

**ORDINANCE #14-35**

**REFUNDING BOND ORDINANCE OF THE CITY OF OCEAN CITY, IN THE COUNTY OF CAPE MAY, NEW JERSEY, PROVIDING FOR THE ADVANCE REFUNDING OF ALL OR A PORTION OF GENERAL IMPROVEMENT BONDS, APPROPRIATING \$6,020,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE CITY OF GENERAL IMPROVEMENT REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$6,020,000 FOR FINANCING THE COST THEREOF**

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

Section 1. The City of Ocean City in the County of Cape May, New Jersey (the "City") is hereby authorized to advance refund all or a portion of the \$6,000,000 outstanding principal amount of its General Improvement Bonds, originally issued in the principal amount of \$21,000,000, dated January 15, 2006, which amount matures on January in the years 2017 through 2019, inclusive (the "Refunded Bonds") and which are subject to redemption on or after January 15, 2016 at the option of the City at a redemption price of 100% of the principal amount of the Refunded Bonds to be redeemed.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof and the costs of issuance associated therewith, negotiable refunding bonds are hereby authorized to be issued in one or more series in the aggregate principal amount not exceeding \$6,020,000 (the "Refunding Bonds") pursuant to the Local Bond Law of the State of New Jersey.

Section 3. An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of Refunding Bonds authorized herein.

Section 4. The City desires to provide for all or a portion of the principal amount of the Refunded Bonds outstanding and the interest and redemption premium, if any, thereon in order to provide for savings in debt service as a result of lower interest rates in the bond markets.

Section 5. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the 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 City is increased by the authorization of the Refunding Bonds provided in this refunding bond ordinance by \$6,020,000, and that an amount representing the principal amount of the Refunded Bonds equal to \$6,000,000 will be deductible from gross debt. The obligations authorized herein will be within all debt limitations prescribed by that law.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption.

Section 7. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

\_\_\_\_\_  
Jay A. Gillian, Mayor

\_\_\_\_\_  
Anthony P. Wilson

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the day of , 2014, and was taken up for a second reading and final passage at a meeting of said Council held on the day of , 2014 in Council Chambers, Ocean City, New Jersey at 7:00 o'clock in the evening.

\_\_\_\_\_  
Linda P. MacIntyre, City Clerk

ORDINANCE NO. 14-36

AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE  
REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY  
Porches, Side Yards and Hospitality Zone

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

Section 1.

Section 25-107 Definitions of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

*Architectural Projection* shall mean an architectural feature that is differentiated from the main portion of a building. ~~by a minimum offset of five inches (5"). A cantilevered building section shall not be considered an architectural projection~~

Section 2.

Section 25-204.27.1 Qualifications of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

25-204.27.1 Qualifications.

In order to utilize the enhanced standards, the proposed development shall fully satisfy all of the following qualifications.

a. *Porches.* Buildings shall have a front porch at the elevation of the first habitable floor. Designs with one (1) porch above the other, and designs with a deck over a deck where the upper deck is integrated into the building with a pent roof instead of railing, satisfy this qualification. The width of the front porch shall be equal to at least one-third (1/3) of the front building width. The porch shall be at least eight feet (8') in depth.

1. On corner lots, both street facades shall have a front porch at or below the elevation of the first habitable floor, which may be one (1) continuous porch. The width of the porch adjacent to the front yard ~~on the narrow frontage~~ shall be equal to at least one-third (1/3) of the building width, and it shall be at least eight (8) feet in depth. The width of the porch adjacent to the side yard ~~on the second frontage~~ shall be at least eight feet (8') measured from the corner of the building. On corner lots less than fifty (50) feet in width, the minimum required porch depth is four (4) feet.

~~The area between the porch deck (or floor) and grade shall be enclosed with solid panels or paneled screen architectural elements.~~

2. Buildings on interior lots fifty feet (50') or more in width, except for the Corinthian 2-30/1950 Zone, shall have a first floor side porch, which shall be a continuation of the front porch. This side porch shall be at least eight feet (8') in depth and shall extend a minimal distance of six feet (6') from the front building line along the side of the building.

