 19:44A-20.27 if they receive contracts in excess of \$50,000 from public entities in a calendar year. Business entities are responsible for determining if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

N.J.S.A. 19:44A-20.27 established a new disclosure requirement for business entities. It requires that, when a business entity has received in any calendar year \$50,000 or more in public contracts with public entities, it must file an annual report with the Election Law Enforcement Commission (ELEC). The report shall disclose any contribution of money or any other thing of value, including an in-kind contribution, or pledge to make a contribution of any kind:

1. To a candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, or
2. To a political party committee, legislative leadership committee, political committee or continuing political committee.

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

April 1st to December 31st, 2026 – CLEANING SERVICES

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

The undersigned Proposer hereby acknowledges receipt of the following Addenda:

Addendum Number		Acknowledge
Number	Dated	Receipt (initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

No addenda were received: _____

Acknowledged for: _____
(Name of Proposer)

By: _____
(Signature of Authorized Representative)

Name: _____
(Print or Type)

Title: _____

Date: _____

BOROUGH OF OCEANPORT
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

PART 1: CERTIFICATION
BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.
FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders **must** review this list prior to completing the below certification. **Failure to complete the certification will render a bidder's proposal non-responsive.** If the Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party

PLEASE CHECK THE APPROPRIATE BOX:

- ☐ I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.
- OR
- ☐ I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

Name	Relationship to Bidder/Offeror
Description of Activities	
Duration of Engagement	Anticipated Cessation Date
Bidder/Offeror Contact Name	Contact Phone Number:

Certification: I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder; that the State of New Jersey is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):	Signature:
Title:	Date:

BOROUGH OF OCEANPORT

CERTIFICATION OF NON-INVOLVEMENT IN
PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS

Pursuant to N.J.S.A. 52:32-60.1, et seq. (L. 2022, c. 3) any person or entity (hereinafter “Vendor”) that seeks to enter into or renew a contract with a State agency for the provision of goods or services, or the purchase of bonds or other obligations, must complete the certification below indicating whether or not the Vendor is identified on the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, available here: <https://sanctionssearch.ofac.treas.gov/>. If the Department of the Treasury finds that a Vendor has made a certification in violation of the law, it shall take any action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

I, the undersigned, certify that I have read the definition of “Vendor” below, and have reviewed the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, and having done so certify:

(Check the Appropriate Box)

☐ A. That the Vendor is not identified on the [OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus](#)

☐ B. That I am unable to certify as to “A” above, because the Vendor is identified on the [OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus](#)

OR

☐ C. That I am unable to certify as to “A” above, because the Vendor is identified on the [OFAC Specially Designated Nationals and Blocked Persons list](#). However, the Vendor is engaged in activity related to Russia and/or Belarus consistent with federal law, regulation, license or exemption. A detailed description of how the Vendor’s activity related to Russia and/or Belarus is consistent with federal law is set forth below.

(Attach Additional Sheets If Necessary.)

Signature of Vendor's Authorized Representative

Date

Print Name and Title of Vendor's Authorized Representative

Vendor's FEIN

Vendor's Name

Vendor's Phone Number

Vendor's Address (street address)

Vendor's fax number

Vendor's Address (City/State/Zip Code)

Vendor's email address

i Vendor means: (1) A natural person, corporation, company, limited partnership, limited liability partnership, limited liability company, business association, sole proprietorship, joint venture, partnership, society, trust, or any other nongovernmental entity, organization, or group; (2) Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in Section 1701(c)(3) of the International Financial Institutions Act, 22 U.S.C. 262r(c)(3); or (3) Any parent, successor, subunit, direct or indirect subsidiary, or any entity under common ownership or control with, any entity described in paragraph (1) or (2).

BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY

April 1st to December 31st, 2026 – CLEANING SERVICES

SIGNATURE PAGE

TO BOROUGH OF OCEANPORT

The undersigned having carefully examined the RFP/RFQ Documents together with any addenda issued thereto, hereby proposes to furnish all labor and materials, equipment, operations and incidentals, and to perform all services required in connection with the July 1st to December 31st, 2025 BOROUGH TURF FIELD SPORTS CONSULTANT, in accordance with the Proposal Documents and to the full and entire satisfaction of the Borough. The undersigned further declares that he/she understands the scope of work and will complete the work within the prescribed time.

