

ORDINANCE NO. 20-16

A BOND ORDINANCE APPROPRIATING \$1,100,000.00 AND AUTHORIZING THE ISSUANCE OF \$1,045,000.00 IN BONDS AND NOTES OF THE CITY OF OCEAN CITY FOR THE VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF OCEAN CITY, NEW JERSEY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OCEAN CITY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY, (not less than two-thirds of members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this Bond Ordinance are hereby respectively authorized as general improvements to be made or acquired by Ocean City, New Jersey for said several improvements or purposes stated in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to \$1,100,000.00 including the aggregate sum of \$55,000.00 from Capital Improvement Fund as the several down payments for said improvements for purposes required by law and more particularly described in Section 3 and now available therefore by virtue of a provision in a previously adopted budget or budgets of the City for down payment or for capital improvement or purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,100,000.00 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the City of Ocean City are hereby authorized to be issued in the principal amount of \$1,045,000.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding \$1,045,000.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriations made for an estimated cost of each purpose (in each case, including all work or materials necessary therefore or incidental thereto, and as shown on and in accordance with the plans and specifications therefore on file in the Office of the City Clerk and hereby approved), and the estimated maximum amounts of bonds or notes to be issued for each such purpose, are respectively as follows:

SEE ATTACHED SECTION 3

The excess of the appropriations made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared and recited as stated:

(a) The said purposes described in Section 3 of this Bond Ordinance are not current expenses and are each a property or improvement which the City may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specifically assessed on property specifically benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance is 40.00 years.

(c) The supplemental debt statement required by the said law has been duly made and filed in the Office of the City Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statements show that the gross debt of the City as defined in said law is increased by the authorization of the bonds and notes provided for in this Bond Ordinance by \$1,045,000.00 and the said obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$200,000.00 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering cost and other items of expense listed in and permitted under Section 40A:2-20 of said Law, may be included as part of the cost of said improvements are included in the foregoing estimate therefore.

Section 5. The funds from time to time received by the City on account of any grant or monies referred to in Section 1 of this Bond Ordinance shall be used for financing the improvement or purpose described in Section 3 of this Bond Ordinance, by application thereof, either to direct payment of the costs of said improvements or purpose, or to payment or reduction of the amount of the obligations of the City authorized by this Bond Ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the City as funds applicable only to the payment of obligations of the City authorized by this Bond Ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer; provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this Ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such terminations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver the same to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Administrator and Council at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this Ordinance is made. Such report must include the amount, the description, the interest rate, the maturity schedule of the notes sold, and price obtained and the name of the purchaser.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. The Chief Financial Officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable property within the City for the payment of said obligations and interest thereon without limitations of rate or amount.

Section 10. The Capital Budget of the City of Ocean City is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistencies created hereby. To the extent of any inconsistencies, a revised budget has been filed with the Division of Local Government Services.

Section 11. The Bond Ordinance shall take effect twenty (20) days after first publication thereof after final adoption, as provided by said Local Bond Law.

Jay A. Gillian, Mayor

Robert Barr, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the 5th day of November, 2020 and was taken up for a second reading and final passage at a meeting of said Council held on the 19th day of November, 2020 in the Stainton Senior Center City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

Melissa Rasner, City Clerk

Section 3 of Bond Ordinance 20-16

<u>Improvement or Purpose</u>	<u>Improvement Authorization</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Useful Life</u>
(A) Improvement by construction, rehabilitation, and repair of public buildings including but not limited to architectural design development of a new Public Safety Building	\$ 1,100,000	\$ 1,045,000	40
	<u>\$ 1,100,000</u>	<u>\$ 1,045,000</u>	<u>40.00</u>

ORDINANCE NO. 20-17

CAPITAL ORDINANCE APPROPRIATING IMPROVEMENT
AUTHORIZATIONS IN THE AMOUNT OF \$645,000.00 BY THE
UTILIZATION OF \$645,000.00 FROM CAPITAL RESERVE FOR DEBT SERVICE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OCEAN CITY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY, (not less than two-thirds of members thereof affirmatively concurring) AS FOLLOWS:

Section 1.

The City of Ocean City, in the County of Cape May, New Jersey (the "City") hereby appropriates the aggregate amount of \$715,000 from Capital Reserve for debt service for the following improvements, which are hereby authorized to be undertaken by the City:

- | | | |
|------|--|---------------------|
| (A.) | Improvements to the City's beachfront including beach mats for pathways and to improve ADA access. | \$80,000.00 |
| (B.) | Acquisition by public purchase of the following vehicles and equipment including but not limited to three Police SUV's, one Beach Patrol pickup truck and one ATV, three Operations and Engineering pickup trucks, and one Operations and Engineering SUV. | \$432,000.00 |
| (C.) | Acquisition of the following departmental equipment, including but not limited to, Fire/EMS replacement equipment, patrol bikes, body cameras and a license plate reader for the Police Department, and blowers and mowers for Operations and Engineering. | \$93,000.00 |
| (D.) | Intermodal improvements including parking meter and parking lot upgrades. | \$40,000.00 |
| | TOTAL | <u>\$645,000.00</u> |

Section 2. The following additional matters are hereby determined, declared and recited as stated:

- (A.) The said improvements described in Section 1 of this Capital Ordinance are not current expenses and are improvements which the City may lawfully acquire or make as general improvements, and no part of the cost thereof has been or shall be specifically assessed on property specifically benefited thereby.

Section 3.

The Capital Budget of the City is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistencies created hereby.

Section 4.

This Ordinance shall take effect after final adoption and publications and, otherwise as provided by applicable law.

Jay A. Gillian, Mayor

Robert Barr, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the 5th day of November, 2020 and was taken up for a second reading and final passage at a meeting of said Council held on the 19th day of November, 2020 in the Stainton Senior Center City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

Melissa Rasner, City Clerk

ORDINANCE NO. 20-15

**AN ORDINANCE AUTHORIZING THE CITY OF OCEAN CITY
TO ACCEPT CONVEYANCE OF ROUTE 52 CAUSEWAY PARCELS FROM THE NEW
JERSEY DEPARTMENT OF TRANSPORTATION
PARCELS V12B, V12C, V12D, V12RB, V13B, V13RB, V13RC AND V16RB
OCEAN CITY, NEW JERSEY**

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

Section 1.

The City of Ocean City is hereby authorized to acquire, for public purposes, at no consideration, property on the Route 52 Causeway known as Parcels V12B, V12C, V12D, V12RB, V13B, V13RB, V13RC AND V16RB, Ocean City, New Jersey from the New Jersey Department of Transportation, which parcels are part of the existing right of way of Route 52 (1953) and part of Parcels 12, 12R, a3 and 16R as shown on "new Jersey State Highway Department, General Property Key Map, Ocean City-Somers Point Bridge and Approaches, Showing Existing Right Of Way And Parcels To Be Acquired In The City of Somers Point, and City of Ocean City, Atlantic County and Cape May County, May-7-1932"; and which parcels were acquired by the New Jersey Department of Transportation under "New Jersey State Highway Department, General Property Key Map, Ocean City-Somers Point Bridge and Approaches, Showing Existing Right Of Way And Parcels To Be Acquired In The City of Somers Point, and City of Ocean City, Atlantic County and Cape May County, May-7-1932.". The City's authority to accept this conveyance is set forth in *N.J.S.A. 40A:12-*

5.

Section 2.

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

Section 3.

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

Section 4.

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

Jay A. Gillian, Mayor

Robert S. Barr, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the 22nd day of October, 2020 and was taken up for a second reading and final passage at a meeting of said Council held on the 5th day of November, 2020 in the Stainton Senior Center City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

Melissa Rasner, Clerk

ORDINANCE NO. 20-14

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE REVISED ORDINANCES OF THE CITY OF OCEAN CITY **GUARANTEES AND IMPROVEMENT PROCEDURES**

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

Section 1

Article 1600 Guarantees and Improvement Procedures of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby deleted, superseded and replaced by the following:

25-1600.1 Performance Guarantee.

25-1600.1.1 Guarantees required; surety; release.

a. Before filing of final subdivision plats or recording of minor subdivision deeds or as a condition of final site plan approval or as a condition to the issuance of a zoning permit pursuant to subsection d. of section 52 of P.L.1975, c.291 (C.40:55D-65), the municipality may require and shall accept in accordance with the standards adopted by ordinance and regulations adopted pursuant to section 1 of P.L.1999, c.68 (C.40:55D-53a) for the purpose of assuring the installation and maintenance of certain on-tract improvements, the furnishing of a performance guarantee, and provision for a maintenance guarantee in accordance with paragraphs "a" through "m of this subsection, and Section 25-1600.9 paragraphs "a" through "c." If a municipality has adopted an ordinance requiring a successor developer to furnish a replacement performance guarantee, as a condition to the approval of a permit update under the State Uniform Construction Code, for the purpose of updating the name and address of the owner of property on a construction permit, the governing body may require and shall accept in accordance with the standards adopted by ordinance and regulations adopted pursuant to section 1 of P.L.1999, c.68 (C.40:55D-53a) for the purpose of assuring the installation and maintenance of certain on-tract improvements, the furnishing of a performance guarantee, and provision for a maintenance guarantee, in accordance with paragraphs "a" through "m of this subsection, and Section 25-1600.9 paragraphs "a" through "c."

b. If required by ordinance, the developer shall furnish a performance guarantee in favor of the municipality in an amount not to exceed 120% of the cost of installation of only those improvements required by an approval or developer's agreement, ordinance, or regulation to be dedicated to a public entity, and that have not yet been installed, which cost shall be determined by the municipal engineer, according to the method of calculation set forth in section 15 of P.L.1991, c.256 (C.40:55D-53.4), for the following improvements as shown on the approved plans or plat: streets, pavement, gutters, curbs, sidewalks, street lighting, street trees, surveyor's monuments, as shown on the final map and required by "the map filing law," P.L.1960, c.141 (C.46:23-9.9 et seq.; repealed by section 2 of P.L.2011, c.217) or N.J.S.46:26B-1 through N.J.S.46:26B-8, water mains, sanitary sewers, community septic systems, drainage structures, public improvements of open space, and any grading necessitated by the preceding improvements.

c. The municipal engineer shall prepare an itemized cost estimate of the improvements covered by the performance guarantee, which itemized cost estimate shall be appended to each performance guarantee posted by the obligor.

d. A municipality may also require a performance guarantee to include, within an approved phase or section of a development privately-owned perimeter buffer landscaping, as required by local ordinance or imposed as a condition of approval.

e. At the developer's option, a separate performance guarantee may be posted for the privately-owned perimeter buffer landscaping.

f. Such guarantee shall assure the installation of such improvements on or before an agreed date, guarantee the completion of all improvements without damage to or interference with adjacent properties or public facilities, and hold the City Council and the Approving Authority and their employees and agents harmless with respect to any acts of the developer, its agents, successors, or assigns.

g. Such performance guarantee may be in the form of cash, certified check, negotiable securities, a performance bond issued by a bonding company or surety company approved by the Approving Authority Attorney, or any other type of surety acceptable to and approved by the Approving Authority Attorney provided that at least ten percent (10%) of the performance guarantee shall be in the form of cash or certified check drawn on an insured banking institution in the State of New Jersey; provided, however, that all rights to said ten percent (10%) portion including the right to interest with dividends, be assigned to the City in a form of assignment acceptable to the Approving Authority Attorney for a period of the bond and that the principal amount be returned to the developer upon completion of the bonded improvements together with two-thirds (2/3) of earned interest, or in the event of default, any interest and principal shall be used by and for the benefit of the City in the completion of said improvements.

(Ord. #94-16, Appx. A)

h. In the event that the developer shall seek a temporary certificate of occupancy for a development, unit, lot, building, or phase of development, as a condition of the issuance thereof, the developer shall, if required by an ordinance adopted by the municipality, furnish a separate guarantee, referred to herein as a "temporary certificate of occupancy guarantee," in favor of the municipality in an amount equal to 120% of the cost of installation of only those improvements or items which remain to be completed or installed under the terms of the temporary certificate of occupancy and which are required to be installed or completed as a condition precedent to the issuance of the permanent certificate of occupancy for the development, unit, lot, building or phase of development and which are not covered by an existing performance guarantee. Upon posting of a "temporary certificate of occupancy guarantee," all sums remaining under a performance guarantee, required pursuant to subparagraph (a) of this paragraph, which relate to the development, unit, lot, building, or phase of development for which the temporary certificate of occupancy is sought, shall be released. The scope and amount of the "temporary certificate of occupancy guarantee" shall be determined by the zoning officer, municipal engineer, or other municipal official designated by ordinance. At no time may a municipality hold more than one guarantee or bond of any type with respect to the same line item. The "temporary certificate of occupancy guarantee" shall be released by the zoning officer, municipal engineer, or other municipal official designated by ordinance upon the issuance of a permanent certificate of occupancy with regard to the development, unit, lot, building, or phase as to which the temporary certificate of occupancy relates.

i. A developer shall, if required by an ordinance adopted by the municipality, furnish to the municipality a "safety and stabilization guarantee," in favor of the municipality. At the developer's option, a "safety and stabilization guarantee" may be furnished either as a separate guarantee or as a line item of the performance guarantee. A "safety and stabilization guarantee" shall be available

to the municipality solely for the purpose of returning property that has been disturbed to a safe and stable condition or otherwise implementing measures to protect the public from access to an unsafe or unstable condition, only in the circumstance that:

1. Site disturbance has commenced and, thereafter, all work on the development has ceased for a period of at least 60 consecutive days following such commencement for reasons other than force majeure, and
2. Work has not recommenced within 30 days following the provision of written notice by the municipality to the developer of the municipality's intent to claim payment under the guarantee. A municipality shall not provide notice of its intent to claim payment under a "safety and stabilization guarantee" until a period of at least 60 days has elapsed during which all work on the development has ceased for reasons other than force majeure. A municipality shall provide written notice to a developer by certified mail or other form of delivery providing evidence of receipt.

j. The amount of a "safety and stabilization guarantee" for a development with bonded improvements in an amount not exceeding \$100,000 shall be \$5,000.

k. The amount of a "safety and stabilization guarantee" for a development with bonded improvements exceeding \$100,000 shall be calculated as a percentage of the bonded improvement costs of the development or phase of development as follows: \$5,000 for the first \$100,000 of bonded improvement costs, plus two and a half percent of bonded improvement costs in excess of \$100,000 up to \$1,000,000, plus one percent of bonded improvement costs in excess of \$1,000,000.

l. A municipality shall release a separate "safety and stabilization guarantee" to a developer upon the developer's furnishing of a performance guarantee which includes a line item for safety and stabilization in the amount required under this paragraph.

m. A municipality shall release a "safety and stabilization guarantee" upon the municipal engineer's determination that the development of the project site has reached a point that the improvements installed are adequate to avoid any potential threat to public safety.