3. The area between the porch deck (or floor) and grade shall be enclosed with solid panels or paneled screen architectural elements.

**Section 3.**

Section 25-205.7.8.1 of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby established as follows:

**25-205.7.8.1 Floating Building Envelope.**

The habitable building area envelope for all floors may be shifted a maximum of eight (8) feet towards the rear lot line to accommodate a front porch per Section 25-205.7.8.2 of this Ordinance, provided that any decrease in rear yard depth is matched by an equal increase the depth of the front yard. In no case shall the rear yard setback to non-habitable building area such as porches, decks and landings be less than 7.5 feet. The floating envelope may not be employed to extend the building or porch into the required front yard.

**Section 4.**

Section 25-205.7.8.2 of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby established as follows:

**25-205.7.8.1 Front Porch.**

Buildings utilizing the provisions contained in Section 25-205.7.8.1 shall have a front porch at the elevation of the first habitable floor. Designs with one (1) porch above the other, and designs with a deck over a deck where the upper deck is integrated into the building with a pent roof instead of railing, satisfy this requirement. The width of the front porch shall be equal to the building width. The porch shall have a minimum depth of eight feet (8') and be designed to comply with Section 25-300.16.1.d. of this Ordinance.

**Section 5.**

Section 25-210 Old City Overlay Zone of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

**25-210.2.5 Side Yard.**

The minimum requirements are based on the lot width as follows:

<u>Lot Width</u>	<u>One Side</u>	<u>Aggregate Side</u>
Not more than 35 feet	Four feet (4')	Eight feet (8')
At least 35 feet but not more than 40 feet	Four feet (4')	Nine feet (9')
At least 40 feet but not more than 45 feet	Five feet (5')	Eleven feet (11')
45 feet and up	Five feet (5')	Twelve feet (12')

*Permitted Deviations in Side Yards.*

1. Chimneys may extend no closer than three feet (3') to the side property line.
2. Roof eaves may extend no closer than two and one-half feet (2.5') of the side property line where the side yard is at least four feet (4').
3. Roof eaves may extend no closer than three feet (3') of the side property line where the side yard is at least five feet (5').
4. Architectural decoration.
5. Architectural projections and architectural features may extend no closer than three feet (3') of the side property line where the lot width is less than forty feet (40'). Said projection(s) may not exceed a total length that is greater than fifteen percent (15%) of the lot depth. Chimneys, or the full length or depth of a garage wall are not considered architectural projections.
6. Architectural projections and architectural features may extend no closer than four feet (4') of the side property line where the lot width is forty feet (40') or more. Said projection(s) may not exceed a total length that is greater than fifteen percent (15%) of the lot depth. Chimneys are not considered architectural projections.

**25-210.2.8 Building Height.**

The maximum permitted building height and number of stories in the Old City Overlay Zone shall be governed by the underlying zoning requirements. ~~shall be thirty-three feet (33') with two (2) habitable stories in the Old City Overlay Zone.~~ If Old City Overlay Standards (Section 25-210.1) are utilized, the building height shall be a maximum of thirty-two feet (32') from ZFE ~~thirty-five feet (35')~~ with two and one-half (2.5) habitable stories.

**Section 6.**

**Section 25-300.1.a.3 Side Yard** of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

3. Side Yard. The following side yard encroachments shall be permitted:
  - (a) Roof eaves and gutters provided they do not exceed eighteen inches (18") in width.
  - (b) Fences as permitted by Section 25-1700.14 of this Ordinance.
  - (c) Window fans.
  - (d) Wall and window air-conditioners which do not encroach more than twelve inches (12").
  - (e) Fire escapes may be installed on existing buildings in all zone districts in order to comply with the retrofit life safety requirements of the New Jersey State Department of Community Affairs (D.C.A.). The location of these projections into the existing open space shall be at the discretion of the Zoning Officer and may project from the building into the existing side yard a distance not to exceed four feet six inches (4'6"). A minimum of three

feet (3') of clear access shall be maintained between the fire escape and the property line.

