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**MANCHESTER TOWNSHIP
COUNCIL MEETING AGENDA
MARCH 23, 2026
6:00 PM**

1. CALL TO ORDER

2. STATEMENT

Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was advertised in the Asbury Park Press, Star Ledger and was posted in the lobby of the municipal building.

3. FLAG SALUTE

4. ROLL CALL

5. PROCLAMATIONS

Recognizing Meals on Wheels

6. APPROVAL OF MINUTES

Regular and Executive Session Minutes – March 9, 2026

7. SUBMISSION OF BILLS

#26-161 Current Fund

#26-162 Utility Fund – ESA

#26-163 Utility Fund – WSA

8. ORDINANCES - Second Reading, Public Hearing and Final Action

#26-9 Repealing Ordinance #24-40 in its Entirety

#26-15 A Bond Ordinance Providing for Water Utility Improvements to the WSA , Including the Replacement of Well #10 and Decommissioning of the Existing Well, Appropriating \$2,142,000 therefor and Authorizing the Issuance of \$2,142,000 Bonds and Notes to Finance a Portion of the Costs Thereof

#26-16 A Bond Ordinance Providing for Water Utility Improvements to the ESA, Including the Route 70 Water Main Extension Project, Appropriating \$2,565,400 Therefor and Authorizing the Issuance of \$2,565,400 Bonds and

Notes to Finance a Portion of the Costs Thereof

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#26-17 Amending and Supplementing Certain Sections of Chapter 430 of the Township Code. Entitled Water and Sewer. Article 1 – Water Connections, Section 430-1 Water Connection Required and Section 430-4 Failure to Connect, Delinquent Notice

#26-18 Authorizing the Vacation of Portions of Weston Avenue, Madison Street, Jackson Avenue and Manchester Avenue

#26-19 Authorizing the Vacation of Blanche Avenue, Cleveland Avenue and Evelyn Street

#26-20 Ordinance for the Calendar Year 2026, to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank Pursuant to N.J.S.A. 40A 4-45.14

#26-21 Adopting Portions of the General Reexamination of the Master Plan Revising Definitions Pertaining to Cluster Development

#26-22 Amending Chapter 245, Article XI, Sections 245-90 through 245-98

#26-23 Amending Chapter 245 Entitled “Land Use and Development” to create a New PAF-2 Pinelands Affordable Housing Zone

#26-24 Amending and Supplementing Various Sections of Chapter 245, Entitled “Land Use and Development” Section 245-68 Entitled “Garden Apartments” and Section 245-74 Entitled “Townhomes”

#26-25 Adopting Portions of the General Reexamination of the Master Plan Revising Various Sections of Chapter 245 of the Township Code Entitled “Land Use and Development” Section 245-23 “Zoning Districts”

#26-26 Ordinance Amending Appendix 8, The Zoning Map

9. ORDINANCES – First Reading & Introduction

#26-27 Authorizing the Sale of Block 1.249 Lot 5 and 6 to Akiva Banker and Judith Banker for \$175,000 (1208 Champlain Street)

#26-28 Amending Appendix 8, Zoning Map

10. FOURTH ROUND HOUSING RESOLUTION

#26-164 Endorsing the Amended Fourth Round Housing Element and Fair Share Plan

11. RESOLUTIONS: CONSENT AGENDA

The items listed below are considered to be routine by the Township of Manchester and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

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A. PURCHASING

#26-165 Authorizing the Disposition or Salvage of Obsolete Equipment at Auction on Govdeals.com

#26-166 Authorising the Purchase of Eventide Recording System through NJ State Contract

#26-167 Authorizing the Award of Contract to Evans Consoles Incorporated through Houston Galveston Area Cooperative National Cooperative Contract

#26-168 Extending Contract #25-08 for Harry Wright Lake Ice Cream Concession to Down the Shore Ice Cream

B. FINANCE

#26-169 Authorizing to Cancel Taxes for a Totally Disabled Veteran at Block 109.01 Lot 87 (10 Woodlake Drive)

#26-170 Authorizing to Cancel Taxes for a Totally Disabled Veteran at Block 61.10 Lot 157 (18 Saxony Circle)

#26-171 Authorizing to Cancel Taxes for a Totally Disabled Veteran at Block 61.16 Lot 271 (6 Ferrara Court)

#26-172 Authorizing to Cancel Taxes for a Totally Disabled Veteran at Block 52.39 Lot 34 (66 Hastings Road)

#26-173 Authorizing to Cancel Taxes for a Totally Disabled Veteran at Block 102.20 Lot 13 (8 Westport Drive)

#26-174 Authorizing to Cancel Taxes for a Totally Disabled Veteran at Block 52.16 Lot 26 (12 Weybridge Place)

#26-175 Authorizing to Cancel Taxes for a Totally Disabled Veteran at Block 83.05 Lot 10 (650 Timberline Lane)

C. MISCELLANEOUS

#26-176 Authorizing the Disposition or Salvage of Vehicle(s) in the Possession of the Township that have been Abandoned at the Tow Company Impound Yard

#26-177 Authorizing the use of Pine Lake Park for Police Athletic League Fishing Derby

D. CONTRACTS/AGREEMENTS

#26-178 Authorizing the Award of a Professional Services Contract with Dr. Ashley Leo for Veterinary Service

#26-179 Authorizing the Mayor to sign a contract with Musical Theatre International

#26-180 Authorizing the Execution of a Revised Agreement between Manchester Township and OPEIU Local 32 White Collar Employees

#26-181 Authorizing the Execution of a Facilities Agreement with Ocean County

#26-182 Authorizing the Execution of a Second Amendment to the Redevelopment Agreement with 2065 Highway 37 Owners LLC

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12. REPORTS

Council

Mayor

13. PUBLIC COMMENT

14. ADJOURNMENT

Township of Manchester
Office of the Mayor
Proclamation

**RECOGNIZING MARCH 2026 AS A MONTH CELEBRATING SENIOR
NUTRITION PROGRAMS AND THEIR EFFORTS TO DELIVER MORE THAN
MEALS**

WHEREAS, on March 22, 1972, amendments to the Older Americans Act established a national nutrition program for older adults, creating a network of community-based organizations dedicated to supporting the health, independence, and dignity of seniors; and,

WHEREAS, for more than five decades, Meals on Wheels Ocean County has helped older adults remain safely in their homes by providing access to nutritious meals and meaningful social connection; and,

WHEREAS, Meals on Wheels Ocean County supports older adults throughout Ocean County by delivering More Than Meals, offering Community, Care, and Connection through nutritious meals, wellness checks, and meaningful human interaction that help seniors remain healthy, independent, and connected; and,

WHEREAS, in 2025, Meals on Wheels Ocean County delivered more than 286,000 meals to over 2,200 seniors, ensuring that vulnerable residents had consistent access to nourishment and support; and,

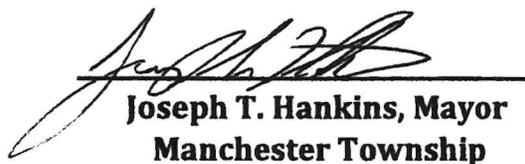
WHEREAS, the need for senior nutrition services continues to grow as the aging population increases and more older adults face financial and social challenges, with nearly 53% of local participants unable to contribute to the \$3 voluntary meal donation, demonstrating the increased need for affordable senior nutrition programs among older adults; and,

WHEREAS, dedicated volunteers and staff provide vital services each day, helping older adults remain in dependent and connected within their community; and,

WHEREAS, Meals on Wheels programs nationwide are working together to raise awareness and advocate for the resources necessary to ensure no senior waits for essential nutrition services;

NOW, THEREFORE, I, Joseph T. Hankins, as Mayor of Manchester Township, do hereby proclaim March 2026 as a month celebrating senior nutrition programs and recognizing the important contributions of Meals on Wheels Ocean County. I encourage all residents to take this opportunity to recognize the individuals served, honor the volunteers and staff who make this work possible, and support efforts to address senior hunger and social isolation.




**Joseph T. Hankins, Mayor
Manchester Township**

26-161
March 23, 2026

**RESOLUTION AUTHORIZING PAYMENT OF BILLS
MANCHESTER TOWNSHIP, NEW JERSEY**

DRAFT

BE IT RESOLVED by the Township Council of the Township of Manchester that the following bills on the list hereto be paid; the Chief Financial Officer is hereby authorized and directed to draw checks for the payment of same as and when funds are available.

SUMMARY

Current Fund	\$	1,401,447.85
Capital Fund	\$	577,866.76
Escrows	\$	10,250.25
Affordable Housing Trust Fund	\$	17,662.50
Animal Control Fund	\$	
Drug Enforcement Fund	\$	4,647.78
NJ Forfeiture	\$	
N.J. Unemployment Trust	\$	
Public Assistance Discretionary Trust	\$	
Public Assistance Trust Fund I	\$	
Municipal Alliance Discretionary Trust	\$	
Manchester Day Trust Fund	\$	
Public Defender Trust Fund	\$	
Recreation Trust Fund	\$	500.00
Reserve fo Snow Trust	\$	
Open Space Trust Fund	\$	8,707.96
Manchester - Lakehurst Borough Construction Code Fund	\$	
	\$	<u><u>2,021,083.10</u></u>

CERTIFICATION:

Jeanette M. Larrison
Chief Financial Officer

Signed: _____
Roxanne Conniff
Council President

Teri Giercyk
Township Clerk

BILL LIST ADDENDUM

26-161

March 23, 2026

DRAFT

Capital Fund

CURRENT FUND

Payroll week ending 3/27/26

GO DADDY	SSL Cert and Hosting Fee	Wire	710.00
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\$ 710.00

SPECIAL ESCROW TRUST FUND

Morgan Engineering	Various Developer Escrows	chk#3278	225.00
Coronato Law	Various Developer Escrows	Chk#3279	3,010.50
Colliers Engineering	Various Developer Escrows	Chk#3280	577.50
T&M Associates	Various Developer Escrows	Chk#3281	6,437.25

\$ 10,250.25

OPEN SPACE

Range of Checking Accts: 01 CURRENT to 01 CURRENT Range of Check Dates: 03/10/26 to 03/23/26
 Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num	Contract
PO #		Description				
01 CURRENT		Current Fund Account				
77692	03/11/26	NJMOT010 NJ MOTOR VEHICLE COMMISSION			10941	
V2600308		TITLE 2026 FORD F 250 TRUCK	60.00			
77693	03/11/26	NJMOT010 NJ MOTOR VEHICLE COMMISSION			10941	
V2600309		TITLE 2026 FORD F 250 TRUCK	60.00			
77694	03/11/26	NJMOT010 NJ MOTOR VEHICLE COMMISSION			10941	
V2600310		TITLE 2026 FORD F 250 TRUCK	60.00			
77695	03/11/26	NJMOT010 NJ MOTOR VEHICLE COMMISSION			10941	
V2600312		TITLE 2026 FORD F 250 TRUCK	60.00			
77696	03/11/26	NJMOT010 NJ MOTOR VEHICLE COMMISSION			10941	
V2600314		TITLE 2026 FORD F 250 TRUCK	60.00			
77697	03/11/26	NJMOT010 NJ MOTOR VEHICLE COMMISSION			10941	
V2600315		TITLE 2026 FORD F 250 TRUCK	60.00			
77698	03/11/26	FREDB005 FRED BAKKER			9956 (Replacement of: 01 CURRENT	75398)
V2500381		REIMBURSEMENT NJDMV FEE	50.00			
77699	03/11/26	MANCH130 TOWNSHIP OF MANCHESTER PAYROLL			10943	
26-00582		PAY 6 CURRENT	1,045,144.95			
77700	03/12/26	FREDB005 FRED BAKKER			10948	
V2400007		2023 EYEGLASS REIMBURSEMENT	300.00			
77701	03/13/26	JASON020 JASON TARABOKIJA			9129 (Replacement of: 01 CURRENT	73588)
V2400700		REIMBURSE UBER FROM AIRPORT	34.34			
77702	03/17/26	JEANE020 JEANETTE LARRISON, PETTY CASH		03/17/26 VOID	10962 (Void Reason: incorrect amount)	
26-00624		Petty Cash & Change Fund Setup	1,050.00			
77703	03/17/26	JEANE020 JEANETTE LARRISON, PETTY CASH			10969	
26-00624		Petty Cash & Change Fund Setup	450.00			
77704	03/18/26	JEANE020 JEANETTE LARRISON, PETTY CASH			10970	
26-00626		Cover Shortage	50.00			
77705	03/23/26	ABOUT010 ABOUT AUTO GLASS, LLC			10981	
26-00311		WINDSHIELD FOR PD #17	600.00			
77706	03/23/26	ACCUR005 ACCURATE TOWING			10981	
26-00153		TOWING SERVICES	300.00			
77707	03/23/26	ADVEN010 ADVENTURES IN NEW DESIGN, INC			10981	
25002011		BASKETBALL TANK TOPS	391.00			

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #		Description			Contract
01	CURRENT	Current Fund Account	Continued		
77708	03/23/26	AKEQU005 A & K EQUIPMENT CO. INC			10981
26-00369		REPAIRS TO WC #513 & MUA FLEET	470.68		
77709	03/23/26	ALTER005 ALTERNATIVE MICROGRAPHICS INC			10981
26-00437			3,100.00		
77710	03/23/26	AMAOC005 AMAOC			10981
26-00392		AMAOC - AMANJ Dues	500.00		
77711	03/23/26	AMAZON01 AMAZON CAPITAL SERVICES INC			10981
26-00216		Senior Social supplies	1,188.29		
26-00373		BLANKET FOR OFFICE SUPPLIES	151.60		
26-00416		Standing Desk/vinyl for Lights	573.93		
26-00455		PAD AND KEYED LOCKS FOR GATES	91.90		
26-00470		desk riser	35.14		
26-00625		OFFICE SUPPLIES	371.96		
			<u>2,412.82</u>		
77712	03/23/26	AMERI065 AMERICAN WEAR, INC.			10981
26-00151		UNIFORMS FOR DPW CREW	1,156.42		
77713	03/23/26	ANIMA015 ANIMAL DAMAGE CONTROL SYS. LLC			10981
26-00365		Goose Control Agreement	2,720.00		
77714	03/23/26	APCOI005 APCO INTERNATIONAL, INC.			10981
26-00296		Group Membership	1,012.00		
77715	03/23/26	ARROW005 ARROW LOCKSMITHS & SECURITY IN			10981
V2600345		SERVICE CALL AND PICK LOCK	275.00		
77716	03/23/26	ATLAN025 ATLANTIC PLUMBING SUPPLY CORP			10981
26-00184		PLUMBING SUPPLIES	6.30		
26-00193		Blanket for supplies	91.31		
			<u>97.61</u>		
77717	03/23/26	BARBA065 BARBARA T. SPRECHMAN			10981
V2600367		1ST QTR ALLIANCE SALARY	872.62		
77718	03/23/26	BLAZE005 BLAZE EMERGENCY EQUIP CO LLC			10981
26-00236		Ambulance 541 PM	907.50		
26-00238		Ambulance 548 PM Service	907.50		
26-00282		Remaing Parts for 545	1,474.51		
26-00446		Trailer Jack	490.49		
26-00464		543 Coolant Line Repair	328.50		
26-00465		549 PM & Tire Rotation	907.50		
26-00469		Brakes & Crank Case 545	1,918.77		
			<u>6,934.77</u>		
77719	03/23/26	BOUND005 BOUND TREE MEDICAL, LLC			10981
26-00048		Medical Supply Blanket	3,375.83		

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #		Description			Contract
01	CURRENT	Current Fund Account	Continued		
77720	03/23/26	BRADY005 BRADY & KUNZ			10981
		V2600356 LEGAL SERVICES TAX APPEALS	375.00		
77721	03/23/26	CDWGO005 CDW GOVERNMENT			10981
		25002271 Camera Project Netwrk adapter	377.86		
		26-00436 Lenovo ThinkBook 14 G7	<u>1,834.50</u>		
			2,212.36		
77722	03/23/26	CELEB005 CELEBRITY MOTORS OF TOMS RIVER			10981
		25002196 EMS #5401	375.00		
		25002293 Replce battery EMS-5401	252.36		
		26-00284 EMS REPAIR/REPROGRAM	817.58		
		26-00305 *ASAP* POWER STEERING PUMP	627.80		
		26-00324 FLEET MANAGEMENT	810.58		
		26-00346 REPAIR PARTS FOR WATER CO. 507	<u>3,772.77</u>		
			6,656.09		
77723	03/23/26	CHARL110 CHARLES GATNAREK			10981
		V2600355 REIMBURSEMENT MPS/40 REBARREL	871.92		
77724	03/23/26	CHEMI005 CHEMICAL EQUIPMENT LABS, INC.			10981
		26-00227 DEICING SALT W RESO	3,615.62		
		26-00257 Deicing salt	<u>26,121.28</u>		
			29,736.90		
77725	03/23/26	COLLI005 COLLIERS ENGINEERING & DESIGN			10981
		V2600358 MCP001 GEN PLANNING BD SERVICE	505.62		
		V2600372 ENGINEERING SERVICES	<u>3,776.95</u>		
			4,282.57		
77726	03/23/26	COMCA015 COMCAST BUSINESS			10981
		V2600335 CABLE SVC ACCT 903863873	417.81		
77727	03/23/26	COMCA025 COMCAST			10981
		V2600332 CABLE SVC8499 05 196 0173684	539.57		
77728	03/23/26	COMCA025 COMCAST			10981
		V2600333 CABLE SVC 8499 05 196 0266280	445.00		
77729	03/23/26	COMCA025 COMCAST			10981
		V2600334 CABLE SVC 8499 05 196 0110108	52.06		
77730	03/23/26	COMCA025 COMCAST			10981
		V2600336 CABLE SVC 8499 05 196 0386708	449.01		
77731	03/23/26	COMCA025 COMCAST			10981
		V2600337 CABLE SVC 8499 05 196 0045536	262.69		
77732	03/23/26	COMCA025 COMCAST			10981
		V2600363 CABLE SVC 8499 05 196 0163024	24.93		

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #		Description			Contract
01	CURRENT	Current Fund Account	Continued		
77733	03/23/26	CONTI010 CONTI CAUSEWAY FORD			10981
		26-00370 DIAGNOSTIC/CHECK TRANSMISSION	53.24		
77734	03/23/26	CORON020 CORONIS HEALTH I, LLC			10981
		26-00440 January 2026 Collections	22,022.94		
77735	03/23/26	COTAL005 COTALITY CENTRALIZED REFUNDS			10981
		V2600353 REFUND TAX OVERPAYMENT	1,523.03		
77736	03/23/26	COUNS005 COUNSELLORS TITLE AGENCY			10981
		V2600354 REFUND TAX OVERPAYMENT	2,171.21		
77737	03/23/26	CUSTO010 CUSTOM-BANDAG, INC.			10981
		25002288 PW-47 replacement tire	691.37		
77738	03/23/26	DELAG005 DE LAGE LANDEN			10981
		26-00400 POSTAGE EQUIPMENT RENTAL	196.62		
77739	03/23/26	DUPLI005 DUPLITRON, INC.			10981
		26-00005 OPEN PO FOR COPIER OVERAGES	376.12		
77740	03/23/26	EAGLE005 EAGLE POINT GUN			10981
		26-00223 Police Ammunition and Targets	23,000.00		
77741	03/23/26	EARLE005 EARLE ASPHALT COMPANY			10981
		26-00122 SUPPLIES FOR ROAD REPAIRS	574.40		
77742	03/23/26	EASTE005 EASTERN WAREHOUSE DIST., LLC			10981
		26-00326 FLEET MAINTENANCE	1,337.61		
77743	03/23/26	EDMUN010 EDMUNDS GOVTECH, INC			10981
		26-00219 Ingenico credit card processor	1,500.00		
		26-00463 26-IN3809 paper rolls	30.00		
			<u>1,530.00</u>		
77744	03/23/26	ESIEM005 ESI-EMPLOYEE SERVICES, LLC.			10981
		26-00562 EAP 2025 - 2026 Program	6,710.04		
77745	03/23/26	FEDER005 FEDERAL EXPRESS CORPORATION			10981
		26-00375 BLANKET FOR SHIPPING	28.28		
77746	03/23/26	FLEET015 FLEETPRIDE, INC			10981
		26-00131 VEHICLE REPAIR/MAINT. PARTS	44.27		
		26-00333 FLEET MAINTENANCE	136.18		
			<u>180.45</u>		
77747	03/23/26	FREDB005 FRED BAKKER			10981
		V2600350 2025 WORKBOOT ALLOWANCE	250.00		
77748	03/23/26	GABRI005 GABRIELLI KENWORTH OF NJ LLC			10981
		26-00132 TRACTOR REPAIR/MAINT. PARTS	627.96		

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #	Description				Contract
01	CURRENT	Current Fund Account	Continued		
77749	03/23/26	GANNE005 GANNETT MEDIA GROUP 26-00542 legal ads 1/9-1/30/2026	2,876.10		10981
77750	03/23/26	HADEH005 H.A DEHART & SON, INC 26-00166 STREET SWEEPER MAINTENANCE	192.65		10981
77751	03/23/26	HENRY030 HENRY SCHEIN, INC. 26-00043 Medical Supply Blanket 26-00337 Medical Supplies Blanket	691.94 <u>205.20</u> 897.14		10981
77752	03/23/26	HOFFM005 HOFFMAN INTERNATIONAL INC. 26-00340 STARTER FOR LOADER 821E	742.61		10981
77753	03/23/26	INTER075 INTERSTATE WASTE SERVICES OF 26-00533 recycling pickup for 3 months	93,781.42		10981
77754	03/23/26	JCPL0005 J C P & L V2600338 ELEC SVC 200 000 021 788	32,473.90		10981
77755	03/23/26	JCPL0005 J C P & L V2600340 ELEC SVC 100 135 963 880	1,517.19		10981
77756	03/23/26	JERSE015 JERSEY ELEVATOR COMPANY, LLC 26-00049 Elevator Maintenance 26-00050 Elevator button repair	418.66 <u>227.20</u> 645.86		10981
77757	03/23/26	JESCO005 JESCO, INC. 26-00267 *ASAP* LARGE EQUIP. PARTS	435.37		10981
77758	03/23/26	JIMC005 JIM CURLEY GMC TRUCK, INC 26-00237 HEADLAMP ASSEMBLY FOR PD #10	912.46		10981
77759	03/23/26	KELLY025 KELLY WINTHROP, LLC 26-00055 Deer Carcass Removal	266.00		10981
77760	03/23/26	KENCO005 KENCO ACQUISITION CORPORATION 26-00273 Plow Parts	4,995.30		10981
77761	03/23/26	LAKEH015 LAKEHURST DINER 26-00033 Prisoner Meals	234.67		10981
77762	03/23/26	MARGA015 MARGARET DELLAPIETRO V2600346 EYEGLOSS REIMBURSEMENT	300.00		10981
77763	03/23/26	MGLPR005 MGL PRINTING SOLUTIONS 26-00303 Dog Licenses	791.00		10981
77764	03/23/26	MICHA285 MICHAEL MUELLER V2600352 REFUND FROM TAX APPEAL	2,357.58		10981