25-1600.1.2 Increase in Amount of Performance Guarantees.

If at the time the performance guarantee is filed with the Approving Authority, the developer has not also filed with the Approving Authority proof that any other necessary performance guarantees have been filed and accepted by governmental bodies, authorities, public utility companies, and private utility companies other than the City which have jurisdiction over improvements in the site or subdivision, the amount of the performance guarantee shall be increased to reflect the cost of such improvements.

25-1600.1.3 Performance Guarantees to be in Favor of City.

All performance guarantees shall run to and be in favor of the City of Ocean City in the County of Cape May.

25-1600.1.4 Conditions.

The performance guarantee shall be approved by the City Attorney as to form, sufficiency and execution.

25-1600.1.5 Failure to Complete Improvements.

If, during the period of the performance guarantee, the developer fails to prosecute the work of completing the improvements so as not to create hazards to life, health, property or public safety,

the City may, after five (5) days' notice perform, or cause to be performed, any necessary corrective work and deduct the cost thereof from the ten percent (10%) cash or certified check portion of the guarantee. Upon notice of any such deduction, the developer shall, within ten (10) days, restore the full ten percent (10%) cash balance or his performance guarantee will be held to be void and the City may take action as if final plat approval had not been obtained.

25-1600.2 Approval of Performance Guarantees.

25-1600.2.1 Duties of Approving Authority Engineer, Approving Authority Attorney, and City Clerk.

No performance guarantees shall be presented for approval of the City until the officials listed below have performed the following and have made certification of their performance, in writing to the Approving Authority.

a. *Approving Authority Engineer.* The Approving Authority Engineer shall:

1. Where applicable, examine the plat map of a subdivision to make certain that it complies with all State laws and this Ordinance relative to the preparation and filing of maps or plans for the subdivision of land.

2. Determine those acts or things the applicant is to do to protect the City, such as to provide proper drainage, streets, curbs, signs, monuments or any other item or thing and the cost of each, as well as the maximum time he recommends granting the applicant to provide each item or all items; also, advise the applicant of the amount required to pay the City as a proper inspection, testing and administration fee.

3. Certify that the performance and inspection fees comply with Sections 25-1600.1.1.a, 25-1300.17 and 25-1300.18 and are adequate to protect the interest of the City of Ocean City.

b. *City Clerk.* The City Clerk shall:

1. Ascertain that the plat of a site plan or subdivision has been approved by the Cape May County Planning Board and the City Approving Authority.

2. Determine if the landowner is an individual, corporation, or partnership; if an individual, his full name and address, if a corporation, its correct name, date, and state of incorporation, the name of its President and Secretary and location of its principal office in this State; if a partnership, the names and addresses of all partners.

3. Give the applicant a form of the surety company bond required by the City, and all figures, dates, and detail required by Section 25-1600.2.1a. above so the same may be included in the bond to be furnished to the City;

4. Deliver to the Approving Authority Attorney:

(a) The original copy of the surety company bond of the applicant; and

(b) The Approving Authority Engineer's written certificate.

5. If there is nothing the applicant needs to do under Sections 25-1600.2.1a and 2 above the certificate shall so state and give the reason therefor.

c. *Approving Authority Attorney.* Upon receipt from the Approving Authority of the surety bond and the Engineer's certificate, the Approving Authority Attorney shall promptly examine said bond and determine whether or not it is correct in form, content and execution. If the bond is not correct, the Approving Authority Attorney shall directly notify the applicant of its short-comings. When the bond is or has been made correct, the Approving Authority Attorney shall make a written certificate to that effect to the Approving Authority. Thereupon said Approving Authority

Attorney shall deliver the bond and Approving Authority Engineer's and Approving Authority Attorney's certificates to the City Clerk.

d. *City Clerk.* Upon the receipt from the Approving Authority Attorney of the bond and certificates of the Approving Authority Engineer and Approving Authority Attorney, the City Clerk shall:

1. Collect from the applicant the proper fee or fees, if any, payable to the City in accordance with the Approving Authority certificate.
2. Place the matter of approval of bond(s) on the agenda of the next regular meeting of the Approving Authority for its consideration.
3. Submit the bond, certificate and fees to the Approving Authority at the next regular meeting of said Approving Authority.
(Ord. #94-16, Appx. A)

25-1600.2.2 Certificates - Form, Dating.

Each of said certificates shall be dated and written in letter form upon the stationery of the maker or of the City and signed by him or his authorized agent or representative.

25-1600.2.3 Bond Requirements.

There must be attached to said bond an authority of the surety company empowering the person or persons who executed said bond for the surety company to do so. If the bonding company is not a New Jersey corporation, there should also be attached to the bond proof of its authority to do business in New Jersey and a copy of its last financial statement, made not more than one (1) year before, showing its financial condition. If the principal on the bond is a corporation, there must be attached to the bond a certified copy of a resolution adopted by its Board of Directors authorizing the execution and delivery of said bond. Said bond must also bear the corporate seal of the surety company and the seal, corporate or otherwise, of the principal.

25-1600.2.4 Copies.

The City Clerk and Approving Authority Secretary shall keep a supply of copies of these bond requirements in his office for the use of applicants and the general public.

25-1600.3 Off-Tract Improvements.

25-1600.3.1 General Requirements.

Where the Approving Authority determines that off-tract improvements are necessary for the proper development and utilizing of the proposed site or subdivision and the surrounding area, it may require either (1) that such off-tract improvements be installed or (2) that the developer contribute to the installation of such off-tract improvements. Where the Approving Authority has determined that off-tract improvements are required, it shall be a condition of the granting of final approval that such improvements be constructed or that the developer shall make payments toward the ultimate installation of off-tract improvements such as, but not limited to, streets, curbs and gutters, sidewalks, water mains, sanitary sewers, storm sewers and culverts, monuments and street lights, all in accordance with the specifications governing on-tract improvements.

25-1600.3.2 Cost Allocation.

If the Approving Authority determines that the developer may contribute toward required off-tract improvements in lieu of such improvements being installed, the Approving Authority shall allocate the cost of same off-tract improvements in accordance with the standards hereinafter set forth. The improvement of a stream and/or widening of, or the construction of drainage or other

improvements in, a street or road fronting on the tract to be subdivided and/or developed shall not constitute an off-tract improvement and the cost of said improvement shall not be allocated.

a. The allocation of the cost of off-tract improvements shall be determined in accordance with the following:

1. The Approving Authority may consider the total cost of the off-tract improvements, the benefits conferred upon the site or subdivision, the needs created by the site or subdivision, population and land use projects for the general areas of the site or subdivision and other areas to be served by the off-tract improvements, the estimated times of construction of off-tract improvements and the condition of periods of usefulness, which periods may be based upon the criteria of The Local Bond Law N.J.S.A. 40A:2-22. The Approving Authority may further consider the criteria set forth below.

2. Road, curb, gutter, and sidewalk improvements may be based upon the anticipated increase of traffic generated by the site or subdivision. In determining such traffic increase, the Approving Authority may consider traffic counts, existing and projected traffic patterns, quality of roads and sidewalks in the area, and other factors related to the need created by the site or subdivision and anticipated thereto.

3. Drainage facilities may be based upon the percentage relationship between the site or subdivision acreage and the acreage of the total drainage basins involved or upon calculations developing the percentage contribution that the storm runoff from a particular site or subdivision bears to the total design capacity of any improvement; the particular methods to be selected in each instance by the City Engineer.

b. All monies received by the City in accordance with the provisions of this Section shall be paid to the City Treasurer who shall provide for a suitable depository therefor. Such funds shall be used only for the improvements for which they are deposited or improvements serving the same purposes unless such improvements are not initiated for a period of five (5) years from the date of payment, after which time said funds shall be transferred to the capital improvement fund of the City.

c. The apportionment of costs shall be determined by the Approving Authority. The developer shall be afforded an opportunity before said Board to present evidence relative thereto.

25-1600.3.3 Assessment Not Precluded.

Nothing in this Section of the Ordinance shall preclude the City from assessing any real estate property benefiting from installation of any off-tract improvements as provided in this Section pursuant to the provisions of the N.J.S.A. 40:55D, an allowance being made to the respective parcels of realty for payments herein.

25-1600.4 Assignment of Interest.

Before any developer effectively assigns any of his interest in any preliminary or final approval, he must notify the Approving Authority and supply detailed information with regard to the name, address, principals, type of organization, competency, experience, and past performance of the assignee, transferee, or agent. Notice of such assignments or transfer shall be given no later than ten (10) days after its effective date. The assignee must be made acquainted with all the conditions of approval and developer shall so certify.

25-1600.5 Inspection.

25-1600.5.1 Notification Prior To Construction.

The applicant shall notify the Approving Authority and or City Engineer in writing at least five (5) days prior to the start of construction of on-site improvements and off-site or public improvements. (Ord. #94-16, Appx. A)

25-1600.5.2 Pre-Construction Conference.

Following receipt of this notice, the Approving Authority Engineer and/or City Engineer may, at their discretion; call for a pre-construction conference to review required on- and off-site inspection procedures with the applicant. Should the Approving Authority Engineer and/or City Engineer determine that the scope of the project does not warrant a pre-construction meeting, the applicant shall be notified in writing of the inspection requirements. (Ord. #94-16, Appx. A)

25-1600.5.3 Completion of Improvements.

a. The time allowed for installation of the bonded improvements for which the performance guarantee has been provided may be extended by the governing body by resolution. As a condition or as part of any such extension, the amount of any performance guarantee shall be increased or reduced, as the case may be, to an amount not to exceed 120% of the cost of the installation, which cost shall be determined by the municipal engineer according to the method of calculation set forth in section 15 of P.L.1991, c.256 (C.40:55D-53.4) as of the time of the passage of the resolution.

b. If the required bonded improvements are not completed or corrected in accordance with the performance guarantee, the obligor and surety, if any, shall be liable thereon to the municipality for the reasonable cost of the improvements not completed or corrected and the municipality may either prior to or after the receipt of the proceeds thereof complete such improvements. Such completion or correction of improvements shall be subject to the public bidding requirements of the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.).

c. Upon substantial completion of all required street improvements (except for the top course) and appurtenant utility improvements, and the connection of same to the public system, the obligor may request of the governing body in writing, by certified mail addressed in care of the municipal clerk, that the municipal engineer prepare, in accordance with the itemized cost estimate prepared by the municipal engineer and appended to the performance guarantee pursuant to subsection a. of this section, a list of all uncompleted or unsatisfactory completed bonded improvements. If such a request is made, the obligor shall send a copy of the request to the municipal engineer. The request shall indicate which bonded improvements have been completed and which bonded improvements remain uncompleted in the judgment of the obligor. Thereupon the municipal engineer shall inspect all bonded improvements covered by obligor's request and shall file a detailed list and report, in writing, with the governing body, and shall simultaneously send a copy thereof to the obligor not later than 45 days after receipt of the obligor's request.

d. The list prepared by the municipal engineer shall state, in detail, with respect to each bonded improvement determined to be incomplete or unsatisfactory, the nature and extent of the incompleteness of each incomplete improvement or the nature and extent of, and remedy for, the unsatisfactory state of each completed bonded improvement determined to be unsatisfactory. The report prepared by the municipal engineer shall identify each bonded improvement determined to be complete and satisfactory together with a recommendation as to the amount of reduction to be made in the performance guarantee relating to the completed and satisfactory bonded improvement, in accordance with the itemized cost estimate prepared by the municipal engineer and appended to the performance guarantee pursuant to subsection a. of this section.

e. The governing body, by resolution, shall either approve the bonded improvements determined to be complete and satisfactory by the municipal engineer, or reject any or all of these bonded improvements upon the establishment in the resolution of cause for rejection, and shall approve and authorize the amount of reduction to be made in the performance guarantee relating to the improvements accepted, in accordance with the itemized cost estimate prepared by the municipal engineer and appended to the performance guarantee pursuant to subsection a. of this section. This resolution shall be adopted not later than 45 days after receipt of the list and report prepared by the municipal engineer. Upon adoption of the resolution by the governing body, the obligor shall be released from all liability pursuant to its performance guarantee, with respect to

those approved bonded improvements, except for that portion adequately sufficient to secure completion or correction of the improvements not yet approved; provided that 30% of the amount of the total performance guarantee and “safety and stabilization guarantee” posted may be retained to ensure completion and acceptability of all improvements. The “safety and stabilization guarantee” shall be reduced by the same percentage as the performance guarantee is being reduced at the time of each performance guarantee reduction.

f. For the purpose of releasing the obligor from liability pursuant to its performance guarantee, the amount of the performance guarantee attributable to each approved bonded improvement shall be reduced by the total amount for each such improvement, in accordance with the itemized cost estimate prepared by the municipal engineer and appended to the performance guarantee pursuant to subsection a. of this section, including any contingency factor applied to the cost of installation. If the sum of the approved bonded improvements would exceed 70 percent of the total amount of the performance guarantee, then the municipality may retain 30 percent of the amount of the total performance guarantee and “safety and stabilization guarantee” to ensure completion and acceptability of bonded improvements, as provided above, except that any amount of the performance guarantee attributable to bonded improvements for which a “temporary certificate of occupancy guarantee” has been posted shall be released from the performance guarantee even if such release would reduce the amount held by the municipality below 30 percent.

g. If the municipal engineer fails to send or provide the list and report as requested by the obligor pursuant to subsection d. of this section within 45 days from receipt of the request, the obligor may apply to the court in a summary manner for an order compelling the municipal engineer to provide the list and report within a stated time and the cost of applying to the court, including reasonable attorney’s fees, may be awarded to the prevailing party. If the governing body fails to approve or reject the bonded improvements determined by the municipal engineer to be complete and satisfactory or reduce the performance guarantee for the complete and satisfactory improvements within 45 days from the receipt of the municipal engineer’s list and report, the obligor may apply to the court in a summary manner for an order compelling, within a stated time, approval of the complete and satisfactory improvements and approval of a reduction in the performance guarantee for the approvable complete and satisfactory improvements in accordance with the itemized cost estimate prepared by the municipal engineer and appended to the performance guarantee pursuant to subsection a. of this section; and the cost of applying to the court, including reasonable attorney’s fees, may be awarded to the prevailing party.

h. In the event that the obligor has made a cash deposit with the municipality or approving authority as part of the performance guarantee, then any partial reduction granted in the performance guarantee pursuant to this subsection shall be applied to the cash deposit in the same proportion as the original cash deposit bears to the full amount of the performance guarantee, provided that if the developer has furnished a “safety and stabilization guarantee,” the municipality may retain cash equal to the amount of the remaining “safety and stabilization guarantee.”

i. If any portion of the required bonded improvements is rejected, the approving authority may require the obligor to complete or correct such improvements and, upon completion or correction, the same procedure of notification, as set forth in this section shall be followed.

j. Nothing herein, however, shall be construed to limit the right of the obligor to contest by legal proceedings any determination of the governing body or the municipal engineer.