(f) ~~RESERVED. Chimneys no deeper than eighteen inches (18") may encroach into the side yard area where the side yard is five feet (5') wide or wider. Chimneys no deeper than twelve inches (12") may encroach into the side yard area where the side yard is four feet (4') or wider.~~

(g) Ramps and/or landings for handicapped access to the first floor, built to current UCC and ADA standards not to exceed four feet (4') in width. A minimum six inch (6") clearance shall be maintained between the ramp and/or landing and any obstruction on the adjoining property.

(h) Shower enclosures and HVAC equipment may extend not more than twenty percent (20%) into the required side yard setback, provided that the shower enclosures do not exceed a height of eight feet (8') above grade, and HVAC equipment and associated screening does not exceed the minimum elevation necessary to comply with FEMA BFE requirements.

(i) Steps, landings and terraced walkways providing access only to the Lowest Floor, shall be permitted to extend to within six inches (6") of the side property line, but shall not extend past the nearest edge of the existing sidewalk or sidewalk line established for the subject block provided:

(1) The terraced walkway is constructed of brick, stone or other maintenance-free material.

(2) Not more than two (2) risers are constructed between landings.

(3) Landings shall extend at least three feet (3') in the direction of travel.

(j) One (1) detached garage as permitted by the specific district regulations provided the garage:

(1) Is not located within one foot (1') of the side property line;

(2) Is not located within eight feet (8') of the main building; and

(3) Is not located on a bayfront, lagoon or oceanfront lot.

(k) Architectural Projections and Architectural Features.

(1) Architectural projections and architectural features may extend no closer than three feet (3') of the side property line where the lot width is less than forty feet (40'). Said projection(s) may not exceed a total length that is greater than fifteen percent (15%) of the lot depth. Chimneys, or the full length or depth of a garage wall are not considered architectural projections.

(2) Architectural projections and architectural features may extend no closer than four feet (4') of the side property line where the lot width is forty feet (40') or more. Said projection(s) may not exceed a total

length that is greater than fifteen percent (15%) of the lot depth. Chimneys are not considered architectural projections.

~~Architectural projections such as bay windows may extend into the required side yard not more than eighteen inches (18"), and shall not exceed a total length of fifteen feet (15') or fifteen percent (15%) of the width of the side facade, whichever is less, except in the G-75/4500 Zone where the projection shall not exceed a total length that is one third (1/3) of the width of the side facade.~~

(l) through (p) - no change

### Section 7.

Section 25-300.16.1.d Porches of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

d. *Porches.*

1. Where a porch is permitted closer to the front lot line than the enclosed portion of the building (such as in the Corinthian Zones), the porch shall be completely open (except for screens) on the front and both sides.

2. On the front building wall, and on corner lots the front and side building walls adjoining a porch, architectural features and projections shall not extend more than eighteen inches (18") from said wall(s).

3. Porch roofs shall have a minimum 2 in 12 pitch.

4. Front porches shall be a minimum eight feet (8') in depth, except on the secondary frontage (street-facing side yard) of corner lots less than fifty (50) feet in width, the minimum required porch depth is four (4) feet.

5. Front porches shall have steps that connect to the street level on all lots.

### Section 8.

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

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Jay A. Gillian, Mayor

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Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the x day of 2014, it will be taken up for a second reading and final passage at a meeting of said Council held on the x day of 2014, in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

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Linda P. MacIntyre, City Clerk

## Summary -

This ordinance revises allow porches as a permitted side yard encroachment, and provide regulations permitting a floating building envelope in the Hospitality Zone.

