TOWNSHIP OF MULLICA
MEETING AGENDA (REVISED)
FEBRUARY 27, 2026
7:00 PM

MEETING CALLED TO ORDER

SUNSHINE LAW

FLAG SALUTE

ROLL CALL

APPROVAL OF MINUTES
Regular Meeting – February 2, 2026
Executive Session Minutes – February 2, 2026

PUBLIC COMMENT ON AGENDA ITEMS

ORDINANCES ON SECOND READING – HEARING/ADOPTION
- Ordinance 01-2026 – Establishing Salary Ranges of Officers and Employees for 2026
- Ordinance 02-2026 – Exceeding the Municipal Budget Appropriation Limits and Establishing a Cap Bank in Calendar Year 2026
- Ordinance 03-2026 – Repealing Chapter 144, Article XA Entitled "Affordable Housing" and Replacing with New Article XA Entitled "Affordable Housing"

ORDINANCES ON FIRST READING – INTRODUCTION
- Ordinance 04-2026 – Creating a New Chapter for the Code of The Township of Mullica Captioned "Business Registration Licenses"
- Ordinance 05-2026 – Amending Chapter 187 to Create New Section Titled Special Events on Private Property

CORRESPONDENCE

COMMITTEE REPORTS
- Department of Revenue and Finance – Deputy Mayor Muller
- Department of Administration – Committeeman Pino
- Department of Public Works – Committeeman Moore
- Department of Development and Housing – Committeeman Forman
- Department of Public Safety – Mayor DeMarco

ENGINEER'S REPORT

OLD BUSINESS
Update on Township Facebook page

NEW BUSINESS
Changes to Legal Notice Publication Requirements
Bid solicitation for Lease of Township Property

TOWNSHIP OF MULLICA
MEETING AGENDA (REVISED)
FEBRUARY 27, 2026
7:00 PM

RESOLUTIONS/CONSENT AGENDA

All matters listed under the consent agenda are considered to be routine in nature, and having been reviewed by Committee, will be enacted in one motion. Any item may be removed from the Consent Agenda at the request of any Committee Member and if so removed, it will be treated as a separate matter. Any items requiring expenditure are supported by a Certification of Availability of Funds.

- **Resolution 063-2026 – Cancel Grant Balance**
- **Resolution 064-2026 – Authorizing Township to Proceed with Sale of Property - Block 9201/Lot 10**
- **Resolution 065-2026 – Authorizing Renewal of Mobile Home Park Licenses 2026**
- **Resolution 066-2026 – Approving the Appointment of a New Hire to the Police Department**
- **Resolution 067-2026 – Approving Bid Specifications for Burdick Avenue Roadway and Drainage Improvements**
- **Resolution 068-2026 – Approving Use of Facilities Application**
- **Resolution 069-2026 – Establishing 2026 Salaries for Employees and Officials**
- **Resolution 070-2026 – Assignment of Tax Sale Certificate – #17-00021, Block 6202/Lot 3**
- **Resolution 071-2026 – Assignment of Tax Sale Certificate – #17-00022, Block 6202/Lot 4**
- **Resolution 072-2026 – Authorizing Application for a Leap Implementation Grant**

PAYMENT OF BILLS: $2,004,021.93

Bill List #1 - $1,052,763.90
Bill List #2 - $7,230.93
Bill List #3 - $944,027.10

PUBLIC DISCUSSION

ADJOURNMENT

The next Regular Township Committee Meeting is scheduled to be held on Tuesday March 24, 2026, at 7:00pm, 500 Elwood Road, Elwood, NJ 08217, Mullica Township School

The items listed on this tentative Committee Agenda are subject to change any time after printing or during the Committee Meeting. Since this Agenda is tentative, items may be added and/or deleted prior to the commencement of the meeting. Formal action may or may not be taken regarding each item listed on the final Agenda or those matters added and discussed by the Mayor and Committee. Please contact the Township Hall or visit our website to obtain updates at www.mullicatownship.org.

STATE OF NEW JERSEY
COUNTY OF ATLANTIC
TOWNSHIP OF MULLICA

ORDINANCE 01-2026

ESTABLISHING SALARY RANGES OF OFFICERS AND EMPLOYEES FOR THE YEAR 2026

SECTION 1: The salaries and wages of employees whose terms and conditions of employment are governed by a collective bargaining agreement shall be as set forth in their respective bargaining agreements.

SECTION 2: The salary ranges for other officers and employees of the Township of Mullica shall be as listed below:

The following salaries, wages and compensation shall be paid to the following officials and employees of the Township of Mullica and shall be paid to all those employed at the time of passing of this Ordinance who have been continuously employed since January 1, 2026, or thereafter on a retroactive basis as stated in the annual salary resolution, appointing resolution, collective bargaining agreement or personal services agreement.

2026 Salary Ranges	Min	Max
Administrative Assistant	16.00/hr	30.00/hr
Building Maintenance Worker	16.00/hr	25.00/hr
Building Sub-Code Official	500.00	15,000.00
Chief of Police	104,000.00	155,000.00
Clerk	30,000.00	90,000.00
Clerk, Part-time	16.00/hr	75.00/hr
Code Enforcement Officer	16.00/hr	35.00/hr
Construction Official	500.00	110,000.00
Control Person/Technical Assistant	30,000.00	65,000.00
Control/Technical Assistant, Part time	16.00/hr	30.00/hr
Deputy Clerk	31,500.00	75,000.00
Deputy Clerk, Part time	16.00/hr	35.00/hr
Emergency Mgmt Coordinator	500.00	3,500.00
Emergency Mgmt Deputy Coordinator	500.00	2,500.00
Finance Officer	20,000.00	100,000.00
Finance Assistant	20,000.00	60,000.00
Grants Coordinator	250.00	1,500.00
Heavy Equipment Operator	35,000.00	45,000.00
Laborer	33,500.00	36,000.00
Laborer, Part-time	16.00/hr	25.00
Light Equipment Operator	35,000.00	40,000.00
Planning Board Secretary	500.00	10,000.00
Police Captain	100,000.00	140,000.00
Police Corporal		113,910.00
Police Lieutenant		136,078.00
Police Matron – Full Time	30,000.00	46,000.00
Police Matron, Part time	16.00/hr	30.00/hr
Police Officer	50,157.00	111,987.00
Police Sergeant	117,707	125,302.00

Special Officer - Class II	15.14/hr	35.00/hr
Special Officer – Class III	15.14/hr	35.00/hr
Sub-Code Officials	500.00	10,000.00
Superintendent of Public Works	40,000.00	80,000.00
Supervisor Public Works	35,000.00	65,000.00
Tax Assessor	15,600.00	65,000.00
Tax Assessor hourly	45.00	80.00
Tax Clerk	15.14/hr	30.00/hr
Tax Collector	30,000.00	90,000.00
Technology Coordinator	500.00	20,000.00
Township Committee	500.00	3,000.00
Zoning Officer	16.00/hr	35.00/hr

SECTION 3: All salaries and wages as listed in Section 2 shall be paid bi-weekly and shall be effective retroactive to the first pay in 2026.

SECTION 4: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 5: If any section, subsection, paragraph, clause, or provision of this ordinance shall be adjudged to be invalid, such adjudication shall apply only to such action, subsection, paragraph, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

SECTION 6: This Ordinance shall take effect upon passage and publication in the manner required by New Jersey law.

INTRODUCTION: February 2, 2026
PUBLICATION: February 11, 2026
ADOPTION: February 27, 2026
PUBLICATION WITH STATEMENT:
EFFECTIVE: March 19, 2026

DeAnna DeMarco
Mayor

Monica Newton
Acting Municipal Clerk

STATE OF NEW JERSEY
COUNTY OF ATLANTIC
TOWNSHIP OF MULLICA

ORDINANCE 02-2026

AN ORDINANCE EXCEEDING THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISHING A CAP BANK IN CALENDAR YEAR 2026 (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

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

WHEREAS, the governing body of the Township of Mullica, County of Atlantic, State of New Jersey, finds it advisable and necessary to increase its CY 2026 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Committee hereby determines that a 3.5% increase in the budget for said year, amounting to $84,133.68 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law is advisable and necessary; and

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Mullica, County of Atlantic, State of New Jersey, that a majority of the full authorized membership of this governing body, affirmatively concurring, that in the CY 2026 budget year, the final appropriations of the Township of Mullica shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5 %, amounting to $5,805,224 and that the CY 2026 municipal budget for the Township of Mullica be approved and adopted in accordance with this ordinance.

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

INTRODUCTION: February 2, 2026
PUBLICATION: February 11, 2026
ADOPTION: February 27, 2026
PUBLICATION:
EFFECTIVE: March 19, 2026

DeAnna DeMarco
Mayor

Monica Newton
Acting Municipal Clerk

TOWNSHIP OF MULLICA
COUNTY OF ATLANTIC
STATE OF NEW JERSEY

ORDINANCE #3-2026

ORDINANCE OF THE TOWNSHIP OF MULLICA REPEALING IN ITS ENTIRETY CHAPTER 144, ARTICLE XA ENTITLED "AFFORDABLE HOUSING" AND REPLACING WITH NEW ARTICLE XA ENTITLED "AFFORDABLE HOUSING" TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS REGARDING COMPLIANCE WITH THE TOWNSIHP OF MULLICA'S AFFORDABLE HOUSING OBLIGATIONS

WHEREAS, the Township of Mullica wishes to establish its compliance with the current rules and regulations on Affordable Housing by repealing Chapter 144, Article XA of the Code of the Township of Mullica captioned "Affordable Housing" and replacing it with a new chapter 144 Article XA of the Code of the Township of Mullica captioned "Affordable Housing"

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Mullica, County of Atlantic, State of New Jersey, that it hereby repeals Chapter 144 Article XA of the Code of the Township of Mullica captioned "Affordable Housing and replaces it with a new 144 Article XA of the Code of the Township of Mullica captioned "Affordable Housing" as follows:

<u>Section 1: Introduction & Applicability</u>

1. This section of the Code sets forth regulations regarding the very low-, low- and moderate-income housing units in the Township of Mullica consistent with the provisions outlined in P.L 2024, Chapter 2, including the amended Fair Housing Act ("FHA") at N.J.S.A. 52:27D-301 et seq., as well as the Department of Community Affairs, Division of Local Planning Services ("LPS") at N.J.A.C. 5:99 et seq., statutorily upheld existing regulations of the now-defunct Council on Affordable Housing ("COAH") at N.J.A.C. 5:93 and 5:97, the Uniform Housing Affordability Controls ("UHAC") at N.J.A.C. 5:80-26.1 et seq., and as reflected in the adopted municipal Fourth Round Housing Element and Fair Share Plan ("HEFSP").
2. This Ordinance is intended to ensure that very low-, low- and moderate-income units ("affordable units") are created with controls on affordability over time and that very low-, low- and moderate-income households shall occupy these units pursuant to statutory requirements. This Ordinance shall apply to all inclusionary developments, individual affordable units, and 100% affordable housing developments except where inconsistent with applicable law. Low-Income Housing Tax Credit financed developments shall adhere to the provisions set forth below in item 5.c. below.
3. The Township of Mullica Planning Board has adopted a HEFSP pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan describes the ways the municipality shall address its fair share of very low-, low- and moderate-income housing as approved by the Superior Court and documented in the Housing Element.

4. This Ordinance implements and incorporates the relevant provisions of the HEFSP and addresses the requirements of P.L 2024, Chapter 2, the FHA, N.J.A.C. 5:99, NJ Supreme Court upheld COAH regulations at N.J.A.C. 5:93 and 5:97, and UHAC at N.J.A.C. 5:80-26.1, as may be amended and supplemented.
5. Applicability
   a. The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created pursuant to the municipality's most recently adopted HEFSP.
   b. This Ordinance shall apply to all developments that contain very low-, low- and moderate-income housing units included in the Municipal HEFSP, including any unanticipated future developments that will provide very low-, low- and moderate-income housing units.
   c. Projects receiving federal Low Income Housing Tax Credit financing and are proposed for credit shall comply with the low/moderate split and bedroom distribution requirements, maximum initial rents and sales prices requirements, affirmative fair marketing requirements of UHAC at N.J.A.C. 5:80-26.16 and the length of the affordability controls applicable to such projects shall be not less than a 30-year compliance period plus a 15-year extended-use period, for a total of not less than 45 years.

Section 2: Definitions

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

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

"Act" means the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.

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

"Administrative agent" means the entity approved by the Division responsible for the administration of affordable units, in accordance with N.J.A.C. 5:99-7, and UHAC at N.J.A.C. 5:80-26.15.

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

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

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

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

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

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

"Affordable housing development" means a development included in a municipality's housing element and fair share plan, and includes, but is not limited to, an inclusionary development, a municipally sponsored affordable housing project, or a 100 percent affordable development. This includes developments with affordable units on-site, off-site, or provided as a payment in-lieu of construction only if such a payment-in-lieu option has been previously approved by the Program or Superior Court as part of the HEFSP. Payments in lieu of construction were invalidated per P.L. 2024, c.2.

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

"Affordable Housing Monitoring System" or "AHMS" means the Department's cloud-based software application, which shall be the central repository for municipalities to use for reporting detailed information regarding affordable housing developments, affordable housing unit completions, and the collection and expenditures of funds deposited into the municipal affordable housing trust fund.

"Affordable Housing Trust Fund" or "AHTF" means that non-lapsing, revolving trust fund established in DCA pursuant to N.J.S.A. 52:27D-320 and N.J.A.C. 5:43 to be the repository of all State funds appropriated for affordable housing purposes. All references to the "Neighborhood Preservation Nonlapsing Revolving Fund" and "Balanced Housing" mean the AHTF.

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

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

"Agency" means the New Jersey Housing and Mortgage Finance Agency established by P.L.1983, c. 530 (C.55:14K-1 et seq.).

"Assisted living residence" means a facility licensed by the New Jersey Department of Health to provide apartment-style housing and congregate dining and to ensure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor.

Apartment units must offer, at a minimum, one unfurnished room, a private bathroom, a kitchenette, and a lockable door on the unit entrance.

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

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

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

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

"COAH" or the "Council" means the Council on Affordable Housing established in, but not of, DCA pursuant to the Act and that was abolished effective March 20, 2024, pursuant to section 3 at P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.1).

"Commissioner" means the Commissioner of the Department of Community Affairs.

"Compliance certification" means the certification obtained by a municipality pursuant to section 3 of P.L.2024, c. 2 (C.52:27D-304.1), that protects the municipality from exclusionary zoning litigation during the current round of present and prospective need and through July 1 of the year the next round begins, which is also known as a "judgment of compliance" or "judgment of repose." The term "compliance certification" shall include a judgment of repose granted in an action filed pursuant to section 13 of P.L.1985, c. 222 (C.52:27D-313).