25-1600.5.4 – Inspection Fees

a. The obligor shall reimburse the municipality for reasonable inspection fees paid to the municipal engineer for the foregoing inspection of improvements; which fees shall not exceed the sum of the amounts set forth in subparagraphs “1” and “2” of this paragraph. The municipality may require the developer to post the inspection fees in escrow in an amount:

1. Not to exceed, except for extraordinary circumstances, the greater of \$500 or 5% of the cost of bonded improvements that are subject to a performance guarantee under Section 25-1600.1.1 subparagraph "a", subparagraph "b", or both subparagraph "a" and subparagraph "b"; and

2. Not to exceed 5% of the cost of private site improvements that are not subject to a performance guarantee under Section 25-1600.1.1a, which cost shall be determined pursuant to section 15 of P.L.1991, c.256 (C.40:55D-53.4).

b. For those developments for which the inspection fees total less than \$10,000, fees may, at the option of the developer, be paid in two installments. The initial amount deposited in escrow by a developer shall be 50% of the inspection fees. When the balance on deposit drops to 10% of the inspection fees because the amount deposited by the developer has been reduced by the amount paid to the municipal engineer for inspections, the developer shall deposit the remaining 50% of the inspection fees.

c. For those developments for which the inspection fees total \$10,000 or greater, fees may, at the option of the developer, be paid in four installments. The initial amount deposited in escrow by a developer shall be 25% of the inspection fees. When the balance on deposit drops to 10% of the inspection fees because the amount deposited by the developer has been reduced by the amount paid to the municipal engineer for inspection, the developer shall make additional deposits of 25% of the inspection fees.

d. If the municipality determines that the amount in escrow for the payment of inspection fees, as calculated pursuant to subparagraphs "a.1" and "a.2" of this section, is insufficient to cover the cost of additional required inspections, the municipality may require the developer to deposit additional funds in escrow provided that the municipality delivers to the developer a written inspection escrow deposit request, signed by the municipal engineer, which: informs the developer of the need for additional inspections, details the items or undertakings that require inspection, estimates the time required for those inspections, and estimates the cost of performing those inspections.

25-1600.5.5 – Development by Stages or Sections

In the event that final approval is by stages or sections of development pursuant to subsection a. of section 29 of P.L.1975, c.291 (C.40:55D-38), the provisions of this section shall be applied by stage or section.

25-1600.5.6 – Dedication of Improvements

To the extent that any of the improvements have been dedicated to the municipality on the subdivision plat or site plan, the municipal governing body shall be deemed, upon the release of any performance guarantee required pursuant to subsection a. of this section, to accept dedication for public use of streets or roads and any other improvements made thereon according to site plans and subdivision plats approved by the approving authority, provided that such improvements have been inspected and have received final approval by the municipal engineer.

25-1600.6 Inspection Requirements.

25-1600.6.1 Inspection, Testing and Engineer Administration Fees.

Prior to signing of any final plat, issuance of a Development Permit or the start of construction of any improvements required by the provisions of this Ordinance, the developer shall

deposit by cash or certified check with the City Clerk an amount determined from the schedule under Article 1300, of this Ordinance. Said amount shall be used to defray the cost of inspection, testing, engineering, administration, and other costs, and fees paid by the City in connection with the inspection and acceptance of the installation of the required improvements. All monies received on account of engineering and inspection fees shall be deposited by the City Treasurer in an appropriate account. The City shall arrange for the Approving Authority Engineer, the appropriate municipal officials or other qualified persons to provide all necessary administrative and engineering services.

25-1600.6.2 Inspection Notice.

All required improvements except those utility improvements which are not the responsibility of the City shall be subject to inspection and approval by the Approving Authority and/or City Engineer, who shall be notified by the developer at least five (5) days prior to the initial start of construction and again twenty-four (24) hours prior to the resumption of work after any idle period exceeding one (1) working day. All of the utility improvements shall be subject to inspection and approval by the owner or agency controlling the utility that shall be notified by the developer in accordance with the utilities' requirements. No underground installation shall be covered until it is inspected and approved by the owner of or agency controlling the utility.

The following additional inspections are required:

- a. Prior to paving.
- b. Prior to site work concrete pours, i.e. sidewalks, curbs, pavements, slabs and parking aprons.
- c. Prior to back filling drainage and/or sanitary sewer lines.
- d. Following installation of landscaping features including but not necessarily limited to trees, shrubs, ground cover, sod, mulch, fencing, pavers and border timbers.
- e. Following completion of all site or subdivision improvements prior to the issuance of a permanent Certificate of Occupancy or substantial completion prior to the issuance of a temporary Certificate of Occupancy (subsection 25-1600.8.1 and 25-1600.8.2), the inspection shall include all elements of the approved Site and or Subdivision Plan and Engineer's estimate.
- f. Prior to the release of the maintenance guarantee, the Approving Authority and or City Engineer shall notify the Approving Authority following final or substantial completion of improvements. The Zoning Officer shall receive a copy of this report.
(Ord. #94-16, Appx. A)

25-1600.6.3 Modification of Improvements.

Any time, whether as a result of his inspection of work underway or otherwise, the Approving Authority Engineer may recommend that the developer be required to modify the design and extent of the improvements required, notifying the Approving Authority of his recommendations. The Approving Authority shall, if it considers such modifications to be major, or if requested by the developer or Approving Authority Engineer, take formal action to approve or disapprove such recommendations; provided, however, that it must first afford the developer an opportunity to be heard. If the Agency takes no formal action within thirty (30) days of such recommendations, or where the developer has not requested formal Approving Authority action, its approval will be assumed. Similarly, the Approving Authority may grant or deny the developer permission to affect such modification upon his application and the Approving Authority Engineer's approval. In either event, where such modification is to be affected, the appropriate plat must be revised by the developer or his engineer to reflect such modification and sufficient copies thereof submitted to the Administrative Officer (Approving Authority or Board of Adjustment Secretary) for distribution.

25-1600.6.4 General Inspection Requirements.

All improvements, except as otherwise provided, shall be subject to inspection and approval by the Approving Authority Engineer. No underground installation shall be covered until inspection and approved by the Approving Authority Engineer or those agencies having jurisdiction over the particular installation. If such installation is covered prior to inspection, it shall be uncovered or other inspection means used, such as a television or other pipeline camera as may be deemed necessary by the Approving Authority Engineer, and charges for such work will be paid for by the developer.

25-1600.6.5 Inspection Not Acceptance.

Inspection of any work by the Approving Authority Engineer, or his authorized representative, shall not be considered to be final approval or rejection of the work, but shall only be considered to be a determination of whether or not the specific work involved was being done to City specifications or other required standards at the time of inspection. Any damage to such work or other unforeseen circumstances such as the effect of the weather, other construction, changing conditions, settlement, etc. between the time of installation and the time that the developer wishes to be released from his performance guaranty, shall be the full responsibility of the developer, and no work shall be considered accepted until release of the performance guaranty.

25-1600.6.6 Payment to Contractors.

No developer shall enter into any contract requiring the City Council, Approving Authority, the City Engineer, Approving Authority Engineer, or any of their agents, employees or other representatives to make any declaration, written or otherwise, as a condition of payment of said developer to a contractor as to the acceptance or rejection of the work. Neither the City Council, Approving Authority, City Engineer, Approving Authority Engineer nor any of their agents, employees, or representatives shall make any such declaration.

25-1600.6.7 Procedure on Acceptance of Public Improvements.

When the developer has constructed and installed the streets, drainage facilities, curbs, sidewalks, street signs, monuments and other improvements in accordance with City regulations, standards and specifications, and desires the City to accept the said improvements, he shall, in writing, addressed to and in a form approved by the Approving Authority, with copies thereof to the Approving Authority Engineer, request the Approving Authority Engineer to make a semi-final inspection of the said improvements. If the improvements have been constructed under a performance guaranty after approval of a final plat, the developer shall submit an as-built plan showing as-built grades, profiles and sections and locations of all subsurface utilities such as french drains, combination drains, sanitary sewage disposal systems, both public and individual water lines, and control valves, gas lines, telephone conduits, monuments, iron property markers, and any other utility or improvements installed other than as shown on the approved final plat. Said as-built plan shall be certified to by a licensed New Jersey professional engineer. If any improvements are constructed prior to final plat approval, the final plat shall reflect all changes and as-built conditions and be so certified. Said as-built plan shall be certified to by a licensed New Jersey professional engineer. If any improvements are constructed prior to final plat approval, the final plat shall reflect all changes and as-built conditions and be so certified. Said as-built plan(s) shall be submitted on reproducible media.

25-1600.7 Site Maintenance During Construction.

25-1600.7.1 Responsibilities of Developer.

It shall be the responsibility of the developer to maintain the entire site or subdivision in a safe and orderly condition during construction. Necessary steps shall be taken by the developer to protect occupants of the site or subdivision and the general public from hazardous and unsightly

conditions during the entire construction period. These steps shall include, but are not limited to the following:

- a. Open excavations shall be enclosed by fencing or barricades during non-construction hours. Moveable barricades shall be equipped with yellow flashing hazard markers or other lighting during the hours of darkness.
- b. The excavation of previously installed sidewalk and pavement areas which provide access to occupied buildings in the site or subdivision shall be clearly marked with signs and barricades. Alternate safe access shall be provided for pedestrians and vehicles to the occupied buildings.
- c. Materials stored on the site shall be screened from the view of occupants of the subdivision or site and adjoining street and properties.
- d. Safe vehicular and pedestrian access to occupied buildings in the site or subdivision shall be provided at all times.
- e. Construction activities which create obnoxious and unnecessary dust, fumes, odors, smoke, vibrations, or glare noticeable in occupied buildings in the subdivision or site and adjoining properties and streets shall not be permitted.
- f. Construction activities which will result in damage to trees and landscaping in occupied buildings in the site or subdivision or adjoining properties shall not be permitted.
- g. All locations and activities in the site or subdivision which present potential hazards shall be marked with signs indicating the potential hazard.
- h. Unsightly construction debris, including scrap materials, cartons, boxes and wrappings must be removed daily at the end of each working day.
- i. Whenever construction activities take place within or adjacent to any traveled way, or, interfere with existing traffic patterns in any manner, suitable warning signs, conforming to the requirements of the Uniform Manual on Traffic Control Devices, will be erected and maintained by the developer.

25-1600.7.2 Failure to Maintain Site.

Should the developer fail in his obligation to maintain the site or subdivision in a safe and orderly condition, the City may, on five (5) days written notice or immediately in the case of hazard to life, health or property, undertake whatever work may be necessary to return the site or subdivision to a safe and orderly condition and deduct the cost thereof from the ten percent (10%) cash or certified check portion of the performance guaranty. Upon notice of such deduction, the developer shall, within ten (10) days, restore the full ten percent (10%) cash balance or his performance guaranty will be held to be void and the City may take action as if final plat approval had not been obtained.

25-1600.7.3 Stop Work.

The Construction Official shall, upon receiving notice from the Approving Authority Engineer that a developer is in violation of this Section, suspend further issuance of Certificates of Occupancy and building permits and may order cessation of work on any outstanding permit.

25-1600.8 Improvements Required Prior to Issuance of Certificate of Occupancy.

25-1600.8.1 Issuance of Certificate of Occupancy.

No permanent Certificate of Occupancy shall be issued for any use or building until all required on- and off-site improvements are installed and approved by the Approving Authority and/or City Engineer and the Construction Code Official. (Ord. #94-16, Appx. A)

25-1600.8.2 Temporary Certificate of Occupancy - Requirements.

No temporary Certificate of Occupancy shall be issued for any use or building involving the installation of utilities or street improvements, parking areas, buffer areas, storm drainage facilities, other site improvements, the alteration of the existing grade on a lot or the utilization of a new on-site well or sanitary disposal system unless the Approving Authority Engineer or other appropriate authority shall have, where applicable, certified to the following:

- a. *Utilities and Drainage.* All utilities, including, but not limited to, water, gas, storm drains, sanitary sewers, electric lines and telephone lines shall have been properly installed and service to the lot, building or use from such utilities shall be available.
 - b. *Street Rights-of-Way.* All street rights-of-way necessary to provide access to the lot, building or use in question shall have been completely graded and all slope retaining devices or slope planting shall have been installed.
 - c. *Sidewalks.* All sidewalks necessary to provide access to the lot, building or use in question shall have been properly installed.
 - d. *Streets.* Curbing, and the bituminous base course of bituminous concrete streets or the curbing and pavement course for Portland cement concrete streets necessary to provide access to the proposed lot, building or use shall have been properly installed.
 - e. *Curbing and Parking Areas.* Curbing and the bituminous base course of parking areas necessary to provide access to the required number of parking spaces for the building or use in question shall have been properly installed.
 - f. *Obstructions.* All exposed obstructions in parking areas, access drives or streets such as manhole frames, water boxes, gas boxes and the like shall be protected by building to the top of such exposures with bituminous concrete as directed by the City Engineer.
 - g. *Screening, Fences, and Landscaping.* All required screening, fencing and/or landscaping related to the lot, building or use in question shall have been properly installed unless the City Engineer shall direct the developer to delay the planting of screening and landscaping until the next planting season in order to improve the chances of survival of such plantings.
 - h. *Site Grading.* All site grading necessary to permit proper surface drainage and prevent erosion of soils shall have been completed in accordance with the soil disturbance plans approved by the Cape Atlantic Soil Conservation District.
 - i. *Public Water Supply.* Where the proposed lot, building or use is served by a public water supply, said supply shall have been installed and tested and all required fire hydrants or fire connections shall have been installed and tested and approved.
 - j. *Lighting.* All outdoor lighting shall have been installed and shall be operational or payment made to the Atlantic City Electric for the installation of said lighting.
 - k. *Street Signs and Traffic Control Devices.* All street signs, paint lining and/or traffic control devices affecting the proposed lot, building, or use, and required under the terms of approval of a subdivision or site plan or by Federal, State, County, or municipal rules, regulations, or laws, shall have been installed.
 - l. *Performance Guarantee.* The Code Enforcement Official shall have received a statement signed by the Developer and any entity providing any performance guarantee, which contains language identical or similar to the following: "The issuance of any Certificate of Occupancy (temporary or permanent) shall not be a basis for any claimed reduction in any performance guarantee."
 - m. *Other.* Any other conditions established for issuance of a Certificate of Occupancy by the Approving Authority as a condition of final site plan approval shall be complied with.
- (Ord. #94-16, Appx. A)

25-1600.8.3 Issuance of Temporary Certificate of Occupancy.

Temporary Certificates of Occupancy shall be issued for a specified period of time, not to exceed one (1) year and the applicant shall post a cash guarantee with the City in an amount equal to the cost, to the City, of constructing all uncompleted improvements, prior to the issuance of any such temporary Certificate of Occupancy.