NAME OF THE PROPOSER: _____

NAME OF AUTHORIZED SIGNATORY: _____

AUTHORIZED SIGNATORY SIGNATURE: _____

DATE: _____

CONTACT ADDRESS: _____

PHONE #: _____

E-MAIL ADDRESS: _____

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AMENDING RESOLUTION #2024-109 APPOINTING MICHAEL A. THULEN, JR AS
CONSTRUCTION OFFICIAL FOR THE BOROUGH OF OCEANPORT**

Resolution #2026-85

02/26/2026

WHEREAS, on April 4, 2024, the Governing Body of the Borough of Oceanport approved Resolution #2024-109 appointing Michael A. Thulen, Jr. as Construction Official for the Borough of Oceanport; and

WHEREAS, said Resolution did not include an appointment term as required by N.J.S.A. 52:27D-126.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey that Resolution #2024-109 is hereby amended to reflect Mr. Thulen's appointment as Construction Official to a four-year term effective April 4, 2024; and

BE IT FURTHER RESOLVED that the amendment of Resolution #2024-109 brings Mr. Thulen's appointment as Construction Official in compliance with N.J.S.A. 52:27D-125; and

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Borough Administrator, Chief Financial Officer, Construction Official and payroll clerk.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-85 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026.

STEPHANIE KRAMER
ACTING BOROUGH CLERK

RESOLUTION AMENDING RESOLUTION 2025-44 CLARIFYING POSITION OF JOHN PALMER AS PLUMBING SUB-CODE OFFICIAL

Resolution 2026-86
02/26/2026

WHEREAS, John Palmer was appointed part-time Plumbing Sub-Code Official in 2007 and has continued to serve in this position since 2007; and

WHEREAS, on January 16, 2025 the Governing Body adopted Resolution 2025-44 reappointing Mr. Palmer as Plumbing Sub-Code Official under the revised salary and hours as reflected in Resolution 2025-44; and

WHEREAS, the appointment and reappointment of Mr. Palmer did not clarify his terms as required by N.J.S.A. 52:27D-126.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oceanport that John Palmer has served as Plumbing Sub-Code Official since 2007; and

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Oceanport that Resolution 2025-44 reappointing John Palmer as Plumbing Sub-Code Office is hereby amended to clarify his original appointment in 2007, with tenure, as required by N.J.S.A. 52:27d-126.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Construction Official, Borough Administrator and John Palmer.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-86 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026.

STEPHANIE KRAMER
ACTING BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING AN EXCEPTION PURSUANT TO CHAPTER 267-4, NOISE EXCEPTIONS FOR
THE NURSES QUARTERS DEVELOPMENT**

**Resolution #2026-87
2/26/26**

WHEREAS, RPM Contracting has been awarded the contract for Nurses Quarters Development; and

WHEREAS, RPM Contracting has requested relief from the Borough's Noise Ordinance that prohibits outdoor construction between 10 pm and 8 am to provide continuity with its work force planning and to minimize project time impacts by modifying the anticipated work time from 7:00 am to 4:30 pm; and

WHEREAS, granting the exception pursuant to Chapter 267-4 which states that any public works project is not subject to the prohibitions with prior approval of the Mayor and Council when deemed to be in the public's welfare, safety and for the public good; and

WHEREAS, the Mayor and Council having reviewed the request and heard input from the public and surrounding neighbors have determined to limit the exception to allow work on weekdays to begin at 7:00 a.m. and with all other work complying with the Borough's Noise ordinance; and

WHEREAS, the Mayor & Council have determined that expansion of the weekday work hours will reduce the overall number of days of construction and imposition on the residents and find it to be for the public good,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that RPM Contracting is hereby granted a limited exception to the Noise Ordinance in accordance with Chapter 267-4 to allow work on weekdays to begin at 7:00 a.m. and, all other work shall comply with the Borough's Noise ordinance for the duration of work related to the Nurses Quarters Development.

BE IT FURTHER RESOLVED, that the Borough reserves the right to rescind this approval at any time.