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #		Description			Contract
01	CURRENT	Current Fund Account	Continued		
77765	03/23/26	MORGA010 MORGAN ENGINEERING LLC			10981
		V2600357 GENERAL ENGINEERING SERVICES	1,121.80		
77766	03/23/26	MUNIC045 MUNICIPAL EMERGENCY SVCS INC			10981
		26-00252 Fire Meter New Sensors	1,390.02		
77767	03/23/26	NICKR005 NICK RESTAURANT MANAGEMENT LLC			10981
		26-00309 Open PO for Senior Bites	3,100.00		
77768	03/23/26	NINTH005 NINTH BRAIN SUITE, LLC			10981
		26-00528 Ninth Brain Suit	14,040.00		
77769	03/23/26	NJADV005 NJ ADVANCE MEDIA			10981
		26-00543 February legal ads	1,505.45		
77770	03/23/26	NJMOT005 NJ MOTOR VEHICLE COMMISSION			10981
		26-00534 NJ Motor Vehicle Reports	150.00		
77771	03/23/26	NJNAT005 NJ NATURAL GAS CO.			10981
		V2600343 NAT GAS SVC 22-0020-5565-75	12,130.17		
77772	03/23/26	OCEAN030 O. C. POLICE CHIEF ASSOC.			10981
		26-00539 Chief Ellis Dues	400.00		
77773	03/23/26	OCEAN090 OCEAN COUNTY RECYCLING			10981
		26-00154 R-BLEND FOR ROAD REPAIRS	270.75		
77774	03/23/26	OFFIC035 OFFICE BASICS, INC.			10981
		26-00395 Cleaning supplies	2,732.26		
		26-00457 Cleaning supplies	236.72		
			<u>2,968.98</u>		
77775	03/23/26	ONESO005 ONE SOURCE OF NEW JERSEY, LLC.			10981
		26-00367 SHOP SUPPLIES - ZIP TIES	117.36		
77776	03/23/26	PARKE005 PARKER MCCAY, P.A.			10981
		V2600360 LEGAL SERVICES FILE 30626-0002	483.00		
77777	03/23/26	PARTY005 PARTY FAIR			10981
		26-00277 2026 Blanket Order	37.94		
77778	03/23/26	REMIN015 REMINGTON & VERNICK ENGINEERS			10981
		25000791 OPEN PURCHASE ORDER FOR	14,107.50		
		26-00291 2026 TAX MAP MAINTENANCE	2,750.00		
			<u>16,857.50</u>		
77779	03/23/26	RUMPF015 RUMPF LAW, PC			10981
		V2600359 RENT LEVELING BD ATTORNEY	787.00		
77780	03/23/26	RUSSE010 RUSSELL KUMITIS			10981
		V2600347 RX REIMBURSEMENT	744.06		

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #		Description			Contract
01	CURRENT	Current Fund Account	Continued		
77781	03/23/26	RUSSE015 R.REID WASTE HAULING&DISPOSAL			10981
		26-00015 Blanket for port-a-johns	525.04		
77782	03/23/26	RUTGE040 RUTGERS,STATE UNIVERSITY OF			10981
		26-00524 E Bell-Muni Finance RMC Class	745.00		
77783	03/23/26	SITE0005 SITEONE LANDSCAPE SUPPLY,LLC			10981
		26-00162 irrigation maintenance	660.66		
77784	03/23/26	SPOTL005 SPOTLESS DRY CLEANERS, LLC			10981
		26-00031 Police Uniform Dry Cleaning	1,861.50		
77785	03/23/26	STAPL010 STAPLES BUSINESS ADVANTAGE			10981
		26-00289 Office Supplies	495.83		
		26-00516 BLANKET FOR SUPPLIES	227.98		
			<u>723.81</u>		
77786	03/23/26	TELES010 TELESYSTEM			10981
		V2600330 PHONE SVC ACCT 9973948	4,109.85		
77787	03/23/26	TERIG005 TERI GIERCYK			10981
		V2600374 PARKING MUN CLERKS CONFERENCE	50.99		
77788	03/23/26	THEHU005 THE HUNGRY PUPPY CORP.			10981
		26-00042 K-9 supply	139.98		
77789	03/23/26	TRANS010 TRANSUNION RISK & ALTERNATIVE			10981
		26-00032 Background Investigations	290.50		
77790	03/23/26	TREAS045 TREASURER, STATE OF NEW JERSEY			10981
		V2600351 NJDEP VEHICLE REGISTRATION	2,884.00		
77791	03/23/26	TRION005 TRIONAID ASSOCIATES, INC			10981
		26-00220 New Hire Background	344.92		
77792	03/23/26	UGICO005 UGI CORPORATION			10981
		V2600341 NAT GAS SUPPLY ACCT# M0004581	489.72		
77793	03/23/26	ULINE005 ULINE, INC			10981
		26-00205 SAFETY APPAREL FOR ROAD CREWS	920.56		
77794	03/23/26	UNITE010 UNITED PARCEL SERVICE INC			10981
		26-00374 BLANKET FOR SHIPPING	30.60		
77795	03/23/26	VERIZ020 VERIZON ONLINE			10981
		V2600331 PHONE 555-731-148-0001-43	101.43		
77796	03/23/26	VERIZ030 VERIZON WIRELESS			10981
		V2600344 PHONE SVC 202847392-00001	2,654.98		
77797	03/23/26	WBMAS005 WB MASON CO INC			10981
		26-00232 money counter S159046778	425.69		

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Check #	Check Date	Vendor	Reconciled/Void	Ref Num	
PO #	Description	Amount Paid		Contract	
01	CURRENT	Current Fund Account	Continued		
77797	WB MASON CO INC	Continued			
26-00336	COPY PAPER FOR TOWNSHIP	944.00			
26-00368	Office Supplies	1,844.17			
26-00396	cleaning supplies	930.60			
26-00460	office supplies	143.16			
		<u>4,287.62</u>			
77798	03/23/26	WELLS065 WELLS FARGO VENDOR FIN.SERVICE		10981	
26-00004	COPIER RENTAL	1,446.37			
77799	03/23/26	WESTG005 WEST GROUP/THOMSON REUTERS		10981	
26-00160	Inv. 852670139-10/1/2025	167.00			
77800	03/23/26	WINDS010 WINDSTREAM HOLDINGS, LLC		10981	
V2600376	PHONE SVC ACCT# 215264736	572.82			
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	108	1	1,400,737.85	1,050.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	<u>108</u>	<u>1</u>	<u>1,400,737.85</u>	<u>1,050.00</u>
Report Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	108	1	1,400,737.85	1,050.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	<u>108</u>	<u>1</u>	<u>1,400,737.85</u>	<u>1,050.00</u>

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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND:	5-01	2,387.59	0.00	0.00	2,387.59
CURRENT FUND:	6-01	1,344,567.94	0.00	17,057.50	1,361,625.44
	G-01	36,724.82	0.00	0.00	36,724.82
Total of All Funds:		<u>1,383,680.35</u>	<u>0.00</u>	<u>17,057.50</u>	<u>1,400,737.85</u>

Range of Checking Accts: 04 GEN CAPITAL to 04 GEN CAPITAL Range of Check Dates: 03/10/26 to 03/23/26
 Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #		Description			Contract
04 GEN CAPITAL		Capital Account			
3013	03/23/26	BLAZE005 BLAZE EMERGENCY EQUIP CO LLC			10976
26-00025		545 Replacement Engine	33,213.42		
26-00447		PO 26-00025 Difference	3,452.19		
			<u>36,665.61</u>		
3014	03/23/26	CDWGO005 CDW GOVERNMENT			10976
25002284		Communications UPS System	81,995.45		
26-00389		Computer Products for Dispatch	6,093.18		
26-00451		Dispatch Upgrade Project	4,179.52		
			<u>92,268.15</u>		
3015	03/23/26	CHERR005 CHERRY VALLEY TRACTOR SALES			10976
25001916		KUBOTA M5-111HDC12-1 4WD	169,334.88		
3016	03/23/26	CHERR010 CHERRY HILL WINNER FORD			10976
25002042		PURCHASE OF NEW FORD F150 TRK	61,969.00		
25002043		PURCHASE TWO NEW F250 PICKUPS	119,108.00		
			<u>181,077.00</u>		
3017	03/23/26	COLLI005 COLLIERS ENGINEERING & DESIGN			10976
25002281		Proposal Professional Services	11,249.75		
3018	03/23/26	COUNT060 COUNTY OF OCEAN			10976
26-00606		SHARED SERVICE AGREEMENT	62,377.33		
3019	03/23/26	EVANS005 EVANS CONSOLES, INC			10976
25001545		POWER & COMMUNICATION POLES &	3,217.04		
3020	03/23/26	MOTOR040 MOTOROLA SOLUTIONS, INC			10976
26-00164		Portable Antenna	2,600.00		
3021	03/23/26	SCHER005 SCHERER DESIGN GROUP, LLC			10976
25000667		MANCHESTER TWP RADIO SYSTEM	13,342.00		
3022	03/23/26	VCOMM005 V-COMM, LLC			10976
25000318		PROFESSIONAL RADIO	5,735.00		

DRAFT

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	10	0	577,866.76	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	10	0	577,866.76	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	10	0	577,866.76	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	10	0	577,866.76	0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
GENERAL CAPITAL:	C-04	577,866.76	0.00	0.00	577,866.76
Total of All Funds:		<u>577,866.76</u>	<u>0.00</u>	<u>0.00</u>	<u>577,866.76</u>

DRAFT

Range of Checking Accts: 15 OPEN SPACE to 15 OPEN SPACE Range of Check Dates: 03/10/26 to 03/23/26
 Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Reconciled/Void	Ref Num	
PO #	Description	Amount Paid	Contract		
15	03/23/26	Open Space Trust COLLI005 COLLIERS ENGINEERING & DESIGN V2600372 ENGINEERING SERVICES	8,707.96	10977	
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	8,707.96	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	8,707.96	0.00
Report Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	8,707.96	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	8,707.96	0.00

DRAFT

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
OPEN SPACE TRUST	T-15	8,707.96	0.00	0.00	8,707.96
Total of All Funds:		<u>8,707.96</u>	<u>0.00</u>	<u>0.00</u>	<u>8,707.96</u>

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Range of Checking Accts: 22 DRUG ENF to 22 DRUG ENF Range of Check Dates: 03/10/26 to 03/23/26
 Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #	Description				Contract
22 DRUG ENF		Drug Enforcement Trust			
1384	03/23/26	ANTHO125 ANTHONY ILIADIS			10978
26-00486		Spillman Airfare Reimburse	618.15		
1385	03/23/26	CONNE015 CONNER FERINO			10978
26-00487		Spillman Airfare Reimburse	623.15		
1386	03/23/26	DANIA005 DAMIANO DEL PINO			10978
26-00485		Spillman Airfare Reimburse	678.79		
1387	03/23/26	ERICS005 ERIC SKIECZIUS			10978
26-00484		Spillman Airfare Reimburse	601.12		
1388	03/23/26	RICHA135 RICHARD CONKLIN			10978
26-00482		Spillman Airfare Reimburse	600.15		
1389	03/23/26	THEHE005 THE HERTZ CORPORATION			10978
26-00452		Vehicle Rentals for PD	1,526.42		
Checking Account Totals					
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
		Checks:	6	0	4,647.78
		Direct Deposit:	0	0	0.00
		Total:	6	0	4,647.78
Report Totals					
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
		Checks:	6	0	4,647.78
		Direct Deposit:	0	0	0.00
		Total:	6	0	4,647.78

DRAFT

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
DRUG ENFORCEMENT TRUST (LETA)	T-22	4,647.78	0.00	0.00	4,647.78
Total of All Funds:		<u>4,647.78</u>	<u>0.00</u>	<u>0.00</u>	<u>4,647.78</u>

DRAFT

Range of Checking Accts: 26 RECREATION to 26 RECREATION Range of Check Dates: 03/10/26 to 03/23/26
 Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #	Description				Contract
26 RECREATION		Recreation Trust			
1117	03/23/26	SURFL005 SURFLIGHT THEATER			10979
26-00347	2026	Theatre Trip	250.00		
26-00348	2026	THEATRE TRIP	250.00		
			<u>500.00</u>		

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	1	0	500.00	0.00
Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>
Total:	1	0	500.00	0.00

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	1	0	500.00	0.00
Direct Deposit:	<u>0</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>
Total:	1	0	500.00	0.00

DRAFT

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
RECREATION TRUST	T-26	500.00	0.00	0.00	500.00
Total of All Funds:		<u>500.00</u>	<u>0.00</u>	<u>0.00</u>	<u>500.00</u>

Range of Checking Accts: 27 AFF HOUSE to 27 AFF HOUSE Range of Check Dates: 03/10/26 to 03/23/26
 Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #		Description			Contract
27	AFF HOUSE	Affordable Housing			
498	03/23/26	COMMU020 COMMUNITY GRANTS, PLANNING &			10980
V2600349		ADMIN AGENT AFFORDABLE HOUSING	8,201.00		
499	03/23/26	PARKE005 PARKER MCCAY, P.A.			10980
V2600262		AFFORDABLE HOUSING ATTORNEY	7,076.00		
V2600361		LEGAL SVCS AFFORDABLE HOUSING	2,385.50		
			<u>9,461.50</u>		

DRAFT

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	0	17,662.50	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	<u>2</u>	<u>0</u>	<u>17,662.50</u>	<u>0.00</u>

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	0	17,662.50	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	<u>2</u>	<u>0</u>	<u>17,662.50</u>	<u>0.00</u>

DRAFT

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
AFFORDABLE HOUSING TRUST	T-27	17,662.50	0.00	0.00	17,662.50
Total of All Funds:		<u>17,662.50</u>	<u>0.00</u>	<u>0.00</u>	<u>17,662.50</u>

26-162

DRAFT

RESOLUTION AUTHORIZING PAYMENT OF BILLS

March 23, 2026

BE IT RESOLVED by the Township Council of the Township of Manchester that the following bills on the list hereto be paid; the Chief Financial Officer is hereby authorized and directed to draw checks for the payment of same as and when funds are available.

SUMMARY

Water Utility -East	\$	62,775.66
Sewer Utility - East	\$	38,366.83
Utility Escrow - Water	\$	2,880.00
Utility Escrow - Sewer	\$	11,529.60
Sewer Utility Capital Fund	\$	-
Water Utility Capital Fund	\$	<u>1,056.50</u>
	\$	<u><u>116,608.59</u></u>

CERTIFICATION:

Jeanette M Larrison
Chief Financial Officer

Signed: _____
Roxanne Conniff
Council President

Teri Giercyk
Township Clerk

UTILITY BILL LIST ADDENDUM

26-162

March 23, 2026

DRAFT

WATER OPERATING

PAYROLL WEEK ENDING 3/27/26

CMRS-FP	Replensish Postage	wire	3,000.00
			<u>\$ 3,000.00</u>

SEWER OPERATING

PAYROLL WEEK ENDING 3/27/26

WATER UTILITY ESCROW

Remington & Vernick	Various Utility Escrows	Chk#1636	2,880.00
			<u>\$ 2,880.00</u>

SEWER UTILITY ESCROW

Remington & Vernick	Various Utility Escrows	Chk#1636	11,529.60
			<u>\$ 11,529.60</u>

WATER UTILITY CAPITAL FUND

NJ DOT Operations Permit	Permit Fee	Wire	1,056.50
			<u>1,056.50</u>

SEWER UTILITY CAPITAL FUND

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DRAFT

Range of Checking Accts: 05 WATER EAST to 05 WATER EAST Range of Check Dates: 03/10/26 to 03/23/26
Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PO #	Description			Contract	
05 WATER EAST		Water Operating Fund			
7165	03/11/26	MANCH130 TOWNSHIP OF MANCHESTER PAYROLL			10944
26-00583		WATER EAST PAY 6	35,869.38		
7166	03/12/26	TREAS030 TREASURER, STATE OF NJ NJDEP		03/12/26 VOID	10949 (Replaced By: 05 WATER EAST 7167) (Void Reason: on wrong card stock)
V2600317		STORMWATER CONSTRUCTION PERMIT	450.00		
7167	03/12/26	TREAS030 TREASURER, STATE OF NJ NJDEP			10949 (Replacement of: 05 WATER EAST 7166)
V2600317		STORMWATER CONSTRUCTION PERMIT	450.00		
7168	03/23/26	COREM005 CORE & MAIN LP			10971
26-00207		Radio Heads for Meter Pits	5,425.00		
7169	03/23/26	GRAIN010 GRAINGER, INC			10971
26-00226		Well Meter Hour Clocks	645.44		
7170	03/23/26	JCPL0005 J C P & L			10971
V2600365		ELEC SVC 200 001 127 014	9,302.58		
7171	03/23/26	KINGM005 KING MOENCH & COLLINS LLP			10971
V2600375		UTILITY GENERAL COUNSEL	96.00		
7172	03/23/26	MGLPR005 MGL PRINTING SOLUTIONS			10971
26-00212		water/sewer bill stock 26855	721.63		
7173	03/23/26	MRKEY005 MR. KEYS INC			10971
26-00456		ESA Door Repair Wilbur Tower	185.00		
7174	03/23/26	NJNAT005 NJ NATURAL GAS CO.			10971
V2600342		NAT GAS SVC 22-0007-6866-15	3,752.63		
7175	03/23/26	REMIN015 REMINGTON & VERNICK ENGINEERS			10971
V2600348		GENERAL ENGINEERING	600.00		
V2600362		GENERAL ENGINEERING SERVICES	360.00		
			<u>960.00</u>		
7176	03/23/26	WATER010 WATER RESOURCE MANAGEMENT, INC			10971
26-00607		JAN LICENSED OPERATIONS	2,368.00		

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	11	1	59,775.66	450.00
Direct Deposit:	0	0	0.00	0.00
Total:	<u>11</u>	<u>1</u>	<u>59,775.66</u>	<u>450.00</u>

Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid	Contract	
05 WATER EAST	Water Operating Fund	Continued		
Report Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
	Checks:	11	1	59,775.66
	Direct Deposit:	0	0	0.00
	Total:	11	1	59,775.66
				<u>Amount Void</u>
				450.00
				0.00
				450.00

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Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
WATER EAST FUND:	6-05	59,775.66	0.00	0.00	59,775.66
Total of All Funds:		<u>59,775.66</u>	<u>0.00</u>	<u>0.00</u>	<u>59,775.66</u>

Range of Checking Accts: 07 SEWER EAST to 07 SEWER EAST Range of Check Dates: 03/10/26 to 03/23/26
 Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid	Contract	
07 SEWER EAST		Sewer Operating Account		
4432	03/11/26	MANCH130 TOWNSHIP OF MANCHESTER PAYROLL		10945
26-00585	SEWER EAST PAY 6	36,254.81		
4433	03/23/26	AWISCO05 AWISCO NEW YORK CORP		10972
26-00100	Blanket PO Oxygen Tank Refill	179.13		
4434	03/23/26	KINGM005 KING MOENCH & COLLINS LLP		10972
V2600375	UTILITY GENERAL COUNSEL	704.00		
4435	03/23/26	MGLPR005 MGL PRINTING SOLUTIONS		10972
26-00212	water/sewer bill stock 26855	721.62		
4436	03/23/26	ONECA005 ONE CALL CONCEPTS, INC		10972
26-00124	Blanket PO Mark-outs	456.10		
4437	03/23/26	UNITE040 UNITED REFRIGERATION, INC		10972
26-00147	Blanket PO Repair Supplies	51.17		

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	6	0	38,366.83	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	6	0	38,366.83	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	6	0	38,366.83	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	6	0	38,366.83	0.00

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Totals by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total
SEWER EAST FUND:	6-07	38,366.83	0.00	0.00	38,366.83
Total of All Funds:		<u>38,366.83</u>	<u>0.00</u>	<u>0.00</u>	<u>38,366.83</u>

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March 23, 2026

DRAFT

RESOLUTION AUTHORIZING PAYMENT OF BILLS

MANCHESTER TOWNSHIP, NEW JERSEY

BE IT RESOLVED by the Township Council of the Township of Manchester that the following bills on the list hereto be paid; the Chief Financial Officer is hereby authorized and directed to draw checks for the payment of same as and when funds are available.