25-1600.9 Maintenance Guarantee.

a. If required by ordinance, the developer shall post with the municipality, prior to the release of a performance guarantee required pursuant to subparagraph (a), subparagraph (b), or both subparagraph (a) and subparagraph (b) of paragraph (1) of this subsection, a maintenance guarantee in an amount not to exceed 15% of the cost of the installation of the improvements which are being released.

b. If required, the developer shall post with the municipality, upon the inspection and issuance of final approval of the following private site improvements by the municipal engineer, a maintenance guarantee in an amount not to exceed 15% of the cost of the installation of the following private site improvements: stormwater management basins, in-flow and water quality structures within the basins, and the out-flow pipes and structures of the stormwater management system, if any, which cost shall be determined according to the method of calculation set forth in section 15 of P.L.1991, c.256 (C.40:55D-53.4).

c. The term of the maintenance guarantee shall be for a period not to exceed two years and shall automatically expire at the end of the established term.

d. In the event that other governmental agencies or public utilities automatically will own the utilities to be installed or the improvements are covered by a performance or maintenance guarantee to another governmental agency, no performance or maintenance guarantee, as the case may be, shall be required by the municipality for such utilities or improvements.

e. The developer may elect to furnish such maintenance guarantee either by; (1) maintaining on deposit with the City the ten percent (10%) cash or certified check portion of the performance guarantee provided in accordance with Section 25-1600.1, or (2) by a bond issued by a bonding company or surety company, or other type of surety acceptable to and approved by the Approving Authority Attorney and Approving Authority. Should the applicant, developer, owner or user fail in his obligation to properly maintain all improvements, the City may, on ten (10) days written notice or immediately, in the case of hazard to life, health or property, proceed with necessary repair or replacement of any unacceptable improvements and charge the cost thereof against the guarantee. At the end of the maintenance guarantee the cash or certified check or deposit will be returned to the developer less any sums, properly documented by the City which has been expended to repair or replace any unsatisfactory improvements. (Ord. #94-16, Appx. A)

Section 2

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

Section 3

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

Section 4

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

Jay A. Gillian, Mayor

Robert S. Barr, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the 8th day of October, 2020 and was taken up for a second reading and final passage at a meeting of said Council held on the 5th day of November, 2020 in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

Melissa G. Bovera, City Clerk

Ordinance Summary

Assembly Bill 1425/Senate Bill 3233, which was signed into law on January 15, 2018 modifies the requirements for furnishing performance and maintenance guarantees under the “Municipal Land Use Law” and modifies the current limitations on the collection of inspection fees.

Under the new law, a municipality will only be able to require developers to post performance guarantees to cover improvements being dedicated to a public entity. This law reduces the bonding cost because it narrows the categories of items that are eligible to be bonded. The new law also eliminates the following types of improvements from the list of improvements that may be subject to a performance guarantee under current law: culverts, storm sewers, erosion control and sedimentation control devices, other on-site improvements and landscaping.

The law further provides that a municipality may require a performance guarantee for privately owned perimeter buffer landscaping, and alters the requirement for maintenance guarantees. A municipality may only require a maintenance guarantee to be posted for the limited bonded improvements and specific private storm water management improvements.

The new law authorizes municipalities to require two additional types of guarantees:

1. A temporary certificate of occupancy bond; and
2. A safety and stabilization bond.

The law also alters municipal inspection fees. Under current law, a developer must reimburse a municipality for reasonable inspection fees incurred for the inspection of improvements with a cap except for extraordinary circumstances of 5% of the cost of improvements. This law eliminates the inspection fee limitation if required inspection costs are determined to exceed the 5% amount and even authorizes those inspections to occur without the additional funds being placed in escrow.

The above revisions to Article 1600 of the Ocean City Code address the requirements of the new law while retaining provisions of the existing code that have been deemed appropriate and necessary by/for the City of Ocean City. The language which appears in blue/underline in the introduction copy of this ordinance is the new language.

September 17, 2020

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

01

**AUTHORIZING THE ADVERTISEMENT OF CITY CONTRACT #21-02: LEASE OF CITY OWNED
BEACH PARCELS**

BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that it authorizes the advertisement of specifications for City Contract #21-02: Lease of City Owned Beach Parcels.

Robert S. Barr
Council President

Note: The legal advertisement will be placed in the Ocean City Sentinel on Wednesday, November 11, 2020 with the bid proposal opening scheduled on Tuesday, December 8, 2020 and an anticipated date of award on Monday, December 28, 2020.

Files: RAU 21-02 Lease of City Owned Beach Parcels.docx

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2020

NAME	AYE	NAY	ABSENT	ABSTAINED
Barr	_____	_____	_____	_____
Bergman	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Levchuk	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Rotondi	_____	_____	_____	_____

Melissa G. Rasner, City Clerk

RESOLUTION

**AUTHORIZING THE AWARD OF A CONTRACT TO BROADWAY ELECTRIC SUPPLY
COMPANY FOR LUMEC BANNER ARMS**

WHEREAS, the City of Ocean City has a need for replacement Lumec banner arms for the City owned decorative light fixtures associated with the boardwalk from 5th Street to 14th Street; and

WHEREAS, Joseph S. Clark, QPA, City Purchasing Manager has determined and certified in writing that the value of the contract will exceed \$17,500.00; and

WHEREAS, Vincent S. Bekier, Director of Operations & Engineering; Steven M. Longo, Manager of Buildings & Grounds; Christine D. Gundersen, Manager of Capital Planning; Jessica L. Baird, Purchasing Clerk and Joseph S. Clark, QPA, City Purchasing Manager, have reviewed the quotes provided and recommend the award of an alternative non-advertised method contract for the replacement Lumec banner arms; and

WHEREAS, Broadway Electric Supply Company has submitted a Business Entity Disclosure Certification which certifies that Broadway Electric Supply Company has not made any contributions to a political or candidate committee for an elected office in the City of Ocean City, County of Cape May, New Jersey in the previous one (1) year period, and that the contract will prohibit Broadway Electric Supply Company from making any contributions through the term of the contract; and

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that an alternative non-advertised contract with **Broadway Electric Supply Company, 459 Mantua Ave, Woodbury, NJ 08096** be awarded as follows:

1. Encumbered & Expended to Date..... \$ 0.00
2. Requisition Awaiting Approval..... \$ 30,674.40
- Total Year to Date \$ 30,674.40**
3. As items are required, the City Purchasing Manager shall issue a Purchase Order for those items based on the availability of funds. No items shall be sent to the City without first obtaining a Purchase Order for said service.
4. A copy of the Business Entity Certification, the Determination of Value and the Business Registration Certificate will be on file with the Purchasing Division.

BE IT FURTHER RESOLVED, by the City Council of the City of Ocean City, that the Purchasing Manager is hereby authorized to execute purchase orders to Broadway Electric Supply Company in accordance with this resolution.

The Director of Financial Management certifies that funds are available and shall be charged to the following Capital Account: #C-04-55-316-207. Annual contract value shall not exceed \$44,000.00.

CERTIFICATION OF FUNDS



Frank Donato III, CMFO
Director of Financial Management

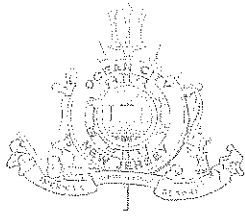
Robert S. Barr
Council President

Files: RAW P2P Broadway Electric.docx

Offered by Seconded by
The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2020

NAME	AYE	NAY	ABSENT	ABSTAINED
Barr	_____	_____	_____	_____
Bergman	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Levchuk	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Rotondi	_____	_____	_____	_____

.....
Melissa G. Rasner, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF OPERATIONS & ENGINEERING

MEMORANDUM

TO: JOSEPH CLARK, PURCHASING MANAGER
FROM: STEVEN LONGO, MANAGER
DATE: OCTOBER 21, 2020
RE: **NJ STATE PAY-TO-PLAY RESOLUTION / BROADWAY ELECTRIC SUPPLY CO**

Assistance is being sought to advance a resolution to City Council for the authorization of a NJ state pay-to-play resolution for Broadway Electric Supply Co.

Broadway Electric Supply is based in the Woodbury, NJ area. The company was referred to the city recently from several reputable electrical contractors that the city has been doing business with for years as an alternative supplier that is competitively priced and equally knowledgeable with respect to expertise in providing electrical material supply services. Recent interaction in obtaining product proposals also confirmed the company's exceptional customer service.

The company will be supplying replacement Lumec lighting banner arms for the city owned decorative lighting fixtures associated with the boardwalk from 5th Street to 14th Street. The city is replacing the banner arms due to structural failure from years of use and weather exposure. The replacement parts acquisition costs will exceed the state pay-to-play dollar threshold thus the request for city council authorization.

The capital budget will fund the material supply services.

Please let me know if there are any questions and thank you for the time and assistance in this matter.

SL
C: V Bekier, Dir

RESOLUTION

AUTHORIZING THE AWARD OF A CONTRACT TO COOPER ELECTRIC SUPPLY COMPANY
FOR HOLOPHANE BANNER ARMS

WHEREAS, the City of Ocean City has a need for holophane banner arms for the City owned decorative light fixtures associated with the 9th Street corridor from Bay Avenue to West Avenue; and

WHEREAS, Joseph S. Clark, QPA, City Purchasing Manager has determined and certified in writing that the value of the contract will exceed \$17,500.00; and

WHEREAS, Vincent S. Bekier, Director of Operations & Engineering; Steven M. Longo, Manager of Buildings & Grounds; Christine D. Gundersen, Manager of Capital Planning; Jessica L. Baird, Purchasing Clerk and Joseph S. Clark, QPA, City Purchasing Manager, have reviewed the quotes provided and recommend the award of an alternative non-advertised method contract for the holophane banner arms; and

WHEREAS, Cooper Electric Supply Company has submitted a Business Entity Disclosure Certification which certifies that Cooper Electric Supply Company has not made any contributions to a political or candidate committee for an elected office in the City of Ocean City, County of Cape May, New Jersey in the previous one (1) year period, and that the contract will prohibit that Cooper Electric Supply Company from making any contributions through the term of the contract; and

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that an alternative non-advertised contract with **Cooper Electric Supply Company, 402 Bloomfield Drive, West Berlin, NJ 08091** be awarded as follows:

1.

Encumbered & Expended to Date.....

\$ 1,280.50
2.

Requisition Awaiting Approval.....

\$ 19,980.00
- Total Year to Date**

\$ 21,260.50
3.


As items are required, the City Purchasing Manager shall issue a Purchase Order for those items based on the availability of funds. No items shall be sent to the City without first obtaining a Purchase Order for said service.
4.

A copy of the Business Entity Certification, the Determination of Value and the Business Registration Certificate will be on file with the Purchasing Division.

BE IT FURTHER RESOLVED, by the City Council of the City of Ocean City, that the Purchasing Manager is hereby authorized to execute purchase orders to Cooper Electric Supply Company in accordance with this resolution.

The Director of Financial Management certifies that funds are available and shall be charged to the following Capital Account: #C-04-55-316-207. Annual contract value shall not exceed \$44,000.00.

CERTIFICATION OF FUNDS



Frank Donato III, CMFO
Director of Financial Management

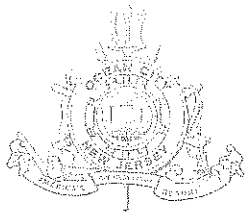
Robert S. Barr
Council President

Files: RAW P2P Cooper Electric.docx

Offered by Seconded by
The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2020

NAME	AYE	NAY	ABSENT	ABSTAINED
Barr	_____	_____	_____	_____
Bergman	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Levchuk	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Rotondi	_____	_____	_____	_____

.....
Melissa G. Rasner, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF OPERATIONS & ENGINEERING

MEMORANDUM

TO: JOSEPH CLARK, PURCHASING MANAGER
FROM: STEVEN LONGO, MANAGER
DATE: OCTOBER 21, 2020
RE: **NJ STATE PAY-TO-PLAY RESOLUTION / COOPER ELECTRIC SUPPLY**

Assistance is being sought to advance a resolution to City Council for the authorization of a NJ state pay-to-play resolution for Cooper Electric Supply.

Cooper Electric Supply has been doing business with the city since 2000 and during this time the company has demonstrated a high standard of knowledge and expertise with regard to electrical material supply services, in addition to providing exceptional customer service.

The company will be supplying replacement Holophane lighting banner arms for the city owned decorative lighting fixtures associated with the 9th St corridor from Bay Avenue to West Avenue. The city is replacing the banner arms due to structural failure from years of use and weather exposure. The replacement parts acquisition costs combined with previous purchases earlier in the year will exceed the state pay-to-play dollar threshold thus the request for city council authorization.

The capital budget will fund the material supply services.

Please let me know if there are any questions and thank you for the time and assistance in this matter.

SL
C: V Bekier, Dir

RESOLUTION

**AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT TO CONCORD
ENGINEERING GROUP, INC FOR MECHANICAL ENGINEERING DESIGN CONSULTING
SERVICES FOR THE AQUATIC & FITNESS CENTER**

WHEREAS, the City of Ocean City requires certain professional engineering design consulting services for the reconditioning of the Aquatic & Fitness Center's existing Dectron dehumidification unit, associated rooftop condensing unit, and rooftop refrigerant piping, where necessary; and

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

WHEREAS, Joseph S. Clark, QPA, City Purchasing Manager has determined and certified in writing that the value of the contracts will exceed \$17,500.00; and

WHEREAS, George J. Savastano, P.E., City Engineer; Vincent S. Bekier, Director of Operations & Engineering; Roger Rinck, Manager of Engineering & Construction; Christine D. Gundersen, Manager of Capital Planning; Jessica L. Baird, Purchasing Clerk and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the proposal and recommended that **Concord Engineering Group, Inc., 2311 Atlantic Ave, Atlantic City, NJ 08401** be awarded an alternative-non-advertised professional service contract for engineering design consulting services at the Aquatic & Fitness Center; and

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

WHEREAS, Concord Engineering Group, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies Concord Engineering Group, Inc. has not made any contributions to a political or candidate committee for an elected office in the City of Ocean City, New Jersey in the previous one (1) year period, and that the contract will prohibit Concord Engineering Group, Inc. from making any contributions through the term of the contract; and

WHEREAS, the anticipated term of this contract is one (1) calendar year; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that an alternative non-advertised contract with Concord Engineering Group, Inc. be awarded as follows:

1.	Field Survey/Existing Information Review	\$ 2,500.00
2.	Preparation of MEP Construction Documents	\$ 10,000.00
3.	Construction Administration Services	\$ <u>6,500.00</u>

**Total Amount of Engineering Design Consulting Services for the
Aquatic & Fitness Center**

\$ 19,000.00

4. Items are subject to the actual needs as established by the City of Ocean City's using Departments. As items are required, the City Purchasing Manager shall issue a purchase order for those items based on the availability of funds. No items shall be sent to the City without first obtaining a purchase order for said service.
5. A copy of this Resolution and Contract shall be available for inspection in the Ocean City Clerk's Office and shall be published on one (1) occasion in the Ocean City Sentinel.
6. A copy of the Business Entity Certification, the Determination of Value and the Business Registration Certificate will be on file with the Purchasing Division.