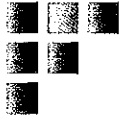
Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-87 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026.

STEPHANIE KRAMER
ACTING BOROUGH CLERK



February 20, 2026

To,
Mayor/
Borough of Oceanport
900 Oceanport way, Oceanport, NJ

**Subject: Request for Approval of 7:00 AM Construction Start Time(Nurses
Quarters Development)**

We respectfully request approval to begin construction activities at 7:00 AM each working day. Allowing an earlier start time will help us increase daily productivity, improve sequencing of trades, and mitigate potential schedule delays.

This adjustment will directly support our commitment to complete the project within the planned construction duration and ensure timely completion of our commitment to FMERA, while maintaining the approved budget parameters.

All work will continue to comply with applicable local regulations, site safety requirements, and noise control standards. We will also coordinate closely to minimize any disruption to neighboring properties. Please let us know if you require any additional documentation or formal application to process this request. We appreciate your consideration and look forward to your approval.

Sincerely,

APM - Viresh Parekh
RPM Contracting LLC (Signal Point LP)
77 Park Street
Montclair NJ 07042

**RESOLUTION OF THE BOROUGH OF OCEANPORT URGING THE LEGISLATURE TO
DEFEAT S-5028 / A-6301 WHICH WOULD REDUCE THE MINIMUM REQUIRED ANNUAL
THOROUGHBRED HORSE RACING DATES AT MONMOUTH PARK FROM 50 TO 25 DAYS**

Resolution #2026-88

02/26/2026

WHEREAS, Senate Bill No. S-5028 and Assembly Bill No. A-6301 propose amendments to New Jersey law that would reduce the minimum number of annually required thoroughbred horse racing dates from fifty (50) to twenty-five (25) under certain circumstances; and

WHEREAS, thoroughbred horse racing has long been an important economic, cultural, and historical component of the State of New Jersey and the Monmouth County region, including the presence of Monmouth Park Racetrack; and

WHEREAS, the horse racing industry supports thousands of jobs statewide and contributes significantly to local economies through tourism, hospitality, agriculture, and related businesses; and

WHEREAS, the Borough Council of the Borough of Oceanport is concerned that the proposed legislation may result in unintended economic harm to residents and businesses in Oceanport and within the surrounding region; and

WHEREAS, the bills fail to adequately consider the impact that reduced racing activity may have on the ongoing care, training, stabling, and welfare of thoroughbred horses and the facilities required to properly maintain them; and

WHEREAS, the Borough Council of the Borough of Oceanport believes that Senate Bill No. S- 5028 and Assembly Bill No. A-6301 will have negative results and cause tremendous harm to equine associated services, professions, veterinarians and workers; and

WHEREAS, Oceanport Borough further believes the reduction of racing days will jeopardize the future of Monmouth Park Racetrack and have a negative impact on the long-term redevelopment potential of the Monmouth Park Racetrack property.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Oceanport urges the New Jersey Legislature to reject S-5028 / A-6301 and instead work collaboratively with municipalities, the Thoroughbred Breeders Association of New Jersey, the New Jersey Horseman's Association, Monmouth Park, Darby Development, the Department of Agriculture, and the New Jersey Farm Bureau to strengthen and promote the long term future benefits and viabilities of New Jersey's equine industry, and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to Governor Mikie Sherrill, Senator Declan O'Scanlon, Assemblywoman Victoria Flynn and Assemblyman Gerry Scharfenberger, Monmouth County Commissioners, and The New Jersey League of Municipalities.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-88 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026.

STEPHANIE KRAMER
ACTING BOROUGH CLERK

BOROUGH OF OCEANPORT
ORDINANCE #1119-
AFFORDABLE HOUSING ORDINANCE IMPLEMENTING THE FOURTH
ROUND HOUSING PLAN ELEMENT AND FAIR SHARE PLAN

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter "Amended FHA" or "Act") establishing the statutory calculation of the state-wide fair share obligation for the Fourth Round of affordable housing for the time period 2025-2035; and