SUMMARY

Water Utility West	\$	82,580.67
Sewer Utility West	\$	29,656.03
Water Utility West Capital Fund	\$	190,506.00
Sewer Utility West Capital Fund	\$	<u> -</u>
	\$	<u> 302,742.70</u>

CERTIFICATION:

Jeanette M Larrison
Chief Financial Officer

Signed: _____

Roxanne Conniff
Council President

Teri Giercyk
Township Clerk

UTILITY WEST ADDENDUM

DRAFT

26-163

WATER WEST OPERATING
PAYROLL WEEK ENDING 3/27/26

CMRS-FP

Replenish Postage

wire

3,000.00

3,000.00

SEWER WEST OPERATING
PAYROLL WEEK ENDING 3/27/26

0.00

WATER WEST CAPITAL

0.00

SEWER WEST CAPITAL

0.00

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Range of Checking Accts: 30 WATER WEST to 30 WATER WEST Range of Check Dates: 03/10/26 to 03/23/26
Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check # PO #	Check Date Description	Vendor	Amount Paid	Reconciled/Void	Ref Num Contract
30 WATER WEST	Water West Account				
23755	03/11/26	MANCH130 TOWNSHIP OF MANCHESTER PAYROLL			10946
	26-00586	WATER WEST PAY 6	30,581.10		
23756	03/23/26	JCPL0005 J C P & L			10973
	V2600339	ELEC SVC 200 001 030 002	20,620.04		
23757	03/23/26	JCPL0005 J C P & L			10973
	V2600366	ELEC SVC 200 001 029 038	5,302.33		
23758	03/23/26	MGLPR005 MGL PRINTING SOLUTIONS			10973
	26-00212	water/sewer bill stock 26855	721.63		
23759	03/23/26	MIRAC005 MIRACLE CHEMICAL CO.			10973
	26-00391	Blanket PO Hypo	13,292.31		
23760	03/23/26	REMIN015 REMINGTON & VERNICK ENGINEERS			10973
	26-00339	Engineering Services	6,993.75		
	V2600348	GENERAL ENGINEERING	170.00		
	V2600362	GENERAL ENGINEERING SERVICES	400.00		
			<u>7,563.75</u>		
23761	03/23/26	USABL005 USA BLUEBOOK			10973
	26-00250	HACH CL17 Reagents	597.76		
23762	03/23/26	WBMAS005 WB MASON CO INC			10973
	26-00320	Cleaning / Office Supplies	901.75		
Checking Account Totals					
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
	Checks:		8	0	79,580.67
	Direct Deposit:		0	0	0.00
	Total:		8	0	79,580.67
Report Totals					
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
	Checks:		8	0	79,580.67
	Direct Deposit:		0	0	0.00
	Total:		8	0	79,580.67

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MANCHESTER TOWNSHIP
Check Register By Check Date

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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
WATER WEST FUND:	6-30	79,580.67	0.00	0.00	79,580.67
Total of All Funds:		<u>79,580.67</u>	<u>0.00</u>	<u>0.00</u>	<u>79,580.67</u>

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Range of Checking Accts: 32 SEWER WEST to 32 SEWER WEST Range of Check Dates: 03/10/26 to 03/23/26
Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Reconciled/Void	Ref Num	
PO #	Description	Amount Paid	Contract		
32 SEWER WEST		Sewer West Account			
12206	03/11/26	MANCH130 TOWNSHIP OF MANCHESTER PAYROLL		10947	
26-00587		SEWER WEST PAY 6	27,125.57		
12207	03/23/26	AMAZON01 AMAZON CAPITAL SERVICES INC		10974	
26-00426		SDS Binders & Wall Stations	522.48		
12208	03/23/26	AMERI065 AMERICAN WEAR, INC.		10974	
26-00351		Blanket PO Uniforms	494.66		
12209	03/23/26	MGLPR005 MGL PRINTING SOLUTIONS		10974	
26-00212		water/sewer bill stock 26855	721.62		
12210	03/23/26	PARSE005 PARSELLS PRINTING & DESIGN LLC		10974	
26-00362		New Foreman Business Cards	112.00		
12211	03/23/26	WBMAS005 WB MASON CO INC		10974	
26-00197		Cleaning / Office Supplies	679.70		
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	6	0	29,656.03	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	6	0	29,656.03	0.00
Report Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	6	0	29,656.03	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	6	0	29,656.03	0.00

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MANCHESTER TOWNSHIP
Check Register By Check Date

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Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
SEWER WEST FUND:	6-32	29,656.03	0.00	0.00	29,656.03
Total of All Funds:		<u>29,656.03</u>	<u>0.00</u>	<u>0.00</u>	<u>29,656.03</u>

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MANCHESTER TOWNSHIP
Check Register By Check Date

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Range of Checking Accts: 31 WAT WEST CAP to 31 WAT WEST CAP Range of Check Dates: 03/10/26 to 03/23/26
Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Reconciled/Void	Ref Num	
PO #	Description	Amount Paid	Contract		
31 WAT WEST CAP	Water Capital west Account				
54 03/23/26	CIOCC005 CIOCCA FML INC.		10975		
25001960	New Utility Vehicles (5)	190,506.00			
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	190,506.00	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	190,506.00	0.00
Report Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	190,506.00	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	190,506.00	0.00

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MANCHESTER TOWNSHIP
Check Register By Check Date

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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
WATER WEST CAPITAL:	C-31	190,506.00	0.00	0.00	190,506.00
Total of All Funds:		<u>190,506.00</u>	<u>0.00</u>	<u>0.00</u>	<u>190,506.00</u>

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AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, REPEALING ORDINANCE 2024-40 IN ITS ENTIRETY

WHEREAS, the Township of Manchester (“Township”) adopted Ordinance 2024-40, seeking to modify permitted uses located within Pinelands areas within the Township, on November 25, 2024; and

WHEREAS, the Pinelands Commission (“Commission”) notified the Township in writing that the proposed ordinance directly relates to the standards of the Pinelands Comprehensive Management Plan (“CMP”) and must be formally reviewed and approved by the Commission; and

WHEREAS, the Commission noted Ordinance 2024-40 needed further review as it had concerns with the ordinance’s consistency with CMP standards, particularly the removal of townhouse development as a permitted use in the POR-LI District; and

WHEREAS, over the course of 2025, the Commission and the Township conducted virtual meetings and exchanged correspondence related to the Commission’s review of Ordinance 2024-40; and

WHEREAS, the Pinelands Commission’s Executive Director, by written correspondence dated January 6, 2026, notified the Township that the Commission cannot certify Ordinance 2024-40; and

WHEREAS, Pinelands Commission certification is necessary, pursuant to N.J.A.C. 7:50-3.1 et seq., in order for local land use ordinances to be deemed valid; and

WHEREAS, the absence of certification by the Pinelands Commission renders Ordinance 2024-40 unenforceable and, therefore, the ordinance shall be repealed.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey as follows:

SECTION 1. Ordinance 2024-40 of the Township Code which revised Chapter 245 of the Township Code is hereby repealed in its entirety, pursuant to the Pinelands Commission’s letter dated January 6, 2026, and its failure to certify the ordinance.

SECTION 2. This Ordinance shall be part of the code of the Township of Manchester as though codified and fully set forth therein. The Township Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Township Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Manchester in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

SECTION 3. If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION 4. All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

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SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

PUBLIC NOTICE is hereby given that the foregoing ordinance was introduced at a meeting of the Township Council of the Township of Manchester, in the County of Ocean and State of New Jersey on the 26th day of January 2026 and was then read for the first time. The said ordinance will be further considered for final passage by the Township Council in the Town Hall at 6:00 p.m. on March 23, 2026. At such time and place or any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Teri Giercyk, RMC/CMC
Municipal Clerk

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**TOWNSHIP OF MANCHESTER
COUNTY OF OCEAN**

BOND ORDINANCE NO. 26-15

BOND ORDINANCE PROVIDING FOR WATER UTILITY IMPROVEMENTS TO THE WESTERN SERVICE AREA OF THE TOWNSHIP OF MANCHESTER, INCLUDING THE REPLACEMENT OF WELL NO. 10 AND DECOMMISSIONING OF THE EXISTING WELL, APPROPRIATING \$2,142,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,142,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF MANCHESTER, IN THE COUNTY OF OCEAN, NEW JERSEY

BE IT ORDAINED by the TOWNSHIP COUNCIL OF THE TOWNSHIP OF MANCHESTER, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as Water Utility improvements to be undertaken in and by the Township of Manchester, in the County of Ocean, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,142,000, said sum being inclusive of all appropriations heretofore made therefor. No down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, as this bond ordinance authorizes obligations solely for purposes which are self-liquidating and deductible from the gross debt of the Township as set forth in N.J.S.A. 40A:2-7h. Additionally, no down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, as this bond ordinance authorizes a project intended to be funded through the New Jersey Water Bank Financing Program.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of a down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$2,142,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken and the purposes for which the obligations are to be issued consist of Water Utility improvements to the Western Service Area of the Township, including the replacement of Well No. 10 and decommissioning of the existing well, including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Township Chief Financial Officer, as finally approved by the governing body of the Township.

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(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$2,142,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,142,000, which is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Township may lawfully undertake as Water Utility improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is forty (40) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Township as defined in the Local Bond Law is not increased by the authorization of the \$2,142,000 bonds and notes provided in this bond ordinance because the purposes authorized herein are self-liquidating and are deductible from the Township's gross debt in accordance with N.J.S.A. 40A:2-44c and the obligations authorized herein will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$465,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of

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expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Township are used to finance, on an interim basis, costs of said improvements or purposes, the Township reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

(f) This bond ordinance authorizes obligations of the Township solely for purposes described in subparagraph (h) of §40A:2-7 of the Local Bond Law, and the obligations authorized herein are to be issued for purposes which are self-liquidating within the meaning and limitation of N.J.S.A. 40A:2-45 of said Law and are deductible from the gross debt of the Township pursuant to N.J.S.A. 40A:2-44c and N.J.S.A. 40A:2-47(a) of said Law.

Section 6. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Township for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and, unless paid from other sources, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**TOWNSHIP OF MANCHESTER
COUNTY OF OCEAN
BOND ORDINANCE NO. 26-15**

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BOND ORDINANCE STATEMENT AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the governing body of the Township of Manchester, in the County of Ocean, State of New Jersey (the "Township"), by the recorded affirmative votes of at least two-thirds (2/3rds) of the full membership of the governing body on March 23, 2026, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

TITLE: BOND ORDINANCE PROVIDING FOR WATER UTILITY IMPROVEMENTS TO THE WESTERN SERVICE AREA OF THE TOWNSHIP OF MANCHESTER, INCLUDING THE REPLACEMENT OF WELL NO. 10 AND DECOMMISSIONING OF THE EXISTING WELL, APPROPRIATING \$2,142,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,142,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF MANCHESTER, IN THE COUNTY OF OCEAN, NEW JERSEY.

Purpose(s): Providing for Water Utility improvements to the Western Service Area of the Township, including the replacement of Well No. 10 and decommissioning of the existing well.

Appropriation: \$2,142,000

Bonds/Notes Authorized: \$2,142,000

Section 20 Costs: \$465,000

Useful Life: 40 Years

TERI GIERCYK, Municipal Clerk
Township of Manchester
County of Ocean, New Jersey

**TOWNSHIP OF MANCHESTER
COUNTY OF OCEAN**

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BOND ORDINANCE NO. 26-16

BOND ORDINANCE PROVIDING FOR WATER UTILITY IMPROVEMENTS TO THE EASTERN SERVICE AREA OF THE TOWNSHIP OF MANCHESTER, INCLUDING THE ROUTE 70 WATER MAIN EXTENSION PROJECT, APPROPRIATING \$2,565,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,565,400 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF MANCHESTER, IN THE COUNTY OF OCEAN, NEW JERSEY

BE IT ORDAINED by the TOWNSHIP COUNCIL OF THE TOWNSHIP OF MANCHESTER, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as Water Utility improvements to be undertaken in and by the Township of Manchester, in the County of Ocean, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,565,400, said sum being inclusive of all appropriations heretofore made therefor. No down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, as this bond ordinance authorizes obligations solely for purposes which are self-liquidating and deductible from the gross debt of the Township as set forth in N.J.S.A. 40A:2-7h. Additionally, no down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law, as this bond ordinance authorizes a project intended to be funded through the New Jersey Water Bank Financing Program.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of a down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$2,565,400, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken and the purposes for which the obligations are to be issued consist of Water Utility improvements to the Eastern Service Area of the Township, including the Route 70 Water Main Extension Project, including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Township Chief Financial Officer, as finally approved by the governing body of the Township.

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(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$2,565,400, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,565,400, which is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Township may lawfully undertake as Water Utility improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is forty (40) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Township as defined in the Local Bond Law is not increased by the authorization of the \$2,565,400 bonds and notes provided in this bond ordinance because the purposes authorized herein are self-liquidating and are deductible from the Township's gross debt in accordance with N.J.S.A. 40A:2-44c and the obligations authorized herein will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$496,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of

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expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Township are used to finance, on an interim basis, costs of said improvements or purposes, the Township reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

(f) This bond ordinance authorizes obligations of the Township solely for purposes described in subparagraph (h) of §40A:2-7 of the Local Bond Law, and the obligations authorized herein are to be issued for purposes which are self-liquidating within the meaning and limitation of N.J.S.A. 40A:2-45 of said Law and are deductible from the gross debt of the Township pursuant to N.J.S.A. 40A:2-44c and N.J.S.A. 40A:2-47(a) of said Law.

Section 6. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Township for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and, unless paid from other sources, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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**TOWNSHIP OF MANCHESTER
COUNTY OF OCEAN
BOND ORDINANCE NO. 26-16**

BOND ORDINANCE STATEMENT AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the governing body of the Township of Manchester, in the County of Ocean, State of New Jersey (the "Township"), by the recorded affirmative votes of at least two-thirds (2/3rds) of the full membership of the governing body on March 23, 2026, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

TITLE: BOND ORDINANCE PROVIDING FOR WATER UTILITY IMPROVEMENTS TO THE EASTERN SERVICE AREA OF THE TOWNSHIP OF MANCHESTER, INCLUDING THE ROUTE 70 WATER MAIN EXTENSION PROJECT, APPROPRIATING \$2,565,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,565,400 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF MANCHESTER, IN THE COUNTY OF OCEAN, NEW JERSEY.

Purpose(s): Providing for Water Utility improvements to the Eastern Service Area of the Township, including the Route 70 Water Main Extension Project.

Appropriation: \$2,565,400

Bonds/Notes Authorized: \$2,565,400

Section 20 Costs: \$496,000

Useful Life: 40 Years

TERI GIERCYK, Municipal Clerk
Township of Manchester
County of Ocean, New Jersey

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ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CERTAIN SECTIONS OF CHAPTER 430 OF THE TOWNSHIP CODE, ENTITLED WATER AND SEWER, ARTICLE I, WATER CONNECTIONS, SECTION 430-1 WATER CONNECTION REQUIRED & SECTION 430-4 FAILURE TO CONNECT, DELINQUENT NOTICE

BE IT ORDAINED by the Township Council of the Township of Manchester in the County of Ocean, State of New Jersey as follows:

SECTION 1. Part II, Chapter 430, Article I, Section 430-1 Water Connection Required., is hereby amended as follows:

§ 430-1 Water connection required.

B. 1. For any previously permitted and installed irrigation meters, the homeowner or their representative must disconnect the meter prior to winterization of the irrigation system. Failure to disconnect the meter could result in freezing or damage to the meter. Any damage caused by the failure to disconnect the meter prior to winter shall be borne by the homeowner, including the purchase and installation of a new water meter and any other associated costs.

SECTION 2. Part II, Chapter 430, Article I, Section 430-4 Failure to connect; delinquent notice., is hereby amended as follows:

§ 430-4 Failure to Connect, delinquent notice.

Should the owner of any property fail or neglect to connect to the public water system pursuant to §§ 430-1, 430-2 and 430-3, hereinabove, the owner of the property shall be provided a delinquent notice by the Township. Connection to the public water system shall thereafter be made within 30 days after service of the delinquent notice. The delinquent notice shall be served upon the owner of the property personally, by leaving it at his usual place of abode with a member of his family above the age of 18 years, or so by mailing such notice by certified mail, return receipt requested, to the owner's last known post office address as shown on the tax records of the Township.

A. The Department of Utilities shall on occasion be required to upgrade or replace water meters. Owners shall be notified of the replacement and given a reasonable time to schedule meter replacement if access to the dwelling is required. Should the owner of any property fail or neglect to schedule an appointment for meter replacement, the owner of the property shall be provided a delinquent notice by the Township. Meter replacement shall thereafter be allowed within 30 days after service of the delinquent notice. The delinquent notice shall be served upon the owner of the property personally, by leaving it at his usual place of abode with a member of his family above the age of 18 years, or so by mailing such notice by certified mail, return receipt requested, to the owner's last known post office address as shown on the tax records of the Township.

§ 430-5 Violations and penalties; enforcement.

A. Any property owner who shall violate this article by failing to comply with any of its provisions within 30 days after service of the delinquent notice pursuant to § 430-4 may be subject to a fine of not more than \$1,000, by imprisonment for a term not to exceed 90 days or by community service of not more than 90 days, or any combination of fine, imprisonment and community service as determined in the discretion of the Municipal Court Judge. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.

B. The provisions of this article shall be enforceable by the Township of Manchester through its respective designee(s), which shall include but not be limited to the Township Clerk and the Director of the Manchester Township Department of Public Works.

SECTION 3. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4. If any Section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the Section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 5. This Ordinance shall take effect upon publication in the official newspaper of the Township, as required by and in conformance with law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Council of the Township of Manchester on first reading at a meeting held on the 9th day of March 2026 at 6:00 p.m. The Ordinance will be considered for second and final reading at a meeting of the Township Council which is scheduled for the 23rd day of March 2026 at 6:00 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 1 Colonial Drive, Manchester, New Jersey 08759, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

TERI GIERCYK, RMC/CMC
Municipal Clerk

DRAFT

**AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE VACATION OF PORTIONS OF WESTON AVENUE, MADISON STREET, JACKSON
AVENUE AND MANCHESTER AVENUE**

WHEREAS, there exist rights-of-way on Weston Avenue, Madison Street, Jackson Avenue and Manchester Avenue within the Township of Manchester, County of Ocean, State of New Jersey, as detailed in the R.O.W. Vacation Exhibit, attached hereto as Schedule A; and

WHEREAS, the Township wishes to vacate this rights-of-ways; and

WHEREAS, the Township Engineer has prepared the metes and bounds descriptions to vacate these portions of roadways, attached hereto as Schedule B; and

WHEREAS, *N.J.S.A. 40A:12-13(b)(4)* authorizes the Township of Manchester Township Council to extinguish and vacate said portions of the street provided that said action is authorized by Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

SECTION 1. There is hereby vacated all of the right, title, and interest of the public for all public usages and purposes in and to those portions pursuant to the R.O.W. Vacation Exhibit, as is set forth on Schedules A and B, attached hereto and made a part hereof. However, the Township does hereby expressly reserve and except from the vacation all rights and privileges now possessed by public utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," P.L. 1972, c. 186, (C. 48:5A-1, *et seq.*), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, being vacated by the provisions of this ordinance.

SECTION 2. At least one (1) week prior to the time fixed for further consideration for final passage of this ordinance, a copy hereof, together with a notice stating the introduction of the ordinance on first reading and the time and place when and where the ordinance will be considered for final passage, shall be mailed to every person whose lands may be affected by the adoption of the ordinance.

SECTION 3. This ordinance shall be published at least once in an official newspaper of the Township of Manchester at least ten (10) days prior to the time fixed for consideration of the final passage of the ordinance.

SECTION 4. The Township Clerk, if this ordinance is adopted on final reading, shall submit a certified copy of this ordinance, together with proof of publication, to the Ocean County Clerk's Office for recording in the Book of Vacations.

SECTION 5. This ordinance shall take effect after the second reading and publication as required by law.

SECTION 6. A copy of this Ordinance, in addition to the Schedules referenced herein, shall be kept on file and made available for public inspection in the Township Clerk's Office during normal business hours.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Manchester, in the County of Ocean, State of New Jersey, held on March 9, 2026 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 23rd day of March, 2026 at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 1 Colonial Drive, Manchester, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

TERI GIERCYK, RMC/CMC
Municipal Clerk

DRAFT

SCHEDULE A

SCHEDULE B

DRAFT

**METES AND BOUNDS DESCRIPTION
WESTON AVENUE TO BE VACATED
TOWNSHIP OF MANCHESTER
OCEAN COUNTY, NEW JERSEY**

All that certain lot, parcel or tract of land situated and lying in the Township of Manchester, County of Ocean, and State of New Jersey and being more particularly bounded and described as follows:

Beginning at a point, said point being the intersection of the northeasterly R.O.W. line of Wilbur Avenue (55' R.O.W.), with the northwesterly R.O.W. line of Weston Avenue (40' R.O.W.), and running; thence

- 1) Along said northwesterly R.O.W. line of Weston Avenue, N36°53'31"E, a distance of 1,536.31 feet to a point; thence
- 2) S48°06'27"E, a distance of 40.15 feet to a point on the southeasterly R.O.W. line of Weston Avenue; thence
- 3) Along same, S36°53'31"W, a distance of 1,532.81 feet to a point on said northeasterly R.O.W. line of Wilbur Avenue; thence
- 4) Along same, N53°06'29"W, a distance of 40.00 feet to a point, said point being the Point and Place of Beginning.

Subject to Zoning Ordinances, Easements, Covenants and Restrictions of record and any other rights to the public in the roads herein mentioned.

Particularly shown on a R.O.W. Vacation exhibit prepared by Morgan Engineering, LLC, dated January 27, 2026, last revised March 12, 2026, marked project #E25-00514.



DAVID J. VON STEENBURG, P.L.S.
N.J. LIC. NO. 34500

3/12/2026
DATE

(Project No. E25-00514) SI

**METES AND BOUNDS DESCRIPTION
PORTION OF MADISON STREET TO BE VACATED
TOWNSHIP OF MANCHESTER
OCEAN COUNTY, NEW JERSEY**

All that certain lot, parcel or tract of land situated and lying in the Township of Manchester, County of Ocean, and State of New Jersey and being more particularly bounded and described as follows:

Beginning at a point, said point being the intersection of the southwesterly R.O.W. line of Madison Street (40' R.O.W.), with the southeasterly R.O.W. line of Weston Avenue (40' R.O.W.), said point being a distance of 1,000 feet from its intersection with the northeasterly R.O.W. line of Wilbur Avenue (50' R.O.W.), and running; thence

- 1) Along said southeasterly R.O.W. line of Weston Avenue, N36°53'31"E, a distance of 40.00 feet to a point therein; thence
- 2) Along the northeasterly R.O.W. line of Madison Street, S53°06'29"E, a distance of 200.00 feet to a point; thence
- 3) Along the northwesterly R.O.W. line of Manchester Avenue (40' R.O.W.), S36°53'31"W, a distance of 40.00 feet to a point; thence
- 4) Along the southwesterly R.O.W. line of Madison Street, N53°06'29"W, a distance of 200.00 feet to a point, said point being the Point and Place of Beginning.