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

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

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

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

"Department" means the New Jersey Department of Community Affairs.

"Developer" means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

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

"Development fee" means money paid by a developer for the improvement of residential and non-residential property as permitted pursuant to N.J.S.A. 52:27D-329.2 and 40:55D-8.1 through 40:55D-8.7 and N.J.A.C. 5:99-3.

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

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

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

"Equalized assessed value" or "EAV" means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 at P.L. 1973, c. 123 (N.J.S.A. 54:1-35a, 54:1-35b,and 54:1-35c). Estimates at the time of building permit may be obtained by the tax assessor using construction cost estimates. Final EAV shall be determined at project completion by the municipal assessor.

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

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

"Exclusionary zoning litigation" means litigation challenging the fair share plan, housing element, ordinances, or resolutions that implement the fair share plan or housing element of a municipality based on alleged noncompliance with the Act or the Mount Laurel doctrine, which litigation shall include, but shall not be limited to, litigation seeking a builder's remedy.

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

"Fair share obligation" means the total of the present need and prospective need, including prior rounds, as determined by the Affordable Housing Dispute Resolution Program, or a court of competent jurisdiction.

"Fair share plan" means the plan or proposal, with accompanying ordinances and resolutions, by which a municipality proposes to satisfy its constitutional obligation to create a realistic opportunity to meet its fair share of low- and moderate-income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of low- and moderate-income housing, as provided in the municipal housing element, and which addresses the development regulations necessary to implement the housing element, including, but not limited to, inclusionary requirements and development fees, and the elimination of unnecessary housing cost-generating features from the municipal land use ordinances and regulations.

"FHA" means the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.

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

"HMFA" or "the Agency" means the New Jersey Housing and Mortgage Finance Agency established pursuant to P.L. 1983, c. 530 (N.J.S.A. 55:14K-1 et seq.).

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

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

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

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

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

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

"Low-income unit" means a restricted unit that is affordable to a low-income household.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Non-residential development” means:

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

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

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

"Non-residential development fee" means the fee authorized to be imposed pursuant to N.J.S.A. 40:55D-8.1 through 40:55D-8.7.

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

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

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

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

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

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

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

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

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

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

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

"Receiving municipality" means, for the purposes of an RCA, a municipality that contractually agreed to assume a portion of another municipality's fair share obligation.

"Reconstruction" means any project where the extent and nature of the work is such that the work area cannot be occupied while the work is in progress and where a new certificate of occupancy is required before the work area can be reoccupied, pursuant to the Rehabilitation Subcode of the uniform Construction Code, N.J.A.C. 5:23-6. Reconstruction shall not include projects comprised only of floor finish replacement, painting or wallpapering, or the replacement of equipment or furnishings. Asbestos hazard abatement and lead hazard abatement projects shall not be classified as reconstruction solely because occupancy of the work area is not permitted.

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

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

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

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

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

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

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

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

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

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

"Supportive housing sponsoring program" means grant or loan program which provided financial assistance to the development of the unit.

"Supportive housing unit" means a restricted rental unit, as defined by N.J.S.A. 34:1B-21.24, that is affordable to very low-, low- or moderate-income households and is reserved for occupancy by a supportive housing household. Supportive housing units are also referred to as permanent supportive housing units.

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

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

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

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

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

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

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

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

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

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

"Weatherization" means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors and is considered a major system for rehabilitation.

Section 3: Monitoring and Reporting Requirements

1. The municipality shall comply with the following monitoring and reporting requirements regarding the status of the implementation of its court-approved Housing Element and Fair Share Plan:

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

Section 4: Municipality-wide Mandatory Set-Aside

1. A development, other than single-family family detached, providing a minimum of five new housing units created through any municipal rezoning or Zoning Board action, use or density variance, redevelopment plan, or rehabilitation plan that provides for densities at or above six units per acre, is required to include an affordable housing set-aside of 20%.
2. Any affordable units generated through such mandatory set-aside shall be subject to all other provisions of this ordinance.
3. All such affordable units shall be governed by this ordinance the controls on affordability, including bedroom distribution, and affirmatively marketed to the housing region in conformance with UHAC at N.J.A.C. 5:80-26.1 et seq., any successor regulation, and all other applicable laws.
4. No subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement. Developers cannot, for example, subdivide a project into two lots and then make each of them a number of units just below the threshold.
5. The mandatory set-aside requirements of this section do not give any developer the right to any rezoning, variance or other relief, or establish any obligation on the part of the municipality to grant such rezoning, variance or other relief.
6. This municipality-wide mandatory set-aside requirement does not apply to any sites or specific zones otherwise identified in the HEFSP, for which density and set-aside requirements shall be governed by the specific standards as set forth therein.
7. In the event that the inclusionary set-aside of 20% of the total number of residential units does not result in a full integer, the developer shall choose one of two options for addressing the fractional unit:
   a. The developer may round the set-aside upward to construct a whole additional affordable unit; or
   b. If the set-aside includes a fractional unit equal to 0.49 or less, the developer may round the set-aside downward and construct the lesser whole number of affordable units and shall also contribute the fractional subsidy payment ("fractional subsidy payment") to be made to the municipality and deposited in the municipal Affordable Housing Trust Fund. The fractional subsidy payment amount shall be calculated as the fractional unit multiplied by the base subsidy payment amount currently established by the municipality as the average subsidy reflected in financial pro formas for 100% affordable housing or subsidized developments in the municipality or region on file

with the municipality. For example, if seven total units are developed at an inclusionary site, a 20% set-aside would require 1.4 affordable units. Per the requirements above: The developer shall round up the 0.4 unit to one whole affordable unit so as to construct a total of two (2) affordable housing units; or The developer shall round the set-aside downward so as to construct only one affordable unit AND shall pay into the municipal affordable housing trust fund a fractional subsidy payment equal to the dollar amount established by the municipality multiplied by 0.4.

Section 5. New Construction (per N.J.A.C. 5:93 as may be updated per various sections in N.J.A.C. 5:97 and N.J.S.A. 52:27D-301 et seq.). Per the definition of "New Construction," this section governs the creation of new affordable housing units regardless of the means by which the units are created. Newly constructed units may include new residences constructed or created through other means.

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

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

3. Design. The following design requirements apply to affordable housing developments, excluding prior round units.
   a. Design of 100 percent affordable developments:
      i. Restricted units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
      ii. Each bedroom in each restricted unit must have at least one window.
      iii. Restricted units must include adequate air conditioning and heating.
   b. Design of developments comprising market-rate rental units and restricted rental units. The following does not apply to prior round units, unless stated otherwise.
      i. Restricted units must use the same building materials and architectural design elements (for example, plumbing, insulation, or siding) as market-rate units of the same unit type (for example, flat or townhome) within the same development, except that restricted units and market-rate units may use different interior finishes. This shall apply to prior round units.
      ii. Restricted units and market-rate units within the same affordable development must be sited such that restricted units are not concentrated in less desirable locations.

iii. Restricted units may not be physically clustered so as to segregate restricted and market-rate units within the same development or within the same building, but must be interspersed throughout the development, except that age-restricted and supportive housing units may be physically clustered if the clustering facilitates the provision of on-site medical services or on-site social services. Prior round affordable units shall be integrated with market rate units to the extent feasible.

iv. Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to prior round units.

v. Restricted units must include adequate air conditioning and heating and must use the same type of cooling and heating sources as market-rate units of the same unit type. This shall apply to prior round units.

vi. Each bedroom in each restricted unit must have at least one window.

vii. Restricted units must be of the same unit type as market-rate units within the same building.

viii. Restricted units and bedrooms must be no less than 90 percent of the minimum size prescribed by the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.

c. Design of developments containing for-sale units, including those with a mix of rental and for-sale units. Restricted rental units shall meet the requirements of section b above. Restricted sale units shall comply with the below:

i. Restricted units must use the same building standards as market-rate units of the same unit type (for example, flat, townhome, or single-family home), except that restricted units and market-rate units may use different interior finishes. This shall apply to prior round units.

ii. Restricted units may be clustered, provided that the buildings or housing product types containing the restricted units are integrated throughout the development and are not concentrated in an undesirable location or in undesirable locations. Prior round affordable units shall be integrated with market rate units to the extent feasible.

iii. Restricted units may be of different unit housing product types than market-rate units, provided that there is a restricted option available for each market rate housing type. Developments containing market-rate duplexes, townhomes, and/or single-family homes shall offer restricted housing options that also include duplexes, townhomes, and/or single-family homes. Penthouses and higher priced end townhouses may be exempt from this requirement. The proper ratio for restricted to market-rate unit type shall be subject to municipal ordinance or, if not specified, shall be determined at the time of site plan approval.

iv. Restricted units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.

v. Penthouse and end units may be reserved for market-rate sale, provided that the overall number, value, and distribution of affordable units across the development is not negatively impacted by such reservation(s).

vi. Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to prior round units.

vii. Each bedroom in each restricted unit must have at least one window; and

viii. Restricted units must include adequate air conditioning and heating.

4. Utilities.
   a. Affordable units shall utilize the same type of cooling and heating source as market-rate units within the affordable housing development.
   b. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance in accordance with N.J.AC 5:80-26.13(e).
5. Low/moderate split and bedroom distribution.
   a. Affordable units shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit.
   b. In each affordable housing development, at least 50% of the restricted units within each bedroom distribution rounded up to the nearest whole number shall be very low- or low-income units. The municipality has chosen to allow rounding.
   c. Within rental developments, of the total number of affordable rental units, at least 13%, rounded up to the nearest whole number, shall be affordable to very low-income households. The very low-income units shall be distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count, and counted as part of the required number of low-income units within the development.
   d. Affordable housing developments that are not age-restricted or supportive housing shall be structured such that:
      i. At a minimum, the number of bedrooms within the restricted units equals twice the number of restricted units;
      ii. Two-bedroom and/or three-bedroom units compose at least 50 percent of all restricted units;
      iii. The combined number of efficiency and one-bedroom units shall be no greater than 20%, rounded up, of the total number of low- and moderate-income units. (The municipality has chosen to allow rounding.
      iv. At least 30% of all low- and moderate-income units, rounded up shall be two-bedroom units. The municipality has chosen to allow rounding.
      v. At least 20% of all low- and moderate-income units, rounded up shall be three-bedroom units. The municipality has chosen to allow rounding.
      vi. The remaining units may be allocated among two- and three- bedroom units at the discretion of the developer.
   e. Affordable housing developments that are age-restricted or supportive housing, except those supportive housing units whose sponsoring program determines the unit arrangements, shall be structured such that, at a minimum, the number of bedrooms shall equal the number of age-restricted or supportive housing low- and moderate-income units within the inclusionary development. Supportive housing units whose sponsoring program determines the unit arrangement shall comply with all requirements of the sponsoring program. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit. In affordable housing developments with 20 or more restricted units that are age-restricted or supportive housing, two-bedroom units must comprise at least 5% of those restricted units.
6. Accessibility requirements.

a. Any new construction shall be adaptable; however, elevators shall not be required in any building or within any dwelling unit for the purpose of compliance with this section. In buildings without elevator service, only ground floor dwelling units shall be required to be constructed to conform with the technical design standards of the barrier free subcode. "Ground floor" means the first floor with a dwelling unit or portion of a dwelling unit, regardless of whether that floor is at grade. A building may have more than one ground floor.
b. Notwithstanding the exemption for townhouse dwelling units in the barrier free subcode, the first floor of all townhouse dwelling units and of all other multifloor dwelling units that are attached to at least one other dwelling unit shall be subject to the technical design standards of the barrier free subcode and shall include the following features:
   i. An adaptable toilet and bathing facility on the first floor;
   ii. An adaptable kitchen on the first floor;
   iii. An interior accessible route of travel however an interior accessible route of travel shall not be required between stories;
   iv. An adaptable room that can be used as a bedroom, with a door, or the casing for the installation of a door that is compliant with the Barrier Free Subcode, on the first floor;
   v. If not all of the foregoing requirements in b.i. through b.iv. can be satisfied, then an interior accessible route of travel shall be provided between stories within an individual unit; and
   vi. An accessible entranceway as set forth in P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that the municipality has collected funds from the developer sufficient to make 10% of the adaptable entrances in the development accessible:
      (a) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
      (b) To this end, the builder of restricted units shall deposit funds within the Affordable Housing Trust Fund sufficient to install accessible entrances in 10% of the affordable units that have been constructed with adaptable entrances.
      (c) The funds deposited shall be expended for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
      (d) The developer of the restricted units shall submit to the Construction Official a design plan and cost estimate for the conversion from adaptable to accessible entrances.
      (e) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meets the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Affordable Housing Trust Fund and earmarked appropriately.
   vii. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site-impracticable" to meet the requirements. If full compliance with this section would be site impracticable, compliance with this section for any portion of the dwelling shall be required to the extent that it is not site impracticable. Determinations of site impracticability shall comply with the Barrier Free Subcode at N.J.A.C. 5:23-7.