WHEREAS, the Amended FHA requires the Department of Community Affairs ("DCA") to provide its calculation of every municipality's Fourth Round fair share affordable housing obligations based upon the criteria on the Amended FHA and the DCA issued a report on October 18, 2024 (the "DCA Report") wherein it supplied its calculation of the fair share affordable housing obligation for all municipalities, including the Borough of Oceanport; and

WHEREAS, the DCA Report calculated Oceanport's Fourth Round fair share obligations as follows: Present Need (Rehabilitation) Obligation of 0 units and a Fourth Round Prospective Need (New Construction) Obligation of 61 affordable housing units; and

WHEREAS, the Borough of Oceanport (the "Borough" or "Oceanport") having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the "Program") and a declaratory judgment action bearing the caption, In the Matter of the Borough of Oceanport, Superior Court of New Jersey, Law Division, Docket No. MON-L-239-25 on January 21, 2025; and

WHEREAS, the Borough having filed its Housing Element and Fair Share Plan on June 4 2025 (the "HEFSP"); and

WHEREAS, FSHC having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Borough's HEFSP on August 31, 2025; and

WHEREAS, the Borough having entered into Mediation Agreement with Fair Share Housing Center which requires the Borough to adopt Fourth Round implementing ordinances in conformance with current statutes and regulation; and

WHEREAS, the Borough Council of the Borough of Oceanport believes it is in the best interest of the Borough to adopt the Fourth Round implementing ordinances in order to obtain compliance certification from the Program/Court thereby protecting the Borough from exclusionary zoning litigation for ten years until 2035.

NOW, THEREFORE, BE IT RESOLVED By The Borough Council of the Borough of Oceanport, County of Monmouth, State of New Jersey, that it hereby repeals Chapter 108 Affordable Housing ,Article I Fair Share Provisions and Affordability Controls Sections 108-1 through Section 108 2 and Section 108-4 through Section 108-21 and replaces it with the following:

§108-1

A. Introduction & Applicability

1. This section of the Code sets forth regulations regarding the very low-, low- and moderate-income housing units in Borough of Oceanport 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-302 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 Oceanport Borough 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.

§108-2

B. 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-302 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-302 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 are 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.

§108-3

C. 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.

§108-4

D. Municipality-wide Mandatory Set-Aside

1. A development, other than single-family detached, providing a minimum of five new housing units created through any municipal rezoning or Zoning Board action, use or density variance, redevelopment plan, or rehabilitation plan that provides for densities at or above six units per acre, is required to include an affordable housing set-aside of 20%.
2. Any affordable units generated through such mandatory set-aside shall be subject to all other provisions of this ordinance.
3. All such affordable units shall be governed by this ordinance the controls on affordability, including bedroom distribution, and affirmatively marketed to the housing region in conformance with UHAC at N.J.A.C. 5:80-26.1 et seq., any successor regulation, and all other applicable laws.
4. No subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement. Developers cannot, for example, subdivide a project into two lots and then make each of them a number of units just below the threshold.
5. The mandatory set-aside requirements of this section do not give any developer the right to any rezoning, variance or other relief, or establish any obligation on the part of the municipality to grant such rezoning, variance or other relief.
6. This municipality-wide mandatory set-aside requirement does not apply to any sites or specific zones otherwise identified in the HEFSP, for which density and set-aside requirements shall be governed by the specific standards as set forth therein.
7. In the event that the inclusionary set-aside of 20% of the total number of residential units does not result in a full integer, the developer shall round the set-aside upward to construct a whole additional affordable unit.