Subject to Zoning Ordinances, Easements, Covenants and Restrictions of record and any other rights to the public in the roads herein mentioned.

Particularly shown on a R.O.W. Vacation exhibit prepared by Morgan Engineering, LLC, dated January 27, 2026, last revised on March 12, 2026, marked project #E25-00514.



DAVID J. VON STEENBURG, P.L.S.
N.J. LIC. NO. 34500

3/12/2026
DATE

(Project No. E25-00514) SI

**METES AND BOUNDS DESCRIPTION
PORTION OF MADISON STREET TO BE VACATED
TOWNSHIP OF MANCHESTER
OCEAN COUNTY, NEW JERSEY**

All that certain lot, parcel or tract of land situated and lying in the Township of Manchester, County of Ocean, and State of New Jersey and being more particularly bounded and described as follows:

Beginning at a point, said point being the intersection of the southwesterly R.O.W. line of Madison Street (40' R.O.W.), with the southeasterly R.O.W. line of Manchester Avenue (40' R.O.W.), said point being a distance of 1,000 feet from its intersection with the northeasterly R.O.W. line of Wilbur Avenue (50' R.O.W.), and running; thence

- 1) Along said southeasterly R.O.W. line of Manchester Avenue, N36°53'31"E, a distance of 40.00 feet to a point therein; thence
- 2) Along the northeasterly R.O.W. line of Madison Street, S53°06'29"E, a distance of 200.00 feet to a point; thence
- 3) Along the northwesterly R.O.W. line of Jackson Avenue (40' R.O.W.), S36°53'31"W, a distance of 40.00 feet to a point; thence
- 4) Along the southwesterly R.O.W. line of Madison Street, N53°06'29"W, a distance of 200.00 feet to a point, said point being the Point and Place of Beginning.

Subject to Zoning Ordinances, Easements, Covenants and Restrictions of record and any other rights to the public in the roads herein mentioned.

Particularly shown on a R.O.W. Vacation exhibit prepared by Morgan Engineering, LLC, dated January 27, 2026, last revised on March 12, 2026, marked project #E25-00514.



DAVID J. VON STEENBURG, P.L.S.
N.J. LIC. NO. 34500

3/12/2026
DATE

(Project No. E25-00514) SI

**METES AND BOUNDS DESCRIPTION
JACKSON AVENUE TO BE VACATED
TOWNSHIP OF MANCHESTER
OCEAN COUNTY, NEW JERSEY**

All that certain lot, parcel or tract of land situated and lying in the Township of Manchester, County of Ocean, and State of New Jersey and being more particularly bounded and described as follows:

Beginning at a point, said point being the intersection of the northwesterly R.O.W. line of Jackson Avenue (40' R.O.W.), with the northeasterly R.O.W. line of Wilbur Avenue (55' R.O.W.), and running; thence

- 1) Along said northeasterly R.O.W. line of Wilbur Avenue, S53°06'29"E, a distance of 40.00 feet to a point therein; thence
- 2) Along the southeasterly R.O.W. line of Jackson Avenue, N36°53'31"E, a distance of 1,165.00 feet to a point; thence
- 3) Along same, S53°06'29"E, a distance of 5.00 feet to a point; thence
- 4) Along same, N36°53'31"E, a distance of 50.00 feet to a point; thence
- 5) N53°06'29"W, a distance of 45.00 feet to a point; thence
- 6) Along said northwesterly R.O.W. line of Jackson Avenue, S36°53'31"W, a distance of 1,215.00 feet to a point, said point being the Point and Place of Beginning.

Subject to Zoning Ordinances, Easements, Covenants and Restrictions of record and any other rights to the public in the roads herein mentioned.

Particularly shown on a R.O.W. Vacation exhibit prepared by Morgan Engineering, LLC, dated January 27, 2026, last revised on March 12, 2026, marked project #E25-00514.



DAVID J. VON STEENBURG, P.L.S.
N.J. LIC. NO. 34500

3/12/2026
DATE

(Project No. E25-00514) SI

**METES AND BOUNDS DESCRIPTION
PORTION OF MANCHESTER AVENUE TO BE VACATED
TOWNSHIP OF MANCHESTER
OCEAN COUNTY, NEW JERSEY**

All that certain lot, parcel or tract of land situated and lying in the Township of Manchester, County of Ocean, and State of New Jersey and being more particularly bounded and described as follows:

Beginning at a point on the northwesterly R.O.W. line of Manchester Avenue (40' R.O.W.) said point being N36°53'31"E, a distance of 23.54 feet to the intersection of said northwesterly R.O.W. line of Manchester Avenue, with the northeasterly R.O.W. line of Madison Street (40' R.O.W.), and running; thence

- 1) Along said northwesterly R.O.W. line of Manchester Avenue, N36°53'31"E, a distance of 491.77 feet to a point therein; thence
- 2) S48°06'27"E, a distance of 40.15 feet to a point; thence
- 3) Along the southeasterly R.O.W. line of Manchester Avenue, S36°53'31"W, a distance of 501.88 feet to a point of curvature; thence
- 4) Along a curve bearing to the left having a radius of 70.00 feet, an arc length of 42.92 feet to a point, said point being the Point and Place of Beginning.

Subject to Zoning Ordinances, Easements, Covenants and Restrictions of record and any other rights to the public in the roads herein mentioned.

Particularly shown on a R.O.W. Vacation exhibit prepared by Morgan Engineering, LLC, dated January 27, 2026, last revised on March 12, 2026, marked project #E25-00514.



DAVID J. VON STEENBURG, P.L.S.
N.J. LIC. NO. 34500

3/12/2026
DATE

(Project No. E25-00514) SI

DRAFT

AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF BLANCHE AVENUE, CLEVELAND AVENUE AND EVELYN STREET

WHEREAS, there exist rights-of-way on Blanche Avenue, Cleveland Avenue and Evelyn Street within the Township of Manchester, County of Ocean, State of New Jersey, as shown on the Tax Map, attached hereto as Schedule A; and

WHEREAS, the Township wishes to vacate this rights-of-ways; and

WHEREAS, the Township wishes to vacate the entirety of these streets, as shown on Schedule A; and

WHEREAS, *N.J.S.A.* 40A:12-13(b)(4) authorizes the Township of Manchester Township Council to extinguish and vacate said portions of the street provided that said action is authorized by Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

SECTION 1. There is hereby vacated all of the right, title, and interest of the public for all public usages and purposes in and to the entire length of Blanche Avenue (NJ 70 to Wilbur Avenue), Cleveland Avenue (from Evelyn Street to Wilbur Avenue) and Evelyn Street (from Brentwood Avenue to NJ 70), as is set forth on Schedule A, attached hereto and made a part hereof. However, the Township does hereby expressly reserve and except from the vacation all rights and privileges now possessed by public utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," P.L. 1972, c. 186, (C. 48:5A-1, *et seq.*), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, being vacated by the provisions of this ordinance.

SECTION 2. At least one (1) week prior to the time fixed for further consideration for final passage of this ordinance, a copy hereof, together with a notice stating the introduction of the ordinance on first reading and the time and place when and where the ordinance will be considered for final passage, shall be mailed to every person whose lands may be affected by the adoption of the ordinance.

SECTION 3. This ordinance shall be published at least once in an official newspaper of the Township of Manchester at least ten (10) days prior to the time fixed for consideration of the final passage of the ordinance.

SECTION 4. The Township Clerk, if this ordinance is adopted on final reading, shall submit a certified copy of this ordinance, together with proof of publication, to the Ocean County Clerk's Office for recording in the Book of Vacations.

SECTION 5. This ordinance shall take effect after the second reading and publication as required by law.

SECTION 6. A copy of this Ordinance, in addition to the Schedules referenced herein, shall be kept on file and made available for public inspection in the Township Clerk's Office during normal business hours.

NOTICE

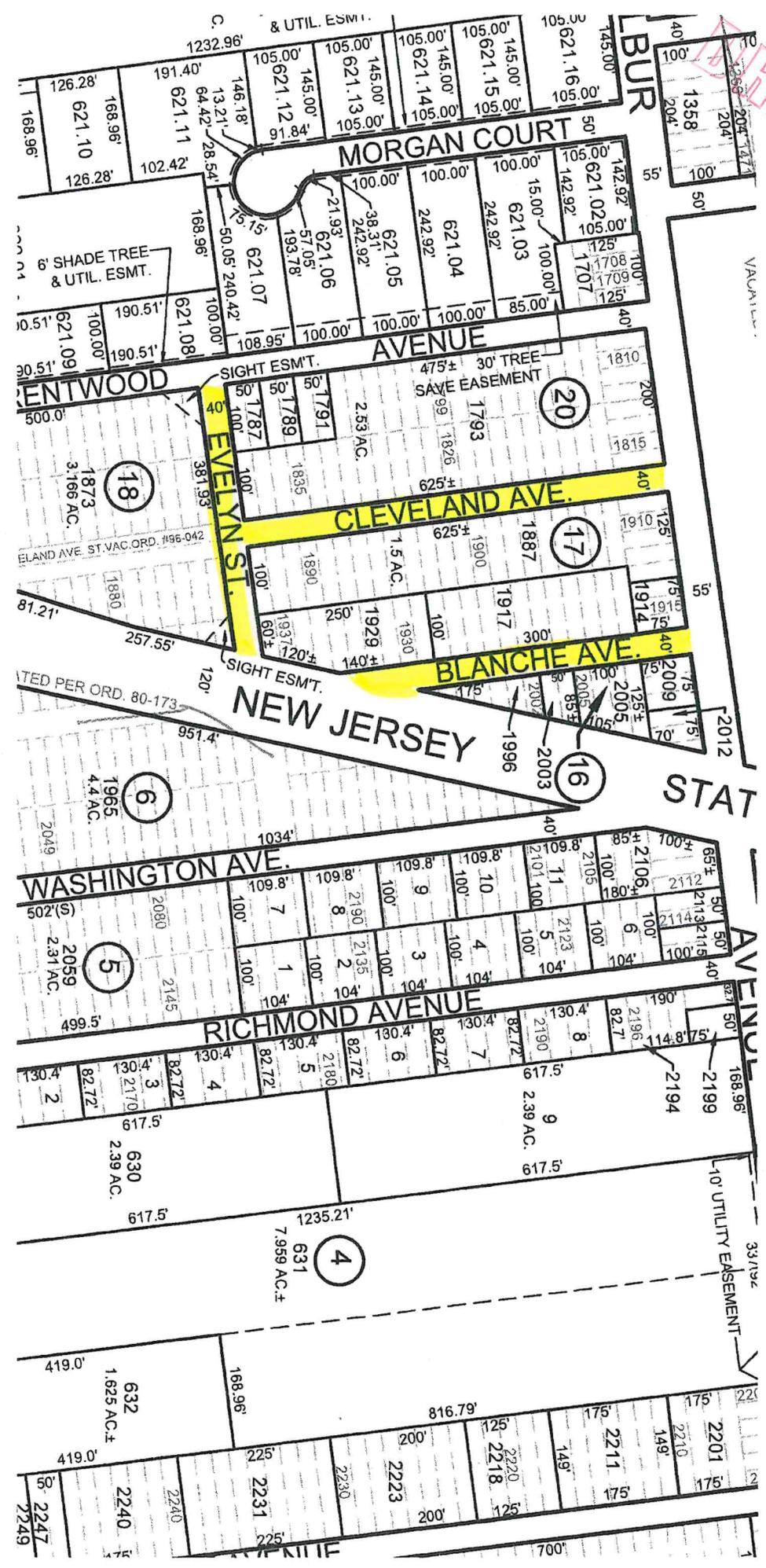
NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Manchester, in the County of Ocean, State of New Jersey, held on March 9, 2026, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 23rd day of March 2026 at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 1 Colonial Drive, Manchester, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

SCHEDULE A

DRAFT



DRAFT

ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, FOR CALENDAR YEAR 2026, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2% 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 Township Council of the Township of Manchester in the County of Ocean 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 Township Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$509,571.65 in excess of the increase in final appropriations, otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Council 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 Council of the Township of Manchester, in the County of Ocean, 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 Manchester shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.5%, amounting to \$590,571.65 , and that the CY 2026 municipal budget for the Township of Manchester be approved and adopted in accordance with this ordinance; and,

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; and,

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

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Manchester, in the County of Ocean, State of New Jersey, held on March 9, 2026 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 23rd day of March, 2026 at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 1 Colonial Drive, Manchester, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

TERI GIERCYK, RMC/CMC
Municipal Clerk

AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, ADOPTING PORTIONS OF THE GENERAL REEXAMINATION OF THE MASTER PLAN REVISING DEFINITIONS PERTAINING TO CLUSTER DEVELOPMENT

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, that pursuant to portions of the General Reexamination of the Master Plan of the Township, adopted January 6, 2026, the Township Code is hereby amended and supplemented as follows:

SECTION 1. Chapter 245 of the Township Code of the Township of Manchester, entitled "Land Use and Development" is hereby amended and supplemented so as to amend Section 245-70, entitled "Cluster Development," to revise subsection D, which shall now read as follows:

§ 245-70 Cluster Development

D. Application requirement. All approvals for such major subdivisions as permitted hereunder, together with the standards of dedication and sanitary approval, shall be in accordance with the subdivision regulations of this chapter. **The aforementioned standards shall be considered as part of the application submission requirements or a request for a design waiver and not a request for variance relief, unless such relief is specifically stated.**

SECTION 2. After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Township Planning Board for its review and comment. The Township Clerk shall also send a copy of the ordinance to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 3. SEVERABILITY. Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect after final approval and publication according to law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Council of the Township of Manchester on first reading at a meeting held on the 9th day of March 2026 at 6:00 p.m. The Ordinance will be considered for second and final reading at a meeting of the Township Council which is scheduled for the 23rd day of March, 2026 at 6:00 p.m. or as soon thereafter as the matter may be reached, at the Municipal Building located at 1 Colonial Drive, Manchester, New Jersey 08759, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

TERI GIERCYK, RMC/CMC
Municipal Clerk

DRAFT

AN ORDINANCE AMENDING CHAPTER 245, ARTICLE XI, SECTIONS 245-90 THROUGH 245-98 OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY THE CODE OF THE TOWNSHIP OF MANCHESTER

WHEREAS, the Township of Manchester (the “Township” or “Manchester”) having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the “Program”) and a declaratory judgment action on January 28, 2025; and

WHEREAS, the Court entered an order on March 27, 2025 setting the Township’s Fourth Round fair share obligations as a Present Need of 154 units and a Prospective Need of 412 units, which no party appealed, and ordering the Township to file a Housing Element and Fair Share Plan (“HEFSP”) by June 30, 2025; and

WHEREAS, the Township having filed its Adopted HEFSP on June 19, 2025; and

WHEREAS, three challenges were filed pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township’s Adopted HEFSP, including EETTSA, LLC (August 13, 2025); DR Horton, Inc. - New Jersey (August 14, 2025); and Fair Share Housing Center (August 29, 2025); and

WHEREAS, Settlement conferences were held on October 6, November 3, November 13, December 3, December 10 and December 22, 2025. A framework for a settlement, agreed to by the parties, was placed on the record at the December 22, 2025 hearing in this matter; and

WHEREAS, The Township, FSHC, EETTSA, LLC, and DR Horton have agreed to amicably resolve the issues set forth in the challenges as it relates to the Heritage Minerals Site and prepared a draft agreement, dated January 19, 2026, setting forth the terms of such settlement. A separate draft agreement, dated January 20, 2026, between the Township and FSHC related to the remainder of the Township's HE&FSP has been prepared.

WHEREAS, the Township is required to update its Affordable Housing Ordinance, Development Fee Ordinance, and Affirmative Marketing Plan, and other administrative documents in accordance with N.J.A.C. 5:80-26.1, et seq. and N.J.A.C. 5:99 by March 15, 2026.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Manchester, County of Ocean, and State of New Jersey, that Chapter 245, Article I, Sections 245-90 through 245-98 be amended, supplemented to, and added as follows:

SECTION 1. Chapter 245, Article XI, Sections 245-90 through 245-98 is hereby repealed and replaced with the following:

ARTICLE XI. Affordable Housing

245-90 Introduction & Applicability

- A. This section of the Code sets forth regulations regarding the very low-, low- and moderate-income housing units in the Township of Manchester 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”).

- B. 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.
- C. The Township of Manchester 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.
- D. 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.
- E. Applicability
1. 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.
 2. 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.
 3. 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.

245-91 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 may be 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

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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.

245-92 New Construction.

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.

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- A. 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.
- B. 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

- C. Design. The following design requirements apply to affordable housing developments, excluding prior round units.
 - 1. 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.
 - 2. 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.
3. 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.

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D. Utilities.

1. Affordable units shall utilize the same type of cooling and heating source as market-rate units within the affordable housing development.
2. 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).

E. Low/moderate split and bedroom distribution.

1. 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.
2. 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.
3. 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.
4. 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% of the total number of low- and moderate-income units.
 - iv. At least 30% of all low- and moderate-income units shall be two-bedroom units.
 - v. At least 20% of all low- and moderate-income units shall be three-bedroom units.
 - vi. The remaining units may be allocated among two- and three- bedroom units at the discretion of the developer.
5. 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.

F. Accessibility requirements.

1. 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.

2. 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 2.i. through 2.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.

245-93 Affordable unit controls and requirements.

A. Regional Income Limits.

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

B. Maximum Initial Rents and Sales Prices.

1. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC N.J.A.C. 5:80-26.4.
2. The average rent for all restricted units within each affordable housing development shall be affordable to households earning no more than 52 percent of regional median income.
3. The maximum rent for restricted rental units within each affordable housing development shall be affordable to households earning no more than 60% of regional median income.
4. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 13% of all low- and moderate-income rental units shall be affordable to households earning no more than 30% of median income. These very low-income units shall be part of the low-income requirement and very-low-income units should be distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count.
5. The maximum sales price of restricted ownership units within each affordable housing development shall be affordable to households earning no more than 70% of median income, and each affordable housing development must achieve an affordability average that does not exceed 55% for all restricted ownership units. In achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type when the number of low- and moderate-income units permits.
6. The master deeds and declarations of covenants and restrictions for affordable developments may not distinguish between restricted units and market-rate units in the calculation of any condominium or homeowner association fees and special assessments to be paid by low- and moderate-income purchasers and those to be paid by market-rate purchasers. Notwithstanding the foregoing sentence, condominium units subject to a municipal ordinance adopted before December 20, 2004, which ordinance provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection are governed by the ordinance.
7. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted family units, the following standards shall be met:
 - i. A studio or efficiency unit shall be affordable to a one-person household;
 - ii. A one-bedroom unit shall be affordable to a one and one-half person household;

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- iii. A two-bedroom unit shall be affordable to a three-person household;
 - iv. A three-bedroom unit shall be affordable to a four and one-half person household; and
 - v. 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:
 - i. A studio or efficiency unit shall be affordable to a one-person household;
 - ii. A one-bedroom unit shall be affordable to a one and one-half person household; and
 - iii. 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.

C. 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 2 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.
 - i. 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.
 - ii. There shall be a regional preference for all households that live and/or work in Housing Region 4 comprising Mercer, Monmouth, and Ocean Counties.
 - iii. Subordinate to the regional preference, there shall be a preference for households that live and/or work in New Jersey.
 - iv. 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.

D. Selection of Occupants of Affordable Housing Units.

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

E. Occupancy Standards.

1. In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
 - i. Ensure each bedroom is occupied by at least one person, except for age-restricted and supportive and special needs housing units;
 - ii. Provide a bedroom for every two adult occupants;
 - iii. 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
 - iv. Avoid placing a one-person household into a unit with more than one bedroom.

F. Control Periods for Restricted Ownership Units and Enforcement Mechanisms.

1. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.6, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the controls on affordability for a period of at least 30 years subject to the requirements of N.J.A.C. 5:80-26.6, as may be amended and supplemented.
2. Rehabilitated housing units that are improved to code standards shall be subject to affordability controls for a period of not less than 10 years (crediting towards present need only).
3. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit. The date of commencement shall be identified in the deed restriction.
4. If existing affordability controls are being extended, the extended control period for a restricted ownership unit commences on the effective date of the extension, which is the end of the original control period.
5. After the end of any control period, the restricted ownership unit remains subject to the affordability controls set forth in this subchapter until the owner gives notice of their intent to make an exit sale, at which point:
 - i. 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
 - ii. If the municipality does not exercise the right to extend the affordability controls on the unit, the affordability controls terminate following the exit sale.

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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.

G. Price Restrictions for Restricted Ownership Units and Resale Prices.

1. Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.7, as may be amended and supplemented, including:
 - i. The initial purchase price and affordability percentage for a restricted ownership unit shall be set by the Administrative Agent.
 - ii. 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.
 - (a) 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.
 - (b) 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
 - iii. 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:
 - (a) those that render the unit suitable for a larger household or the addition of a bathroom.
 - (b) 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);
 - iv. 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.

H. 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:

- i. 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;
- ii. 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
- iii. The household is currently in substandard or overcrowded living conditions;
- iv. The household documents the existence of assets, within the asset limitation otherwise applicable, with which the household proposes to supplement the rent payments

I. 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).

J. 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:
 - i. Sublease or assignment of the lease of the unit;
 - ii. Sale or other voluntary transfer of the ownership of the unit;
 - iii. The entry and enforcement of any judgment of foreclosure on the property containing the unit; or
 - iv. 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.

K. 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.
 - i. 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.

L. 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:
 - i. 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.
 - ii. 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.
 - iii. 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:
 - i. 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;
 - ii. 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;
 - iii. The household is currently in substandard or overcrowded living conditions;
 - iv. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - v. 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.

245-94 Administration.

A. Municipal Housing Liaison.

1. The Municipal Housing Liaison shall be approved by municipal resolution.
2. The Municipal Housing Liaison shall be approved by the Division, or is in the process of getting approval, and fully or conditionally meets the requirements for qualifications, including initial and periodic training as set forth in in N.J.A.C. 5:99-1 et seq.
3. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program, including the following responsibilities, which may not be contracted out to the Administrative Agent:
 - i. 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.
 - ii. The oversight of the Affirmative Marketing Plan and affordability controls.