Section 6. Affordable Housing Programs

1. Pursuant to amended UHAC regulations at N.J.A.C. 5:80-26.1 et seq. and, in addition, pursuant to P.L. 2024, c.2 and specifically to the amended FHA at N.J.S.A. 52:27D-311.m, "All parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by the Council on Affordable Housing unless those regulations are contradicted by statute, including but not limited to P.L. 2024, c.2, or binding court decisions." The following are many of the main provisions of the COAH regulations at either N.J.A.C. 5:93 or 5:97 that have been upheld by the NJ Supreme Court. Municipalities should consult the cited full COAH regulations when preparing the HEFSP for required documentation, etc. Additional compliance details may also be included in the specific municipal program manual.
2. Supportive Housing and Group Homes (per N.J.A.C. 5:97-6.10).
   a. The following provisions shall apply to group homes, residential health care facilities, and supportive shared living housing:
      i. Units are subject to Affirmative Marketing requirements, household certification, and administrative agent oversight; and may, with the approval of the municipal housing liaison and the administrative agent, be leased either by the bedroom or to a single household in the case of multi-bedroom configurations, provided such arrangement is consistent with the Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968).
      ii. Units may, with the approval of the administrative agent, be subject to a master lease by an approved supportive housing operator, provided that all subleases are to be certified supportive housing households and remain fully subject to the affordability controls of this subchapter. Rents for supportive housing units shall not exceed the rent standards established and published by the New Jersey Department of Human Services.
      iii. The unit of credit shall be the bedroom. However, the unit of credit shall be the unit if occupied by a single person or household.
      iv. Housing that is age-restricted shall be included with the maximum number of units that may be age-restricted pursuant to the Act.
      v. Occupancy shall not be restricted to youth under 18 years of age.
      vi. In affordable developments with 20 or more restricted units that are supportive housing, two-bedroom units must compose at least five percent of those restricted units.
      vii. The bedrooms and/or units shall comply with UHAC with the following exceptions:
         (a) Affirmative marketing; however, group homes, residential health care facilities, permanent supportive housing, and supportive shared living housing shall be affirmatively marketed to broadest possible population of qualified individuals with special needs in accordance with a plan approved by the sponsoring program;
         (b) Affordability average and bedroom distribution (N.J.A.C. 5:80-26.4).
      viii. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, group homes, residential health care facilities, supportive shared living housing and permanent supportive housing shall have the appropriate controls on affordability in accordance with the Act. In the event that a supportive housing provider is unable to record or execute a long-term deed

restriction, the units shall be subject to annual recertification by the Municipal Housing Liaison to confirm continued occupancy and compliance with this Section.

ix. Objective standards shall be applied in the selection of tenants for supportive housing units and shall be designed to ensure that individuals are not excluded in an arbitrary or capricious manner.

x. The following documentation shall be submitted by the sponsor to the municipality prior to marketing the completed units or facility:
   (a) An Affirmative Marketing Plan in accordance with D1 above; and
   (b) If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency in accordance with the requirements of this section, which includes validation of the number of bedrooms or units in which low- or moderate-income occupants reside.

xi. The sponsor/owner shall complete annual monitoring as directed by the MHL.

<u>Section 7: Regional Income Limits.</u>

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

<u>Section 8: Maximum Initial Rents And Sales Prices.</u>

1. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC N.J.A.C. 5:80-26.4.
2. The average rent for all restricted units within each affordable housing development shall be affordable to households earning no more than 52 percent of regional median income.
3. The maximum rent for restricted rental units within each affordable housing development shall be affordable to households earning no more than 60% of regional median income. The maximum rent may be increased to no more than 70 percent of regional median income for moderate-income units within affordable developments where very-low-income units compose at least 13 percent of the restricted units; however, the number of units with rent affordable to households earning 70 percent of regional median income may not exceed the number of very-low-income units in excess of 13 percent (rounded up) of the restricted units.
4. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 13% of all low- and moderate-income rental units shall be affordable to households earning no more than 30% of median income. These very low-income units shall be part of the low-income requirement and very-low-income units should be distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count.
5. The maximum sales price of restricted ownership units within each affordable housing development shall be affordable to households earning no more than 70% of median

income, and each affordable housing development must achieve an affordability average that does not exceed 55% for all restricted ownership units. In achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type when the number of low- and moderate-income units permits.

6. The master deeds and declarations of covenants and restrictions for affordable developments
   may not distinguish between restricted units and market-rate units in the calculation of any condominium or homeowner association fees and special assessments to be paid by low- and
   moderate-income purchasers and those to be paid by market-rate purchasers. Notwithstanding the foregoing sentence, condominium units subject to a municipal ordinance adopted before December 20, 2004, which ordinance provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection are governed by the ordinance.
7. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted family units, the following standards shall be met:
   a. A studio or efficiency unit shall be affordable to a one-person household;
   b. A one-bedroom unit shall be affordable to a one and one-half person household;
   c. A two-bedroom unit shall be affordable to a three-person household;
   d. A three-bedroom unit shall be affordable to a four and one-half person household; and
   e. A four-bedroom unit shall be affordable to a six-person household.
8. In determining the initial rents and sales prices for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted and special needs and supportive housing developments, the following standards shall be met:
   a. A studio or efficiency unit shall be affordable to a one-person household;
   b. A one-bedroom unit shall be affordable to a one and one-half person household; and
   c. A two-bedroom unit shall be affordable to a two-person household or to two one-person households. Where pricing is based on two one-person households, the developer shall provide a list of units so priced to the Municipal Housing Liaison and the Administrative Agent.
9. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the FreddieMac 30-Year Fixed Rate-Mortgage rate of interest), property taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 30 percent of the eligible monthly income of the appropriate size household as determined pursuant to N.J.A.C. 5:80-26.7, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented.
10. The initial rent for a restricted rental unit shall be calculated so that the total monthly housing expense, including an allowance for tenant-paid utilities, does not exceed 30 percent of the gross monthly income of a household of the appropriate size whose income is targeted to the applicable percentage of median income for the unit, as determined pursuant to N.J.A.C. 5:80-26.3, as may be amended and supplemented. The rent shall also comply with the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented. The initial rent for a restricted rental unit shall be calculated so the eligible monthly housing expenses/income, including an allowance for tenant-paid

utilities does not exceed 30 percent of gross income of and the appropriate household size as determined pursuant to N.J.A.C. 5:80-26.3, as may be amended and supplemented.

11. At the anniversary date of the tenancy of the certified household occupying a restricted rental unit, following proper notice provided to the occupant household pursuant to N.J.S.A. 2A:18-61.1.f, the rent may be increased to an amount commensurate with the annual percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), specifically U.S. Bureau of Labor Statistics Series CUUR0100SAH, titled "Housing in Northeast urban, all urban consumers, not seasonally adjusted." Rent increases for units constructed pursuant to Low-Income Housing Tax Credit regulations shall be indexed pursuant to the regulations governing Low-Income Housing Tax Credits.

Section 9: Affirmative Marketing.

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

Process, the Administrative Agent shall consider the use of language translations where appropriate.

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

<u>Section 10: Selection of Occupants of Affordable Housing Units.</u>

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

<u>Section 11: Occupancy Standards.</u>

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

<u>Section 12: Control Periods for Restricted Ownership Units and Enforcement Mechanisms.</u>

1. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.6, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the controls on affordability for a period of at least 30 years subject to the requirements of N.J.A.C. 5:80-26.6, as may be amended and supplemented.

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

<u>Section 13: Price Restrictions for Restricted Ownership Units and Resale Prices.</u>

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

c. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be:
   i. those that render the unit suitable for a larger household or the addition of a bathroom.
   ii. The maximum resale price may be further increased by an amount up to the cumulative dollar value of approved capital improvements made after the last non-exempt sale for improvements and/or upgrades to the unit, excluding capital improvements paid for by the entity favored on the recapture note and recapture lien described at N.J.A.C. 5:80-26.6(d);

d. No increase for capital improvements is permitted if the maximum resale price prior to adjusting for capital improvements already exceeds whatever initial purchase price the unit would have if it were being offered for purchase for the first time at the initial affordability percentage. All adjustments for capital improvements are subject to 10-year, straight-line depreciation.

2. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase but shall be separate and apart from any contract of sale for the underlying real estate. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price of the air conditioning equipment, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The seller and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

Section 14: Buyer Income Eligibility.

1. Buyer income eligibility for restricted ownership units shall be established pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented, such that very low-income ownership units shall be reserved for occupancy by households with a gross household income less than or equal to 30% of median income, low-income ownership units shall be reserved for occupancy by households with a gross household income less than or equal to 50% of median income and moderate-income ownership units shall be reserved for occupancy by households with a gross household income less than 80% of median income.
2. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the municipality, and subject to the Division's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low-income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit. Similarly, the administrative agent may permit low-income purchasers to buy very-low-income units in housing markets where, as determined by the Division, units are reserved for very-low-income purchasers, but there

is an insufficient number of very-low-income purchasers to permit prompt occupancy of the units. In such instances, the purchased unit must be maintained as a very-low-income unit and sold at a very-low-income price point such that on the next resale the unit will still be affordable to very-low-income households and able to be purchased by a very-low-income household. A very-low-income unit that is seeking bonus credit pursuant to N.J.S.A. 52:27D-311.k(9) must first be advertised exclusively as a very-low-income unit according to the Affirmative Marketing requirements at N.J.A.C. 5:80-26.16, then advertised as a very-low-income or low-income unit for at least 30 additional days prior to referring any low-income household to the unit.

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

Section 15: Limitations on Indebtedness Secured by Ownership Unit; Subordination.

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

Section 16: Control Periods for Restricted Rental Units.

1. Control periods for units that meet the definition of prior round units shall be pursuant to the 2001 UHAC rules originally adopted October 1, 2001, 33 N.J.R. 3432, and amended December 20, 2004, 36 N.J.R. 5713 and shall remain subject to the requirements of this ordinance for a period of at least 30 years as applicable unless otherwise indicated.

2. Other than for prior round units, control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.12, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least 40 years. Restricted rental units created as part of developments receiving 9% Low-Income Housing Tax Credits must comply with a control period of not less than a 30-year compliance period plus a 15-year extended use period for a total of 45 years.
3. The affordability control period for a restricted rental unit shall commence on the first date that a unit is issued a certificate of occupancy following the execution of the deed restriction or, if affordability controls are being extended, on the effective date of the extension, which is the end of the original control period.
4. Rehabilitated renter-occupied housing units that are improved to code standards shall be subject to affordability controls for a period of not less than 10 years.
5. Prior to the issuance of any building permit for the construction/rehabilitation of restricted rental units, the developer/owner and the municipality shall record a preliminary instrument provided by the Administrative Agent.
6. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property. The deed restriction shall be recorded by the developer with the county records office, and provided as filed and recorded, to the Administrative Agent within 30 days of the receipt of a certificate of occupancy.
7. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:
   a. Sublease or assignment of the lease of the unit;
   b. Sale or other voluntary transfer of the ownership of the unit;
   c. The entry and enforcement of any judgment of foreclosure on the property containing the unit; or
   d. The end of the control period, until the occupant household vacates the unit, or is certified as over-income and the controls are released in accordance with UHAC.

Section 17: Rent Restrictions for Rental Units; Leases and Fees.

1. The initial rent for a restricted rental unit shall be set by the Administrative Agent.
2. A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be retained on file by the Administrative Agent.
3. No additional fees, operating costs, or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
   a. Operating costs, for the purposes of this section, include certificate of occupancy fees, move-in fees, move-out fees, mandatory internet fees, mandatory cable fees, mandatory utility submetering fees, and for developments with more than one and a half off-street parking spaces per unit, parking fees for one parking space per household.
4. Any fee structure that would remove or limit affordable unit occupant access to any amenities or services that are required or included for market-rate unit occupants is prohibited. Application fees (including the charge for any credit check) shall not exceed 5% of the monthly rent of the applicable restricted unit to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.
5. Fees for unit-specific, non-communal items that are charged to market-rate unit tenants on an optional basis, such as pet fees for tenants with pets, storage spaces, bicycle-share

programs, or one-time rentals of party or media rooms, may also be charged to affordable unit tenants, if applicable.

6. Pet fees may not exceed $30.00 per month and associated one-time payments for optional fees pertaining to pets, such as a pet cleaning fee, are prohibited.
7. Fees charged to affordable unit tenants for other optional, unit-specific, non-communal items shall not exceed the amounts charged to market-rate tenants.
8. For any prior round rental unit leased before December 20, 2024, elements of the existing fee structure that are consistent with prior rules, but inconsistent with 5:80-26.13(c)1, may continue until the occupant household's current lease term expires or that occupant household vacates the unit, whichever occurs later.

Section 18: Tenant Income Eligibility.

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

Section 19: Municipal Housing Liaison.

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

3. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program, including the following responsibilities, which may not be contracted out to the Administrative Agent:
   a. Serving as the primary point of contact for all inquiries from the Affordable Housing Dispute Resolution Program, the State, affordable housing providers, administrative agents and interested households.
   b. The oversight of the Affirmative Marketing Plan and affordability controls.
   c. When applicable, overseeing and monitoring any contracting Administrative Agent.
   d. Overseeing the monitoring of the status of all restricted units listed in the Fair Share Plan.
   e. Verifying, certifying and providing annual information within AHMS at such time and in such form as required by the Division.
   f. Coordinating meetings with affordable housing providers and administrative agents, as needed.
   g. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division.
   h. Overseeing the recording of a preliminary instrument in the form set forth at N.J.A.C. 5:80-26.1 for each affordable housing development.
   i. Coordinating with the Administrative Agent, municipal attorney and municipal Construction Code Official to ensure that permits are not issued unless the document required in C.8. above has been duly recorded.
   j. Listing on the municipal website contact information for the MHL and Administrative Agents.

Section 20: Administrative Agent.

1. All municipalities that have created or will create affordable housing programs and/or affordable units shall designate or approve, for each project within its HEFSP, an administrative agent to administer the affordable housing program and/or affordable housing units in accordance with the requirements of the FHA, NJAC 5:99-1 et seq. and UHAC.
2. The fees for administrative agents shall be paid as follows:
   a. Administrative agent fees related to rental units shall be paid by the developer/owner.
   b. Administrative agent fees related to initial sale of units shall be paid by the developer.
   c. Administrative agent fees related to resales shall be paid by the seller of the affordable home.
   d. Administrative agent fees related to ongoing administration and enforcement shall be paid by the municipality.
3. An Operating Manual for each affordable housing program shall be provided by the Administrative Agent(s). The Operating Manual(s) shall be available for public inspection in the Office of the Clerk and in the office(s) of the Administrative Agent(s). Operating manuals shall be adopted by resolution of the Governing Body.
4. Subject to the role of the Administrative Agent(s), the duties and responsibilities as are set forth in N.J.A.C. 5:99-7and which are described in full detail in the Operating Manual, including those set forth in UHAC, include:
   a. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division;
   b. Affirmative marketing:

i. Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the municipality and the provisions of N.J.A.C. 5:80-26.16.
ii. Providing counseling, or contracting to provide counseling services, to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements; and landlord/tenant law.

c. Household certification.
i. Soliciting, scheduling, conducting and following up on interviews with interested households.
ii. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
iii. Providing written notification to each applicant as to the determination of eligibility or non-eligibility within 5 days of the determination thereof.
iv. Requiring that all certified applicants for restricted units execute a certificate substantially in the firm, as applicable, of either the ownership or rental certificates set forth in the Appendices J and K of N.J.A.C. 5:80-26.1 et seq.
v. Creating and maintaining a referral list of eligible applicant households living in the housing region, and eligible applicant households with members working in the housing region, where the units are located.
vi. Employing a random selection process as provided in the Affirmative Marketing Plan when referring households for certification to affordable units.

d. Affordability controls.
i. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for the recording at the time of conveyance of title of each restricted unit.
ii. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and filed properly with the County Register of Deeds or County Clerk's office after the termination of the affordability controls for each restricted unit in accordance with UHAC.
iii. Communicating with lenders and the Municipal Housing Liaison regarding foreclosures.
iv. Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.11.

e. Records retention.
i. Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded recapture mortgage, and note, as appropriate.
ii. Records received, retained, retrieved, or transmitted in furtherance of crediting affordable units of a municipality constitute public records of the municipality as defined by N.J.S.A. 47:3-16, and are legal property of the municipality.

f. Resales and re-rentals.
i. Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or re-rental.
ii. Instituting and maintaining an effective means of communicating information to very low-, low-, or moderate-income households regarding the availability of restricted units for resale or re-rental.

g. Processing requests from unit owners.
i. Reviewing and approving requests from owners of restricted units who wish to refinance or take out home equity loans during the term of their ownership to

determine that the amount of indebtedness to be incurred will not violate the terms of this ordinance.

ii. Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems.

iii. Notifying the municipality of an owner's intent to sell a restricted unit.

iv. Making determinations on requests by owners of restricted units for hardship waivers.

h. Enforcement.

i. Securing annually from the municipality a list of all affordable ownership units for which property tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;

ii. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;

iii. Sending annual mailings to all owners of affordable dwelling units reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.19(d)4;

iv. Establishing a program for diverting unlawful rent payments to the municipal Affordable Housing Trust Fund; and

v. Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent setting forth procedures for administering the affordability controls.

i. The Administrative Agent(s) shall, as delegated by the municipality, have the authority to take all actions necessary and appropriate to carry out its/their responsibilities, herein.