§108-5

- E. 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-302 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.A.C. 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 to the nearest whole number shall be very low- or low-income units.
 - c. Within rental developments, of the total number of affordable rental units, at least 13%, rounded up to the nearest whole number, shall be affordable to very low-income households. The very low-income units shall be distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count, and counted as part of the required number of low-income units within the development.
 - d. Affordable housing developments that are not age-restricted or supportive housing shall be structured such that:
 - i. At a minimum, the number of bedrooms within the restricted units equals twice the number of restricted units;
 - ii. Two-bedroom and/or three-bedroom units compose at least 50 percent of all restricted units;
 - iii. The combined number of efficiency and one-bedroom units shall be no greater than 20%, rounded down, of the total number of low- and moderate-income units.
 - iv. At least 30% of all low- and moderate-income units, rounded up shall be two-bedroom units.
 - v. At least 20% of all low- and moderate-income units, rounded up shall be three-bedroom units.
 - vi. The remaining units may be allocated among two- and three- bedroom units at the discretion of the developer.
 - e. Affordable housing developments that are age-restricted or supportive housing, except those supportive housing units whose sponsoring program determines the unit arrangements, shall be structured such that, at a minimum, the number of bedrooms shall equal the number of age-restricted or supportive housing low- and moderate-income units within the inclusionary development. Supportive housing units whose sponsoring program determines the unit arrangement shall comply with all requirements of the sponsoring program. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit. In affordable housing developments with 20 or more restricted units that are age-restricted or supportive housing, two-bedroom units must comprise at least 5% of those restricted units.
6. Accessibility requirements.
- a. Any new construction shall be adaptable; however, elevators shall not be required in any building or within any dwelling unit for the purpose of compliance with this section. In buildings without elevator service, only ground floor dwelling units shall be required to be constructed to conform with the technical design standards of the barrier free subcode. "Ground floor" means the first floor with a dwelling unit or portion of a dwelling unit, regardless of whether that floor is at grade. A building may have more than one ground floor.
 - b. Notwithstanding the exemption for townhouse dwelling units in the barrier free subcode, the first floor of all townhouse dwelling units and of all other multifloor 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.

§108-6

F. 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. 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.

§108-6

G. 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.

H. 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.
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.

§108-7

I. 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 4 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 4 comprising Monmouth, Mercer and Ocean Counties.
 - c. Subordinate to the regional preference, there shall be a preference for households that live and/or work in New Jersey.
 - d. With respect to existing restricted units undergoing approved rehabilitation for the purpose of preservation or to restricted units newly created to replace existing restricted units undergoing demolition, a preference for the very-low-, low-, and moderate-income households that are displaced by the rehabilitation or demolition and replacement.
4. The municipality has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Process, including the marketing of initial sales and rentals and resales and re-rentals. The Administrative Agent designated by the municipality shall implement the Affirmative Marketing Process to ensure the Affirmative Marketing of all affordable units, with the exception of affordable programs that are exempt from Affirmative Marketing as noted herein.

5. The Affirmative Marketing Process shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Process, the Administrative Agent shall consider the use of language translations where appropriate.
 6. Applications for affordable housing or notices thereof, if offered online, shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and municipal library in the municipality in which the units are located; and the developer's rental or sales office. The developer shall mail applications to prospective applicants upon request and shall make applications available through a secure online website address.
 7. In addition to other Affirmative Marketing strategies, the Administrative Agent shall provide specific notice of the availability of affordable housing units on the New Jersey Housing Resource Center website. Any other entities, including developers or persons or companies retained to implement the Affirmative Marketing Process, shall comply with this paragraph.
 8. In implementing the Affirmative Marketing Process, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
 9. The Affirmative Marketing Process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy.
 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.
- J. 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.
- K. 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.
- L. 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.

§108-8

M. 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.
- N. 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
- O. 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.

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).

P. 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.

Q. 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.

R. 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.

§108-9

S. Municipal Housing Liaison.

- 1. The Municipal Housing Liaison shall be approved by municipal resolution.
- 2. The Municipal Housing Liaison shall be approved by the Division, or is in the process of getting approval, and fully or conditionally meets the requirements for qualifications, including initial and periodic training as set forth in N.J.A.C. 5:99-1 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.

§108-10

T. 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.
- U. 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.

§108-11

V. 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 \$500 or imprisonment for a period not to exceed 90 days, or both, unless otherwise specified below, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;
 - ii. In the case of an owner who has rented his or her 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.

BE IT FURTHER RESOLVED Article II Development Fees, Sections 108-22 through 108-31 are hereby repealed and replaced with the following:

§108-12

W. Development Fees.

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.