- iii. When applicable, overseeing and monitoring any contracting Administrative Agent.
- iv. Overseeing the monitoring of the status of all restricted units listed in the Fair Share Plan.
- v. Verifying, certifying and providing annual information within AHMS at such time and in such form as required by the Division.
- vi. Coordinating meetings with affordable housing providers and administrative agents, as needed.
- vii. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division.
- viii. 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.
- ix. 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.
- x. Listing on the municipal website contact information for the MHL and Administrative Agents.

B. 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:
 - i. Administrative agent fees related to rental units shall be paid by the developer/owner.
 - ii. Administrative agent fees related to initial sale of units shall be paid by the developer.
 - iii. Administrative agent fees related to resales shall be paid by the seller of the affordable home.
 - iv. Administrative agent fees related to ongoing administration and enforcement shall be paid by the municipality.
3. An Operating Manual for each affordable housing program shall be provided by the Administrative Agent(s). The Operating Manual(s) shall be available for public inspection in the Office of the Clerk and in the office(s) of the Administrative Agent(s). Operating manuals shall be adopted by resolution of the Governing Body.
4. Subject to the role of the Administrative Agent(s), the duties and responsibilities as are set forth in N.J.A.C. 5:99-7 and which are described in full detail in the Operating Manual, including those set forth in UHAC, include:
 - i. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division;
 - ii. Affirmative marketing:

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- (a) 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.
 - (b) 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.
- iii. Household certification.
- (a) Soliciting, scheduling, conducting and following up on interviews with interested households.
 - (b) 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;
 - (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility within 5 days of the determination thereof.
 - (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in the Appendices J and K of N.J.A.C. 5:80-26.1 et seq.
 - (e) 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.
 - (f) Employing a random selection process as provided in the Affirmative Marketing Plan when referring households for certification to affordable units.
- iv. Affordability controls.
- (a) 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.
 - (b) 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.
 - (c) Communicating with lenders and the Municipal Housing Liaison regarding foreclosures.
 - (d) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.11.
- v. Records retention.
- (a) 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.
 - (b) 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.
- vi. Resales and re-rentals.

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- (a) 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.
 - (b) 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.

vii. Processing requests from unit owners.

- (a) 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.
- (b) 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.
- (c) Notifying the municipality of an owner's intent to sell a restricted unit.
- (d) Making determinations on requests by owners of restricted units for hardship waivers.

viii. Enforcement.

- (a) 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;
 - (b) 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;
 - (c) 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;
 - (d) Establishing a program for diverting unlawful rent payments to the municipal Affordable Housing Trust Fund; and
 - (e) 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.
- ix. 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.

C. Responsibilities of The Owner of a development containing affordable units.

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

- ii. The total number of units in the project and the number of affordable units.
 - iii. 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.
 - iv. Floor plans of all affordable units, including complete and accurate identification of all rooms and the dimensions thereof.
 - v. A projected construction schedule.
 - vi. The location of any common areas and elevators.
 - vii. The name of the person who will be responsible for official contact with the administrative agent for the duration of the project, which must be updated if the contact changes.
2. In addition to A above, the owner of rental developments containing affordable rental units subject to this subchapter or the assigned management company thereof shall:
- i. 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.
 - ii. Provide to the administrative agent a description of any applicable fees.
 - iii. Provide to the administrative agent a description of the types of utilities and which utilities will be included in the rent.
 - iv. 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.
 - v. Provide to the administrative agent a proposed form of lease for any rental units.
 - vi. Ensure that the tenant selection criteria for the applicants for affordable units not be more restrictive than the tenant selection criteria for applicants for non-restricted units.
 - vii. Strive to maintain the continued occupancy of the affordable units during the entire restricted period.
3. In addition to Subsection 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:
- i. Proposed pricing for all units, including any purchaser options and add-on items.
 - ii. Condominium or homeowner association fees and any other applicable fees.

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- iii. Estimated real property taxes.
- iv. Sewer, water, trash disposal, and any other utility assessments.
- v. Flood insurance requirement, if applicable.
- vi. The State-approved planned real estate development public offering statement and/or master deed, where applicable, as well as the full build-out budget.

D. 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:
 - i. 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:
 - (a) A fine of not more than \$2,000 or imprisonment for a period not to exceed 90 days, or both, unless otherwise specified below, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;
 - (b) 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;
 - (c) 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.

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- i. 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.
 - ii. 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.
 - iii. 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.
 - iv. 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.
 - v. 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.
 - vi. 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
 - i. 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.

245-95 Development approvals.

All development approvals shall provide for affordable housing opportunities.

- A. Applicability and exemptions. These requirements shall apply to approvals granted by the Planning Board or Zoning Board of Adjustment as follows:
 1. All approvals of use variances, site plans, or subdivisions, including extensions and substantial revisions, shall be made subject to mandatory provision of affordable housing except for classes of uses contained in Subsection A(2) and (3) below. A "substantial revision" to a development approval shall, for the purposes of these affordable housing regulations, be any revision which increases or decreases the number of residential units or amount of nonresidential floor space by more than 15%.
 2. Exempted from these provisions shall be approvals for the following classes of development, which occur on lands deemed unsuitable for inclusionary residential development: residential uses in accordance with Pinelands Commission special provisions for cultural housing as provided for in Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-5.32) and § 245-32 of this chapter, and lands designated PPA Pinelands Preservation Area; PFA-S Pinelands Forest Area - Sending; PFA-R Pinelands Forest Area - Receiving; and MI Military Installation, on the Zoning Map; and
 3. Exempted from these provisions shall be approvals for the following classes of development which do not constitute a portion of the state or housing region's tax ratable wealth:
 - i. Utility facilities;

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- ii. Educational, cultural and outdoor recreational facilities;
- iii. Quasi-public uses, including churches, clubs, lodges and similar uses;
- iv. Public uses; and
- v. Hospital uses.

4. All final approvals not included in Subsection A(1), (2) or (3) above shall provide for the payment of any affordable housing development fee.

B. Mandatory provision of affordable housing. All development, other than exempted development, shall provide for affordable housing through actual construction, through an affordable housing development fee, or a combination of both.

1. Any proposed development for five or more new residential units occurring as a result of an increase in density from a use variance, change in zoning or conditional use for residential development shall provide that a percentage of the total units constructed shall be affordable to low- and moderate-income households in accordance with the approved Fair Share Plan of the Township. If the proposed development of five or more residential lots or units is not included in the Fair Share Plan, the following percentages shall be applied:

Multifamily housing:

- Sales 20%
- Rentals 15%

Single-family housing:

- 4 dwelling units or greater 15%
 - Less than 4 units 10% for 3 or less units per acre, plus 0.50% for each additional 0.10 of a unit between 3 units and 4 units per acre
- Example: a density of 3.5 dwelling units per acre would require 12.5%, as follows:
 $3.5 - 3.0 = 0.5\%$
 $0.5 / 0.1 \times 0.5 = 2.5\%$
 $10\% + 2.5\% = 12.5\%$

Where two or more affordable units are to be provided, not less than 50% of the affordable units constructed shall be affordable to low-income households.

- 2. Affordable housing units may be constructed on a site which is not contiguous and may be incorporated with other development subject to the applicable zoning district requirements.
- 3. In lieu of actual construction, an affordable housing development fee may be paid where approved by the Township Council pursuant to inclusion in the Township's adopted Fair Share Plan as approved by the courts or other applicable entity having jurisdiction.

245-96 Affordable Housing Programs

A. 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.

- B. Rehabilitation Programs (per N.J.A.C. 5:93-5.2 with updated provisions herein per N.J.A.C. 5:97-6.2 related to credit towards a municipal present need obligation).
1. The municipal rehabilitation program shall be designed to renovate deficient housing units occupied or intended to be occupied by very low-, low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28-1.1 et seq or the Rehabilitation Subcode, N.J.A.C. 5:23-6 to the extent applicable.
 2. Both ownership and rental units shall be eligible for rehabilitation funds.
 3. All rehabilitated units shall remain affordable to very low-, low- and moderate-income households for a period of 10 years (the control period). For owner-occupied units, the control period shall be enforced with a mortgage and note and for renter-occupied units the control period will be enforced with a deed restriction.
 4. The municipality shall dedicate a minimum average hard cost of \$10,000 for each unit to be rehabilitated through this program and in addition shall dedicate associated rehabilitation program soft costs such as case management, inspection fees and work write-ups.
 5. The municipality shall designate, subject to the approval of the Department, one or more Administrative Agents to administer the rehabilitation program in accordance with P.L 2024, Chapter 2. The Administrative Agent(s) shall provide rehabilitation manuals for ownership and rental rehabilitation programs. Manuals shall be adopted by resolution of the governing body. Both rehabilitation manuals shall be available for public inspection in the Office of the Municipal Clerk and on the municipal affordable housing web page.
 6. Households determined to be very low-, low-, or moderate-income may participate in a rehabilitation program. Rehabilitated units shall be exempt from the very low-income requirements, low/mod split, and bedroom distribution requirements of UHAC, but shall be administered in accordance with the following:
 - i. If a unit is vacant at the time of rehabilitation, or if a rehabilitated unit becomes vacant and is re-rented before the expiration of the affordability controls, the deed restriction shall require that the unit be rented to a low- or moderate-income household at an affordable rent.
 - ii. If a rental unit is occupied by a tenant at the time rehabilitation is completed, the rent charged after rehabilitation shall not exceed the lesser of the tenant’s current rent or the maximum rent permitted under UHAC.
 - iii. Rents in rehabilitated units may increase annually based on the standards in UHAC.
 - iv. At the time of application, applicant households and/or tenant households shall be subject to income eligibility determinations in accordance with UHAC.
- C. Accessory Apartment program (per N.J.A.C. 5:93-5.9 as may be updated per various sections in N.J.A.C. 5:97-6.8).
1. An accessory apartment program shall provide low- and moderate-income units or may be limited to only low- or only moderate-income units.

2. Per N.J.A.C. 5:97-6.8(c)1, at the time of initial occupancy of the unit and for at least ten years thereafter, the accessory apartment shall be rented only to income eligible households consistent with the income category and rent structure of the unit.
3. Rents of accessory apartments shall be established using the same methodology of affordable rental units discussed herein.
4. There shall be a recorded deed or declaration of covenants and restrictions applied to the property upon which the accessory apartment is located running with the land and limiting its subsequent rental for the duration of the control period.
5. The municipal accessory apartment program shall not restrict the number of bedrooms in any accessory apartment.
6. Per N.J.A.C. 5:97-6.8(b)2, the municipality shall provide a minimum of \$25,000 per unit to subsidize the creation of each low-income accessory apartment or \$20,000 per unit to subsidize the creation of each moderate-income accessory apartment. Subsidy may be used to fund actual construction costs and/or to provide compensation for reduced rental rates.

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

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

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

1. An extension of affordability controls program is established to maintain and extend the affordability of deed restricted units scheduled to come out of their affordability control period, subject to N.J.A.C. 5:97-6.14 and UHAC, including the following:
 - i. The affordable unit meets the criteria for prior cycle (April 1, 1980 - December 15, 1986) or post December 15, 1986 credits set forth in N.J.A.C. 5:97.
 - ii. The affordability controls for the unit are scheduled to expire in the current round; or in the next round of housing obligations if the municipal election to extend controls is made no earlier than one year before the end of the current round;
 - iii. The municipality shall obtain a continuing certificate of occupancy or a certified statement from the municipal building inspector stating that the restricted unit meets all code standards.
 - iv. If a unit requires repair and/or rehabilitation work in order to receive a continuing certificate of occupancy or certified statement from the municipal building inspector, the municipality shall fund and complete the work.
 - v. The municipality shall adhere to the process for extending controls pursuant to UHAC for extending ownership units and rental units, either inclusionary or 100% affordable developments.
 - vi. The deed restriction for the extended control period shall be filed with the County Clerk.

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

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

services as required by the Agency's underwriting guidelines and financing policies. The cost of non-housing related services shall not exceed one and two-thirds times the rent established for each unit.

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

1. 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:

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- (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.

245-97 Monitoring and Reporting Requirements

- A. 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:
 - 1. 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>.
 - 2. 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.
 - 3. 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.

245-98 (Reserved.)

245-99 Development Fees.

A. Purpose

- 1. 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.

B. Basic Requirements

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

C. Residential Development Fees

- 1. 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.

2. 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 received preliminary or final site plan approval prior to the date of the first adoption of the Manchester Township development fee requirements in Ordinance No. 94-235 on October 27, 1994, shall be exempt from development fees under this article, unless the developer seeks a substantial change in the approval resulting in an increase in the total number of residential dwelling units. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
- iii. Owner-occupied single-family dwelling units, whether attached or detached, are exempt from development fees when newly constructed by the owner of the lot for his own occupation, or when an existing structure is demolished and replaced or is expanded;
- iv. Mobile and manufactured homes in the MP and PMP Zones shall be exempt from development fees;
- v. Developments where the developer is providing for the construction of affordable units elsewhere in the Township shall be exempt from development fees;
- vi. All residential dwellings destroyed due to fire, flood, or other natural disaster and rebuilt by their owners shall be exempt from paying a development fee.

D. Non-Residential Development Fees

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

E. Collection Procedures

- 1. 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.
- 2. 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.

3. 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.
4. 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.
5. 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.
6. 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.
7. 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).
8. 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.

F. Appeal of development fees

1. 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.
2. 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.

G. Affordable Housing Trust Fund

1. 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.
2. 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:

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- 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.
3. 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.
 4. 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.
 5. All interest accrued in the housing trust fund shall only be used on eligible affordable housing purposes approved by the Court.

H. Use of Funds

1. 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.
2. Funds shall not be expended to reimburse the municipality or activities that occurred prior to the authorization of a municipality to collect development fees.
3. 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.
4. 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.

I. Monitoring

1. 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.

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J. Ongoing Collection of Fees

1. 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.
2. 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).

K. 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 2. The Code of the Township of Manchester, Chapter 243, Zoning and Land Use, Article XX, Administration and Enforcement, is amended as follows:

Section 3. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Manchester inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 5. This ordinance shall take effect as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Manchester, in the County of Ocean, State of New Jersey, held on March 9, 2026 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 23rd day of March, 2026 at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 1 Colonial Drive, Manchester, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

TERI GIERCYK, RMC/CMC
Municipal Clerk

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#26-23

AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 245 ENTITLED “LAND USE AND DEVELOPMENT” OF THE TOWNSHIP OF MANCHESTER CODE TO CREATE A NEW PAF-2 PINELANDS AFFORDABLE HOUSING ZONE

WHEREAS, the Township of Manchester (the “Township” or “Manchester”) having filed a resolution of participation in the Affordable Housing Dispute Resolution Program (the “Program”) and a declaratory judgment action on January 28, 2025; and

WHEREAS, the Court entered an order on March 27, 2025 setting the Township’s Fourth Round fair share obligations as a Present Need of 154 units and a Prospective Need of 412 units, which no party appealed, and ordering the Township to file a Housing Element and Fair Share Plan (“HEFSP”) by June 30, 2025; and

WHEREAS, the Township having filed its Adopted HEFSP on June 19, 2025; and

WHEREAS, three challenges were filed pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township’s Adopted HEFSP, including EETTSA, LLC (August 13, 2025); DR Horton, Inc. - New Jersey (August 14, 2025); and Fair Share Housing Center (August 29, 2025); and

WHEREAS, Settlement conferences were held on October 6, November 3, November 13, December 3, December 10 and December 22, 2025. A framework for a settlement, agreed to by the parties, was placed on the record at the December 22, 2025 hearing in this matter; and

WHEREAS, The Township, FSHC, EETTSA, LLC, and DR Horton have agreed to amicably resolve the issues set forth in the challenges as it relates to the Heritage Minerals Site and prepared a draft agreement, dated January 19, 2026, setting forth the terms of such settlement. A separate draft agreement, dated January 20, 2026, between the Township and FSHC related to the remainder of the Township’s HE&FSP has been prepared; and

WHEREAS, the Township is required to adopt Ordinances to effectuate the Housing Element & Fair Share Plan in accordance with N.J.A.C. 5:80-26.1, et seq. and N.J.A.C. 5:99 by March 15, 2026; and

WHEREAS, pursuant to N.J.S.A. 40:55D-62, the governing body of a municipality may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of the buildings and structures thereon; and

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Manchester, County of Ocean, and State of New Jersey, as follows:

Section 1.

The Township of Manchester Municipal Code, Chapter 245, Article IV entitled “Zoning,” is amended as follows [New language double underlined, deleted language ~~strikethrough~~]:

§245-23 Zoning Districts

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C. Pinelands Area Zoning Districts.

PPA	Pinelands Preservation Area
PFA-R	Pinelands Forest Area - Receiving
PFA-S	Pinelands Forest Area - Sending
PRA	Pinelands Rural Agriculture
PR-40	Pinelands Single-Family Residential
PR-15	Pinelands Residential - 15,000 square feet
PRC	Pinelands Retirement Community
PRC/RCL	Pinelands Retirement Community/Residential Cluster
PMP	Pinelands Mobile Home Park
PB-1	Pinelands Business
POR-LI	Pinelands Office, Research and Light Industrial
BVR-40	Beckerville Village Single-Family Residential
WTRA	Whiting Town Rural Agricultural
WTR-40	Whiting Town Residential - 40,000 square feet
WTRC	Whiting Town Retirement Community
WTB-1	Whiting Town Business - 1 acre
WTO-P	Whiting Town - Office Professional
WTHD	Whiting Town - Highway Development
MI	Military Installation
PED	Pinelands Environmental Development
PRC-1	Pinelands Retirement Community
PAF-1	Pinelands Affordable Housing Zone
<u>PAF-2</u>	<u>Pinelands Affordable Housing Zone</u>

X. ~~PAF-1 Pinelands Affordable Housing Zone.~~-(repeal entire section)

X. (Reserved)

Y. PAF-2 Pinelands Affordable Housing Zone.

(1) Purpose.

(a) The purpose of the PAF-2 Pinelands Affordable Zone is to provide for mixed-

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use commercial and multi-family housing for low- and moderate-income households on Lots 8 and 16 in Block 72 and Lots 9 and 17 in Block 72.01.

- (b) To permit flexibility in design standards in order to promote creative design concepts.
 - (c) To attract additional businesses, employment opportunities, and places to live.
 - (d) To serve as an appropriate transition to adjacent residential zones.
 - (e) To create a place to live that represents Manchester Township in a unique and attractive way.
- (2) Permitted uses.
- (a) Multi-family residential units, including garden apartments.
 - (b) Attached single family residential units (i.e. townhomes).
 - (c) Townhouses (2.5 story maximum building height).
 - (d) Stacked Townhouses
 - (e) Multifamily residential dwellings, which for purposes of this section, shall mean a building containing eight or more dwelling units located over a commercial use.
 - (f) Mixed-use buildings.
 - (g) Commercial uses:
 - i. Shopping plaza, NAICS Sector Nos.: 2, 311811, 323114 (except manufacturing), 441310, 442110, 442291, 442299, 443111, 443112 (including cellular mobile devices), 443120, 443130, 444130, 445110 (grocery store only), 445120, 445210, 445220, 445230, 445291, 445292, 445299, 445310, 446110, 446120, 446130, 446191, 446199, 448110, 448120, 448130, 448140, 448150, 448190, 448210, 448310, 448320, 451110, 451120, 451130, 451140, 451211, 451212, 451220, 4531, 453210, 453220, 4533, 453910, 453920, 453998, 517110, 517212, 517310, 518111, 52, 531210, 531320, 531390, 541110, 541191, 541211, 541213, 541214, 541219, 541310, 541320, 541330, 541370, 541611, 541612, 541613, 541614, 541618, 541921, 561310, 561431, 561510, 561599, 561621, 561622, 621310, 621320, 621399 (including blood work testing and analysis facility), 621493 (including urgent care centers), 713940, 722410, 722511, 722513, 722514, 722515, 811213, 811430, 812111, 812112, 812113, 812191, 812199 (including day spa), 812320, 812331, and 812910, as permitted in Use Schedule G.

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- ii. Full and limited-service restaurants, including fast-food restaurants and drive-through restaurants. NAICS Sector Nos.: 722511, 722513, 722514, 722515, and 722410, as permitted in Use Schedule G.
- iii. Fitness and recreational sports centers. NAICS Sector No. 713940, as permitted in Use Schedule G.
- iv. Offices for professional, executive or administrative purposes, and related business support services. NAICS Sector Nos.: 541213, 541214, 541110, 541211, 541219, 541310, 541320, 541330, 541370, 541611, 541612, 541613, 541614, 541618, and 561310, as permitted in Use Schedule G.
- v. Medical offices. NAICS Sector No. 621 (including urgent care centers and blood work testing and analysis facilities), as permitted in Use Schedule G.
- vi. Banks, financial institutions, insurance and real estate businesses. Sector Nos.: 52, 531110, 531120, 531210, 531311, 531312, 531320, 531190, 541191, 561510, 561599, as permitted in Use Schedule G.
- vii. Child-care centers in accordance with N.J.S.A. 40:55D-66.6 and subject to the following conditions:
 - 1. The facility shall be licensed by the Division of Youth and Family Services of the New Jersey Department of Human Services.
 - 2. A minimum of square footage as required by N.J.A.C. 3A:52-5.4 of outdoor play area shall be provided, which shall be entirely fenced and protected from hazards such as driveways and cars.
 - 3. All loading and unloading of children shall take place on-site and not in a public right-of-way.

(3) Development standards.

- (a) Minimum lot size: twelve acres.
- (b) The maximum density for residential dwelling units shall be 8.65 units per gross acre of the entire development tract for mixed use developments.
- (c) The ground floor of a mixed-use building shall be utilized for commercial uses as specified herein. No permitted principal use other than business and professional offices, medical offices and multifamily residential dwellings shall be located above the ground floor of any mixed-use building.