Section 21: Responsibilities of The Owner of a development containing affordable units.

5. The owner of all developments containing affordable units subject to this subchapter or the assigned management company thereof shall provide to the administrative agent:

a. Site plan, architectural plan, or other plan that identifies the location of each affordable unit, if subject to the site plan approval, settlement agreement, or other applicable document regulating the location of affordable units. The administrative agent shall determine the location of affordable units if not set forth in the site plan approval, settlement agreement, or other applicable document.

b. The total number of units in the project and the number of affordable units.

c. The breakdown of the affordable units by or identification of affordable unit locations by bedroom count and income level, including street addresses / unit numbers, if subject to the site plan approval, settlement agreement, or other applicable document regulating the breakdown of affordable units. The administrative agent shall determine the bedroom and income distribution if not set forth in the site plan approval, settlement agreement, or other applicable document.

d. Floor plans of all affordable units, including complete and accurate identification of all rooms and the dimensions thereof.

e. A projected construction schedule.

f. The location of any common areas and elevators.

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

Section 22: Enforcement of Affordable Housing Regulations

1. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an owner, developer or tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
2. After providing written notice of a violation to an owner, developer or tenant of an affordable unit and advising the owner, developer or tenant of the penalties for such violations, the municipality may take the following action against the owner, developer or tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
   a. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the owner, developer or tenant is found by the Court to have violated any provision of the

regulations governing affordable housing units the owner, developer or tenant shall be subject to one or more of the following penalties, at the discretion of the Court:

i. A fine of not more than $1000.00 or imprisonment for a period not to exceed 30 days, or both, unless otherwise specified below, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;

ii. In the case of an owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Affordable Housing Trust Fund of the gross amount of rent illegally collected;

iii. In the case of an owner who has rented his or her affordable unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.

3. The municipality shall have the authority to levy fines against the owner of the development for instances of noncompliance with NJHRC advertising requirements (N.J.S.A. 52:27D-321.6.e.(2)), following written notice to the owner. The fine for the first offense of noncompliance shall be $5,000, the fine for the second offense of noncompliance shall be $10,000, and the fine for each subsequent offense of noncompliance shall be $15,000.

4. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the first purchase money mortgage and shall constitute a lien against the low- or moderate-income unit.

   a. Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the affordable unit of the violating owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any first purchase money mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality , including attorney's fees. The violating owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.

   b. The proceeds of the Sheriff's sale shall first be applied to satisfy the first purchase money mortgage lien and any prior liens upon the low- or moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus shall be placed in escrow by the municipality for the owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the owner shall make a claim with the municipality for such. Failure of the owner to claim such balance within the two year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the owner or forfeited to the municipality.

   c. Foreclosure due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as they apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.

d. If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the first purchase money mortgage and any prior liens, the municipality may acquire title to the affordable unit by satisfying the first purchase money mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the first purchase money mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the affordable unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess that would have been realized from an actual sale as previously described.

e. Failure of the low- or moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the owner to accept an offer to purchase from any qualified purchaser that may be referred to the owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- or moderate-income unit as permitted by the regulations governing affordable housing units.

f. The affordable unit owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the owner.

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

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

Section 23: Development Fees.

1. Purpose
   a. This section establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with the amended Fair Housing Act (P.L.2024, c.2), N.J.A.C. 5:99, and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7). Fees collected pursuant to this Ordinance shall be used for the sole purpose of providing very low-, low- and moderate-income housing in accordance with a Court-approved Spending Plan.
2. Basic Requirements
   a. The municipality previously adopted a development fee ordinance, which established the Municipal Affordable Housing Trust Fund.
   b. The municipality shall not spend development fees until the court has approved a plan for spending such fees.
3. Residential Development Fees
   a. Imposed fees
      i. Residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted. Development fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.
      ii. When an increase in residential density is permitted pursuant to a "d" variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a "bonus" development fee of 6.0% of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.
      Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal 1.5% of the equalized assessed value on the first two units; and the specified higher percentage of 6% of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.
   b. Eligible exactions, ineligible exactions and exemptions for residential development
      i. Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made an eligible payment in lieu of on-site construction of affordable units, if permitted by ordinance, or by agreement with the municipality and if approved by a municipality prior to the statutory elimination of payments in-lieu on March 20, 2024 per P.L.2024, c.2, shall be exempt from development fees.

ii. Developments that have received preliminary or final site plan approval prior to the adoption of this ordinance and any preceding ordinance permitting the collection of development fees shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where a site plan approval does not apply, the issuance of a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for the purpose of determining the right to an exemption. In all cases, the applicable fee percentage shall be determined based upon the development fee ordinance in effect on the date that the construction permit is issued.

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

circumstances may be enforceable by the municipality as a lien against the real property of the owner.

5. Collection Procedures
   a. Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
   b. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF, "State of New Jersey Non-Residential Development Certification/Exemption," to be completed by the developer as per the instructions provided in the Form N-RDF. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided on Form N-RDF. The tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
   c. The construction official responsible for the issuance of a building permit shall notify the tax assessor of the issuance of the first construction permit for a development that is subject to a development fee.
   d. Within 90 days of receipt of that notice, the tax assessor shall provide an estimate, based on the plans filed, of the equalized assessed value of the development.
   e. The construction official responsible for the issuance of a final certificate of occupancy shall notify the tax assessor of any and all requests for the scheduling of a final inspection on property that is subject to a development fee.
   f. Within 10 business days of a request for the scheduling of a final inspection, the tax assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
   g. Should the municipality fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of section 37 of P.L.2008, c.46 (N.J.S.A. 40:55D-8.6).
   h. Fifty percent (50%) of the development fee shall be collected at the time of issuance of the construction permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of the construction permit and that determined at the time of issuance of certificate of occupancy. Prior to he issuance of a Certificate of Occupancy 100% of the fee shall be paid for all non-residential development.
   i. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by that board, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
   j. A developer may challenge non-residential development fees imposed by filing a challenge with the director of the Division of Taxation. Pending a review and determination by the director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.

54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

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

set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market-to-affordable program; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost-saving and in accordance with accepted national or state standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by Superior Court and specified in the approved Spending Plan.

b. Funds shall not be expended to reimburse the municipality or activities that occurred prior to the authorization of a municipality to collect development fees.

c. At least a portion of all development fees collected and interest earned shall be used to provide affordability assistance to very low-, low- and moderate-income households in affordable units included in the municipal Fair Share Plan. A portion of the development fees which provide affordability assistance shall be used to provide affordability assistance to very low-income households.

   i. Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, infrastructure assistance, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the Spending Plan.

   ii. Affordability assistance for very low income households may include producing very low-income units or buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30% or less of median income.

d. No more than 20% of all affordable housing trust funds, exclusive of those collected to fund an RCA prior to July 17, 2008, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare and implement a Housing Element and Fair Share Plan, administer an Affirmative Marketing Program and for compliance with the Superior Court and the Program including the costs to the municipality of resolving a challenge.

8. Monitoring

   a. On or before February 15 of each year, the municipality shall provide annual electronic data reporting of trust fund activity for the previous year from January 1st to December 31st through the AHMS Reporting System. This reporting shall include an accounting of all Municipal Affordable Housing Trust Fund activity, including the sources and amounts of all funds collected and the amounts and purposes for which any funds have been expended. Such reporting shall include an accounting of development fees collected from residential and non-residential developers, previously eligible payments in lieu of constructing affordable units on site (if permitted by ordinance or by agreement with the municipality prior to the March 20, 2024 statutory elimination per P.L. 2024, c.4), funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income from municipally-owned affordable housing units, repayments from affordable housing program loans, interest and any other funds collected in connection with municipal housing programs, as well as an accounting of the expenditures of revenues and implementation of the Spending Plan approved by the Court.

9. Ongoing Collection of Fees
   a. The ability to impose, collect and expend development fees shall continue so long as the municipality retains authorization from the Court in the form of Compliance Certification or the good faith effort to obtain it.
   b. If the municipality fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the New Jersey Affordable Housing Trust Fund established pursuant to section 20 of P.L.1985, c.222 (C. 52:27D-320).
10. Emergent Affordable Housing Opportunities. Requests to expend affordable housing trust funds on emergent affordable housing opportunities not included in the municipal fair share plan shall be made to the Division and shall be in the form of a governing body resolution. Any request shall be consistent with N.J.A.C. 5:99-4.1.

Section 24. All Ordinances or parts of Ordinances, inconsistent with this Ordinance, are hereby repealed to the extent of such inconsistency only.

Section 25. Should any section, subsection, part, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to that end, the provisions of this Ordinance are hereby declared to be severable.

Section 26. This Ordinance shall take effect after final adoption and publication as required by law.

Deanna DeMarco, Mayor

Monica Newton, Acting Township Clerk

Introduction: February 2, 2026
Final:
Adopted: February 27, 2026

Certified to be a true copy of an Ordinance adopted by the Mayor and Township Committee of the Township of Mullica at a regular meeting held on , 2026 at the Mullica Township Municipal Building.

Date:

Monica Newton, Acting Township Clerk

TOWNSHIP OF MULLICA

ORDINANCE 04-2026

ORDINANCE OF THE TOWNSHIP OF MULLICA CREATING A NEW CHAPTER FOR THE CODE OF THE TOWNSHIP OF MULLICA CAPTIONED "BUSINESS REGISTRATION LICENSES"

WHEREAS, on a periodic basis the Mayor and Township Committee of the Township of Mullica reviews its present Ordinances, policies and procedures to determine if any changes, amendments or new Ordinances, policies or procedures should be enacted; and

WHEREAS, as a result of this process, it has been determined that a new Chapter should be included in the Code of the Township of Mullica captioned "Business Registration Licenses".

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Mullica, County of Atlantic, State of New Jersey, as follows:

<u>Section 1.</u> Definitions.

Unless otherwise stated, the following terms shall, for the purpose of this Chapter, have the meanings indicated in this section:

BUSINESS ENTITY - Any new or existing commercial business, trade, profession, occupation, or service conducted in the Township of Mullica.

BUSINESS REGISTRATION LICENSE - The license is issued to any business entity. A license such as Towing, Liquor, Mobile Home Park will be a separately issued License.

PERSON- An individual, firm, corporation, association or partnership.

<u>Section 2.</u> License required.

No person or business entity shall engage in or carry on any business, trade, profession, occupation or service, including any business entity licensed by the State of New Jersey or the government of the United States, unless a license as herein provided for shall have been first obtained by said person or business entity engaging in said business, trade, profession, occupation or service. All persons or business entities presently in existence and now required to be licensed, and not heretofore, licensed, shall apply for the license by May 1, 2026, to become effective June 1, 2026.

<u>Section 3.</u> Application; display of license.

A. An application for a business registration license shall be made to the Township Clerk of the Township of Mullica, and the license shall specify, by name, the person, firm or corporation to which it is granted and the location at which such business, trade, profession, occupation or service is conducted. Each application shall include the following information:

1. Name under which business is to be conducted.
2. Name and address of business owner.
3. Address of business.
4. Type of business.
5. Telephone number for business.

6. State tax identification number, New Jersey Business Registration Certificate Number.
7. Certificate of Insurance: section 14B
8. If the property is owned by applicant or leased. If property is leased, the name and address and telephone number of the property owner.

B. The business registration license shall be conspicuously displayed on the premises where the business is conducted.

Section 4. Compliance with land use regulations; zoning license.

Upon an application being made the Township Clerk shall provide a copy to the Township Zoning Official, who shall review the type of business entity and the location of the business entity to determine compliance with the Township Land Use, Development and Zoning Ordinance and if it has been issued a Certificate of Occupancy. If the business entity is in compliance with the Township Land Use, Development and Zoning Ordinance and has been issued a Certificate of Occupancy, a zoning license shall be issued and attached to the business registration license. No business entity may conduct a business, trade, profession, occupation or service without both a business registration license and zoning license.

Section 5. Lease Termination Date, Renewals.

All business registration licenses shall be for a one-year period from June 1st to May 31st. The business registration license shall be renewed each year from the date of issue to May 31st.

Section 6. Fee.

On June 1 of each license renewal year, all business entities operating within the boundaries of the Township of Mullica shall pay a fee in the sum of $50.00 for a business registration for that year. This fee shall license the businesses to be in good standing for a period from the June 1 issuance date. For any new business, the business registration fee shall be an initial fee of $25.00 plus the one-year business registration fee of $50.00. A late fee of $25.00 shall be paid to the Township for any renewal application submitted after June 31st.

Section 7. Purpose of Fees.

The fees imposed for business registration are necessary to cover costs of administrative processing and investigative purposes.

Section 8. License to be exclusive.

No person or persons shall be allowed to transact a business under any license granted pursuant to this Chapter except the business for which said license was granted.

Section 9. Compliance; non-transferability.