§108-13

2. Basic Requirements

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

§108-14

3. Residential Development Fees

- a. Imposed fees
 - i. Residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.0% of the equalized assessed value for residential development, provided no increased density is permitted..
 - ii. When an increase in residential density is permitted pursuant to a "d" variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a "bonus" development fee of 6.0% of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus

development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

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

- b. Eligible exactions, ineligible exactions and exemptions for residential development
 - i. Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made an eligible payment in lieu of on-site construction of affordable units, if permitted by ordinance, or by agreement with the municipality and if approved by a municipality prior to the statutory elimination of payments in-lieu on March 20, 2024 per P.L.2024, c.2, shall be exempt from development fees.
 - ii. Developments that have received preliminary or final site plan approval prior to the adoption of this ordinance and any preceding ordinance permitting the collection of development fees shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where a site plan approval does not apply, the issuance of a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for the purpose of determining the right to an exemption. In all cases, the applicable fee percentage shall be determined based upon the development fee ordinance in effect on the date that the construction permit is issued.
 - iii. Nonprofit organizations constructing residential projects which have received tax-exempt status pursuant to Section 501(c)(3) of the Internal Revenue Code, providing current evidence of that status is submitted to the Municipal Clerk, together with a certification that services of the organization are provided at reduced rates to those who establish an inability to pay existing charges, shall be exempted from paying a development fee.
 - iv. Federal, state, county and local governments shall be exempted from paying a development fee.
 - v. No development fee shall be collected for the demolition and replacement of a residential building resulting from a fire or natural disaster.

§108-15

4. Non-Residential Development Fees

- a. Imposition of fees
 - i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to 2.5% of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.

- ii. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
 - iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvements and the equalized assessed value of the newly improved structure; i.e., land and improvements; and such calculation shall be made at the time a final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.
- b. Eligible exactions, ineligible exactions and exemptions for non-residential development
 - i. The non-residential portion of a mixed-use inclusionary or market-rate development shall be subject to a 2.5% development fee, unless otherwise exempted below.
 - ii. The 2.5% fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
- c. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.
- d. A developer of a non-residential development exempted from the non-residential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
- e. If a property that was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the municipality as a lien against the real property of the owner.

§108-16

5. Collection Procedures

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

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

- c. The construction official responsible for the issuance of a building permit shall notify the tax assessor of the issuance of the first construction permit for a development that is subject to a development fee.
 - d. Within 90 days of receipt of that notice, the tax assessor shall provide an estimate, based on the plans filed, of the equalized assessed value of the development.
 - e. The construction official responsible for the issuance of a final certificate of occupancy shall notify the tax assessor of any and all requests for the scheduling of a final inspection on property that is subject to a development fee.
 - f. Within 10 business days of a request for the scheduling of a final inspection, the tax assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
 - g. Should the municipality fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of section 37 of P.L.2008, c.46 (N.J.S.A. 40:55D-8.6).
 - h. Fifty percent (50%) of the residential development fee shall be collected at the time of issuance of the construction permit. However, in no event shall the Borough collect more than \$5,000 at the time of issuance of the construction permit in connection with a residential development fee. 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.
 - i. The non-residential development fee shall be collected at the time of issuance of the certificate of occupancy.
6. Appeal of development fees
- a. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by that board, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
 - b. A developer may challenge non-residential development fees imposed by filing a challenge with the director of the Division of Taxation. Pending a review and determination by the director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

7. Affordable Housing Trust Fund

- a. A separate, interest-bearing Municipal Affordable Housing Trust Fund shall be maintained by the chief financial officer of the municipality for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- b. The following additional funds shall be deposited in the Municipal Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - i. Payments in lieu of on-site construction of an affordable unit, where previously permitted by ordinance or by agreement with the municipality and if approved by a municipality prior to the statutory elimination of payments in-lieu on March 20, 2024 per P.L.2024, c.2;
 - ii. Funds contributed by developers to make 10% of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
 - iii. Rental income from municipally operated units;
 - iv. Repayments from affordable housing program loans;
 - v. Recapture funds;
 - vi. Proceeds from the sale of affordable units; and
 - vii. Any other funds collected in connection with the municipal affordable housing program including but not limited to interest earned on fund deposits.
- c. The municipality shall provide the Division with written authorization, in the form of a tri-party escrow agreement(s) between the municipality, the Division and the financial institution in which the municipal affordable housing trust fund has been established to permit the Division to direct the disbursement of the funds as provided for in N.J.A.C. 5:99-2.1 et seq.
- d. Occurrence of any of the following deficiencies may result in the Division requiring the forfeiture of all or a portion of the funds in the municipal Affordable Housing Trust Fund:
 - i. Failure to meet deadlines for information required by the Division in its review of a development fee ordinance;
 - ii. Failure to commit or expend development fees within four years of the date of collection in accordance with N.J.A.C. 5:99-5.5;
 - iii. Failure to comply with the requirements of the Non-Residential Development Fee Act and N.J.A.C. 5:99-3;
 - iv. Failure to submit accurate monitoring reports pursuant to this subchapter within the time limits imposed by the Act, this chapter, and/or the Division;
 - v. Expenditure of funds on activities not approved by the Superior Court or otherwise permitted by law;
 - vi. Revocation of compliance certification or a judgment of compliance and repose;
 - vii. Failure of a municipal housing liaison or administrative agent to comply with the requirements set forth at N.J.A.C. 5:99-6, 7, and 8;