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

BE IT FURTHER RESOLVED by the City Council of the City of Ocean City that the Purchasing Manager is hereby authorized to execute a purchase order with Concord Engineering Group, Inc. in accordance with this resolution.

The Director of Financial Management certifies that funds are available and shall be charged to Capital Account # C-04-55-316-105 in the amount of \$19,000.00.

CERTIFICATION OF FUNDS



Frank Donato III, CMFO
Director of Financial Management

Robert S. Barr
Council President

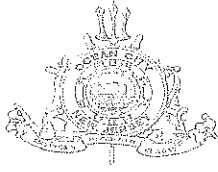
Files: RAW PSA Concord Engineering_A&F Center.docx

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of
said Council duly held on the day of 2020

NAME	AYE	NAY	ABSENT	ABSTAINED
Barr	_____	_____	_____	_____
Bergman	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Levchuk	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Rotondi	_____	_____	_____	_____

.....
Melissa G. Rasner, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

MEMORANDUM

TO: Joseph Clark, Purchasing Manager
FROM: Vince Bekier, Director of Operations & Engineering
DATE: October 19, 2020
RE: Recommendation to Award

The attached proposal has been reviewed by the Division of Engineering and Public Works regarding the reconditioning of the pool's indoor dehumidifier and rooftop condenser at the Aquatic & Fitness Center. The qualifications and hourly rates of Concord Engineering to provide engineering services are found acceptable. The company served the City in various capacities throughout the years and they were professional in their services. Their previous work has been generally acceptable and there are no objections with the contract being awarded to Concord Engineering based on the attached proposal.

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

05

AUTHORIZING THE CITY’S PARTICIPATION IN THE SOURCEWELL NATIONAL COOPERATIVE (NJPA) CONTRACT #062320-URI: EQUIPMENT RENTAL FOR THE ACQUISITION OF A CORNELL DEWATERING PUMP

WHEREAS, the City of Ocean City is allowed to participate in national purchasing cooperative per N.J.S.A. 52:34-6.2 (b) P.L. 2011, c.139 which was enacted into law permitting agencies to utilize national purchasing cooperatives; and

WHEREAS, Sourcewell formerly known as National Joint Powers Alliance (NJPA) as the lead agency and awarded Cooperative Contract #062320-URI, Rental Equipment for Construction and Related Maintenance or Facility Operations; and

WHEREAS, the Department of Operations & Engineering is in need of a dewatering pump for use at various locations as needed based on tidal events, post storm conditions, and any situation that may require water to be pumped to an alternate location; and

WHEREAS, the required Notice of Intent was published in the Press of Atlantic City on September 25, 2020; and

WHEREAS, Vincent S. Bekier, Director of Operations & Engineering; Steven M. Longo, Manager of Buildings & Grounds; Christine D. Gundersen, Manager of Capital Planning; Jessica L. Baird, Purchasing Clerk and Joseph S. Clark, QPA, City Purchasing Manager have researched the available dewatering pumps and determined that the Cornell Diesel Pump with Required Accessories is the most functional & economical; and

WHEREAS, Vincent S. Bekier, Director of Operations & Engineering; Steven M. Longo, Manager of Buildings & Grounds; Christine D. Gundersen, Manager of Capital Planning; Jessica L. Baird, Purchasing Clerk and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the contract from Sourcewell (NJPA) Cooperative Contract #062320-URI, Equipment Rental with the award vendor United Rentals, LLC; and


NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey, that the Cornell Diesel Pump with Required Accessories for use by the Department of Operations & Engineering be purchased from United Rentals, LLC, Sourcewell (NJPA) Cooperative Contract #062320-URI as follows:

United Rentals, LLC	
50 Gilchris Drive	
Swedesboro, NJ 08085	

Item	Description	Total Price
1.	Cornell 6” Diesel Dewatering Pump	\$ 57,800.00
2.	Required Accessories	\$ 4,175.00
Total Amount of Sourcewell (NJPA) Contract #062320-URI.....		\$ 61,975.00

BE IT FURTHER RESOLVED by the City Council of Ocean City, New Jersey that the purchase of Cornell Diesel Pump with Required Accessories for use by the Department of Operations & Engineering be purchased from United Rentals, LLC in the total amount of \$61,975.00 and that the City Purchasing Manager is authorized to issue a purchase order for said equipment as stated above and in accordance with the terms of the Sourcewell (NJPA) Contract for Equipment Rental, Cooperative Contract #062320-URI.

The Director of Financial Management certifies that Capital Account #C-04-55-316-411 shall be charged in the amount of \$61,975.00.

CERTIFICATION OF FUNDS


Frank Donato III, CMFO
Director of Financial Management

Robert S. Barr
Council President

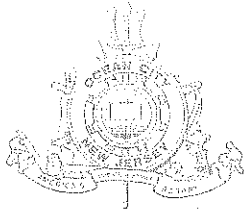
Files : RES Sourcewell Dewatering Pump.docx

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2020

NAME	AYE	NAY	ABSENT	ABSTAINED
Barr	_____	_____	_____	_____
Bergman	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Levchuk	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Rotondi	_____	_____	_____	_____

.....
Melissa G. Rasner, City Clerk



CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF OPERATIONS & ENGINEERING

MEMORANDUM

TO: JOSEPH CLARK, PURCHASING MANAGER
FROM: STEVEN LONGO, MANAGER
DATE: OCTOBER 21, 2020
RE: **SOURCEWELL CONTRACT #062320-URI / UNITED RENTALS**

Assistance is being sought to advance a resolution to City Council for the authorization of participation in the Sourcewell Contract involving United Rentals. The city is currently a member of the contract.

United Rentals has been doing business with the city since 2005 and during this time the company has demonstrated a high standard of rental service and equipment acquisition expertise, in addition to exceptional customer service.

The city will be purchasing a dewatering pump from the company for use in various locations as needed that relate to tidal events, post storm conditions and any situation that may require water to be pumped to an alternative location. The new pump will replace a machine that is over 25-years old and beyond the standard operational use cycle.

The capital budget will fund the equipment acquisition.

Please let me know if there are any questions and thank you for the time and assistance in this matter.

SL
C: V Bekier, Dir

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

06

**AUTHORIZING THE CITY OF OCEAN CITY TO SUBMIT AN APPLICATION
TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS
2020 LOCAL GOVERNMENT EMERGENCY FUND (CRF) GRANT**

WHEREAS, as the public health emergency associated with the COVID-19 pandemic continues, the most significant negative financial impacts faced by county and municipal governments throughout New Jersey result from extreme economic contraction, deficits in tax and fee revenues, and extraordinary increases in public safety and health and human services expenditures; and

WHEREAS, severe fiscal stress limits the ability of counties and municipalities to maintain essential services and take the steps necessary to fight COVID-19; and

WHEREAS, without substantial federal assistance, residential taxpayers would absorb the primary impact of meeting these extraordinary needs and closing any associated operating deficits; and

WHEREAS, the Department of Community Affairs (“DCA”), through the Division of Local Government Services (“DLGS” or “Division”), has been deemed the lead agency for the distribution of the Local Government Emergency Fund (the “LGEF” or “Program”), provided through an allocation of the State of New Jersey’s CARES Act Coronavirus Relief Fund (CRF Funds); and

WHEREAS, counties and municipalities excluded from the federal government’s direct CRF allocation plan, as well as those counties and municipalities that are currently the most impacted by COVID-19 in comparison to their available resources, are eligible for LGEF funds pursuant to a maximum distribution determined by formula; and

WHEREAS, a total of \$60 million is currently being made available under the Program, with a potential \$60 million more to be allocated; and

WHEREAS, LGEF Grants exist to support costs incurred as part of a local unit’s response to COVID-19.

NOW, THEREFORE, BE IT RESOLVED by City Council that the City of Ocean City will apply for an LGEF Grant in the amount of \$87,950.00.

Robert S. Barr, Council President

Files: RES Grant Application_CRF.docx

Offered by Seconded by
The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2020

NAME	AYE	NAY	ABSENT	ABSTAINED
Barr	_____	_____	_____	_____
Bergman	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Levchuk	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Rotondi	_____	_____	_____	_____

Melissa G. Rasner, City Clerk

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

07

**AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE FOR A
CONSTRUCTION PROJECT AT 60 WEST AVENUE
BLOCK 12, LOT(S) 16 & 16.01, PROJECT #19-003PBA**

WHEREAS, Ocean City Development Group LLC, has posted a performance guarantee for construction of an approved Site Plan at 60 West Avenue, Block 12 Lot(s) 16 & 16.01 in Ocean City in accordance with Section 25-1600 of Ordinance #88-17, Volume II, the City's zoning ordinance, also known as application number 19-003PBA.

WHEREAS, this application was submitted for a Commercial Site Plan as approved by the Planning Board on April 10, 2019; and

WHEREAS, the Planning Board Engineer's Office has issued a final Site Plan inspection approval report dated October 14, 2020 indicating that the above mentioned project has been installed in compliance with the approved site plan; and

WHEREAS, the Planning Board of the City of Ocean City has recommended the release of the cash performance guarantee, in the amount of \$18,854.00; and

WHEREAS, the Planning Board recommends that a cash portion of the performance guarantee in the amount of \$2,078.10 be held or a bond or other type of surety approved by the City Solicitor, in the amount of 11% of the performance guarantee be posted for a period of two (2) years from the date of the release of the performance guarantee; and

NOW, THEREFORE, BE IT RESOLVED that the Director of Finance is authorized to release the cash performance guarantee in the amount of \$18,854.00 to Ocean City Development Group LLC.

Frank Donato III
Chief Financial Officer

Robert S. Barr,
Council President

Files: Ocean City Development Group LLC Performance Release 19-003PBA.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2020.

NAME	AYE	NAY	ABSENT	ABSTAINED
Barr	_____	_____	_____	_____
Bergman	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Levchuk	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Rotondi	_____	_____	_____	_____

City Clerk

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

08

**CERTIFYING THE GOVERNING BODY HAS REVIEWED THE
BEST PRACTICES INVENTORY QUESTIONNAIRE**

WHEREAS, the State of New Jersey 2012 Appropriations Act (P.L. 2012, c.18) requires the Division of Local Government Services to determine how much of each municipality’s final 5% allocation of state aid will be disbursed based upon the results of a Best Practices Inventory; and

WHEREAS, this Inventory is a constructive way for the City to consider and embrace a range of best practices that will help improve financial accountability and transparency; and

WHEREAS, the Best Practices Inventory Questionnaire was prepared by the Chief Financial Officer of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, New Jersey that Council has reviewed the 2020 Best Practices Inventory Questionnaire and requests the Municipal Clerk to submit the Best Practices Public Meeting Certification Form to the New Jersey Department of Community Affairs, Division of Local Government Services.

Robert S. Barr
Council President

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2020.

NAME	AYE	NAY	ABSENT	ABSTAINED City Clerk
Barr	_____	_____	_____	_____	
Bergman	_____	_____	_____	_____	
DeVlieger	_____	_____	_____	_____	
Hartzell	_____	_____	_____	_____	
Levehuk	_____	_____	_____	_____	
Madden	_____	_____	_____	_____	
Rotondi	_____	_____	_____	_____	

2020 Best Practices Inventory Online Platform

Ocean City

Printable Current Answers

001

Core Competencies

Personnel

The Fair Labor Standards Act (FLSA) is a federal law requiring that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and thus not entitled to overtime pay. Other municipal employees may also be classified as exempt under the FLSA (please consult labor counsel for detailed guidance). Exempt status also precludes overtime pay for time worked during emergencies, attendance at night meetings and participation in training sessions. Compensated leave time in lieu of cash payments is considered a form of overtime pay unless such leave is utilized in the same pay period. Does your municipality not pay overtime to employees classified as exempt under the FLSA?

[1.00] Yes

002

Core Competencies

Personnel

Has your municipality reviewed and updated its employee personnel manual/handbook by resolution or ordinance within the past three years or upon the conclusion of each of your municipality's collective negotiated agreements (CNAs)? If yes, please provide in the Comments section the date of the meeting at which the personnel manual was updated. If not yes, please type "Did Not Answer Yes" into the comment box.

[1.00] Yes

Comment: 9/26/19

003

Core Competencies

Budget

Does your municipality complete an initial draft of its annual budget no later than the first week of January (or first week of July if an SFY municipality), and obtain input in crafting the draft budget from elected officials and department heads as appropriate to the form of government?