A. No business registration license shall be issued to any person or entity who has not complied with the laws of the State of New Jersey or the ordinances of the Township of Mullica as to regulations concerning the safety of the persons who may have occasion to use the premises, place or thing being licensed. Any person or business entity who fails to comply with any State law of the State of New Jersey or Township ordinances after due notice of the alleged violations shall be provided an opportunity to be heard at a public meeting by the Mayor and Township Committee on a date to be set by the Mayor and Township Committee. Following said hearing, if the Mayor and Committee have determined that the violation(s) have been proved, said license may be either temporarily or permanently revoked as the Mayor and Township Committee shall deem appropriate based on the violation(s).

B. In no event shall a license be issued or renewed if the license holder is the owner of the real estate where the business is to be conducted if there are any property taxes or assessments or other fees due to the Township.

C. No business registration license provided for by this Chapter shall be transferred from one person to another person and no license shall cover any other place of business other than that for which it was issued.

D. In the event of a sale of a business, an expansion of the existing business use, a change in the existing business use, or a change in ownership, a new application is required to be filed with the Township Clerk and a fee of $50.00 shall be paid to the Township in order to continue the business registration license for that year.

Section 10. Non-applicability.

This Chapter shall not apply to:

A. Persons who have a home office that is restricted to computer and telephone communications and does not create an increase in traffic in residential neighborhoods; or

B. The delivery of newspapers, magazines or periodicals; or

C. Residents within the Township who utilize property for the selling of farm products locally grown within the Township.

Section 11. Exemption from Fee.

All Government Entities are exempt from payment of registration fee.

Section 12. Local Authority Designation for Enforcement.

The Local Enforcement Authority for purposes of ensuring compliance with enforcement of all rules, regulations and requirements set forth in this Chapter shall be the Mullica Township Zoning Official, Code Enforcement Officer or authorized designee. Every person conducting a business required to be licensed shall permit entry to the Township Code Enforcement Officer and Zoning Official to ensure compliance with this Chapter and the laws of the State of New Jersey and ordinances of the Township. Any refusal shall be a violation of this Chapter and subject to the penalties set forth herein including suspension of the business registration license.

Section 13. Violations and penalties.

Any person, firm, association or corporation violating any section of this Chapter, with the exception of Section 14 below as set forth in Section 14(b), ~~-~~shall, upon conviction before the Judge of the Municipal Court having jurisdiction, be subject to the following fines:

A. First offense: $150.
B. Second offense: $300.
C. Any subsequent offense: $500.

Section 14. Business Insurance Registration.

A. Business Insurance Registration is required. It is unlawful for any owner of a business to operate within the Township without first registering its Certificate of Insurance demonstrating proof of Liability Insurance for negligent acts and admissions in an amount no less than $500,000.00 for combined property damage and bodily injury to or death of one or more persons in any one incident or occurrence. The Certificate of Insurance is required to be filed annually with the Municipal Clerk with the renewal registration fee.

B. Any person who violates the terms of this Section is subject to a fine of not less than $500 but no more than $5,000 plus court costs.

Section 15. All Ordinances or parts of Ordinances, inconsistent with this Ordinance, are hereby repealed to the extent of such inconsistency only.

Section 16. Should any section, subsection, part, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to that end, the provisions of this Ordinance are hereby declared to be severable.

Section 17. This Ordinance shall take effect after final adoption and publication as required by law.

____
Deanna DeMarco, Mayor

____
Monica Newton, Acting Township Clerk

Introduction: February 27, 2026
Final:
Adopted:

Certified to be a true copy of an Ordinance adopted by the Mayor and Township Committee of the Township of Mullica at a regular meeting held on , 2026 at the Mullica Township Municipal Building.

Date:

____
Monica Newton, Acting Township Clerk

TOWNSHIP OF MULLICA
COUNTY OF ATLANTIC
STATE OF NEW JERSEY

ORDINANCE 05-2026

ORDINANCE OF THE TOWNSHIP OF MULLICA AMENDING ARTICLE II: GENERAL LEGISLATION CHAPTER 187 TO CREATE NEW SECTION TITLED SPECIAL EVENTS ON PRIVATE PROPERTY

WHEREAS the Township Committee finds it necessary and proper to create a new Ordinance regulating special events and permitting special events permits to be issued for property owners who desire to conduct said events on private property; and

NOW, THEREFORE, BE IT ORDAINED Township Committee of the Township of Mullica, County of Atlantic, State of New Jersey, that Chapter 187 shall hereby be amended and supplemented as follows:

SECTION 1. Chapter 187 of the Township Code of the Township of Mullica shall hereby be entitled, "Special Event Permits on Private Property" and shall read as follows:

§ 187-1. Definitions.

For the purpose of this section, the following terms shall have the meanings indicated:

SPECIAL EVENT — Any exhibition, show, athletic contest, running race, bike-a-thon, block party, parade, entertainment, meeting, or other similar event sponsored by an organized group or individual having similar or common purpose or goal, occurring on or proceeding on Private Property within the Township where the special event would significantly disrupt the normal flow of vehicular traffic along a public road or require a public road to be blocked.

§ 187-2. Application for permit.

A. An application for a permit to conduct a special event or shall be made to the Township Clerk in writing by the person, persons or organization sponsoring said event. Such application shall provide the following information:

(1) The name, address and telephone number of the person requesting the permit.

(2) The name, address and telephone number of the organization or group he or she is representing.

(3) The name, address and telephone number of the person or persons who will act as chairman of the special event and be responsible for the conduct thereof.

(4) The purpose of the event.
(5) The estimated number of persons to participate in and attend the event.

(6) The number and type of vehicles, if any, to participate.

(7) The date and time of the event, including any set-up or clean-up period.

(8) The location where the event is to be held, including the specific assembly and dispersal locations and the specific route and the plans for assembly and dispersal of the participants.

(9) The attachment of any other required licenses or permits where appropriate.

(10) The type, size description, and location of any signs to be erected in connection with the event.

(11) Any further information that officials of the Township determine to be necessary to properly provide for traffic control, crowd control and protection of the general public

B. A nonrefundable application fee of $100 shall be required with all applications except in cases wherein the organized group or individual is recognized as a public charity by the State of New Jersey or the IRS and the applicant submits a determination letter, or the special event is for political discourse, debate or other protected First Amendment activities.

§ 187-3. Review of application; issuance or denial of permit.

A. The application for a special event or use of facilities shall be reviewed by the appropriate officials of the Township of Mullica, including the Township Committee, the Chief of Police and Superintendent of Public Works for compliance with this article and other ordinances, community standards, scheduling conflicts, special services required, and any other further information required. Upon full review of the application and the recommendations for approval or denial, the Township Clerk shall be authorized to issue a permit for the special event if approved. Approval or denial of such permit shall be made within 15 days of receipt of a complete application by the Township. The permit may be approved with special conditions placed on the applicant if warranted and for good cause as determined by the discretion of the Township Committee of the Township of Mullica, the Chief of Police, and/or Superintendent of Public Works including requiring the installation of temporary traffic control devices and/or the ability to require the police department maintain and direct traffic for the event with all costs to be paid by the applicant. The permit is contingent on the possession of any other permits or licenses required by local state laws and regulations.

B. Applications can be denied at the discretion of the Township. The Township shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance or upon other good cause shown. Good Clause to deny an application shall include the inability to impose reasonable conditions on the application which would otherwise ensure the health and safety of the public or the Applicant's refusal to comply with said conditions.

C. Priority order of applications.

(1) Applications for special events will be scheduled on a first-come-first served basis. When more than one complete application is received for the same date(s), the following priority order will apply:

(a) Meetings or events directly sponsored by the Township Committee, Township employees for municipal purposes, and events directly sponsored by the Township Emergency Services Departments.

(b) Meetings of Municipal advisory boards and committees.

(c) Meetings or events directly sponsored by Township Departments and/or employees for municipal purposes.

(d) Meetings held for the discussion of municipal issues.

(e) Youth recreational activities or service organizations.

(f) Adult member organizations.

(2) In all instances, priority is given to Mullica Township residents.

§ 187-4. Time limit for applications.

Applications for such special event permits shall be made to the Township of Mullica not less than 30 days in advance of the date on which said special event is sought to be held.

§ 187-5. Signs.

Any signs erected in connection with a properly approved special event shall be removed within 24 hours of the conclusion of the event.

§ 187-6. Special conditions; street closings.

Any permit issued under this article may contain conditions reasonably calculated to reduce or minimize dangers to vehicular or pedestrian traffic and the public health, safety and welfare including, but not limited to changes in the date, time, duration or number of participants or attendees as requested by the applicant. Further, for the purposes of public safety and welfare, the Chief of Police may require and order the temporary closing of streets and/or the temporary prohibition of parking along such streets during the event and shall direct the posting of property warning signs in connection with said event, as provided by law.

§ 187-7. Insurance/indemnification.

A. The holder of a special events permit shall furnish proof of liability insurance coverage to the Township at least 10 days prior to the event, in amounts determined by the Township. The insurance shall cover the entire period of the event including the set-up and clean-up periods. The Township of Mullica shall be named on the policy as an additional insured.

B. The holder of a special events permit shall agree in writing to indemnify, save harmless and defend the Township of Mullica, its elected and appointed officials, its employees, agents, volunteers and others working on behalf of the Township, from and against any and all claims, losses, costs, attorneys' fees, damages, or injury, including death and/or property loss, expense claims or demands arising out of holder's use of the named facilities, including all suits or actions of every kind or description brought against the Township, either individually or jointly with holder for or on account of any damage or injury to any person or persons or property, caused or occasioned or alleged to have been caused by, or on account of, any of the activities conducted by or caused to be conducted by holder, or through any negligence or alleged negligence in safeguarding the facility(ies), participants, or members of the public, or through any act, omission or fault or alleged act, omission or fault of the holder, its employees, agents, volunteers, subcontractors or others under the direction, control or under any contractual relationship with the holder.

C. All insurance applications shall identify and name the Township as an additional insured. All applicants must agree to indemnify and hold the Township harmless of any injury or loss that occurs at the special event.

D. Applicants granted special events permits are responsible for the proper supervision of all participants and spectators.

§ 187-8. Permit nontransferable.

A special event permit shall be valid for the applicant thereof and shall not be transferable to any other individual, corporation, group or organization.

§ 187-9. Fees for Municipal services.

If it is determined by the appropriate officials of the Township of Mullica that additional materials or personnel costs shall be required for the purpose of maintaining the general health, safety and welfare of attendees or participants in the special event, or the community in general, the Township reserves the right to require reimbursement of such costs. If reimbursement is required, the holder of the permit shall deposit with the Chief Financial Officer a sum of money to be determined by the Township to be a reasonable estimate of the costs required. The Chief Financial Officer will make the determination when said deposit is required. After the conduct of the special event, the holder of the permit shall be required to pay the Township any additional amount determined to be due in reimbursement of the Township's costs within 30 days. In the event that the sum of money so deposited in advance exceeds the funds needed, the Township shall refund any excess deposit within 30 days after the holding of said special event. Services and Township personnel covered by this section shall include but not be limited to additional police, fire, rescue squad, and public works service personnel.

§ 187-10. Violations and penalties; when effective.

A. Any person, firm, corporation, partnership or other entity violating the provisions of this article shall be subject to a fine not to exceed $1,250.00 and/or imprisonment not to exceed 30 days.

B. This article shall take effect upon its adoption and publication as provided by law.

§ 187-11. Appeal procedure.

Any applicant shall have the right to appeal the denial of any permit under this article to the Township Committee. The denied applicant shall make the appeal within five days after receipt of the denial by filing a written notice of appeal with the Township Clerk. The Township Committee shall act upon the appeal within 30 days after receipt of the same.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3. If any section, subsection, paragraph, clause or provision of this ordinance shall be adjudged to be invalid, such adjudication shall apply only to such action, subsection, paragraph, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

SECTION 4. This Ordinance shall take effect upon passage and publication in the manner required by New Jersey law

Introduction: February 27, 2026
Final:
Adopted:

____
Deanna DeMarco, Mayor

____
Monica Newton, Acting Township Clerk

Certified to be a true copy of an Ordinance adopted by the Mayor and Township Committee of the Township of Mullica at a regular meeting held on , 2026 at the Mullica Township Municipal Building.

Date:

____
Monica Newton, Acting Township Clerk

The Township of Mullica
Application for Special Events

CHECKLIST

- ☐ The Special Events Application must be completed and submitted to the Township Clerk at least 30 days prior to the event.
- ☐ If the applicant is not the property owner, a written authorization from the property owner where the event will take place, specifically naming responsible parties and dates of the event, must be provided to the Township Clerk at the time the application is submitted.
- ☐ A scaled drawing of area noting square footage of space being utilized, all temporary structures, parking, etc. must be submitted with your application.
- ☐ An Insurance Certificate ($1,000,000.00 General Liability) to be endorsed on the Certificate and must read "Additional Insured – The Township of Mullica, its elected officials, officers, agents, servants, and employees."
- ☐ If permission is being sought to close a county road in Mullica Township, an approval by the Atlantic County Board of Chosen Freeholders is required in addition to municipal approval. Detailed information can be obtained from the Freeholder's office at 609-645-5928. The Atlantic County approval must be submitted with this application.
- ☐ An indemnification & Hold Harmless Agreement (form attached) must be completed and returned fully executed by the applicant.
- ☐ If alcoholic beverages will be served, applicable liquor license and approval to serve alcohol at the designated location is required.

Additional Information

- The Township reserves the right to impose any conditions which may be warranted due to the nature of the event.
- If food will be served or sold at the event, the applicant must verify food handling, preparation and distribution complies with the Atlantic County Division of Public Health, 201 S. Shore Road, Northfield, NJ 08225 (609)645-5971, ext. 4367. Inspections may be needed.
- The organization sponsoring the event will be responsible to see that the areas which are used are cleared of any trash, debris, etc.
- Applicant is required to coordinate with the Chief of Police, for the purposes of public safety and welfare. The Chief of Police may require and order the temporary closing of streets and/or the temporary prohibition of parking along such streets during the event and shall direct the posting of property warning signs in connection with said event, as provided by law.

The Township of Mullica
Application for Special Events

INSTRUCTIONS: This form must be completed and submitted to the Municipal Clerk's Office at least thirty (30) days prior to the proposed Special Event. Evidence of the required insurance coverage must be submitted ten (10) days prior to the event.