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- (d) Minimum setback distance:
 - i. Minimum front yard:
 - 1. 70 feet from a collector road or arterial road as identified in the Master Plan;
 - 2. 50 feet from a local road as identified in the Master Plan;
 - ii. Minimum side yard setback: 45 feet;
 - iii. Minimum rear yard setback: 30 feet;
 - iv. When the rear of a residential structure abuts a side yard, the minimum rear yard setback of 30 feet shall apply.
- (e) Minimum width of any residential unit: 20 feet.
- (f) Minimum gross habitable floor area requirements:
 - i. One-bedroom units: 750 square feet.
 - ii. Two-bedroom units: 800 square feet.
 - iii. Three-bedroom units: 1,000 square feet.
 - iv. Affordable units shall comply with N.J.A.C. 5:80-26.5.b(2).
- (g) Maximum floor area per multifamily residential unit: 1,500 square feet.
- (h) Maximum building height: 40 feet
- (i) Maximum number of stories per townhome or stacked townhome: 2.5 stories.
- (j) Maximum building coverage for commercial and mixed use buildings: 20%
- (k) Minimum number of multifamily residential units per structure: 8.
- (l) Maximum number of multifamily residential units per structure: 28.
- (m) Maximum number of townhouse units per structure: 8.
- (n) Maximum number of stacked townhouse units per structure: 16.
- (o) Maximum number of 8-unit townhouse structures shall not be more than 50% of all residential structures included in the townhouse development.
- (p) The minimum distance between townhouse buildings shall be as follows:

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street parking area shall be located nearer than 25 feet from such street line.

- vi. No parking area, with exception to townhome driveways, shall be placed closer to a building than 12 feet.
 - vii. All garage walls facing any street shall be screened from street view by dense evergreen planting or hedge planting at least six feet in height maintained in good condition.
 - viii. All off-street parking shall be efficiently screened along all side and rear lot line by a six-foot-high fence landscaped with dense evergreen planting, or a dense evergreen shrub or hedge screening at least six feet in height maintained in good condition.
- (5) Utility requirements.
- (a) The applicant for the site plan approval shall arrange with the serving utility for the underground installation of the utilities distribution supply lines and service connections in accordance with the provisions of the applicable standard terms and conditions incorporated as part of its tariff on file with the State of New Jersey Board of Public Utility Commissioners.
 - (b) All mixed use developments shall be served by public water and sewer in accordance with the requirements of the Manchester Township Division of Utilities.
- (6) Landscaping and buffer requirements. All areas of mixed use developments not used for the construction of buildings, roads, accessways, recreational areas, parking areas or sidewalks shall be fully landscaped, and/or grass. Where a mixed use development boundary line abuts a lot in a residential zone, which lot is not owned by the mixed use developer, which there shall not be cut, uprooted, destroyed or taken away any existing trees, shrubbery or other planting within the area of 20 feet inside the boundary line of the mixed use development abutting a residential lot. If inadequate trees, shrubs or planting exists in the twenty-foot area in the natural state of the premises before development, the area shall be provided with an adequate approved planting plan to provide a belt of screening within the twenty-foot area.
- (7) Interior roads and driveway location.
- (a) All roads and other accessways within the mixed use development shall be constructed, paved and curbed to a right-of-way width of not less than 28 feet. All such construction, paving and curbing shall be completed in accordance with the subdivision regulations of Manchester Township.
 - (b) Driveways for ingress and egress for the project shall not be located within 200 feet of an existing intersection or create any hazardous conditions. Acceleration and deceleration lanes shall be installed where a traffic hazard

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exists or where substantial traffic congestion shall be created.

- (8) Accessory uses. Accessory uses incidental to the above uses, as specified below:
 - (a) Noncommercial garages for exclusive use of site residents only.
 - (b) Parking, including for residential dwellings as provided herein.
 - (c) Active and passive non-commercial recreational facilities for residents, which may include, but not be limited to, a clubhouse, swimming pool, splash pad, fitness and exercise areas and bicycle/walking paths for exclusive use of site residents only.
 - (d) Signage for residential and commercial uses subject to the approval of the Manchester Township Planning Board.
 - (e) Garbage storage and recycling enclosures.
 - (f) Centralized mail cluster boxes as required by the USPS.
 - (g) Any other uses which are subordinate and customarily incidental to a permitted use, subject to the approval of the Manchester Township Planning Board.
 - (h) Accessory structures attached to or abutting the principal structure shall comply with the principal building setback requirements.
- (9) Sign regulations. Signs shall be installed in accordance with § 245-27E General sign regulations, except that two ground signs shall be permitted for the residential portion of a mixed-use development and one ground sign shall be permitted for the commercial portion of a mixed-use development.
- (10) Outdoor lighting. Interior development roads, parking areas, dwelling entranceways and pedestrian walks shall be provided with sufficient illumination to minimize hazards to pedestrians and motor vehicles utilizing the same, but in no case shall such lighting be less than is required to provide a minimum lighting level of 0.5 horizontal foot-candles throughout such areas from dusk to dawn. Where necessary, lights shall be shielded to avoid glare disturbing to occupants of the buildings. Lighting shall be so arranged as to reflect away from all adjoining residential buildings.
- (11) Recreation. Passive recreation areas, such as pathways, natural woods and fields, seating areas and lawns, shall be provided, and suitably arranged throughout the multi-family development. In addition, an active recreation area or areas shall be provided at the rate of at least 125 square feet per dwelling unit. Outdoor play equipment shall be installed in each recreation area in sufficient amount and variety to service the occupants of the project. If a swimming pool area or areas are to be installed, they are to include a pool of a size at least equivalent to 6 square feet per

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unit, except that no pool less than 500 square feet will be allowed, and no pool greater than 3,000 square feet shall be required. A clubhouse, auxiliary building or buildings providing for lavatories and storage shall also be erected in conjunction with pools.

- (12) Interior roads and driveway location roads. Roads may be private or public, at the election of the developer. In the event the roads are private, then such private roads shall be the responsibility of a homeowners' association. In such event, the provisions of the Municipal Services Act shall be applicable. In the event such roads are public, then such public roads shall be the responsibility of the Township of Manchester, including the maintenance of drainage facilities in such public roadways.
- (13) Association required. Any applicant requesting a townhouse project approval shall provide for the creation of an association. Such documents creating the association shall specifically provide for the association to have responsibility for maintenance for all common areas and shall provide for assurances that the Township shall in no way be held responsible for and shall be held harmless for the cost of maintenance of the common elements.
- (14) Affordable housing requirement.
 - (a) Affordable housing requirements shall comply with municipal code Chapter 245 (Land Use & Development) Article XI (Affordable Housing) for new construction, except as modified by this section.
 - (b) The minimum number of affordable housing units that shall be constructed shall be 20 percent of the total number of units approved by the Land Use Board. All affordable housing units shall comply with the Township's Affordable Housing Ordinance, the Uniform Housing Affordability Controls ("UHAC"), applicable affordable housing regulations, including but not limited to phasing and bedroom distribution requirements, any applicable order of the Court, and other applicable laws.
 - (c) The developer shall be responsible for managing the affordable housing units to assure compliance with all applicable laws and regulations. The developer shall contract with an Administrative Agent to oversee the affordable rental units in accordance with the Township's Affordable Housing Ordinance, applicable COAH regulations and procedures (N.J.A.C. 5:96-18), and UHAC (N.J.A.C. 5:80-26.14), or any other applicable requirement as determined by the Court or other appropriate jurisdiction.
 - (d) Calculation of number of units. If the minimum number of low- and moderate-income units to be provided includes a fraction, the number provided shall be rounded up. If the number of market rate (non-low- and moderate-income) units permitted includes a fraction, the number provided shall be rounded down.

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- (e) The developer shall submit with the application for development a narrative description of the mechanism to be used to ensure that the required affordable dwelling units are sold only to low- and moderate-income households and that such units will continue to be occupied by low- and moderate-income households for a period not less than 30 years or 40 years, as applicable per UHAC regulations. In addition to such description, actual samples of language to be included in the nature of covenants shall be submitted. The submitted description shall indicate the entity or entities responsible for monitoring the occupancy of the low- and moderate-income units and shall provide a detailed discussion concerning resales, permitted increases in price, prequalification of occupants and other relevant considerations.
- (15) Pinelands development credits. Pinelands development credits shall be purchased and redeemed for 30% of all units, excluding up to 20% of the total project units that are made affordable for low- and moderate-income households in accordance with applicable state law. Units made affordable for low- and moderate-income households that account for more than 20% of the total project units shall purchase and redeem Pinelands development credits for 30% of all such units.
- (16) Technical subdivision.
 - (a) It is acknowledged that a project to be developed pursuant to this subsection may be of such a size or type so as to make sectionalization by subdivision and the use of different forms of ownership a practical necessity. Therefore, a technical subdivision for such a project may be required for marketing or financing purposes.
 - (b) An application for technical subdivision approval may be submitted with an application for approval of a site plan, or subsequent to the issuance of such an approval.
 - (c) Such an application shall be considered as a technical subdivision and treated as a minor subdivision application without the necessity to obtain bulk variances that would technically be required.
 - i. The purpose of the application is to create a new lot for the purpose of financing or transfer of ownership within a development which is, or has been, the subject of site plan approval.
 - ii. A technical subdivision may not substantially modify or otherwise adversely impact on the integrity of a previously approved development plan.
 - iii. A technical subdivision must not reduce, limit or modify parking or access to parking.
 - iv. If a technical subdivision includes the division of parking or other

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common areas or facilities, the subdivision shall be conditioned upon appropriate easements for parking, access, drainage and/or utilities where necessary.

(d) The application for a technical subdivision shall set forth the manner in which lot lines for the subdivision shall be determined. Approval by the reviewing board of such lot lines is required.

(17) Approval.

(a) All lands associated with the townhouses shall be dedicated to a homeowners' association, and the approving agency shall condition final approval upon the establishment of a homeowners' association.

(b) As a condition of approval, the developer shall enter into a Developer's Agreement with the Township. The Developer's Agreement shall provide for the type and amount of performance and maintenance guarantee required, the amount of inspection fee deposit, a preconstruction conference, a timeline for the phasing of development, traffic control, a summary of improvements to be installed by the developer and the itemized cost estimate for same and, in accordance with N.J.S.A. 40:55D-42, any off-tract improvements which shall be constructed by the developer and the calculation of the developer's fair share of costs as well as any other such matters as the Planning Board shall determine to be necessary to protect public health, welfare and safety.

(c) The Developer's Agreement shall be approved by the Township Council, upon recommendation of the Planning Board, and subject to the approval by a court maintaining jurisdiction of the Township's Mt. Laurel program that governs, among other related items, the following aspects of the project: site and building design criteria; development, operation and management guidelines; staging of the project construction in relation to the market rate development, including financial contingency arrangements governing willful default by an applicant of said staging program; and provisions for the continuation of a portion of units as affordable units beyond the prescribed thirty-year time limit required of such units.

Section 2.

The Township of Manchester Zoning Map is hereby amended as follows:

Block	Lot	Location	Tax Map Sheet	From Zone	To Zone
72	8	2590 Ridgeway Blvd	5	POR-LI	PAF-2
72	16	2590 Ridgeway Blvd	5	POR-LI	PAF-2
72.01	9	2582 Ridgeway Blvd	5	POR-LI	PAF-2

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72.01	17	2582 Ridgeway Blvd	5	POR-LI	PAF-2
62	15	Ridgeway Road	3	PAF-1	PR-40
62	16	Ridgeway Road	3	PAF-1	PR-40
62	33	Ridgeway Road	3	PAF-1	PR-40

Section 3.

All ordinances of the Township of Manchester which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

Section 4.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 5.

This Ordinance shall take effect upon final passage, adoption, and publication in the manner prescribed by law.

Section 6.

The Planning Board, within twenty (20) days of referral of the Proposed Ordinance Amendment from the Township, shall review and issue its referral report on the Ordinance as required by N.J.S.A. 40:55D-26a.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Manchester, in the County of Ocean, State of New Jersey, held on March 9, 2026 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 23rd day of March, 2026 at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 1 Colonial Drive, Manchester, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

TERI GIERCYK, RMC/CMC
Municipal Clerk

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#26-24

**AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING VARIOUS
SECTIONS OF CHAPTER 245, ENTITLED "LAND USE AND DEVELOPMENT"**

BE IT ORDAINED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

SECTION 1. Chapter 245 of the Township Code of the Township of Manchester, entitled "Land Use and Development" is hereby amended and supplemented so as to amend Section 245-68, entitled "Garden Apartments," which shall be revised as follows:

§ 245-68 Garden Apartments

A. Permitted. Garden apartments may be permitted in all the following Pinelands Area Zoning Districts: PAF-1, PB-1, WTRC, WTB-1, WTHD, WTO-P, MI and POR-LI. Garden apartments shall be subject to the conditions as specified below:

SECTION 2. Chapter 245 of the Township Code of the Township of Manchester, entitled "Land Use and Development" is hereby amended and supplemented so as to amend Section 245-74, entitled "Townhouse Developments," which shall be revised as follows:

§ 245-74 Townhouse Developments

A. Permitted. Townhouses may be permitted in all the following Pinelands Zoning Districts: PAF-1, PB-1, WTRC, WTB-1, WTHD, WTO-P, MI, and POR-LI. Townhouses shall be subject to the conditions as specified below:

SECTION 3. Chapter 245 of the Township Code of the Township of Manchester, entitled "Land Use and Development" is hereby amended and supplemented so as to amend Section 245-Attachment 6, Appendix 6, Zoning Schedules A-G, to revise Schedules F &G, which shall now read as follows:

§ 245 Attachment 6

Appendix 6

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Schedule F — Pinelands Area Residential Zoning Districts — Permitted and Conditional Uses															
NAICS ¹	Use	Pinelands Area										Beckersville	Whiting Town		
		PPA	PFA-R	PFA-S	PR-A	PR-40	PR-15	PED-1	PED-9	PRC-1	PAF-1	BVR-40	WTR-A	WTR-40	WTR-C

NOTES:

- ¹ The NAICS numbering system employs six-digit code at the most detailed industry level. The first five digits are generally (although not always strictly) the same in all three countries. The last digit designates national industries. The first two digits designate the largest business sector, the third digit designates the subsector, the fourth digit designates the industry group, and the fifth digit designates particular industries.
- ² Uses not classified by NAICS Code.
- ³ Manufactured housing is permitted in all residential zones subject to the Uniform Construction Code.

TOWNSHIP OF MANCHESTER SCHEDULE OF PERMITTED USES - SCHEDULE G

P = Permitted Use; C = Conditional Use

NAICS CODE	2012 NAICS TITLE (1)	Pinelands		Whiting Town		
		PB-1	POR-LI	WTHD	WTB-1	WTO-F
(2)	<u>Garden Apartments</u>	C	€	€	€	€
(2)	<u>Townhouse developments</u>	C	€	€	€	€

(1) The 2012 NAICS Code is used by business and government to classify business establishments according to type of economic activity.

The NAICS numbering system employs six-digit code at the most detailed industry level. The first five digits are generally (although not always strictly) the same in all three countries. The last digit designates national industries. The

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first two digits designate the largest business sector, the third digit designates the subsector, the fourth digit designates the industry group, and the fifth digit designates particular industries.

- (2) Uses not classified by the NAICS code. Permitted uses within shopping plazas, shopping centers and neighborhood shopping centers shall include uses permitted within the zoning district in which the shopping plaza, shopping center or neighborhood shopping center is located.
- (3) Hotel-Convention Centers shall contain a minimum of 100 hotel rooms as defined in §245-8.
- (4) Hotels and Motels shall contain a minimum of 25 hotel or motel rooms as defined in §245-8.

SECTION 4. After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Township Planning Board for its review and comment. The Township Clerk shall also send a copy of the ordinance to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 5. SEVERABILITY. Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect after final approval and publication according to law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Council of the Township of Manchester on first reading at a meeting held on the 9th day of March 2026 at 6:00 p.m. The Ordinance will be considered for second and final reading at a meeting of the Township Council which is scheduled for 23rd day of March, 2026 at 6:00 p.m. or as soon thereafter as the matter may be reached, at the Municipal Building located at 1 Colonial Drive, Manchester, New Jersey 08759, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

TERI GIERCYK, RMC/CMC
Municipal Clerk

#26-25

**AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY,
ADOPTING PORTIONS OF THE GENERAL REEXAMINATION OF THE MASTER PLAN REVISING VARIOUS
SECTIONS OF CHAPTER 245 OF THE TOWNSHIP CODE ENTITLED "LAND USE AND DEVELOPMENT"**

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, that pursuant to portions of the General Reexamination of the Master Plan of the Township, adopted January 6, 2026, the Township Code is hereby amended and supplemented as follows:

SECTION 1. Chapter 245 of the Township Code of the Township of Manchester, entitled "Land Use and Development" is hereby amended and supplemented so as to amend Section 245-23, entitled "Zoning Districts," to revise subsection B, which shall now read as follows:

§ 245-23 Zoning Districts

- B. CAFRA Area and Pinelands National Reserve Area Zoning Districts.
 - R-A Rural Agriculture
 - R-20 Residential 20,000 square feet
 - R-40 Residential 40,000 square feet
 - R-15 Residential 15,000 square feet
 - R-14 Residential 14,000 square feet
 - R-10 Residential 10,000 square feet
 - R-10A Residential 10,000 square feet
 - RC Retirement Community
 - RC-2 Retirement Community - 2

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MF	Multifamily
MF-6	Multifamily Overlay
MP	Mobile Home Park
FA-R	Forest Area - Receiving Area
FA-S	Forest Area - Sending Area
OR-LI	Office, Research and Light Industrial
O-P	Office Professional
B-1	Business
HD-3	Highway Development - 3 acres
HD-3A	Highway Development - 3 acres
HD-10	Highway Development - 10 acres
LI	Light Industrial
TC	Town Center

SECTION 2. Appendix 6 Zoning Schedule A of Chapter 245 (Land Use and Development) is hereby amended as follows:

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Schedule A – CAFRA Area and Pinelands National Reserve Area Zoning Districts Schedule

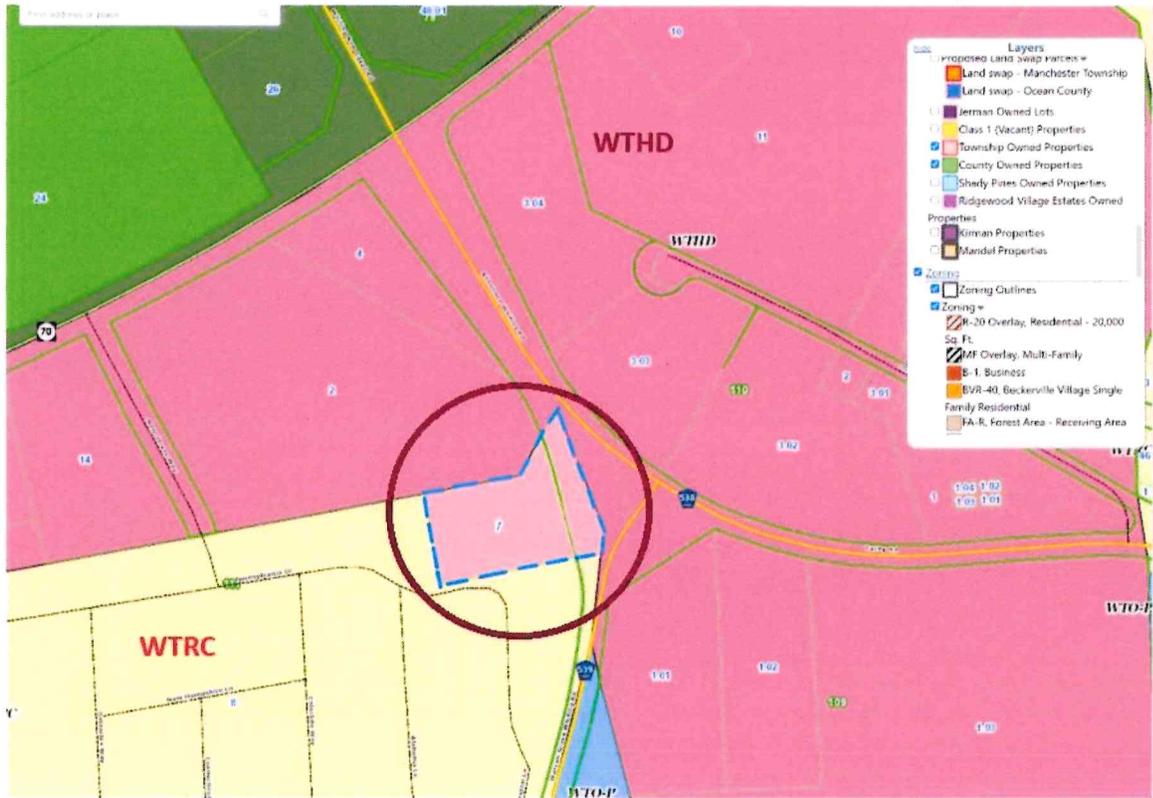
Zone	Notes	Minimum Lot Requirements					Minimum Yard Requirements					Maximum Site Improvement Ratio	Maximum Building Coverage (%)	Maximum Lot Coverage (%)	Maximum Building Height (stories)	Maximum Building Height (feet) ⁷	Minimum Floor Area (square feet)
							Principal Building			Accessory Building g ²							
		Area (square feet)	Lot Frontage (feet) ¹	Lot Width (feet)	Improvable Lot Area (square feet)	Front (feet)	Rear (feet)	Each Side (feet)	Rear (feet)	Side (feet)							
B-1		1 acre	150	150	20,000	50	25	20	10	10	0.20	20%	65%	3	40	1,500	
HD-3	^{4H}	3 acres	300	300	40,000	100	50 ⁴	50 ⁴	50	50	0.18	18%	65%	3	40	15,000	
HD-3A	⁵	3 acres	300	300	40,000	100	100	⁵	100	⁵	0.18	18%	65%	3	40	15,000	
HD-10	⁶	10 acres	500	500	200,000	400	75	75	50	50	0.15	15%	80%	3	40	60,000	
TC		10 acres	500	500	200,000	100	75	75	50	50	0.15	15%	60%	N/A	35	60,000	
LI		3 acres	250	250	107,400	100	50	50	50	50	0.20	20%	65%	3	40	15,000	
FA-R		20 acres	200	200	1 acre	50	50	40	20	20	N/A	10%	N/A	N/A	35		
FA-S		20 acres	300	300	1 acre	100	50	40	20	20	N/A	10%	N/A	N/A	35		

NOTES:

- ¹ See definition of "lot frontage" for allowable reductions.
- ² In all zones, barns, animal shelters and animal pens shall maintain a minimum fifty-foot setback from all property lines.
- ³ (Reserved)
- ⁴ Minimum rear and/or side yard shall be 60 feet when yard is adjacent to residential zoning districts.
- ⁵ Minimum side yard setbacks of HD-3A District are 100 feet along western and northern property lines and 15 feet along eastern property line.
- ⁶ Planned commercial development option permitted on a minimum forty-acre tract area. Planned commercial lots must comply with the HD-3 Zoning District regulations.
- ⁷ Maximum building height for an accessory garage shall be 16 feet. All other accessory buildings shall have a maximum height of 12 feet. Accessory structures shall not exceed 1,000 square feet.
- ⁸ Maximum building height for a single-family residence shall be 35 feet measured from average grade plane.
- ⁹ The first floor elevation shall not be less than 24 inches, nor more than 48 inches above the average elevation of the crown of the road in front of the property in question in the R-10, R-10A, R-15, and R-14 Zones.
- ¹⁰ Undersized lots shall be subject to building height limitations set forth in § 245-31E(6)(b).
- ¹¹ ~~The HD-3/ME Overlay shall be subject to the regulations of § 245-31S. [repealed]~~
- ¹² For development of 10 lots or more, bulk requirement is average of 20,000 square feet.
- ¹³ For corner lots that are conforming with respect to lot area, width and frontage, the minimum improvable lot area requirement shall not apply.