[1.00] Yes

004	Core Competencies	Budget	
Has your municipality created an accumulated absence liability trust fund pursuant to N.J.A.C. 5:30-15.5?			[0.00] No
005	Core Competencies	Budget	
Does your municipality annually review 1) its fee schedules against revenue collected, and 2) its fee ordinance(s) to determine whether fees need to be brought more in line with expenses?			[1.00] Yes
006	Core Competencies	Financial Administration	
The Government Electronic Payment Acceptance Act (N.J.S.A. 40A:5-43 et seq.) and its implementing regulations (N.J.A.C. 5:30-9.1 et seq.) set forth requirements for municipalities accepting credit cards, debit cards, and other electronic fund transfer mechanisms as means of collecting payment. In part, N.J.A.C. 5:30-9.9 limits any surcharges or convenience fees charged by a municipality for handling and processing the transaction. Is your municipality adhering to N.J.A.C. 5:30-9.9 when charging surcharges or convenience fees relating to electronic payment acceptance?			[1.00] Yes
007	Core Competencies	Capital Projects	
Has your municipality adopted a capital program as defined by N.J.A.C. 5:30-4.2, meaning a moving, multi-year plan and schedule for capital projects (including prospective financing sources) and, when pertinent, first year operating costs and savings?			[1.00] Yes
008	Core Competencies	Capital Projects	
If your municipality charges administrative fees for off-duty police traffic safety personnel on a public works or utility project, are such fees set by ordinance at an amount not exceeding the municipality's actual costs for administering the off-duty work? See Local Finance Notice CFO 2000-14 for further guidance.			[1.00] Yes
009	Core Competencies	Transparency	
Are your municipality's codified and uncoded ordinances, including all current salary ordinances, available online?			[1.00] Yes

010	Best Practices	Transparency	
Does your municipality have an official social media account or accounts and, if so, is there a written policy establishing guidelines on access, use, and permitted content?			[0.00] No Comment: N/A
011	Core Competencies	Procurement	
Do your municipality's professional services contracts include a "not to exceed" amount?			[1.00] Yes
012	Best Practices	Procurement	
If your municipality contracts with an insurance broker for health insurance, and said contract exceeds the Local Public Contracts Law bid threshold, is your municipality's health insurance broker being procured through a competitive contracting or sealed bid process conducted pursuant to the Local Public Contracts Law?			[0.00] No
013	Best Practices	Procurement	
Insurance broker fees dependent on the amount of health insurance premiums or fees paid by the municipality are vulnerable to abuse as brokers could face conflicting incentives in seeking lower-cost health insurance alternatives. If your municipality contracts with an insurance broker for health insurance, is the structure for broker payments set at a flat-fee rather than on a commission basis to mitigate the risk of a broker recommending more expensive health insurance coverage to earn higher fees?			[0.50] Yes
014	Core Competencies	Cybersecurity	
A cybersecurity incident response plan is a set of instructions to help detect, respond to, and recover from network security incidents. These plans address areas such as cybercrime, data loss, and service outages. Does your municipality have a cybersecurity incident response plan?			[1.00] Yes
015	Core Competencies	Cybersecurity	
Are all municipal employees receiving ongoing cybersecurity training in malware detection, password construction, identifying security incidents and social engineering attacks?			[1.00] Yes

016	Core Competencies	Ratables/PILOTs	
Before formalizing negotiations and entering into a Long-Term Financial Agreement, does your municipality have at least one staff member or contractually-retained professional evaluate all proposed Long-Term PILOTs to assure that the proposed agreement is a net-benefit to the municipality?			[1.00] Yes
017	Best Practices	Environment	
If your municipality has a combined sewer overflow (CSO) system, has the conversion to a non-CSO overflow system been incorporated into your municipality's capital improvement program? If your municipality does not have a CSO system, is it undertaking affirmative measures to reduce stormwater runoff? Non-CSO municipalities answering Yes should explain these measures in the Comment Box.			[0.00] No Comment: N/A- the sewer system is not owned by the municipality
018	Core Competencies	Financial Administration	
Pursuant to N.J.S.A. 40A:5-14(d), a local unit's investment policies shall be based on a cash flow analysis prepared by the CFO, with those policies being commensurate with the nature and size of the funds held by the local unit. Has your municipality conducted a cash flow analysis of its deposited and invested funds, and, based on that analysis, does your municipality's cash management plan set policies for your municipality's investments that consider preservation of capital, liquidity, current and historical investment returns, diversification, maturity requirements, costs and fees associated with the investment and, when appropriate, policies of investment instrument administrators?			[1.00] Yes
019	Best Practices	Budget	
Does your municipality periodically review the historical activity and balances of all trust fund accounts not created through public referendum (i.e. open space) to determine the need for, and adequacy of, each account? Only answer N/A if your municipality does not have any non-referendum trust funds.			[0.50] Yes

020	Core Competencies	Budget	
Is your municipality ensuring that insurance reimbursements are credited back to the budget appropriation line item in the budget in accordance with N.J.S.A 40A:5-32, instead of applied as miscellaneous revenue not anticipated? Compliance with this statutory obligation relieves pressure on current year appropriations. Only answer N/A if your municipality had no insurance reimbursements in 2019 or 2020.			[1.00] Yes
021	Core Competencies	Capital Projects	
Has your municipality reviewed all completed capital project bond ordinances for remaining balances that can be cancelled by resolution, and revert to their respective balance sheet accounts?			[1.00] Yes
022	Best Practices	Financial Administration	
Are monthly cash-flow statements prepared to assist in identifying and managing liquidity risk and used to conduct regular stress test forecasting payments based on known due dates and anticipated revenues received during the same period?			[0.50] Yes
023	Best Practices	Budget	
Has your municipality reviewed individual grants receivable and appropriated to 1) ensure all grants are appropriately charged; 2) receivables are collected in a timely manner; and 3) considered cancelling any expired or otherwise stale grants? Doing so minimizes or avoids fund balance depletion due to use of current fund cash to cover grant expenses. Only answer N/A if your municipality does not have any grants receivable and appropriated.			[0.50] Yes
024	Best Practices	Personnel	
In the event of a staff vacancy, municipalities should ensure there is backup to critical positions through cross-training staff and/or entering into shared services agreements with other local units. Has your municipality 1) cross-trained staff for multiple functions to the extent permitted by employee titles, labor agreements and Civil Service, as applicable; and/or 2) entered into a shared service agreement with another municipality or local government entity for the provision of staffing as may be needed?			[0.50] Yes

025	Best Practices	Personnel	
Has your municipality established by ordinance an anti-nepotism policy that, at minimum, prohibits hiring the immediate family members of elected officials, department heads, or supervisors?			[0.00] No Comment: Ocean City has an anti-nepotism policy, but not as adopted by ordinance
026	Core Competencies	Procurement	
Has your municipality reviewed with legal counsel and other appropriate officials (e.g. engineer; purchasing agent) the boilerplate language in its bid or RFP documents to ensure such language meets legal requirements under the Local Public Contracts Law and pay-to-play, along with other relevant statutes and caselaw?			[1.00] Yes
027	Core Competencies	Transparency	
Does your municipality maintain an up-to-date municipal website containing at minimum the following: past three years adopted budgets; the current year proposed budget (including the full adopted budget for the current year when approved by the governing body); most recent annual financial statement and audits; notification(s) for solicitation of bids and RFPs; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?			[1.00] Yes
028	Core Competencies	Transparency	
N.J.S.A. 34:13A-8.2 requires public employers, including municipalities, to file with the Public Employment Relations Commission (PERC) a copy of all contracts negotiated with public employee representatives. This includes, but is not limited to, collective bargaining agreements, memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements. Copies of same may be emailed to contracts@perc.state.nj.us. Has your municipality filed all current contracts with PERC? Only answer N/A if your municipality does not have any employee labor unions.			[1.00] Yes
029	Core Competencies	Cybersecurity	
Does your municipality perform off-network daily incremental backups with weekly full backups of all data?			[1.00] Yes

030	Unscored Survey	COVID-19 Response
How has the COVID-19 crisis impacted your municipality's cash flow and/or anticipated surplus going into 2021? Please select one answer only.		[0.00] Moderately
031	Unscored Survey	COVID-19 Response
Has your municipality had to make any reductions in expenditures due to COVID-19? If so, please include under Comments the departments or programs impacted by COVID-19 related spending reductions. If the answer is no, insert None under Comments.		[0.00] Yes Comment: most of our summer special events were cancelled this year therefore funding was reduced
032	Unscored Survey	COVID-19 Response
Has your municipality received any CARES Act funding from the State, your county government, or directly from the federal government? Please state under Comments the dollar amount of such funding, the source(s), and whether such funds have been partially or totally disbursed to the municipality; if none please insert \$0 under Comments.		[0.00] Yes Comment: Ocean City received \$284,843 in CARES funding through CDBG. To date the funding has yet to be disbursed.
033	Unscored Survey	COVID-19 Response
Please select the one most critical area in which your municipality currently requires technical non-monetary assistance.		[0.00] Affordable Housing
034	Unscored Survey	COVID-19 Response
In reviewing your municipality's operations during the COVID-19 pandemic, what is the department, division, office or other area of municipal operations that has been most strained by the pandemic?		[0.00] Public Safety

035

Unscored Survey

COVID-19 Response

Provide one procedure or process that your municipality developed in response to the pandemic that it intends to keep after the COVID-19 emergency concludes.

Comment:
Conducting certain meetings remotely or virtually

036

Unscored Survey

COVID-19 Response

Is your municipality providing grants to small businesses impacted by COVID-19? If so, please provide under Comments the total number of businesses approved for grants thusfar, the total amount in grants approved, and a link to the grant program guidelines. If your municipality is not providing grants, please insert N/A under Comments.

[0.00] No
Comment: N/A

037

Unscored Survey

Alcoholic Beverage Licensing

Have any liquor licenses for Type 33 plenary retail consumption licenses (e.g. bars) been sold in your municipality by private sale during 2019 and 2020? If yes, please state the date of sale along with sale price for each license under Comments. If no, please insert the number zero under Comments.

[0.00] No
Comment: N/A- we are a dry town

038(a)

Unscored Survey

Shared Services

Is your municipality currently in negotiations with another local government or board of education to either provide or receive one or more of the following shared services? If the fact that negotiations are taking place has not yet been made public, this question may be answered No. (a) Police

[0.00] No

038(b)

Unscored Survey

Shared Services

Is your municipality currently in negotiations with another local government or board of education to either provide or receive one or more of the following shared services? If the fact that negotiations are taking place has not yet been made public, this question may be answered No. (b) Fire

[0.00] No

038(c)

Unscored Survey

Shared Services

Is your municipality currently in negotiations with another local government or board of education to either provide or receive one or more of the following shared services? If the fact that negotiations are taking place has not yet been made public, this question may be answered No. (c) Dispatch

[0.00] No

038(d)	Unscored Survey	Shared Services
Is your municipality currently in negotiations with another local government or board of education to either provide or receive one or more of the following shared services? If the fact that negotiations are taking place has not yet been made public, this question may be answered No. (d) Public Works		[0.00] No

038(e)	Unscored Survey	Shared Services
Is your municipality currently in negotiations with another local government or board of education to either provide or receive one or more of the following shared services? If the fact that negotiations are taking place has not yet been made public, this question may be answered No. (e) Health Department / Board of Health		[0.00] No

038(f)	Unscored Survey	Shared Services
Is your municipality currently in negotiations with another local government or board of education to either provide or receive one or more of the following shared services? If the fact that negotiations are taking place has not yet been made public, this question may be answered No. (f) Construction Code Enforcement		[0.00] No

039	Unscored Survey	Shared Services
Does your municipality handle the entirety of its public safety and emergency dispatching with its own employees? If Yes, please indicate in the Comments what, if anything, has been done to explore a more regional approach to dispatch along with any barriers. If the answer is No, please list under Comments the other local government entities and/or private entity and the dispatching services each provides for the municipality.		[0.00] Yes Comment: Ocean City is the host city to a regional dispatch center

040(a)	Unscored Survey	Shared Services
Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (a) Chief Financial Officer		[0.00] No Comment: N/A

040(b)

Unscored Survey

Shared Services

Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (b) Tax Collector

[0.00] No

Comment: N/A

040(c)

Unscored Survey

Shared Services

Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (c) Tax Assessor

[0.00] No

Comment: N/A

040(d)

Unscored Survey

Shared Services

Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (d) Municipal Clerk

[0.00] No

Comment: N/A

040(e)

Unscored Survey

Shared Services

Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (e) Municipal Treasurer

[0.00] No
Comment: N/A

040(f)

Unscored Survey

Shared Services

Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (f) Qualified Purchasing Agent

[0.00] No
Comment: N/A

040(g)

Unscored Survey

Shared Services

Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (g) Certified Public Works Manager

[0.00] No
Comment: N/A

040(h)

Unscored Survey

Shared Services

Does your municipality currently provide a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, Please answer yes if the following position is being provided pursuant to a shared services agreement and indicate under Comments list each municipality where this position is being provided. If the following position is not being provided, select No and insert N/A into Comments. (h) Public Works Superintendent

[0.00] No
Comment: N/A

041

Unscored Survey

Shared Services

If the answer to any subpart in Question 40 is yes, did one or more of the identified shared service agreements result in the dismissal of a tenured official? If yes, please insert under Comments the position or positions where an agreement resulted in the dismissal of a tenured official. If no or N/A, please also insert No or N/A under Comments. See LFN 2018-3R for more information on this provision of the Common Sense Shared Service Act.

[0.00] N/A
Comment: N/A

042

Unscored Survey

Environment

How much did your municipality spend on operational costs associated with managing and treating stormwater runoff in the prior fiscal year, and how much did your municipality appropriate toward same for the current fiscal year? Examples of such costs include street cleaning, conveyance system clean-out, routine maintenance of storm drains and outfall pipes, and stormwater runoff-related educational programs. For projects with definite but ancillary stormwater runoff benefits, describe those benefits under Comments. Also list under Comments the FCOA codes your municipality is using to classify these stormwater-related prior year expenditures and current year appropriations.

Comment: At least \$200k but difficult to fully quantify. A variety of staff dedicate a mix of their schedules to this task. FCOA codes are 20-100 Engineering Office and 20-165 Field Operations

043	Unscored Survey	Environment	<p>Please list which projects in your municipality's most recent adopted capital budget, if any, are associated with stormwater management. State "None" if no project fits this criteria or "N/A" if your municipality has not adopted a capital budget in the most recent fiscal year.</p>	<p>Comment: Proposed stormwater pump station and improved drainage project from 9th to 26th streets</p>
044	Unscored Survey	Environment	<p>Is your municipality considering establishing a stormwater utility, authorizing a sewerage authority or MUA to establish a separate stormwater operation, or joining a regional stormwater utility? If the answer to the above is "Yes", please explain under Comments where your municipality is in the process. If the answer to the above is "No", please explain under Comments the reason(s) why your municipality is not currently pursuing the creation of a stormwater utility.</p>	<p>[0.00] No Comment: we manage stormwater costs through capital ordinances</p>
045	Unscored Survey	Environment	<p>What type of residential recycling program does your municipality have? Select only one.</p>	<p>[0.00] Single-stream</p>
046	Unscored Survey	Environment	<p>Has your residential recycling program changed from single-stream to dual-stream in the past two years?</p>	<p>[0.00] No</p>
047	Unscored Survey	Environment	<p>If your residential recycling program is single-stream, is your municipality considering a conversion to dual-stream recycling?</p>	<p>[0.00] N/A Comment: This would be subject to the Cape May County MUA</p>
048	Unscored Survey	Environment	<p>Is recycling in your municipality picked up utilizing a truck with an automated single-arm?</p>	<p>[0.00] No</p>

049	Unscored Survey	Opportunity Zones	
Is your municipality aware of any real estate development projects or businesses that will be using the Opportunity Zone tax incentive or receiving an Opportunity Fund investment? Only answer N/A if your municipality is not located within an Opportunity Zone.			[0.00] N/A
050	Unscored Survey	Opportunity Zones	
If your municipality knows of any projects that are using or will be using the Opportunity Zone tax incentive, please include the name of each project, the full address, a short description that includes the primary developer (if applicable), estimated value of the development (i.e. total permitted value), and the project's status (if known) on the Excel form provided on DLGS's Best Practices webpage. Upload the Excel form using the "Attach File" button toward the bottom of your screen. If you have uploaded the Excel form, type "File Uploaded" in the Comment Box. If you have not uploaded the Excel Form, type NA in the Comment Box.			Comment: N/A
051	Unscored Survey	Planning & Econ. Devt.	
Does your municipality have a minimum lot size requirement of one acre or more for new residential development?			[0.00] No Comment: N/A- we are an urban town, typical lot size is between 3,000 and 5,000 sq feet
052	Unscored Survey	Planning & Econ. Devt.	
Does your municipality place annual limits on the total allowable number of permits or dwellings for new single family construction?			[0.00] No
053	Unscored Survey	Planning & Econ. Devt.	
Does your municipality place annual limits on the total allowable number of permits or dwellings for new multi-family construction?			[0.00] No
054	Unscored Survey	Planning & Econ. Devt.	
Does your municipality have an urban growth or containment ordinance or policy in place?			[0.00] No

055	Unscored Survey	Planning & Econ. Devt.
Does your municipality currently have a development moratorium or a set of regulations that effectively create a development moratorium?		[0.00] No
056	Unscored Survey	Planning & Econ. Devt.
Does your municipality currently have a ban on mobile homes?		[0.00] No
057	Unscored Survey	Planning & Econ. Devt.
Does your municipality have any restrictions on the pace of residential development (i.e. number of units that can be added each year)?		[0.00] No
058	Unscored Survey	Planning & Econ. Devt.
Inclusionary zoning ordinances require developments to provide a percentage of the residential units constructed/developed/created be set-aside and available to low- and moderate-income households. Does your municipality have an inclusionary zoning ordinance in place?		[0.00] No
059	Unscored Survey	Planning & Econ. Devt.
Density bonuses encourage the production of affordable housing by allowing developers to build more units than would ordinarily be allowed on a site by the underlying zoning code, in exchange for a commitment to include a certain number of below-market units in the development. Do you offer a density bonus for affordable housing development?		[0.00] Yes
060	Unscored Survey	Planning & Econ. Devt.
Please describe the general attitude of your residents toward additional affordable housing development? (Select only one answer)		[0.00] Unfavorable

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

09

**AUTHORIZING AN AMENDMENT APPLICATION FOR AND THE EXECUTION OF A
SUBCONTRACT WITH THE COUNTY OF CAPE MAY FOR THE UPPER TOWNSHIP/
OCEAN CITY MUNICIPAL ALLIANCE PROGRAM**

WHEREAS, the State of New Jersey has established a Governor’s Council on Alcoholism and Drug Abuse to coordinate the State’s efforts in regard to the planning and provision of treatment, prevention, research, evaluation, and education services for, and public awareness of alcoholism and drug abuse; and

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse has amended the Fiscal Grant Cycle from July 2020 – June 2021 to reduce a quarter - October 2020 – June 2021 from 4 quarter to 3 quarters due the 2020 Pandemic in which the MAC Fiscal Year 2020 had 5 quarters from July 2019 – September 2020.