APPLICANT: ______________________________

ADDRESS: ______________________________

____

PERSON RESPONSIBLE:

NAME: ______________________________ TITLE: ______________

ADDRESS: ______________________________

TELEPHONE: ______________________________

EMAIL ADDRESS: ______________________________

NAME AND LOCATION OF EVENT: ______________________________

____

FOR THE FOLLOWING PURPOSE: ______________________________

DATE OF EVENT: ______________________________

HOURS OF THE EVENT: FROM: ______________ TO ______________

NUMBER OF PEOPLE TO ATTEND: ______________________________

WILL ALCOHOLIC BEVERAGES BE SERVED? ____YES ____NO

IF YES, WHO WILL BE SERVING THE ALCOHOL? ______________________________

*If yes, attach a copy of the liquor license and the liquor liability policy of insurance. _____Attached

NAME OF PROPERTY OWNER______________________________

PHONE NUMBER OF PROPERTY OWNER______________ EMAIL______________

Applicant has received a copy of the Indemnification & Hold Harmless Agreement and agrees to abide by and comply with the terms of that Agreement.

APPLICANT: ______________________________ DATE: ______________

signature

The Township of Mullica
Application for Special Events

INDEMNIFICATION & HOLD HARMLESS AGREEMENT

This Agreement made this _____ day of ________________, 20__, by

____

Name of person or Organization (hereinafter "Organization/Individual")

____

Address, City, State, Zip

Whereas Organization/Individual has applied for a Special Events Permit as follows:

Date & Time of Event____
Location of Event____
Purpose of Event____

Whereas a condition of said special events permit requires that Organization/Individual provide the Township of Mullica with an Indemnification Agreement by which Organization/Individual is to defend, indemnify, and hold harmless the Township of Mullica for any claims, costs or liability which may arise as a result of the scheduled event or to be made by the Organization/Individual as well as any Township vehicle, for whatever purpose, including, but not limited to motor vehicle code enforcement by the police department, plus other such necessary services including employees, officers or agents during said events:

Now, therefore, in consideration of the covenants of the term contained herein, Organization/Individual does hereby agree as follows:

1. The Organization/Individual contemplates the above-referenced event;

2. The Organization/Individual as pertaining to Township use and operations during the event herein set forth expressly agrees to defend, indemnify and hold harmless the Township of Mullica, including its elected officials, its agents, employees, professionals and volunteers and other working on behalf of the Township of Mullica, to the fullest extent permitted by law from and against any and all claims, losses, damage, injury, demands, causes of action/or lawsuits and liability however caused, resulting and arising out of or in any way connected or related to scheduled event by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof. The Organization/Individual further agrees to include the Township as a named insured on its liability insurance coverage (see below fee schedule) for the purposes set forth herein, and to provide a Certificate of Insurance or Certified Copy of the insurance declaration sheet.

   - ☐ **Individuals**: *Evidence of personal liability insurance is in force in the amount of not less than $100,00-. This will normally take the form of a "Homeowner's, Condo, or Tenants policy where the personal liability coverage is included along with other coverages for an individual.*
   - ☐ **Non-Profit/Charitable Groups:** *Evidence of general liability insurance in force in the amount of not less than $300,000.00. A certificate naming the Township of Mullica as an "Additional Insured" is required. Additional Insured clause must read as follows: The Township of Mullica, including all elected and appointed officials, all employees and volunteers, all boards and their board members, employees, and volunteers.*
   - ☐ **Commercial ("For Profit") Groups:** *Evidence of general liability including products & completed operations insurance with a minimum combined single limit of liability per occurrence for bodily injury and property damage on one million ($1,000,000.00) dollars with a minimum annual aggregate of two million ($2,000,000.00) dollars. A certificate of insurance naming the Township of Mullica as an "Additional Insured" is required. Additional Insured clause must read as follows: The Township of Mullica, including all elected and appointed officials, all employees and volunteers, all boards, and their board members, employees, and volunteers.*

3. This agreement shall insure to and be binding upon the heirs, the devisees, legatees, executors, administrators, successors and assigns of the parties hereto.

4. The preambles of the Agreement are incorporated herein as though set forth at length.

The Township of Mullica
Application for Special Events

5. In the event of ensuing litigation wherein the Township of Mullica is named party, including any of the Township's agencies, boards, agents, servants, professionals, and employees, or otherwise, the Organization/Individual shall further cause to defend, indemnify and hold harmless the Township of Mullica including any of the Township's agencies, boards, agents, servants, professionals, and employees, or otherwise, from any and all costs of litigation, including attorney's fees or other related costs incident to such litigation.

_________________________________ *Organization/Individual (Print)*

_________________________________ *Organization/Individual (signature)*

FOR TOWNSHIP USE ONLY

Approval Date: ____________________ **Township Clerk Signature**____________________________

Denial Date: ____________________ **Township Clerk Signature**____________________________

Certificate of Insurance Received Date: ____

Deposit Amount Required: ______________________ **Deposit Received Date:** ____________________

Police Department Approval Date: ____________________ **Police Detail Required: Yes**______ **No** _______

Chief of Police Signature: ____

The Township of Mullica
Application for Special Events

If applicable, please include the following information with your application:

a) Proposed location, including a plan adequately identifying electrical service, water service if applicable, parking, tents, structures, and other areas to be used, including location of barricades and traffic control devices, lighting, and if proposed, any perimeter or security fencing and gate/access design and locations;
b) If the Special Event takes place to any extent during hours of darkness, a lighting plan designed to provide sufficient illumination for this special event and not inappropriately extend beyond the site;
c) Estimated numbers of event staff, participants, and spectators;
d) Fencing or other method to control the number of participants and to ensure that the permitted maximum number of participants is not exceeded;
e) Environmental and health plans, including provisions for emergency medical availability and access, freshwater supplies, solid waste containers, collection and disposal of solid waste and availability of toilet facilities or the provision for portable toilet facilities;
f) With respect to Mass Assembly Events, the availability of on-site emergency medical care may be required;
g) Names, addresses and contact information for any food or other vendors, who must be appropriately licensed;
h) If the serving of alcohol is proposed, a copy of the applicable liquor license and approval to serve alcohol at the designated location;
i) Electrical, plumbing, and other permits, if required;
j) Fire prevention plan;
k) Severe weather plan;
l) Security plan, including security personnel and, if necessary, plan for Police Department assistance;
m) Detailed plans for use of amplified sound equipment, including the number, location and power of amplifiers and speakers;
n) Included must be details of measure to be taken to make sure that the sound of the special event will not carry unreasonably beyond the boundaries of this special event.

Principals
Richard Rehmann, GISP
Richard Heggan, PLS, PP
Jeffery MacPhee, PLS
Carolyn Feigin, PE, PP, CME

Township of Mullica Committee Meeting
February 24, 2026

ENGINEER'S REPORT

1. **NJDOT FY2025 Municipal Aid: Burdick Ave. & Wharton Park Blvd. Roadway & Drainage Improvements** (ARH Proj. # 62-01015.01)
   - Advertising bid on 2/25/2026. Bids will be due on 3/19/2026.

2. **New Police Building Site** (ARH Proj.# 6201001.03)
   - On-going internal coordination meetings with architect and engineer to confirm technical details regarding proposed site improvements and building addition.
   - Pinelands submission is under review. Will address comments upon receipt.
   - Awaiting comments from the recent submission to the Atlantic County Health Department.
   - Anticipating to bid the project in April of 2026.

3. **NJDOT FY2026 Municipal Aid – 4th Avenue Roadway & Drainage Improvements**
   - Scheduling survey work
   - Scheduling a walk through with Town representative(s) and ARH design staff.

4. **Road Opening Permits**
   - None issued for this month.

5. **Interim Zoning Officer**
   - Coordinate transition with the new zoning officer.

6. **2024 State Aid Highway Improvement Projects (Lower Bank Road)**
   - ARH Associates attended the pre-construction meeting on 1/14/2026.
   - Lower Bank Road is scheduled to undergo improvements for drainage, milling and asphalt overlay.
   - Schedule is not finalized but anticipated to commence in early Spring. Work along Lower Bank Road is anticipated to be two (2) to four (4) weeks.

7. **Railroad Avenue – Speed Limit**
   - ARH to coordinate with local police regarding posting a speed limit for the entire stretch of Railroad Avenue.

Respectfully Submitted,

James Sia, PE *for*
ARH Associates

JS
W:\FILEROOM\HQ\6\6201000\ENG\COR\2026 Committee Meeting Reports\2026-02-February Report.docx

ARH Associates
Corporate Headquarters – 215 Bellevue Avenue – PO Box 579 – Hammonton, NJ 08037 – 609.561.0482 – fax 609.567.8909
Tinton Falls Office – 97 Apple Street – Suite 1 – Tinton Falls, NJ 07724 – 609.561.0482 – fax 609.567.8909
www.arh-us.com

TOWNSHIP OF MULLICA
RESOLUTION NO. 063-2026

CANCEL GRANT BALANCE

WHEREAS, certain Grants Receivable Balances remain on the Current Fund Balance Sheets; and

WHEREAS, it is necessary to formally cancel the receivable balance and its' offsetting appropriation reserve balance from the balance sheet; and

WHEREAS, it is also necessary to formally cancel the Township's matching portion of the grant balance and credit said balances to the Current Fund Balance;

NOW, THEREFORE, BE IT RESOLVED, by the Committee of the Township of Mullica that the following Grant Receivable, appropriation reserve balances and appropriation reserve balances matching portion be cancelled:

NJDOT 2021 – Richards Avenue

Appropriation Reserve : $26,677.17 Grant Recevable : $26,677.17

Adopted: February 27, 2026

This is to certify that this is a true copy of a Resolution adopted by the Township of Mullica Committee at the Reorganization Meeting held on February 27, 2026

DEANNA DEMARCO
MAYOR

MONICA NEWTON
ACTING MUNICIPAL CLERK

TOWNSHIP OF MULLICA
RESOLUTION NO. 064-2026

AUTHORIZING TOWNSHIP TO PROCEED WITH SALE OF PROPERTY - BLOCK 9201/LOT 10

WHEREAS, the Township Committee of the Township of Mullica County of Atlantic and State of New Jersey propose the sale of the following property as shown on the tax map of the Township of Mullica, and

Block/Lot	Minimum Bid	Acreage	Zoning
9201/10	$3,818.00	4.37ac	FAR (undersized)

WHEREAS, the sale of the said municipal property hereinabove described shall be by public sale to the highest bidder after advertisement thereof in a newspaper circulating within the Township of Mullica where the said property is situated, and

WHEREAS, said advertisement shall be published in the newspaper at least once a week for two (2) consecutive weeks, the last publication not to be earlier than seven (7) days prior to the said public sale; and

WHEREAS, all rights, title, and interest in the property shall revert to the Township of Mullica upon default or breach by the successful bidder or any of the terms and conditions of the public sale, whereby such reversion would be in the best interests of the Township of Mullica, and further in the event of a default or breach, then and in that event all monies deposited and/or paid to the Township shall inure to the benefit of the Township of Mullica and be forfeited by the purchaser as liquidated damages in not fulfilling the terms of the contract of sale; and

WHEREAS, notice of such reversion and reservation shall be included in the advertisement of the sale and public notice thereof shall be given at the time of the public sale; and

WHEREAS, the Township of Mullica makes no warranties of any nature regarding the properties and structures if any, be sold hereby; and

WHEREAS, any purchaser must comply and ensure the property is in compliance with any statute, ordinance, rule or regulation of any Federal, State, County and Municipal Body with appropriate jurisdiction; and

WHEREAS, all adjacent property owners of undersized vacant lots must be given the right of prior refusal before the lots can be sold at public auction. If an adjacent property owner purchases an undersized lot, it will be removed from the list of sale of properties on the date of the sale; and

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mullica in the County of Atlantic and State of New Jersey that the Township Committee authorizes the sale of the municipal land hereinabove stated on the terms and conditions herein stated.

ADOPTED: February 27, 2026

This is to certify that this is a true copy of a Resolution adopted by the Township of Mullica Committee at the Reorganization Meeting held on February 27, 2026

DEANNA DEMARCO
MAYOR

ATTEST:

MONICA NEWTON
ACTING MUNICIPAL CLERK

TOWNSHIP OF MULLICA
RESOLUTION NO. 065-2026

AUTHORIZING RENEWAL OF MOBILE HOME PARK LICENSES 2026

WHEREAS, the Township Committee for the Township of Mullica in the County of Atlantic, State of New Jersey has received an application for renewal of a Mobile Home Park License heretofore issued by the Township Committee of the Township of Mullica which is more specifically enumerated below, and

WHEREAS, the application has been reviewed by the Acting Municipal Clerk and the property has been reviewed and inspected by the Code Enforcement Officer; and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mullica that the Township Committee shall renew the Mobile Home Park License as enumerated below for a period of one year, January 1, 2026 to December 31, 2026:

NAME & LOCATION

Mullica Mobile Manor
3100 White Horse Pike

Mullica Woods Adult Community
1201 Heidelberg Ave,

Adopted: February 27, 2026

This is to certify that this is a true copy of a Resolution adopted by the Township of Mullica Committee at the Reorganization Meeting held on February 27, 2026

DEANNA DEMARCO
MAYOR

ATTEST:

MONICA NEWTON
ACTING MUNICIPAL CLERK

TOWNSHIP OF MULLICA
RESOLUTION 066-2026

RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF MULLICA APPROVING THE APPOINTMENT OF A NEW HIRE TO THE POLICE DEPARTMENT

WHEREAS, as a result of the retirement of Paul Sarraf, there is a need in the Township of Mullica to hire a full-time Police Officer in the Police Department; and

WHEREAS, it is the recommendation of the Chief of Police to appoint Stephen Solovey III with an effective date contingent upon the satisfactory completion of all Township employment requirements; and

WHEREAS, per the agreement between the NJ State Policemen's Benevolent Association, Inc., Mainland Local No. 77, and the Township of Mullica.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Mullica, County of Atlantic, State of New Jersey, that Stephen Solovey III is hereby appointed to the position of Police Officer for the Police Department at the step one approved salary guide commencing upon the satisfactory completion of all Township employment requirements.

ADOPTED: February 27, 2026

This is to certify that this is a true copy of a Resolution adopted by the Township of Mullica Committee at the Reorganization Meeting held on February 27, 2026

DeAnna DeMarco
Mayor

Monica Newton
Acting Municipal Clerk

TOWNSHIP OF MULLICA
RESOLUTION 067-2026

RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF MULLICA APPROVING THE TECHNICAL BID SPECIFICATIONS FOR BURDICK AVENUE ROADWAY AND DRAINAGE IMPROVEMENTS

WHEREAS, Bid Specifications have been prepared for Burdick Avenue Roadway and Drainage Improvements, which Specifications are on file at the Township Clerk's Office; and

WHEREAS, it is necessary for the Township Committee to approve the Bid Specifications for Burdick Avenue Roadway and Drainage Improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Mullica, County of Atlantic, State of New Jersey, it hereby approves the Bid Specifications for Burdick Avemue Roadway and Drainage Imrpovesments.