- viii. Other good cause demonstrating that municipal affordable housing funds are not being used for an approved purpose.
- e. All interest accrued in the housing trust fund shall only be used on eligible affordable housing purposes approved by the Court.

§108-18

8. Use of Funds

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

§108-19

9. Monitoring

- a. On or before February 15 of each year, the municipality shall provide annual electronic data reporting of trust fund activity for the previous year from January 1st to December 31st through the 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.

10. Ongoing Collection of Fees

- a. The ability to impose, collect and expend development fees shall continue so long as the municipality retains authorization from the Court in the form of Compliance Certification or the good faith effort to obtain it.
- b. If the municipality fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the New Jersey Affordable Housing Trust Fund established pursuant to section 20 of P.L.1985, c.222 (C. 52:27D-320).

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

Repealer

All ordinances or code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Severability

If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

Effective Date

This ordinance shall take effect upon its passage and publication, as required by law.

APPROVED ON FIRST READING

DATED: February 12, 2026

STEPHANIE KRAMER

Acting Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED:

STEPHANIE KRAMER

Acting Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____

THOMAS J. TVRDIK

Mayor

**AN ORDINANCE OF THE BOROUGH OF OCEANPORT
ORDINANCE #1120**

**TO AMEND CHAPTER 390-14 “Zoning”, TO ADD
THE R-5 AFFORDABLE HOUSING OVERLAY (R-5 AHO) ZONE.**

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey that Chapter 390 (Zoning) of the Code of the Borough of Oceanport is hereby amended or supplemented as follows:

PURPOSE

The purpose of this Ordinance is to Amend *Chapter 390-14 of Zoning* to add a Section 390-14.D R-5 Affordable Housing Overlay District (R-5 AHO).

Unless otherwise indicated these regulations and standards are the only standards that apply to this zoning district.:

SECTION 1

That Chapter 390, Zoning, Section 390-14.D R-5 Affordable Housing Overlay (R-5 AHO) shall be added as follows:

390-14 D R-5 Affordable Housing Overlay (R-5 AHO)

- a. Purpose: The R-5 AHO Zone is intended to provide an option through overlay zoning for 100% affordable housing residential units.
- b. Location. The R-5 AHO Zone is applicable to Block 110, Lot 17.
- c. Permitted uses. The following principal uses shall be permitted provided all units are affordable to very-low, low and moderate income households in accordance with the Borough’s Affordable Housing Ordinance:
 1. Two-Family Residences.
 2. Supportive and Special Needs housing.
- d. Accessory Uses Permitted. Accessory uses and structures customarily incidental and subordinate to any permitted principal use or structures.