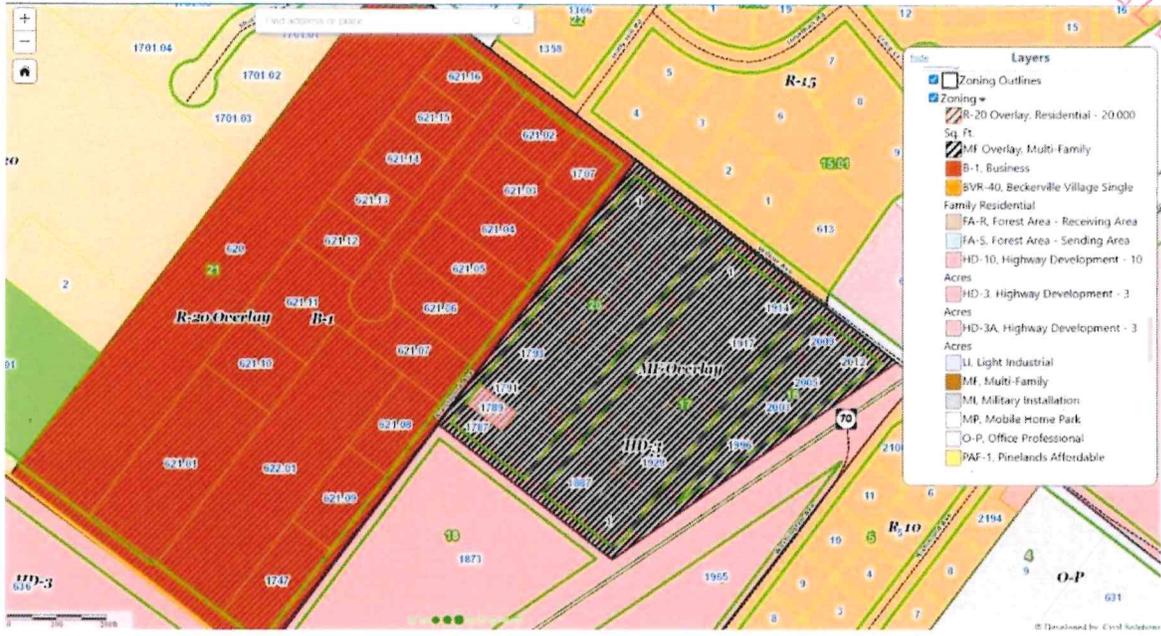
SECTION 3. Appendix 8 (Zoning Map) of Chapter 245 (Land Use and Development) is hereby amended as follows:

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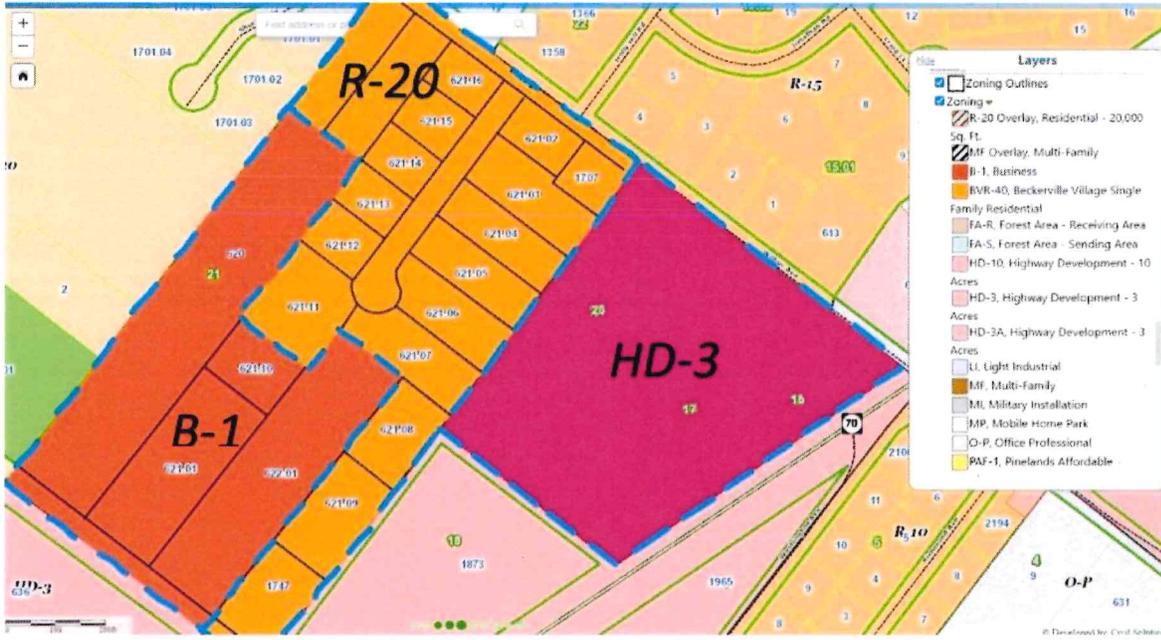


BLOCK 111, LOT 7 REZONE FROM WTRC to WTHD

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EXISTING HD-3/MF & B-1/R-20 OVERLAYS



PROPOSED ZONING WITHOUT OVERLAY(S)

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SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6. After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Township Planning Board for its review and comment and to all other persons entitled to notice pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63 (if required). The Township Clerk shall also send a copy of the ordinance to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council of the Township of Manchester on first reading at a meeting held on the 9th day of March 2026 at 6:00 pm. The Ordinance will be considered for second and final reading at a meeting of the Township Council which is scheduled for the 23rd day of March, 2026, at 6:00 pm or as soon thereafter as the matter may be reached, at the Municipal Building located at 1 Colonial Drive, Manchester, New Jersey 08759, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

TERI GIERCYK, RMC/CMC

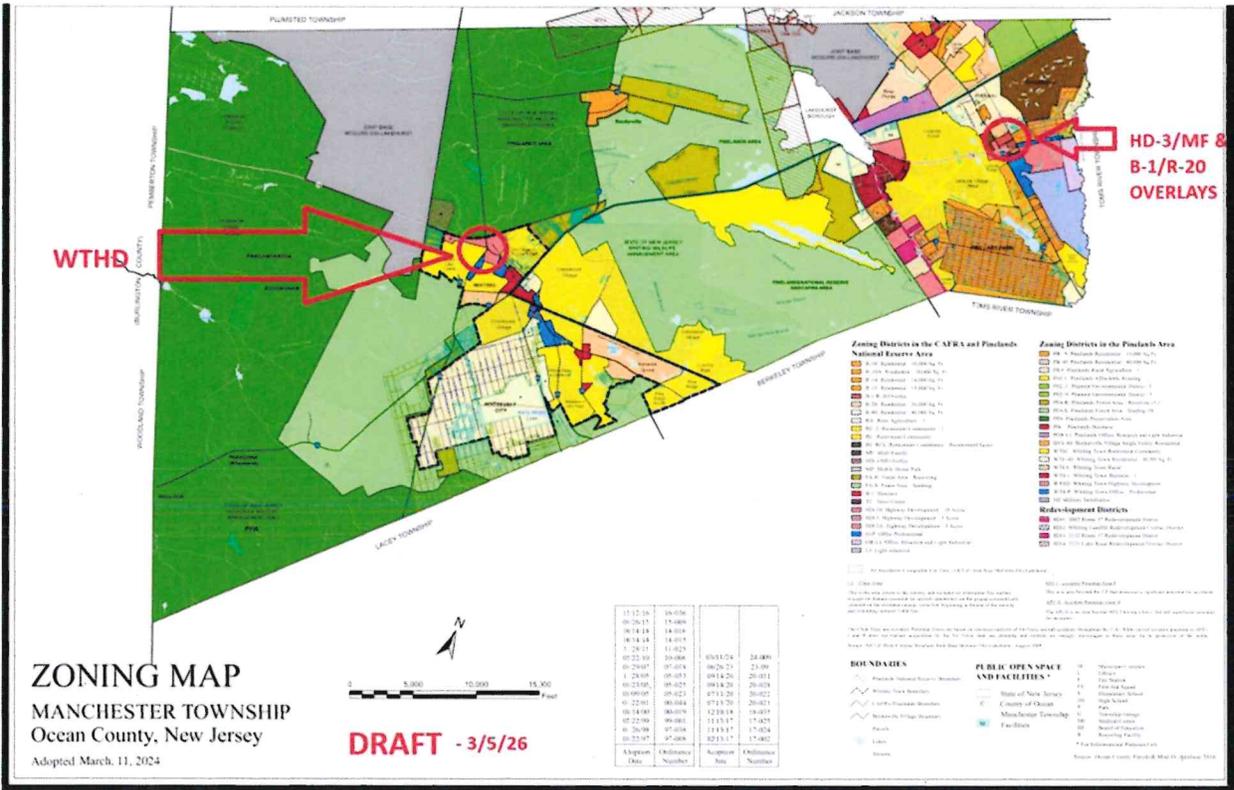
Municipal Clerk

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AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING APPENDIX 8, THE ZONING MAP

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, that the Township Code is hereby amended and supplemented as follows:

SECTION 1. Appendix 8 (Zoning Map) of Chapter 245 (Land Use and Development) is hereby amended as follows:



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SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Township Planning Board for its review and comment and to all other persons entitled to notice pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63 (if required). The Township Clerk shall also send a copy of the ordinance to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council of the Township of Manchester on first reading at a meeting held on the 9th day of March, 2026 at 6:00 pm. The Ordinance will be considered for second and final reading at a meeting of the Township Council which is scheduled for the 23rd day of March, 2026, at 6:00 pm or as soon thereafter as the matter may be reached, at the Municipal Building located at 1 Colonial Drive, Manchester, New Jersey 08759, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

TERI GIERCYK, RMC/CMC

Municipal Clerk

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ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 1.249, LOTS 5 & 6 ON THE MUNICIPAL TAX MAP TO AKIVA S. BANKER & JUDITH HANNA BANKER, IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (b) AND N.J.S.A. 40A:12-13.2 (1208 Champlain Street; \$175,000.00)

WHEREAS, the Township of Manchester is the owner of Block 1.249, Lots 5 & 6, which is an undersized lot under the current ordinances of the municipality; and

WHEREAS, it is the desire of the Mayor and Township Council to sell said property; and

WHEREAS, the municipality has established \$175,000.00 as the fair market value for said property; and

WHEREAS, N.J.S.A. 40A:12-13.2 requires the municipality to first offer said property to the adjoining property owners for purchase; and

WHEREAS, the adjoining property owners, Akiva S. Banker and Judith Hanna Banker, have agreed to purchase Block 1.249, Lots 5 & 6, from the Township of Manchester for the sum of \$175,000.00; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) provides for the authorization of said transfer of property by ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

SECTION 1. That, in accordance with the requirements of N.J.S.A. 40A:12-13(b)(5), the governing body does hereby authorize the sale of Block 1.249, Lots 5 & 6, to the adjoining property owners, Akiva S. Banker and Judith Hanna Banker, said property being undersized, and the adjoining property owners agree to purchase said property for the fair market value of said property.

SECTION 2. That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents to transfer title to said property by Quitclaim Deed to Akiva S. Banker and Judith Hanna Banker, for the sum of \$175,000.00. Akiva S. Banker and Judith Hanna Banker shall be responsible for the payment of the municipality's costs in conveying said property. A requirement of the transfer of the property is that it be consolidated with the adjoining property owned by the purchasers.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. This ordinance shall take effect after the second reading and publication as required by law.

NOTICE

PUBLIC NOTICE is hereby given that the foregoing ordinance was introduced at a meeting of the Township Council of the Township of Manchester, in the County of Ocean and State of New Jersey on the 23rd day of March 2026 and was then read for the first time. The said ordinance will be further considered for final passage by the Township Council in the Town Hall at 6:00 p.m. on April 13, 2026. At such time and place or any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Teri Giercyk, RMC/CMC
Municipal Clerk

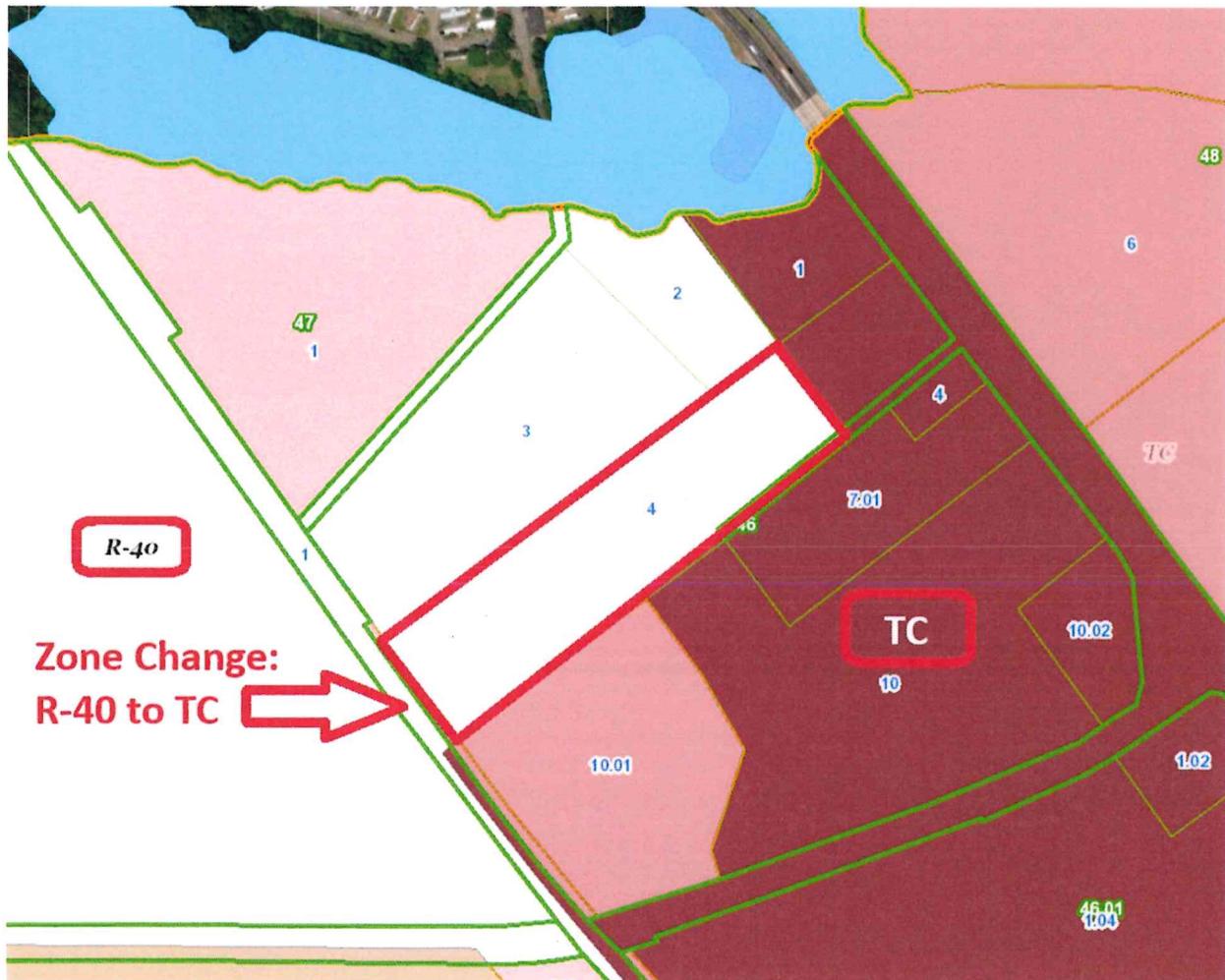
DRAFT

#26-28

**AN ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AMENDING APPENDIX 8, THE ZONING MAP**

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, that the Township Code is hereby amended and supplemented as follows:

SECTION 1. Appendix 8 (Zoning Map) of Chapter 245 (Land Use and Development) is hereby amended as follows:



SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Township Planning Board for its review and comment and to all other persons entitled to notice pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63 (if required). The Township Clerk shall also send a copy of the ordinance to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council of the Township of Manchester on first reading at a meeting held on the _____ day of _____, **2026** at 6:00 pm. The Ordinance will be considered for second and final reading at a meeting of the Township Council which is scheduled for the _____ day of _____, **2026**, at 6:00 pm or as soon thereafter as the matter may be reached, at the Municipal Building located at 1 Colonial Drive, Manchester, New Jersey 08759, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

TERI GIERCYK, RMC, CMR
Municipal Clerk

DRAFT

RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY ENDORSING THE AMENDED FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (“Amended FHA”); and

WHEREAS, pursuant to the Amended FHA and the Administrative Office of the Court’s Directive No. 14-24 (“Directive 14-24”), the Township of Manchester (“Township”) Council adopted Resolution #25-80, accepting the DCA-calculated Present Need and Prospective Need, on January 27, 2025, establishing its Fourth Round Present Need of one hundred and fifty-four (154) units and Prospective Need of four hundred and twelve (412) units; and

WHEREAS, the Township filed a timely Fourth Round Declaratory Judgment action (“DJ Action”) with the Affordable Housing Dispute Resolution Program (“Program”), along with its binding resolution, on January 28, 2025; and

WHEREAS, the filing of the DJ Action gave the Township automatic, continued immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits, which is still in full force and effect; and

WHEREAS, the Township did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, resulting in the statutory automatic acceptance of the Township’s Fourth Round obligations on March 1, 2025; and

WHEREAS, on March 27, 2025, the court prepared an order fixing the Township’s obligation and authorizing the Township to proceed with preparing and adopting its Housing Element and Fair Share Plan for the Fourth Round; and

WHEREAS, the Township’s Affordable Housing Planner, Daniel Bloch, PP, AICP, EADA, prepared a Fourth Round Housing Element and Fair Share Plan (“Fourth Round HEFSP”) pursuant to the Amended FHA and Directive 14-24, that addresses the Township’s Fourth Round affordable housing obligation; and

WHEREAS, the Township of Manchester Planning Board (“Board”), at a duly noticed meeting held on June 18, 2025, reviewed the Fourth Round HEFSP and determined that it was consistent with the Master Plan and that implementation of the Fourth Round HEFSP is in the public interest and would promote the general welfare and, by Resolution No. 25-279, dated June 18, 2025, adopted the Fourth Round HEFSP;

WHEREAS, EETTSA, LLC and D.R. Horton, Inc. filed a challenge to the Township’s Fourth Round HEFSP on August 13, 2025 and Fair Share Housing Center (“FSHC”) filed a challenge on August 29, 2025; and

WHEREAS, on February 11, 2026, the Program filed a program settlement recommendation (“Recommendation”) to the Ocean County Mount Laurel Judge recounting that the Township has agreed to execute a mediation agreement with FSHC and a separate settlement agreement with FSHC, EETTSA, and DR Horton to resolve any issues from the challenges; and

WHEREAS, as a result of the Recommendation and pending agreements with FSHC, EETTSA, and DR Horton, the Township must amend its HEFSP (“Amended HEFSP”) related to the Heritage Minerals Site and the Fourth Round requirements for Family Units, Very Low Income Units, and the Age Restricted Cap; and

WHEREAS, the Planning Board adopted the Amended HEFSP at a duly noticed meeting held on March 19, 2026 by Resolution #25-503, dated 3/19/2026.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Manchester, County of Ocean, State of New Jersey, on this 23rd day of March 2026, that:

1. The Township Council hereby endorses the Amended Fourth Round HEFSP as adopted by the Planning Board and agrees to implement the Amended Fourth Round HEFSP by adopting applicable ordinances.
2. The Mayor, Business Administrator, and Township Clerk, together with all other officers, professionals and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
3. This Resolution shall take effect immediately.