BE IT FURTHER RESOLVED, that Bid Specifications are authorized to be advertised for receipt of Bids for these services.

ADOPTED: February 27, 2026

This is to certify that this is a true copy of a Resolution adopted by the Township of Mullica Committee at the Reorganization Meeting held on February 27, 2026

DeAnna DeMarco
Mayor

Monica Newton
Acting Municipal Clerk

TOWNSHIP OF MULLICA
RESOLUTION 068-2026

RESOLUTION APPROVING APPLICATION FOR USE OF FACILITIES

WHEREAS, the Mayor and Committee of the Township of Mullica, Atlantic County, New Jersey, hereby approve the below-listed event:

APPLICANT	Katie Nogue
DESCRIPTION	Annual Easter Egg Hunt
DATES	Sunday March 29, 2026
TIME	2:30pm-6:30pm
LOCATION	Mullica Township Rec Fields

WHEREAS, the Use of Facilities Application has been completed by the applicant. Pursuant to Chapter 168 in the Municipal Code, the township fee of $100.00 has been paid. Evidence of Personal Liability Insurance is required 10 days prior to the event. All forms have been reviewed by the Chief of Police, who has no objections to the issuance of said permit.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township of Mullica, County of Atlantic, State of New Jersey, hereby approves the Application for Use of the Mullica Township Recreation Fields for Katie Nogue for the date mentioned above.

ADOPTED: February 27, 2026:

This is to certify that this is a true copy of a Resolution adopted by the Township of Mullica Committee at the Reorganization Meeting held on February 27, 2026

DEANNA DEMARCO
MAYOR

MONICA NEWTON
ACTING MUNICIPAL CLERK

STATE OF NEW JERSEY
COUNTY OF ATLANTIC
TOWNSHIP OF MULLICA

RESOLUTION 069-2026

RESOLUTION ESTABLISHING 2026 SALARIES FOR EMPLOYEES AND OFFICIALS

WHEREAS, the Township Committee of the Township of Mullica has adopted a salary ordinance setting salary ranges for the various positions in the Township; and

WHEREAS, each employee and official of the Township will receive compensation within that range; and

WHEREAS, it is necessary for the Township to formally approve the salary rate for certain employees and officials of the Township who do not belong to a collective bargaining unit or have a personal services agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Committee of the Township of Mullica, Atlantic County, State of New Jersey, that the following employee and official salaries are hereby approved:

Employee	Salaried Positions	2026 Salary
Jerry Critelli	Deputy OEM Coordinator	$2,500.00
Silva, Christopher	OEM Coordinator	$3,000.00
Hall, Thomas	Tax Assessor	$74.26/hour
Nogue, Kati	Planning Secretary	$7,140.00
Reed, Alexandra	Administrative Assistant	$25.50/hour

ADOPTED: February 27, 2026

This is to certify that this is a true copy of a Resolution adopted by the Township of Mullica Committee at the Reorganization Meeting held on February 27, 2026

DeAnna DeMarco
Mayor

Monica Newton
Acting Municipal Clerk

TOWNSHIP OF MULLICA
RESOLUTION 70-2026

ASSIGNMENT OF TAX SALE CERTIFICATE #17-00021

WHEREAS, the Township of Mullica, County of Atlantic, State of New Jersey, in consideration of $2321.76 , this 27 day of February, 2026, the receipt whereof is hereby acknowledged, have granted, bargained, sold and transferred assigned, and set over and by these presents do grant, bargain, sell, assign and set over unto Ryan Hutton, their heirs, representative and assigns, all right, title, interest, property and estate in and to the Tax Sale Certificate #17-00021 and in and to the land herein mentioned and referred to as recorded in the County of Atlantic on October 3, 2017, Instrument # 2017054695, known as Block 6202, Lot 3, located at 5411 Connecticut Avenue, in the Township of Mullica and assessed to BRILLA, JOSEPH C/O HELEN MCCROSSON.

WHEREAS, this assignment is made under and in accordance with the provisions of N.J.S.A. 54:5-113, and also in accordance with the Resolution adopted by the Mayor and Township Committee of the Township of Mullica on February 27, 2026.

NOW, THEREFORE, BE IT RESOLVED, the party of the first part has set hand and seal or caused these presents to be signed by its proper corporate officers and caused its proper corporate seal to be hereto affixed on the day and year first written.

____
DeAnna DeMarco, Mayor
Township of Mullica

____
Monica Newton,
Clerk Township Clerk

BE IT REMEMBERED that on this ____ day of ________________, 2026, before me, a Notary Public of the State of New Jersey, personally appeared the above officials, DeAnna DeMarco, and Monica Newton, who I am satisfied the individuals described in and who executed the above Assignment of Certificate and I having known to them the contents thereof, they thereupon acknowledge that they signed, sealed and delivered the same as his/her voluntary act and deed for the uses and purposes therein expressed.

____

TOWNSHIP OF MULLICA
RESOLUTION 71-2026

ASSIGNMENT OF TAX SALE CERTIFICATE #17-00022

WHEREAS, that the Township of Mullica, County of Atlantic, State of New Jersey, in consideration of $6940.64 , this 27 day of February, 2026, the receipt whereof is hereby acknowledged, have granted, bargained, sold and transferred assigned, and set over and by these presents do grant, bargain, sell, assign and set over unto Ryan Hutton, their heirs, representative and assigns, all right, title, interest, property and estate in and to the Tax Sale Certificate #17-00022 and in and to the land herein mentioned and referred to as recorded in the County of Atlantic on October 3, 2017, Instrument # 2017054696, known as Block 6202, Lot 4, located at 5419 Connecticut Avenue, in the Township of Mullica and assessed to BRILLA, JOSEPH C/O HELEN MCCROSSON.

WHEREAS, this assignment is made under and in accordance with the provisions of N.J.S.A. 54:5-113, and also in accordance with the Resolution adopted by the Mayor and Township Committee of the Township of Mullica on February 27, 2026.

NOW, THEREFORE, BE IT RESOLVED, the party of the first part has set hand and seal or caused these presents to be signed by its proper corporate officers and caused its proper corporate seal to be hereto affixed on the day and year first written.

____
DeAnna DeMarco, Mayor
Township of Mullica

____
Monica Newton,
Clerk Township Clerk

BE IT REMEMBERED that on this ____ day of ________________, 2026, before me, a Notary Public of the State of New Jersey, personally appeared the above officials, DeAnna DeMarco, and Monica Newton, who I am satisfied the individuals described in and who executed the above Assignment of Certificate and I having known to them the contents thereof, they thereupon acknowledge that they signed, sealed and delivered the same as his/her voluntary act and deed for the uses and purposes therein expressed.

____

TOWNSHIP OF MULLICA
RESOLUTION 072-2026

AUTHORIZING APPLICATION FOR A LEAP IMPLEMENTATION GRANT

WHEREAS, the State of New Jersey has appropriated $2.2 million for Shared Services and School District Consolidation Study and Implementation Grants to assist local units with the study, development, and implementation of new shared and regional services; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) is tasked with administering these grant funds through the Local Efficiency Achievement Program (LEAP); and

WHEREAS, LEAP Implementation Grants exist to support costs associated with shared service implementation to ensure that meaningful, efficiency generating initiatives are not hindered by short term transitional expenses; and

WHEREAS, Mullica Township as lead entity and the Greater Egg Harbor Regional School District as Participating Local Units propose to enter into a shared services agreement, but face certain expenses associated with implementation that present a burden to the local units; and

WHEREAS, the purpose of this shared services agreement is to permit the lead entity and participating units to purchase and share leaf collection equipment. This initiative will benefit the residents of all participating local units; and

WHEREAS, Mullica Township has agreed to be the lead agency in this program and will submit the application to DLGS on behalf of all participating units; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Mullica, that the Township of Mullica does hereby join with Greater Egg Harbor Regional School District in applying for a LEAP Implementation Grant in the amount of $100,000.00 to support implementation of this shared service.

CERTIFICATION

I, ________________________,(Clerk/Secretary of the Local Unit) of the Township of Mullica, in the County of Atlantic, and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the (Name of Governing Body) at its meeting of ____

ADOPTED: February 27, 2026:

____
DEANNA DEMARCO
MAYOR

____
MONICA NEWTON
ACTING MUNICIPAL CLERK

Special Officer - Class II	15.14/hr	35.00/hr
Special Officer – Class III	15.14/hr	35.00/hr
Sub-Code Officials	500.00	10,000.00
Superintendent of Public Works	40,000.00	80,000.00
Supervisor Public Works	35,000.00	65,000.00
Tax Assessor	15,600.00	65,000.00
Tax Assessor hourly	45.00	80.00
Tax Clerk	15.14/hr	30.00/hr
Tax Collector	30,000.00	90,000.00
Technology Coordinator	500.00	20,000.00
Township Committee	500.00	3,000.00
Zoning Officer	16.00/hr	35.00/hr

SECTION 3: All salaries and wages as listed in Section 2 shall be paid bi-weekly and shall be effective retroactive to the first pay in 2026.

SECTION 4: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 5: If any section, subsection, paragraph, clause, or provision of this ordinance shall be adjudged to be invalid, such adjudication shall apply only to such action, subsection, paragraph, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

SECTION 6: This Ordinance shall take effect upon passage and publication in the manner required by New Jersey law.

INTRODUCTION: February 2, 2026
PUBLICATION: February 11, 2026
ADOPTION: February 27, 2026
PUBLICATION WITH STATEMENT:
EFFECTIVE: March 19, 2026

DeAnna DeMarco
Mayor

Monica Newton
Acting Municipal Clerk

TOWNSHIP OF MULLICA
Bill List By Vendor Id

02/06/2026
01:12 PM

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

Vendor # / P.O. #	PO Date	Name / Description	Status	Amount	Void Amount	Contract	PO Type
01101		AL & RICH'S CAR WASH					
26-00059	01/30/26	CAR WASH TICKETS	Open	$200.00	$0.00		
01930		ATL CNTY ASSO CHIEF OF POLICE					
26-00072	01/30/26	2026 DUES	Open	$625.00	$0.00		
01961		ATL CNTY ASSOC OF ASSESSORS					
26-00062	01/30/26	2026 DUES	Open	$290.00	$0.00		
01982		ATLANTIC CITY ELECTRIC					
26-00076	01/01/26	JANUARY SERVICES	Open	$1,690.44	$0.00		
26-00105	01/01/26	JANUARY SERVICES	Open	$886.08	$0.00		
			Vendor Total:	**$2,576.52**			
05271		CASA PAYROLL SERVICES, LCC					
26-00041	01/01/26	JAN-MARCH SERVICES	Open	$174.50	$0.00		B
15672		G & P FLOOR MAINTENANCE					
26-00070	01/01/26	JANUARY SERVICES	Open	$425.00	$0.00		
17281		GRAINGER INDUSTRIAL SUPPLY					
26-00090	01/13/26	TRASH BAGS - DPW	Open	$118.77	$0.00		
22341		GLOUCESTER CNTY POLICE ACADEMY					
26-00068	01/30/26	OFFICE TRAINING	Open	$400.00	$0.00		
33459		MOBILE DREDGING & VIDEO PIPE					
25-00920	12/05/25	INLET CLEANING	Open	$9,900.00	$0.00		
33469		THE HAMMONTON GAZETTE					
26-00097	01/01/26	JANUARY PUBLICATIONS	Open	$215.93	$0.00		
34302		VERIZON WIRELESS					
26-00067	01/01/26	JANUARY SERVICES	Open	$841.62	$0.00		
48225		SOUTH JERSEY GAS COMPANY					
26-00104	01/01/26	JANUARY SERVICES	Open	$964.85	$0.00		
48709		STAPLES CONTRACT & COMMERCIAL					
26-00056	01/14/26	PLANNING BD OFFICE SUPPLIES	Open	$54.47	$0.00		
63914		ATL CO MUNICIPAL CLERKS' ASSOC					
26-00043	01/20/26	2026 DUES	Open	$200.00	$0.00		
ABSEC010		ABSECON VETERINARY HOSPITAL					
26-00101	02/04/26	2026 RABIES CLINIC	Open	$375.00	$0.00		

TOWNSHIP OF MULLICA
Bill List By Vendor Id

02/06/2026

01:12 PM

Vendor # / P.O. #	PO Date	Name / Description	Status	Amount	Void Amount	Contract	PO Type
AMAZO010		AMAZON CAPITAL SERVICES					
26-00061	01/13/26	OFFICE SUPPLIES - POLICE	Open	$15.36	$0.00		
CMRSF005		CMRS-FP US POSTAL SERVICE					
26-00099	02/04/26	POSTAGE	Open	$2,000.00	$0.00		
CO001		ATLANTIC COUNTY CLERK'S OFFICE					
26-00086	01/30/26	RECORD LAND SALE DEED	Open	$8.00	$0.00		
26-00087	01/30/26	RECORD LAND SALE DEED	Open	$8.00	$0.00		
			Vendor Total:	**$16.00**			
COLUM005		COLUMN SOFTWARE PBC					
26-00066	01/20/26	JANUARY PUBLICATIONS	Open	$102.44	$0.00		
COMCA005		COMCAST					
26-00102	02/01/26	FEBRUARY SERVICES	Open	$534.46	$0.00		
DEMAN005		DEMANS DIESEL REPAIR					
26-00071	01/01/26	ELWOOD 16-2 REPAIR (INSURANCE)	Open	$4,765.09	$0.00		
DENNI005		DENNIS LASASSA JR. PLUMBING					
26-00065	01/13/26	CLEANED/CLEARED DRAIN LINE	Open	$395.00	$0.00		
EMP32		SERZAN, VINCENT					
26-00074	01/30/26	1ST QUARTER REIMBURSEMENT	Open	$1,217.40	$0.00		
FPFIN005		FP FINANCE PROGRAM					
26-00063	01/20/26	POSTAGE METER LEASE	Open	$434.85	$0.00		
GENTI005		GENTILINI FORD					
26-00092	01/06/26	JANUARY PURCHASES	Open	$820.39	$0.00		
HALEY005		HALEY & ALDRICH, INC.					
25-00694	09/23/25	EPA Brownfields Grant	Open	$6,500.00	$0.00		B
HYWAY005		HY-WAY MOTORS, INC.					
26-00095	01/01/26	JANUARY SERVICES - DPW	Open	$1,467.81	$0.00	CO000020	C
26-00096	01/01/26	JANUARY SERVICES - POLICE	Open	$1,202.41	$0.00	CO000020	C
			Vendor Total:	**$2,670.22**			
IFP00005		INSTITUTE FOR FORENSIC PSYCHOL					
26-00073	01/10/26	CANDIDATE EVALUATION	Open	$575.00	$0.00		
JASIN005		JASINKSKI					
25-00831	09/01/25	SEPT-DECEMBER SERVICES	Open	$540.00	$0.00		B
JHARR010		J. HARRIS ACADEMY OF POLICE					
26-00069	01/30/26	MV SEARCH & SIEZURE TRAINING	Open	$189.00	$0.00		
MAJES005		MAJESTIC OIL COMPANY, INC.					
26-00050	01/01/26	JAN-MARCH PURCHASES	Open	$1,520.41	$0.00		B