e. Development Standards

1. Maximum units: Up to Eight (8) units within up to four (4) two-family structures.
2. Maximum height: 2.5 stories or 35 feet.
3. Maximum building coverage: 65%
4. Maximum lot coverage: 80%
5. Minimum front yard setback: 30 feet
6. Minimum side yard setback: 10 feet
7. Minimum rear yard setback: 10 feet
8. Affordable Housing.
 - a. Affordable units in said projects must be affordable to very-low- and moderate-income households in accordance with the Borough's Affordable Housing Ordinance, the Borough's Housing Element and Fair Share Plan, any applicable Order of the Court (including a Judgment of Compliance and Repose Order), the Fair Housing Act, N.J.S.A. 52:27D-301, et. seq. ("FHA"), Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC"), and applicable New Jersey Council on Affordable Housing (COAH) Prior Round regulations, N.J.A.C. 5:93-1 et seq.
 - b. The affordable housing shall include standards for the split between low and moderate income housing providing a minimum of thirteen percent (13%) of the affordable units within each bedroom distribution as very low-income units at thirty percent (30%) of the median income, thirty-seven percent (37%) of the affordable units within each bedroom distribution as low-income units, with the fifty percent (50%) balance of units within each bedroom distribution allowed to be moderate-income units

Effective Date

This ordinance shall take effect upon its passage and publication, as required by law.

APPROVED ON FIRST READING

DATED: February 12, 2026

STEPHANIE KRAMER

Acting Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED:

STEPHANIE KRAMER

Acting Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____

THOMAS J. TVRDIK

Mayor

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE GOVERNING BODY TO ENTER EXECUTIVE SESSION**

**Resolution #2026-89
02-26-26**

WHEREAS, the Mayor & Council of the Borough of Oceanport are subject to the requirements of the Open Public Meeting Act N.J.S.A. 10:4-6 et seq.; and

WHEREAS, the Open Public Meetings Act of the State of New Jersey generally requires that all meetings of public bodies be open to the public; and

WHEREAS, the Open Public Meetings Act further provides that a public body may exclude the public from a portion of a meeting at which time the public body discusses items enumerated in the Open Public Meetings Act at N.J.S.A. 10:4-12b, which items are recognized as requiring confidentiality; and

WHEREAS, it is necessary and appropriate for the Mayor & Council of the Borough of Oceanport to discuss certain matters in a meeting not open to the public consistent with N.J.S.A. 10:4-12b.

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Council of the Borough of Oceanport, pursuant to the Open Public Meetings Act of the State of New Jersey, as follows:

- 1.) The Mayor & Council shall hold a closed meeting from which the public shall be excluded on **February 26, 2026**
- 2.) The general nature of the subjects to be discussed at said closed meeting shall be related to

<u> </u> N.J.S.A. 10:4-12(b)(1)	<i>Matters Required by Law to be Confidential</i>
<u> </u> N.J.S.A. 10:4-12(b)(2)	<i>Matters Where the Release of Information Would Impair the Right to Receive Funds</i>
<u> </u> N.J.S.A. 10:4-12(b)(3)	<i>Matters Involving Individual Privacy</i>
<u> X </u> N.J.S.A. 10:4-12(b)(4)	<i>Matters Relating to Collective Bargaining and Contract Agreements</i>
<u> X </u> N.J.S.A. 10:412(b)(5)	<i>Matters Relating to the Purchase, Lease or Acquisition of Real Property-Open Space</i>
<u> </u> N.J.S.A. 10:4-12(b)(6)	<i>Matters Relating to Public Safety and Property</i>

<u> X </u> N.J.S.A. 10:4-12(b)(7)	<i>Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege-Affordable</i>
<u> X </u> N.J.S.A. 10:4-12(b)(8)	<i>Matters Relating to the Employment Relationship</i>
<u> </u> N.J.S.A. 10:4-12(b)(9)	<i>Matters Relating to the Potential Imposition of a Penalty</i>

3.) The minutes of said closed meeting shall be made available for disclosure to the public consistent with N.J.S.A. 10:4-13, when the items which are subject of the closed session discussion are resolved and a reason for confidentiality no longer exists.

BE IT FURTHER RESOLVED that formal action may be taken after the Executive Session.

Motion:

Second:

	YES	NO	ABSTAIN	ABSENT
ROLL CALL				
Deerin	()	()	()	()
Gallo	()	()	()	()
Keeshen	()	()	()	()
Manna	()	()	()	()
O'Brien	()	()	()	()
Cooper	()	()	()	()
Tvrdik	()	()	()	()

I certify this to be a true copy of Resolution #2026-89 approved by the Oceanport Borough Council at the Regular Meeting held February 26, 2026

STEPHANIE KRAMER
ACTING BOROUGH CLERK