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE DISPOSITION OR SALVAGE OF OBSOLETE EQUIPMENT AT AUCTION ON GOVDEALS.COM

WHEREAS, the Department of Purchasing has requested that the Township Council authorize the disposition of obsolete equipment currently in the possession of Manchester Township; and,

WHEREAS, such surplus items may be sold at public auction to the highest bidder in accordance with N.J.S.A. 40A:11-36; and

WHEREAS, the Township Council has reviewed a request which describes the items aforesaid to be sold at the auction; and

WHEREAS, the items to be scrapped are:

Department of Utilities, scrap meters from meter project

;and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. That the Division of Purchasing, or its designee, be and hereby is authorized to sell at auction to the highest bidder, any and all surplus items as described.
2. The sale of the surplus property shall be conducted through Govdeals in accordance with the terms and conditions as attached: and
3. The sale will be conducted online, and the address of the auction site is www.Govdeals.com
4. The sale is being conducted pursuant to Local Finance Notice 2019-15.
5. The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. The Township reserves the right to accept or reject any bid submitted.
7. That a certified copy of this Resolution shall be forwarded to the following:
 - A. Business Administrator
 - B. Purchasing Agent
 - C. Chief Financial Officer
 - D. Director of Public Works

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council at a meeting held on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING PURCHASE OF EVENTIDE RECORDING SYSTEM THROUGH STATE OF NEW JERSEY CONTRACT, 83891

WHEREAS a need exists for the acquisition of Eventide recording system and accessories, for the daily operations of the Township of Manchester Police Department: and

WHEREAS the Township of Manchester may, without advertising for bids, purchase such materials through the New Jersey State Purchase and Property State Contracts pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7.29 et. Seq., and

WHEREAS, under the state contract award, Interaction Insight Corporation dba Eventide, 125 Half Mile Road Suite 200, Red Bank NJ 07701 holds the distribution contract for New Jersey State Contract 83891; and

WHEREAS, Interaction Insight Corporation dba Eventide has provided for a quote under New Jersey State contract acceptable to the Township in the amount of \$94,439.00 for Eventide recording system and accessories; and

WHEREAS, the Chief Financial Officer has certified funds are available within the 2025 capital budget in an amount not to exceed \$94,439.00 from line item:

Capital Improvement Program Line-item account: C-04-55-000-000-777

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. That the proposal is acceptable and the Administrator is hereby authorized to procure acquisition of Eventide recording system and accessories with New Jersey Division of Purchase and Property Contract 83891 from Interaction Insight Corporation dba Eventide, 125 Half Mile Road Suite 200, Red Bank NJ 07701, in the amount of \$94,439.00.
2. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Business Administrator.
 - B. Chief Financial Officer.
 - C. Purchasing Agent; and
 - D. Chief of Police

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of said Township at a meeting held on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

RESOLUTION AUTHORIZING AWARD OF CONTRACT TO EVANS CONSOLES INCORPORATED THROUGH HOUSTON GALVESTON AREA COOPERATIVE (HGAC) NATIONAL COOPERATIVE CONTRACT #ECO7-23 FOR EMERGENCY DISPATCH EQUIPMENT

WHEREAS, in accordance with the requirements of the Local Public Contract Law P.L. 2011, C.139 (the “Law” or “Chapter 139” and N.J.S.A.52:34-6.2 the regulations promulgated there under in Local Finance Notice LFN 2012-10, the following purchase without competitive bids from vendor with a National Cooperative Contract is hereby approved for municipalities, and;

WHEREAS, the Township of Manchester has the need to procure certain emergency dispatch equipment in the amount of \$57,691.32 in accordance with the Local Publics Contract Law N.J.S.A. 40A:11-1 et. Seq., and

WHEREAS, the Township of Manchester has previously acted in accord with New Jersey public procurement statutes and regulations as promulgated by formally joining a recognized and compliant national cooperative, being the HGAC National Cooperative through Resolution 15-270 on September 14, 2015; and

WHEREAS the regulations set forth within Local Finance Notice LFN 2012-10 have been fully complied with, and;

WHEREAS, the Qualified Purchasing Agent has complied with the public notification provisions of public advertisement and has received no protests in accord with law and regulation, and;

WHEREAS the equipment and corresponding HGAC National Cooperative contract number is: #ECO7-23 for Evans Consoles Incorporated, 1577 Spring Hill Road, Suite 110, Vienna, VA 22182; and

WHEREAS, the Township is desirous of purchasing emergency dispatch equipment through Evans Consoles Incorporated, 1577 Spring Hill Road, Suite 110, Vienna, VA 22182, and accessories, through HGAC contract: ECO7-23 in the amount of \$57,691.32; and

WHEREAS the Chief Financial Officer certifies the funding is available in the amount of \$57,691.32 from:

Account number: C04 55 000 000 777

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. That the Police Department be and hereby is authorized to procure through the HGAC Cooperative contract #ECO7-23, for emergency dispatch equipment through Evans Consoles Incorporated, 1577 Spring Hill Road, Suite 110, Vienna, VA 22182, and accessories, through HGAC contract: ECO7-23 in the amount of \$57,691.32.
2. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Business Administrator;
 - B. Chief Financial Officer;
 - C. Purchasing Agent
 - D. Chief of Police

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of said Township at a meeting held on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, EXTENDING CONTRACT OF CC#25-08 HARRY WRIGHT LAKE ICE CREAM CONCESSION TO DOWN THE SHORE ICE CREAM

WHEREAS, the Township solicited concessionaire quotes in accord with N.J.S.A. 40A:11-6.1, under Procurement #25-08 for Ice Cream Concessionaire at Harry Wright Lake for the 2025 recreational season and

WHEREAS the Township received quotation from Down the Shore Ice Cream through \$1,750.00 for the season and awarded through R# 25-219; and

WHEREAS, the New Jersey Local Public Contracts Law allows for extensions in accordance with N.J.S.A. 40A:11-15; and

WHEREAS, Down the Shore Ice Cream LLC has proposed paying the Township of Manchester \$1,750.00 as a concession fee to operate an ice cream concession at Harry Wright Lake, acceptable to the Township for the 2026 year;

WHEREAS, it is the desire of the Township to extend for an additional one (1) year in accordance with N.J.S.A. 40A:11-15

NOW, THEREFORE BE IT RESOLVED, by the Manchester Township Council, that:

1. The Township hereby awards extends the concession contract to Down the Shore Ice Cream LLC 16A Lafayette Drive, Whiting, N.J. for the year 2026, in the amount of concession fee payable to the Township of Manchester in the amount of \$1,750.00

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to:

- Business administrator
- Purchasing
- Recreation Department

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Manchester Township Council at a meeting held on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

#26-169

RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING TO CANCEL TAXES AS TO BLOCK 109.01, LOT 87 FOR A TOTALLY DISABLED VETERAN

BE IT RESOLVED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. That the Tax Collector is hereby authorized to cancel taxes for block 109.01 lot 87 in the amount of \$3,184.87 for 2026, Craig Wallis, 10 Woodlake Drive Whiting, NJ 08759 became a Totally Disabled Veteran effective January 1, 2026.
2. That the Tax Collector is hereby authorized to refund taxes in the amount of \$1,717.44. That the Tax Collector is hereby authorized to refund any additional taxes as appropriate. That the Tax Collector is hereby authorized to cancel the remaining taxes billed as long as the property is eligible for exempt status.
3. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Tax Collector
 - B. Tax Assessor
 - C. Chief Financial Officer
 - D. Craig Wallis
10 Woodlake Drive
Whiting, NJ 08759

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council at a meeting on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

#26-170

RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING TO CANCEL TAXES AS TO BLOCK 61.10, LOT 157 FOR A TOTALLY DISABLED VETERAN

BE IT RESOLVED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. That the Tax Collector is hereby authorized to cancel taxes for block 61.10 lot 157 in the amount of \$2,981.90 for 2026, Robert Mellage, 18 Saxony Circle, Manchester, NJ 08759 became a Totally Disabled Veteran effective January 1, 2026.
2. That the Tax Collector is hereby authorized to refund taxes in the amount of \$250.00. That the Tax Collector is hereby authorized to refund any additional taxes as appropriate. That the Tax Collector is hereby authorized to cancel the remaining taxes billed as long as the property is eligible for exempt status.
3. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Tax Collector
 - B. Tax Assessor
 - C. Chief Financial Officer
 - D. Robert Mellage
18 Saxony Circle
Manchester, NJ 08759

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council at a meeting on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

#26-171

**RESOLUTION OF THE TOWNSHIP OF MANCHESTER,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING TO CANCEL TAXES AS TO BLOCK 61.16, LOT 271 FOR A TOTALLY
DISABLED VETERAN**

BE IT RESOLVED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. That the Tax Collector is hereby authorized to cancel taxes for block 61.16 lot 271 in the amount of \$3,574.81 for 2026, William Rogers, 6 Ferrara Court, Manchester, NJ 08759 became a Totally Disabled Veteran effective January 1, 2026.
2. That the Tax Collector is hereby authorized to refund taxes in the amount of \$250.00. That the Tax Collector is hereby authorized to refund any additional taxes as appropriate. That the Tax Collector is hereby authorized to cancel the remaining taxes billed as long as the property is eligible for exempt status.
3. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Tax Collector
 - B. Tax Assessor
 - C. Chief Financial Officer
 - D. William Rogers
6 Ferrara Court
Manchester, NJ 08759

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council at a meeting on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

#26-172

DRAFT

**RESOLUTION OF THE TOWNSHIP OF MANCHESTER,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING TO CANCEL TAXES AS TO BLOCK 52.39, LOT 34 FOR A TOTALLY
DISABLED VETERAN**

BE IT RESOLVED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. That the Tax Collector is hereby authorized to cancel taxes for block 52.39 lot 34 in the amount of \$2,418.68 for 2026, Lawrence Shohan, 66 Hastings Road, Manchester, NJ 08759 became a Totally Disabled Veteran effective January 1, 2026.
2. That the Tax Collector is hereby authorized to refund taxes in the amount of \$1,334.34. That the Tax Collector is hereby authorized to refund any additional taxes as appropriate. That the Tax Collector is hereby authorized to cancel the remaining taxes billed as long as the property is eligible for exempt status.
3. That the Township Clerk shall forward a certified copy of this Resolution to the following:

- A. Tax Collector
- B. Tax Assessor
- C. Chief Financial Officer
- D. Lawrence Shohan
66 Hastings Road
Manchester, NJ 08759

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council at a meeting on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

#26-173

**RESOLUTION OF THE TOWNSHIP OF MANCHESTER,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING TO CANCEL TAXES AS TO BLOCK 102.20, LOT 13 FOR A TOTALLY
DISABLED VETERAN**

BE IT RESOLVED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. That the Tax Collector is hereby authorized to cancel taxes for block 102.20 lot 13 in the amount of \$1,297.86 for 2026, Raymond Zaborowski, 8 Westport Drive, Whiting, NJ 08759 became a Totally Disabled Veteran effective January 1, 2026.
2. That the Tax Collector is hereby authorized to refund taxes in the amount of \$778.62. That the Tax Collector is hereby authorized to refund any additional taxes as appropriate. That the Tax Collector is hereby authorized to cancel the remaining taxes billed as long as the property is eligible for exempt status.
3. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Tax Collector
 - B. Tax Assessor
 - C. Chief Financial Officer
 - D. Raymond Zaborowski
8 Westport Drive
Whiting, NJ 08759

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council at a meeting on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

#26-174

**RESOLUTION OF THE TOWNSHIP OF MANCHESTER,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING TO CANCEL TAXES AS TO BLOCK 52.16, LOT 26 FOR A TOTALLY
DISABLED VETERAN**

BE IT RESOLVED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. That the Tax Collector is hereby authorized to cancel taxes for block 52.16 lot 26 in the amount of \$2,259.75 for 2026, Ronald Weeks, 12 Weybridge Place, Manchester, NJ 08759 became a Totally Disabled Veteran effective January 1, 2026.
2. That the Tax Collector is hereby authorized to refund taxes in the amount of \$1,379.88. That the Tax Collector is hereby authorized to refund any additional taxes as appropriate. That the Tax Collector is hereby authorized to cancel the remaining taxes billed as long as the property is eligible for exempt status.
3. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Tax Collector
 - B. Tax Assessor
 - C. Chief Financial Officer
 - D. Ronald Weeks
12 Weybridge Place
Manchester, NJ 08759

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council at a meeting on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

#26-175

**RESOLUTION OF THE TOWNSHIP OF MANCHESTER,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING TO CANCEL TAXES AS TO BLOCK 83.05, LOT 10 FOR A TOTALLY
DISABLED VETERAN**

BE IT RESOLVED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. That the Tax Collector is hereby authorized to cancel taxes for block 83.05 lot 10 in the amount of \$3,643.19 for 2026, Stephen Vence, 650 Timberline Lane, Whiting, NJ 08759 became a Totally Disabled Veteran effective January 1, 2026.
2. That the Tax Collector is hereby authorized to refund taxes in the amount of \$1,946.60. That the Tax Collector is hereby authorized to refund any additional taxes as appropriate. That the Tax Collector is hereby authorized to cancel the remaining taxes billed as long as the property is eligible for exempt status.
3. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Tax Collector
 - B. Tax Assessor
 - C. Chief Financial Officer
 - D. Stephen Vence
650 Timberline Lane
Whiting, NJ 08759

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council at a meeting on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE DISPOSITION OR SALVAGE OF VEHICLE(S) IN THE POSSESSION OF THE TOWNSHIP THAT HAVE BEEN ABANDONED AT THE TOW COMPANY IMPOUND YARD

WHEREAS, the Police Department has requested that the Township Council authorize the disposition of vehicle(s) currently in the possession of Manchester Township and also request to salvage the vehicle that has been abandoned at the towing company yard; and,

WHEREAS, such items may be salvaged at in accordance with N.J.S.A. 40A:11-36; and,

WHEREAS, the Township Council has reviewed a request which describes the items aforesaid to be junked; and,

WHEREAS, the item(s) to be salvaged and/or junked are:

Vin #1N6DD26S8YC320040 – NIS FRO PKUP
Vin #1G1ZT51896F162708 – 2006 CHE MAL 4 DR
Vin #KMHLM4AJ8MU004050 – HY ELA 4 DR

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. That the Division of Purchasing, or its designee, be and hereby is authorized to salvage and/or junk, any and all items as described.
2. That a certified copy of this Resolution shall be forwarded to the following:
 - A. Purchasing Agent
 - B. Chief Financial Officer
 - C. Chief of Police
 - D. Traffic Safety
 - E. Priced Rite Towing
24 Germania Station Road
Toms River, NJ 08755

CERTIFICATION

I, Teri Giercyk, Municipal Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council at a meeting held on the 23rd day of March 2026.

Teri Giercyk RMC/CMC
Municipal Clerk

DRAFT

RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE USE OF PINE LAKE FOR A POLICE ATHLETIC LEAGUE FISHING DERBY

WHEREAS, Chapter VIII of the Code of the Township of Manchester entitled "Parks, Public Lands and Lakes," § 8-2.5 entitled "Prohibited Activities," prohibits the use of fishing tackle or fishing instruments in or about the designated bathing beaches along Township lakes or in the area surrounding the dams of lakes; and,

WHEREAS, the Township Council of the Township of Manchester is permitted to amend the aforesaid prohibitions by resolution to approve temporary recreational activities; and,

WHEREAS, the Manchester Township Police Athletic League wishes to participate in a program entitled "Hooked on Fishing, Not Drugs", and,

WHEREAS, the Manchester Township Police Athletic League wishes to hold a fishing derby at Pine Lake on **June 13, 2026** and it will be necessary to restrict Pine Lake to participants in the fishing derby; and

WHEREAS, the Township Council has reviewed the aforesaid and finds the same in the best interests of the residents and children of the Township of Manchester.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. That the Manchester Township Police Athletic League be and hereby is permitted to hold a fishing derby at Pine Lake on **June 13, 2026**.
2. That on **June 13, 2026**, Pine Lake shall be restricted to participants in the fishing derby.
3. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Business Administrator
 - B. Police Athletic League
 - C. Department of Public Works
 - D. Department of Recreation

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council on the 23rd of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

#26-178

RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITH DR. ASHLEY LEO FOR VETERINARY SERVICES

WHEREAS, the Township of Manchester has a need for veterinary services as supplied by Ashley Leo DVM, as a professional services award; and

WHEREAS it is anticipated that veterinary services will be complimentary for a (1) year contract period; and

WHEREAS the Local Publics Contract Law (N.J.S.A. 40A:11-15) allows for a one (1) year contract appointment in such circumstances; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of Manchester authorizes the Mayor to enter into a contract for a one (1) year contract with Dr. Ashley Leo, Whiting Veterinary Clinic, 108 Lacey Road, Suite 14, Whiting, NJ 08759 for the year 2026.

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council at a meeting held on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

**RESOLUTION OF THE TOWNSHIP OF MANCHESTER,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE MAYOR TO SIGN A
CONTRACT WITH MUSIC THEATRE INTERNATIONAL**

WHEREAS, Music Theatre International has submitted a proposal for \$1,554.00 to provide a show kit and all materials for use by the Manchester Township Recreation Department in the production of a musical; and,

WHEREAS, the Recreation Director has recommended that the contract be awarded to Music Theatre International.

WHEREAS, the Chief Financial Officer certifies the availability of funds in the CY2026 Recreation budget and that the funds shall not exceed \$1,554.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. That the Mayor is authorized to execute and the clerk to attest to a contract with Music Theatre International in the amount of \$1,554.00.
2. That the Township Clerk shall forward a copy of this Resolution to the following:
 - A. Recreation Director
 - B. Chief Financial Officer
 - C. Purchasing Agent
 - D. Music Theatre International.

CERTIFICATION

I, Teri Giercyk, Municipal Clerk, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of said Township at a meeting held on the **23rd** day of **March 2026**.

Teri Giercyk, RMC, CMC,
Manchester Municipal Clerk

DRAFT

#26-180

RESOLUTION OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A REVISED AGREEMENT BETWEEN THE TOWNSHIP OF MANCHESTER AND OPEIU LOCAL 32, AFL-CIO - WHITE COLLAR EMPLOYEES

WHEREAS, the Township and Office and Professional Employees International Union, Local 32, White Collar Employees (collectively “the Parties”) are parties to a collective negotiations agreement (“Agreement”) effective January 1, 2023 through December 31, 2026; and

WHEREAS, the Parties agree upon the following revisions to the Agreement as follows:

Article 30, Paragraph B is revised as follows:

B. Public Safety Telecommunicator Salary

Public Safety Telecommunicator Salary Guide effective January 1, 2023 to April 1, 2026:

Step One/Probationary:	\$43,680.00
Step Two	\$46,338.24
Step Three:	\$48,996.48
Step Four:	\$51,654.72
Step Five:	\$54,312.96
Step Six:	\$56,971.20
Step Seven:	\$59,629.44
Step Eight:	\$62,287.68
Step Nine:	\$64,945.92
Step Ten:	\$67,604.16

Public Safety Telecommunicator Salary Guide effective April 1, 2026:

Probationary Period (180 days):	\$48,000.00
Step One (6 months after probationary):	\$50,000.00
Step Two:	\$52,558.24
Step Three:	\$55,216.48
Step Four:	\$57,874.72
Step Five:	\$60,532.96
Step Six:	\$63,191.20
Step Seven:	\$65,849.44
Step Eight:	\$68,507.68
Step Nine:	\$71,165.92
Step Ten:	\$73,824.16

DRAFT

BE IT RESOLVED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

1. That the Mayor or his designee be and is hereby authorized to execute and the Clerk to attest to an Agreement between the Township of Manchester and OPEIU Local 32, AFL-CIO White Collar Employees for the calendar years 2023-2026 which includes the above revisions.
2. That an executed copy of the Agreement shall be kept on file by the Township Clerk.
3. That the Township Clerk shall forward a certified copy of this Resolution to the following:
 - A. Mayor;
 - B. Administrator;
 - C. OPEIU Local 32

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of resolution adopted by the Township Council at a meeting on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

#26-181

DRAFT

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE
EXECUTION OF A FACILITIES AGREEMENT WITH THE COUNTY OCEAN**

WHEREAS, the County of Ocean (“County”) sustained damage to their courtroom from burst pipes; and

WHEREAS, the County has requested from the Township of Manchester (“Township”) the use of its courtroom; and

WHEREAS, the Township has agreed to provide the use of its municipal court complex on Tuesdays and Thursdays to the County; and

WHEREAS, it is the desire of the governing body to authorize the execution of a facilities agreement for use of its municipal court complex by the County, as detailed in the agreement.

NOW, THEREFORE, BE IT RESOLVED, by Township Council of the Township of Manchester, County of Ocean, State New Jersey as follows:

1. That the governing body does hereby authorize the execution of a facilities agreement for use of its municipal court complex.
2. The Township authorizes and directs the Mayor, Township Clerk and Township Administrator to execute any and all necessary documents in order to implement the intent of this Resolution and authorizes minor adjustments to the authorized agreement, subject to review and approval by the Township Attorney.
3. That a copy of the agreement authorized herein shall be kept on file and made available for public inspection at the Township Clerk’s Office during normal business hours.
4. A certified copy of this Resolution shall be forwarded by the Township Clerk to the following:
 - A. Tracy Barcus, Court Administrator
 - B. Laura Benson, County Counsel

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of resolution adopted by the Township Council at a meeting on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk

DRAFT

**RESOLUTION OF THE MANCHESTER TOWNSHIP, COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE EXECUTION OF THE SECOND AMENDMENT TO THE REDEVELOPMENT
AGREEMENT WITH 2065 HIGHWAY 37 OWNERS LLC**

WHEREAS the Township of Manchester, County of Ocean, State of New Jersey (“the Township”) is a party to a developer’s agreement with 2065 Highway 37 Owners LLC (“Redeveloper”); and

WHEREAS, the Redeveloper has reached out to the Township to revise the Redeveloper’s Agreement to amend the terms and uses related to the commercial site to remove a self-storage facility; and

WHEREAS, the Township is agreeable to amending the redeveloper’s agreement; and

NOW, THEREFORE, BE IT RESOLVED on this 23rd day of March 2026 by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey as follow:

1. The Township accepts the recommendations of its professional staff and authorizes the execution of the second amendment to the redevelopment agreement.
2. The Township hereby authorizes the Mayor, Council President, Township Clerk, Township Attorney to execute any and all documents to implement the intent of this resolution.

CERTIFICATION

I, Teri Giercyk, Clerk of the Township of Manchester, County of Ocean, State of New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Manchester Township Council at a meeting held on the 23rd day of March 2026.

Teri Giercyk, RMC/CMC
Municipal Clerk