WHEREAS, the Upper Township/Ocean City Municipal Alliance has appointed a Municipal Alliance Committee, which Committee will identify local needs, and recommend actions designed to deal with alcoholism and drug abuse; and

WHEREAS, the Upper Township/Ocean City Municipal Alliance has received and is administering “DEDR” grants under the subcontract with the County; and

NOW THEREFORE, BE IT RESOLVED, that the City of Ocean City, County of Cape May, State of New Jersey, does hereby authorize the City to file an application for such grant funds; to execute any contracts or agreements necessary to obtain the funds, contract/agreements; and

BE IT FURTHER RESOLVED, that the Upper Township/Ocean City Municipal Alliance Committee is hereby designated to continue to serve as the Committee required by Section C.26: 2BB-9 of the legislation; that the Upper Township/Ocean City Municipal Alliance is authorized to execute a new service agreement with said Committee; and, that said Agreement will evidence approval and acceptance of the Committee’s Membership and By-laws; and

BE IT FURTHER RESOLVED, that the Mayor of the City of Ocean City, is authorized to sign the Application for October 1, 2020 – June 30, 2021 grant funds, and to execute all contracts and agreements necessary to accept the funds and carry out program in accordance with the State requirements; and

BE IT FURTHER RESOLVED, that the total amount of the Contract shall be \$19,140.00; that the total amount of the County Grant shall be \$9,570.00; that the amount of Local In-kind match shall be \$7,177.50; and that the amount of Local Cash match shall be \$2,392.50 (Approximately: Ocean City \$1,435.50/Upper Township \$957.00).

Jay A. Gillian,
Mayor

Robert S. Barr,
Council President

Files: October 2020 – June 2021 Municipal Alliance Program.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2020.

NAME	AYE	NAY	ABSENT	ABSTAINED City Clerk
Barr	_____	_____	_____	_____	
Bergman	_____	_____	_____	_____	
DeVlieger	_____	_____	_____	_____	
Hartzell	_____	_____	_____	_____	
Levchuk	_____	_____	_____	_____	
Madden	_____	_____	_____	_____	
Rotondi	_____	_____	_____	_____	

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

10

AMENDING THE 2020 BUDGET OF THE CITY OF OCEAN CITY TO INCLUDE ADDITIONAL REVENUE FROM THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, AIRE QUALITY, ENERGY AND SUSTAINABILITY, DIVISION OF AIR QUALITY, BUREAU OF MOBILE SOURCES, NJ CLEAN CONSTRUCTION

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

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

WHEREAS, the Local share of the above referenced grant is zero; and

NOW, THEREFORE, BE IT RESOLVED that the City of Ocean City hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$52,036.86 which item is now available as a revenue from:

GENERAL REVENUES

Miscellaneous Revenue-Section F
Special Items of General Revenue Anticipate with
Prior Written Consent of the Director of Local
Government Services:

Public and Private Revenue Offset with Appropriations

NJDEP NJ Clean Construction,\$52,036.86 pursuant to the
provisions of Statute; and

BE IT FURTHER RESOLVED that a like sum of \$52,036.86 be and the same is hereby appropriated under the caption of:

8. GENERAL APPROPRIATIONS
(A) Operations-Excluded from "CAPS"
Public and Private Programs Offset by Revenues

NJDEP NJ Clean Construction,\$52,036.86
pursuant to the provisions of Statute; and

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

BE IT FINALLY RESOLVED that this amendment be published in the Sentinel Ledger in the issue of November 11, 2020.

Robert S. Barr,
Council President

FILES/Chapter 159 NJDEP NJ Clean Construction.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2020.

NAME	AYE	NAY	ABSENT	ABSTAINED
Barr	_____	_____	_____	_____
Bergman	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Levchuk	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Rotondi	_____	_____	_____	_____

.....
City Clerk

RESOLUTION

**AUTHORIZING A SHARED SERVICES AGREEMENT WITH
COUNTY OF CAPE MAY AND CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY FOR
THE EXPANSION OF FINAL PAVEMENT RESTORATION LIMITS AS CONTAINED IN
CMCMUA CONTRACT NO. OC-06-19 AND FOR THE EXTENSION OF BICYCLE LANES
ON BAY AVENUE IN THE CITY OF OCEAN CITY**

WHEREAS, the Cape May County Municipal Utilities Authority (“CMCMUA”/ “Authority”) is currently engaged in the completion of construction for Contract No. OC-06-19 – Ocean City Region Bay Avenue Force Main Replacement; and,

WHEREAS, under Contract OC-06-19, the Contractor, Lafayette Utility Construction Co., Inc., is obligated to provide final pavement restoration for all disturbed areas of the project; and,

WHEREAS, the Authority, the County of Cape May and the City of Ocean City all recognize it is in their joint best interests to utilize the services of the mobilized onsite Contractor to effectuate the extension of bicycle lanes, upgrade painted crosswalks, pave non-Contract specified areas of Bay Avenue, as well as completely restore pavement; and,

WHEREAS, the Authority, The County of Cape May and the City of Ocean City are desirous of entering into a mutually beneficial shared services agreement entitled “SHARED SERVICES AGREEMENT BETWEEN THE CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY, THE COUNTY OF CAPE MAY AND THE CITY OF OCEAN CITY FOR THE EXPANSION OF FINAL PAVEMENT RESTORATION LIMITS AS CONTAINED IN CMCMUA CONTRACT NO. OC-06-19 AND FOR THE EXTENSION OF BICYCLE LANES ON BAY AVENUE IN THE CITY OF OCEAN CITY” to enable the Contractor to provide the services; and,

WHEREAS, the City’s contribution to the cost of the project will be reimbursement for 50% of the cost to restore bicycle lane striping and markings between 8th and 18th Streets, and for 50% of the cost for installing new bicycle lane striping and markings between 18th and 34th Streets; as well as for 50% of the cost to upgrade crosswalks between 18th and 34th Streets (City’s estimated share: \$68,065); and,

WHEREAS, N.J.S.A. 40A:65-1, *et seq.* authorizes local government units, including the Authority, the County and the City, to enter into agreements for the joint provision of governmental services; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing body of the City of Ocean City, County of Cape May and State of New Jersey as follows:

- 1. The recitals set forth above are incorporated herein as if set forth at length.
- 2. The Mayor and City Purchasing Manager are hereby authorized to execute the said shared services agreement with the County of Cape May and Cape May County Municipal Utilities Authority in substantially the same form as is currently on file in the office of the City Clerk of Ocean City with such changes as may be deemed appropriate by the City Solicitor.

The Director of Financial Management certifies that funds are available and shall be charged to Capital Account # C-04-55-316-010.

CERTIFICATION OF FUNDS

Frank Donato, III
Director of Financial Management, CFO

Robert S. Barr
Council President

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2020.

NAME	AYE	NAY	ABSENT	ABSTAINED	City Clerk
Barr	_____	_____	_____	_____	
Bergman	_____	_____	_____	_____	
DeVlieger	_____	_____	_____	_____	
Hartzell	_____	_____	_____	_____	
Levchuk	_____	_____	_____	_____	
Madden	_____	_____	_____	_____	
Rotondi	_____	_____	_____	_____	

RESOLUTION

AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO THE REDEVELOPMENT AGREEMENT REGARDING THE PALEN AVENUE AND TENTH STREET AREA IN NEED OF REHABILITATION IN THE CITY OF OCEAN CITY, NEW JERSEY.

WHEREAS, on October 22, 2013, City Council introduced at first reading Ordinance 13-35, “An Ordinance Adopting A Redevelopment Plan for the Palen Avenue and Tenth Street Area in Need of Rehabilitation in the City of Ocean City, New Jersey and Amending the Zoning Map Accordingly”; and,

WHEREAS, on November 21, 2013, City Council voted to pass Ordinance 13-35 after second reading and a public hearing; and,

WHEREAS, Ordinance 13-37 was then adopted after first reading on December 30, 2013 and second reading and public hearing on January 9, 2014 to correct the date of the Redevelopment Plan to October 18, 2013; and

WHEREAS, Ordinance 20-01 was adopted after first reading on January 20, 2020 and second reading and public hearing on February 13, 2020, amending the Redevelopment Agreement to reflect the November 8, 2017 Ocean City Planning Board Resolution approving an amended site plan and subdivision plan and consolidate eight lots into four lots; and,

WHEREAS, attached hereto is a Second Amendment to Redevelopment Agreement which would extend the date for repayment of the loan from the City to the Redeveloper from November 25, 2020 to November 1, 2024, and pursuant to which the Redeveloper agrees to install a new fence and public restrooms at the property;

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

1. The recitals set forth above are incorporated herein and made a part hereof as if set forth at length.
2. The Mayor or his designee to execute the attached Second Amendment to Redevelopment Agreement.

Robert S. Barr, Council President

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the day of 2020.

NAME	AYE	NAY	ABSENT	ABSTAINED
Barr	_____	_____	_____	_____
Bergman	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Levchuk	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Rotondi	_____	_____	_____	_____

City Clerk

SECOND AMENDMENT TO REDEVELOPMENT AGREEMENT

This Second Amendment to Redevelopment Agreement (this “Second Amendment”) is made and entered into as of the _____ day of _____ 2020, by and between 10th Street Wharf LLC, as the assignee of Bayfront Preservation Foundation, LLC (the “Foundation”), and the City of Ocean City (“City”).

RECITALS

WHEREAS, the Foundation and City entered into that certain Redevelopment Agreement, having an effective date of July 1, 2014, regarding the redevelopment of property identified in the Redevelopment Agreement (“Agreement”), which was thereafter assigned by the Foundation to 10th Street Wharf LLC (referred to herein as the “Redeveloper”) by and through an Assignment of Contract, dated September 2014;

WHEREAS, the City Planning Board duly adopted a Decision and Resolution which approved and granted the preliminary and final site plan approval. Such Decision and Resolution was memorialized on May 11, 2016 (“2016 Resolution”);

WHEREAS, on October 11, 2017, the City Planning Board duly adopted a Decision and Resolution which approved and granted an application for amended site plan and subdivision approval. Such Decision and Resolution was memorialized on November 8, 2017 (“2017 Resolution” which refers to the application as a Modification Application);

WHEREAS, Ordinance 20-01 was passed by the Council of Ocean City, New Jersey at a meeting on January 23, 2020, and was taken up for a second reading and final passage at a

meeting on February 13, 2020, which authorized the execution of an amendment to the Agreement;

WHEREAS, a First Amendment to Redevelopment Agreement was entered into as of March 3, 2020, to conform the Agreement with the Lot Consolidation Plan approved by the City Planning Board as reflected in the 2017 Resolution (the "First Amendment");

WHEREAS, pursuant to the Agreement, City provided Redeveloper with short-term financing for a portion of the project;

WHEREAS, pursuant to the financing terms of the Agreement, Redeveloper and City entered into a Mortgage and Note dated September 26, 2014 (collectively referred to as the "Loan");

WHEREAS, the Loan matures on or around November 25, 2020;

WHEREAS, Redeveloper desires to extend the terms of the Loan;

WHEREAS, City desires public restrooms and a fence be installed by Redeveloper on the Property (as defined in the Agreement and the First Amendment);

WHEREAS, Redeveloper and City have agreed to amend the Agreement and the First Amendment in accordance with the terms and conditions hereof.

AGREEMENT

NOW, THEREFORE, in consideration of the promises, the mutual covenants contained herein, and for good and other valuable consideration, the receipt, adequacy and sufficiency of

which are hereby acknowledged, Redeveloper and City, intending to be legally bound, do hereby covenant and agree as follows:

A. Recitals. The recitals set forth are true and correct in all respects and form an integral part of this Amendment.

B. Extension of Payment Term. The payment terms of the Loan shall be extended for approximately four (4) years with a maturity date of November 1, 2024.

C. Payment Schedule. The principal payment schedule as reflected on Page 8 of the Agreement, is hereby deleted and replaced with the following:

<u>Year</u>	<u>Note Maturing</u>	<u>Principal Payment</u>
2	Initial Bond Anticipation Note	\$0
3	Refunding Bond Anticipation Note	\$0
4	Refunding Bond Anticipation Note	1/20 th of the outstanding principal
5	Refunding Bond Anticipation Note	1/20 th of the outstanding principal
6	Refunding Bond Anticipation Note	1/20 th of the outstanding principal
7	Refunding Bond Anticipation Note	1/20 th of the outstanding principal
8	Refunding Bond Anticipation Note	1/20 th of the outstanding principal
9	Refunding Bond Anticipation Note	1/20 th of the outstanding principal
10	Last Bond Anticipation Note	100% of the outstanding principal

D. Installation of Public Restrooms. Redeveloper shall install a portable public restroom on the Property the design and location of which shall be mutually agreed upon with Foundation and City.