Vendor # / P.O. #	PO Date	Name / Description	Status	Amount	Void Amount	Contract	PO Type
MAJES005		MAJESTIC OIL COMPANY, INC.	*Account Continued*				
MARTI015		MARTINO, ALAN					
26-00089	02/02/26	TAX REFUND RES 048-2026	Open	$1,887.29	$0.00		
NATIO020		NATIONAL HIGHWAY PRODUCTS INC.					
26-00093	01/15/26	NO DUMPING SIGNS	Open	$36.00	$0.00		
NJ015		RUTGERS UNIVERSITY					
25-00827	11/18/25	Clerk Review	Open	$653.00	$0.00		
NJ020		NJ DEPT OF HEALTH & SENIOR SRV					
26-00103	01/31/26	JANUARY STATE DOG FEES	Open	$18.60	$0.00		
RIVER010		SILVI CEMENT					
26-00098	01/01/26	DE-ICING SALT	Open	$6,736.73	$0.00		
SOUTH025		SOUTHERN COASTAL REGIONAL					
26-00064	01/30/26	JANUARY PREMIUM	Open	$130,353.00	$0.00		
TWP16		GREATER EGG HARBOR REGIONAL					
26-00077	01/30/26	LEVY INSTALLMENT - FEBRUARY	Open	$346,388.00	$0.00		
TWP17		MULLICA TWP BOARD OF EDUCATION					
26-00081	01/30/26	LEVY INSTALLMENT - FEBRUARY	Open	$526,646.00	$0.00		
VENUS005		VENUS & MARS LOCKSMITH LLC					
26-00088	02/02/26	LOCKSMITH SERVICES - PD	Open	$388.00	$0.00		

Total Purchase Orders: 43 Total P.O. Line Items: 0 Total List Amount: $1,052,763.90 Total Void Amount: $0.00

Totals by Year-Fund

Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Current Fund	5-01	$18,536.31	$0.00	$18,536.31	$0.00	$0.00	$18,536.31
Current Fund	6-01	$1,020,972.26	$0.00	$1,020,972.26	$0.00	$0.00	$1,020,972.26
Grant Fund	G-02	$6,500.00	$0.00	$6,500.00	$0.00	$0.00	$6,500.00
Trust Fund	T-03	$6,755.33	$0.00	$6,755.33	$0.00	$0.00	$6,755.33
Total Of All Funds:		$1,052,763.90	$0.00	$1,052,763.90	$0.00	$0.00	$1,052,763.90

Range of Checking Accts: CURRENT to CURRENT Range of Check Ids: 42620 to 42620
Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check # / PO #	Check Date Vendor / Description	Amount Paid	Reconciled/Void Ref Num / Contract
42620	02/13/26 DELTA005 DELTA DENTAL OF NJ		3138
26-00115	FEB/MARCH PREMIUM	7,230.93	

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	7,230.93	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	7,230.93	0.00

TOWNSHIP OF MULLICA
MONTHLY TREASURER'S REPORT
FOR THE MONTH OF JANUARY 2026

Current Fund		%/budget expended
Beginning Balance	2,394,002.62	
Cash Receipts:		
Interest	3,172.71	
Current year tax receipts	0.00	
Receivables/Interfunds	0.00	
Anticipated Revenue	12,255.89	
Unanticipated Revenue	25,212.03	
Total Cash Receipts	40,640.63	
Expenditures:		
2025 Appropriations	(110,247.10)	
2026 Appropriations	(414,303.68)	
Liabilities	(1,853,645.65)	
Interfunds	(562.85)	
Grant Fund	(4,709.86)	
Total Expenditures	(2,383,469.14)	
Ending Cash Balance	51,174.11	
Cash Increase/(Decrease)	(2,342,828.51)	
Reserve Budget	615,823.16	
2026 Temp Budget	1,925,562.00	
Reserve Budget Balance	505,576.06	17.90%
2026 Temp Budget Balance	1,511,258.32	21.52%

TOWNSHIP OF MULLICA
Bill List By Vendor Id

02/20/2026

01:55 PM

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

Vendor # P.O. #	PO Date	*Name* Description	Status	Amount	Void Amount	Contract	PO Type
01982		ATLANTIC CITY ELECTRIC					
26-00120	01/01/26	JANUARY SERVICES	Open	$4,853.93	$0.00		
03074		BEST EASTERN EXTERMINATING					
26-00112	01/29/26	PEST CONTROL SERVICES	Open	$145.00	$0.00		
04674		BUTTERHOF'S FARM & HOME SUPPLY					
26-00122	02/09/26	DOG FOOD - K9 TRUST	Open	$62.99	$0.00		
26-00146	02/13/26	WATER - DPW	Open	$17.97	$0.00		
			Vendor Total:	**$80.96**			
05271		CASA PAYROLL SERVICES, LCC					
26-00041	01/01/26	JAN-MARCH SERVICES	Open	$170.00	$0.00		B
28632		LOWE'S					
26-00118	01/05/26	DPW SUPPLIES	Open	$133.91	$0.00		
28687		LAUREL LAWNMOWER SERVICE,INC.					
26-00091	02/02/26	SPINNER MOTOR - DPW	Open	$531.95	$0.00		
33343		CIVIL SOLUTIONS, A DIVISION					
26-00114	01/15/26	TAP MAP UPDATES	Open	$400.00	$0.00		
34302		VERIZON WIRELESS					
26-00145	02/01/26	FEBRUARY SERVICES	Open	$458.18	$0.00		
44447		V.E. RALPH & SONS, INC.					
26-00106	01/25/26	AED BATTERY	Open	$189.00	$0.00		
48492		UNITEDHEALTHCARE INSURANCE CO					
26-00121	02/12/26	MARCH PREMIUM	Open	$964.32	$0.00		
48709		STAPLES CONTRACT & COMMERCIAL					
26-00119	01/30/26	COPY PAPER/JANITORIAL	Open	$58.22	$0.00		
54678		VAL-U AUTO PARTS					
26-00140	01/01/26	JANUARY PURCHASES	Open	$1,727.02	$0.00		
ACTIO005		ACTION AUTO BODY					
26-00139	02/15/26	21 CHARGER ACCIDENT DEDUCTIBLE	Open	$1,000.00	$0.00		
AEDMA005		AED MARKET					
24-00511	07/09/24	AED PADS	Open	$585.39	$0.00		
AMAZO010		AMAZON CAPITAL SERVICES					
26-00149	02/17/26	POLICE OFFICE SUPPLIES	Open	$187.82	$0.00		
26-00150	02/12/26	CLERK OFFICE SUPPLIES	Open	$123.55	$0.00		

Vendor # / P.O. #	PO Date	Name / Description	Status	Amount	Void Amount	Contract	PO Type
AMAZO010		AMAZON CAPITAL SERVICES	*Account Continued*				
			Vendor Total:	**$311.37**			
ARIZO005		ARIZONA DMV					
26-00154	02/20/26	JUNK TITLE	Open	$14.50	$0.00		
ATLCO005		ATL COUNTY TREASURER					
26-00107	02/09/26	DRUG TESTING - PD	Open	$45.00	$0.00		
BYRNA005		BYRNA TECHNOLOGIES, INC.					
25-00969	12/31/25	PEPPER SPRAY - PD	Open	$588.48	$0.00		
CASAR005		CASA REPORTING SERVICES					
25-00829	11/18/25	ACA filings	Open	$380.00	$0.00		
CHERR005		CHERRY VALLEY TRACTOR SALES					
26-00136	02/17/26	Boom Mower Filter Kit	Open	$724.35	$0.00		
CO002		ATLANTIC COUNTY UTILITES AUTH.					
26-00108	01/01/26	JANUARY RECYCLING SERVICES	Open	$8,377.44	$0.00		
26-00109	02/09/26	JANUARY TRASH SERVICES	Open	$34,048.44	$0.00	C9000015	C
			Vendor Total:	**$42,425.88**			
COLUM005		COLUMN SOFTWARE PBC					
26-00117	02/03/26	PUBLIC AUCTION NOTICES	Open	$75.44	$0.00		
26-00137	02/04/26	BUDGET WORKSHOP	Open	$12.88	$0.00		
			Vendor Total:	**$88.32**			
COMCA005		COMCAST					
26-00143	02/01/26	FEBRUARY SERVICES	Open	$28.06	$0.00		
COMCA010		COMCAST BUSINESS					
26-00142	02/01/26	FEBRUARY SERVICES	Open	$417.80	$0.00		
COMMI005		COMMISSIONER OF MOTOR VEHICLES					
26-00151	02/20/26	JUNK TITLE	Open	$20.00	$0.00		
COMMO005		COMMONWEALTH OF PA					
26-00153	02/20/26	JUNK TITLE	Open	$15.00	$0.00		
CULLI005		CULLIGAN-WEST BERLIN					
26-00113	01/01/26	WATER SERVICE	Open	$55.00	$0.00		
26-00116	01/01/26	DEC/JANUARY WATER SERVICE	Open	$247.50	$0.00		
			Vendor Total:	**$302.50**			
DASTI005		DASTI, MCGUCKIN, MCNICHOLS,					
25-00832	10/01/25	HOUSING ELEMENT/SANTORO MATTE	Open	$1,224.00	$0.00		B
DELAW005		DELAWARE VALLEY VETERINARY					
26-00111	02/10/26	GRIZZLY CONTRACT - TRUST	Open	$1,000.00	$0.00		
DENNI005		DENNIS LASASSA JR. PLUMBING					

Vendor # / P.O. #	PO Date	Name / Description	Status	Amount	Void Amount	Contract	PO Type
DENNI005		DENNIS LASASSA JR. PLUMBING	*Account Continued*				
26-00135	02/14/26	CLEANED DRAIN LINE	Open	$395.00	$0.00		
MAJES005		MAJESTIC OIL COMPANY, INC.					
26-00050	01/01/26	JAN-MARCH PURCHASES	Open	$3,489.33	$0.00		B
MISSO005		MISSOURI MOTOR VEHICLE BUREAU					
26-00155	02/20/26	JUNK TITLE	Open	$2.82	$0.00		
MUNIC005		MUNICIPAL CAPITAL FINANCE					
26-00144	02/01/26	COPIER LEASE #6	Open	$120.86	$0.00		
NJ021		NJ MOTOR VEHICLE COMMISSION					
26-00123	02/17/26	SALVAGE TITLE	Open	$3.00	$0.00		
26-00124	02/17/26	SALVAGE TITLE	Open	$3.00	$0.00		
26-00125	02/17/26	SALVAGE TITLE	Open	$3.00	$0.00		
26-00127	02/17/26	SALVAGE TITLE	Open	$30.00	$0.00		
26-00128	02/17/26	SALVAGE TITLE	Open	$3.00	$0.00		
26-00129	02/17/26	SALVAGE TITLE	Open	$3.00	$0.00		
26-00130	02/17/26	SALVAGE TITLE	Open	$3.00	$0.00		
26-00131	02/17/26	SALVAGE TITLE	Open	$3.00	$0.00		
26-00132	02/17/26	SALVAGE TITLE	Open	$3.00	$0.00		
26-00133	02/17/26	SALVAGE TITLE	Open	$3.00	$0.00		
26-00134	02/17/26	SALVAGE TITLE	Open	$3.00	$0.00		
26-00138	02/18/26	RE-TITLE LEASE VEHICLES	Open	$60.00	$0.00		
			Vendor Total:	**$120.00**			
OHIOB005		OHIO BUREAU OF MOTOR VEHICLES					
26-00152	02/20/26	JUNK TITLE	Open	$10.00	$0.00		
TRINI010		TRINITY CODE INSPECTIONS LLC					
26-00147	01/01/26	JANUARY INSPECTIONS	Open	$7,700.00	$0.00		
TRITE005		TRI-TECH FORENSICS, INC.					
25-00765	11/05/25	evidence bags	Open	$232.12	$0.00		
TWP16		GREATER EGG HARBOR REGIONAL					
26-00078	01/30/26	LEVY INSTALLMENT - MARCH	Open	$346,388.00	$0.00		
TWP17		MULLICA TWP BOARD OF EDUCATION					
26-00082	01/30/26	LEVY INSTALLMENT - MARCH	Open	$526,646.00	$0.00		
XTELC005		XTEL COMMUNICATIONS INC.					
26-00141	01/30/26	FEBRUARY SERVICES	Open	$39.83	$0.00		

Total Purchase Orders: 56 Total P.O. Line Items: 0 Total List Amount: $944,027.10 Total Void Amount: $0.00

Totals by Year-Fund

Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Current Fund	5-01	$11,117.49	$0.00	$11,117.49	$0.00	$0.00	$11,117.49
Current Fund	6-01	$931,846.62	$0.00	$931,846.62	$0.00	$0.00	$931,846.62
Trust Fund	T-03	$1,062.99	$0.00	$1,062.99	$0.00	$0.00	$1,062.99
Total Of All Funds:		$944,027.10	$0.00	$944,027.10	$0.00	$0.00	$944,027.10

TOWNSHIP OF MULLICA
MONTHLY TREASURER'S REPORT
FOR THE MONTH OF JANUARY 2026

Capital Fund

Beginning Cash Balance	503,691.54
Cash Receipts	0.00
Cash Disbursements	0.00
Ending Cash Balance	503,691.54
Due from Current Fund	0.00
Total Cash Available	**503,691.54**
Capital Fund Balance	14,165.82
Capital Improvement Fund	111,640.60
Reserves for Projects	5,000.00
Total Available for Projects	130,806.42
Def Charges Future Tax Unfunc	889,000.00
Def Charges Future Tax Funde	0.00
Total Deferred Charges	889,000.00
Funded Improvement Author	1,023.55
Unfunded Improvement Author	371,861.57
Due to Current Fund	0.00
Total Improv Author	372,885.12
Bonds Payable	0.00
BANS Payable	889,000.00
Green Trust Loan Payable	0.00
Debt Authorized but not Issued	0.00
Total Debt	889,000.00