E. Installation of Security Fence. Redeveloper shall replace the temporary fencing on the Property with a more permanent fence the style of which shall be acceptable to the City, which may be removed or altered in the future, in consultation with the City, as development of the property consistent with the approvals referenced above proceeds.

F. Ratification. The terms and provisions set forth in this Second Amendment shall modify and supersede all inconsistent terms and provisions set forth in the Agreement and First Amendment. Except as revised herein, the Agreement and First Amendment remain unmodified. As modified herein, the Agreement and First Amendment are ratified and confirmed in all respects, and shall continue in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have duly executed this Second Amendment as of the date and year first above written.

Attest:

CITY OF OCEAN CITY

Name: _____

Name: Jay A. Gillian

Title: _____

Title: Mayor

STATE OF NEW JERSEY :

: ss

COUNTY OF CAPE MAY :

Be it remembered on this _____ day of _____ 2020 before me, the subscriber, a notary public/attorney-at-law of the of New Jersey, Jay A. Gillian personally appeared to me, known to be the Mayor of the City of Ocean City, Cape May County, New Jersey, mentioned in the within instrument, to which I first made known the contents thereof and thereupon he did acknowledge that he signed, sealed and delivered the same as his voluntary act and as authorized by the Ocean City governing body.

NOTARY PUBLIC

Attest:

10TH STREET WHARF LLC

Name: _____

Name: Thomas Gill

Title: _____

Title: Managing Member

STATE OF NEW JERSEY :

: ss

COUNTY OF CAPE MAY :

Be it remembered on this _____ day of _____ 2020 before me, the subscriber, a notary public/attorney-at-law of the of New Jersey, Thomas Gill personally appeared to me, known to be the Managing Member of 10th Street Wharf LLC, mentioned in the within instrument, to which I first made known the contents thereof and thereupon he did acknowledge that he signed, sealed and delivered the same as his voluntary act and as authorized by 10th Street Wharf LLC.

NOTARY PUBLIC

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION

13

AUTHORIZING THE PAYMENT OF CLAIMS

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

WHEREAS, the attached bill list represent claims against the municipality for period including October 17, 2020 to October 30, 2020

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

Frank Donato III
Chief Financial Officer

Robert S. Barr,
Council President

FILES/AUTHORIZING THE PAYMENT OF CLAIMS – 10.17.20 TO 10.30.20.doc

Offered by Seconded by

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of
said Council duly held on the day of 2020.

NAME	AYE	NAY	ABSENT	ABSTAINED
Barr	_____	_____	_____	_____
Bergman	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Levchuk	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Rotondi	_____	_____	_____	_____

City Clerk

November 2, 2020
10:55 AM

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

Page No: 1

P.O. Type: All Include Project Line Items: Yes Open: N Paid: N Void: N
Range: First to Last Rcvd: Y Held: Y Aprv: N
Format: Condensed Bid: Y State: Y Other: Y Exempt: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
19-01869	06/20/19	SEASHORE	SEASHORE ASPHALT CORP.	Reso 18-54-035	Open	120.60	0.00 B
19-02145	07/17/19	ACTIO	ACTION SUPPLY, INC.	19-55-342	Open	1,542.57	0.00 B
20-00001	01/08/20	DEPOS	THE DEPOSITORY TRUST COMPANY	2020 DEBT SERVICE	Open	2,966,468.75	0.00
20-00003	01/08/20	OCBOE	OCEAN CITY BOARD OF EDUCATION	2020 SCHOOL LEVY	Open	2,134,777.00	0.00
20-00004	01/08/20	ACMJI	ATLANTIC COUNTY MUNICIPAL JIF	2020 JOINT INSURANCE FUND	Open	529,253.00	0.00
20-00014	01/14/20	AC ELECT	ATLANTIC CITY ELECTRIC	2020 CITYWIDE ELECTRIC	Open	13,482.46	0.00 B
20-00015	01/14/20	NJAM3	NEW JERSEY-AMERICAN WATER CO.	2020 CITYWIDE WATER/SEWER	Open	46,181.80	0.00 B
20-00016	01/14/20	SJGAS	SOUTH JERSEY GAS COMPANY	2020 GAS CHARGES	Open	1,237.61	0.00 B
20-00022	01/14/20	VERIZ	VERIZON	2020 PHONE CHARGES	Open	5.27	0.00 B
20-00038	01/14/20	CMCTR	CAPE MAY COUNTY TREASURER	2020 COUNTY TAXES	Open	8,491,216.89	0.00
20-00059	01/17/20	CHLORKIN	CHLORKING INNOVATIONS, LLC		Open	1,485.00	0.00 B
20-00077	01/17/20	OCFRE	OCEAN CITY FREE PUBLIC LIBRARY	2020 LEVY PAYMENT SCHELDULE	Open	1,088,687.00	0.00
20-00098	01/17/20	STETS	B. W. STETSON LLC		Open	26.00	0.00 B
20-00105	01/17/20	ACUA	ATLANTIC COUNTY UTILITY AUTHOR		Open	355.10	0.00 B
20-00180	01/28/20	CAMPOJON	JONATHAN CAMPO		Open	906.63	0.00 B
20-00181	01/28/20	KEITHJOH	KEITH JOHNSON		Open	728.01	0.00 B
20-00183	01/28/20	74JONES	DENNIS JONES		Open	788.67	0.00 B
20-00184	01/28/20	TABOR	MICHAEL TABOR		Open	849.36	0.00 B
20-00231	01/28/20	DEVLN	EDMUND F.X. DEVLIN, ESQ.	RESOLUTION# 20-56-215	Open	3,333.33	0.00
20-00244	01/28/20	ENGDM	ENGINEERING DESIGN ASSOCIATES	ZB 2020 - ENGINEER	Open	2,450.50	0.00
20-00248	01/28/20	SCHEULE	SCHEULE PLANNING SOLUTIONS LLC	PB 2020 - PLANNER	Open	1,380.00	0.00
20-00323	01/31/20	SCHEULE	SCHEULE PLANNING SOLUTIONS LLC	2020 PROF PLAN - PROF SERV	Open	7,260.00	0.00
20-00324	01/31/20	STETS	B. W. STETSON LLC	COFFEE SUPPLIES FOR 2020	Open	92.50	0.00 B
20-00338	01/31/20	T BURGOS	TBA OF NJ LLC	20-56-214	Open	5,000.00	0.00 B
20-00354	02/05/20	JUSTR	JUST RIGHT TV PRODUCTIONS LLC	RES#18-54-142	Open	1,050.00	0.00 B
20-00409	02/12/20	CMCMU	C.M.C.M.U.A.		Open	87,719.79	0.00 B
20-00444	02/19/20	RUDERM	RUDERMAN & ROTH, LLC	RESOLUTION # 20-56-228	Open	1,760.00	0.00 B
20-00475	02/24/20	WEBPAGE	WEBPAGEFX, INC		Open	1,250.00	0.00 B
20-00729	03/31/20	HORIZOND	HORIZON BS BC OF NEW JERSEY		Open	3,742.48	0.00 B
20-00947	04/23/20	77MUR	JOHN MURPHY		Open	563.58	0.00 B
20-00986	04/30/20	77ECK	HAROLD ECKBOLD		Open	906.63	0.00 B
20-00999	04/30/20	77LAV	TIMOTHY LAVERTY		Open	788.67	0.00 B
20-01176	05/22/20	QBESPECI	QBE SPECIALTY INSURANCE CO	CLAIM NO: QM-0781	Open	1,714.45	0.00
20-01179	05/22/20	BSN	BSN SPORTS, INC		Open	2,442.96	0.00
20-01678	07/16/20	SACK	SACK O' SUBS, INC.		Open	82.00	0.00
20-01832	07/28/20	JESCO	JESCO EQUIPMENT CO.	20-57-033	Open	225,290.44	0.00
20-01846	07/28/20	FRITSCHT	THOMAS FRITSCH		Open	170.00	0.00
20-02009	07/30/20	KD PRODU	KD PRODUCTIONS & EVENTS		Open	11,775.96	0.00
20-02019	07/30/20	FALCONS	EAST COAST FALCONS, LLC		Open	36,725.00	0.00
20-02064	08/19/20	MOTOR	MOTOROLA C & E, INC.	Res. #20-56-194	Open	6,962.25	0.00
20-02067	08/19/20	TACTICAL	TACTICAL PUBLIC SAFETY, LLC	Resolution #20-56-194	Open	193,287.00	0.00
20-02078	08/19/20	ENGDM	ENGINEERING DESIGN ASSOCIATES	20-57-052	Open	5,431.50	0.00 B
20-02228	09/01/20	JPCOOKEC	J P COOKE COMPANY	2021 DOG LICENSES	Open	138.90	0.00
20-02239	09/01/20	FEIGUS	FEIGUS OFFICE FURNITURE		Open	842.72	0.00
20-02254	09/08/20	KEYSTON	KEYSTONE SEWING MACHINE CO INC		Open	1,633.90	0.00
20-02257	09/08/20	BENSHAFF	BEN SHAFFER RECREATION INC	Res. 20-56-194	Open	7,434.00	0.00
20-02277	09/14/20	RICHTREE	RICH TREE SERVICE, INC	20-56-194	Open	585.00	0.00 B
20-02282	09/14/20	RILEIGHS	RILEIGHS OUTDOOR DECOR		Open	4,046.64	0.00
20-02303	09/22/20	GARDE	GARDEN STATE HIGHWAY PROD. INC		Open	960.00	0.00
20-02323	09/28/20	FASTENAL	FASTENAL COMPANY	20-56-194	Open	10,199.66	0.00

November 2, 2020
10:55 AM

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

Page No: 2

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
20-02334	09/28/20	OCHA	OCEAN CITY HOUSING AUTHORITY	RESOLUTION #20-56-295	Open	68,634.00	0.00 B
20-02444	10/01/20	CAROLLA	CAROLLA BROTHERS LANDSCAPING	20-57-109	Open	46,150.00	0.00
20-02477	10/05/20	MARIAFEH	MARIA EUGENIA FEHR, LLC		Open	270.00	0.00
20-02485	10/15/20	SCHOP	WILLIAM SCHOPPY TROPHY COMPANY		Open	13.95	0.00
20-02486	10/15/20	TUCKAHOE	TUCKAHOE BIKE SHOP		Open	1,802.30	0.00
20-02487	10/15/20	MODERNMU	MODERN MUSCLE CAR INVASION		Open	500.00	0.00
20-02490	10/15/20	FORTNASS	FORT NASSAU GRAPHICS	R2001427	Open	250.00	0.00
20-02491	10/15/20	FORTNASS	FORT NASSAU GRAPHICS	R2001428	Open	204.00	0.00
20-02492	10/15/20	FORTNASS	FORT NASSAU GRAPHICS	R2001429	Open	125.00	0.00
20-02494	10/15/20	BEESLEY	BEESLEY'S POINT SEA DOO, INC.		Open	651.37	0.00
20-02495	10/15/20	BEESLEY	BEESLEY'S POINT SEA DOO, INC.		Open	1,906.41	0.00
20-02496	10/15/20	BEESLEY	BEESLEY'S POINT SEA DOO, INC.		Open	505.29	0.00
20-02499	10/15/20	BINSI	BERBEN INSIGNIA CO.		Open	192.00	0.00
20-02503	10/15/20	BEACHBAY	BEACH TO BAY LANDSCAPE, LLC		Open	2,780.00	0.00
20-02506	10/15/20	GRANTST	GRANT STREET GROUP		Open	4,000.00	0.00
20-02509	10/15/20	NJPO	NJ PLANNING OFFICIALS	NJPO'21 MEMBERSHIP RENEWAL JMF	Open	370.00	0.00
20-02511	10/15/20	FORTNASS	FORT NASSAU GRAPHICS	R2001453	Open	510.00	0.00
20-02512	10/15/20	TREEMAN	THE TREE-MAN		Open	6,470.00	0.00
20-02514	10/19/20	OPTICALS	OPTICAL SCIENTIFIC INC	AIRPORT AWOS SERVICE CALL	Open	763.76	0.00
20-02515	10/19/20	RNBEST	RICHARD N. BEST ASSOC., INC.	AIRPORT ENTRANCE GATE SERVICE	Open	657.00	0.00
20-02516	10/19/20	SPINN	SPINNING WHEEL FLORIST INC.	SYMPATHY BASKET - E. WAGNER	Open	81.00	0.00
20-02518	10/19/20	MCMNI	MCMANIMON, SCOTLAND & BAUMANN,	Res. 20-57-076	Open	600.00	0.00
20-02522	10/19/20	FORDS	FORD, SCOTT & ASSOCIATES, LLC	Res. 19-56-141	Open	14,400.00	0.00
20-02523	10/19/20	SENTI	SENTINEL LEDGER	2020 SUBSCRIPTION 1352693	Open	42.00	0.00
20-02527	10/19/20	KDI	KEYSTONE DIGITAL IMAGING, INC	2020 METER CLICKS 17-53-081	Open	9,260.29	0.00
20-02528	10/23/20	WASSYSHU	WASSY'S HUNTER SERVICES		Open	396.97	0.00
20-02544	10/27/20	BUSIS	BUSINESS & NEIGHBORHOOD DEVEL.		Open	700.00	0.00
20-02561	10/29/20	TREA4	TREASURER, STATE OF N.J.		Open	7,140.42	0.00
20-02570	10/29/20	CATAMA	CATAMARAN MEDIA COMPANY		Open	231.48	0.00

Total Purchase Orders:	79	Total P.O. Line Items:	0	Total List Amount:	16,074,738.82	Total Void Amount:	0.00
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2020
Recreation Trust Fund
Bill List- 10/30/20

Voucher #	Name	Amount	Description
4224	Casey Mclees	\$195.00	Cross Country Program
4225	Carrie Merritt	\$400.00	Cross Country Program/Basketball Training
4226	Meredith Steele	\$150.00	Cross Country Program
4228	Erin Porter	\$200.00	Cross Country Program
4233	Patrick Keane	\$520.00	Fall Basketball League
4234	Mike Lucchesi	\$680.00	Fall Basketball League
4235	Scott Cooper	\$640.00	Fall Basketball League
4236	Jane Custer	\$442.50	Fall Basketball League
4237	George Myers	\$520.00	Fall Basketball League

\$ 3,747.50

RECEIVED
OCT 29 2020
FINANCIAL MANAGEMENT
OCEAN CITY, NJ

November 2, 2020
11:57 AM

CITY OF OCEAN CITY
Check Register By Check Id

Page No: 1

Addition to the Bill list

Range of Checking Accts: GENERAL to GENERAL Range of Check Ids: 101233 to 101233
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
101233	11/06/20	STAND STANDARD & POOR'S FINANCIAL	30,875.00		5045
Report Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	30,875.00	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	30,875.00	0.00