- Section 1 revises the definition of Architectural Projection by eliminating the requirement for a 5" offset and the cantilever prohibition.
- Section 2 reduces the required porch depth from 8' to 4' in the Design Incentives on the secondary frontage of corner lots less than 50' in width.
- Section 3 introduces the concept of a Floating Building Envelope used in the Old City Overlay to the Hospitality Zone. The HZ Envelope can only be used to slide the envelope to the rear to accommodate an 8' front porch. No increase in building area or reduction of front yard is permitted. Minimum rear yard is consistent with Corinthian Zone requirements.
- Section 4 provides requirements for a Front Porch in the Hospitality Zone that must be met in order to use the Floating Building Envelope.
- Section 5 revises the Old City Overlay zone to allow Architectural Projections and Architectural Features within the side yard, with the controls that presently apply to Architectural Projections. Building height is revised to correspond with Schedule D.
- Section 6 revises general Side Yard Encroachments to permit Architectural Projections and Architectural Features using the same controls applied in the Old City Overlay controls; and re-inserts the subsection permitting terraced walkways, landings and steps.
- Section 7 revises the Residential Design requirements pertaining to porches to establish internal ordinance consistency with the revision proposed in Section 2 above.

September 15, 2014

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ORDINANCE NO. 14-37

AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE  
REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY  
CENTRAL BUSINESS (CB) ZONE

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

Section 1.

Section 25-205.1 CB, Central Business Zone of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

25-205.1 CB, Central Business Zone.

**25-205.1.1 Purpose.**

The Central Business Zone established in Section 25-201.2 of this Ordinance is intended to provide a focal point of retail activity and professional offices in close proximity to the historical center of town, in accordance with the provisions of N.J.S.A. 40:55D-2(g). (Ord. #07-31, §2)

**25-205.1.2 Permitted Uses.**

One or more of the following uses shall be permitted on any lot in the CB Zone.

- a. Retail sales and retail services;
  - b. Banks, savings and loan associations, federal credit unions;
  - c. Municipal facilities deemed necessary and appropriate by the governing body of the City of Ocean City;
  - d. ~~Personal service shops, such as barber shops, beauty shops, shoe repair, laundry, dry cleaning, h~~ Health clubs;
  - e. Restaurants; (excluding drive-through restaurants), and other eating establishments including but not limited to cafes, coffee shops, luncheonettes, pizzerias, snack shops, bakeries and sidewalk cafes; ~~Eating and drinking places such as restaurants other than fast-food restaurants;~~
  - f. ~~Bicycle rentals and sales; Open mic entertainment~~
  - ~~g. Mixed use consisting of residential dwelling units and professional office and/or retail sales; provided that neither the residential use nor the professional office use occupies the first (grade level) floor of any building;~~
  - ~~g. Contractor's offices and home design studios (including showroom, garage, warehouse and shop); provided all materials and equipment are stored, and all fabrication and processing contained, within a completely enclosed building.~~
  - hg. Essential services;
  - i. ~~All other uses referenced in Ordinance No. 07-26.~~
- (Ord. #07-31, §2)

**25-205.1.3 Conditional Uses.**

- a. Quasi-public uses subject to Section 25-208.32; and
- b. Residential dwelling units in a mixed-use building subject to Section 25-208.2.5.
- c. Educational uses subject to Section 25-208.2.1 of this Ordinance.



(Ord. #07-31, §2)

**25-205.1.4 Permitted Accessory Uses.**

- a. Manufacturing, assembly and fabrication clearly incidental to the conduct of ~~a retail~~ the principal business in which no more than four (4) persons are employed;
  - b. On-site storage of goods; ~~incidental to the daily conduct of the on-site retail business or Professional Office~~
  - c. Signs in accordance with this Section 25-1700.29 of this Ordinance;
  - d. Solid waste/recyclable material storage in accordance with Section 25-1700.31 of this Ordinance;
  - e. Landscaping, buffers and screening in accordance with the requirements set forth in Section 25-1700;
  - f. Off-street ~~P~~ parking areas, ~~and~~ truck berths and loading docks.
  - g. Fences and walls in accordance with Section 25-1700.14 of this Ordinance.
  - h. Other customary accessory uses, buildings and structures, which are clearly incidental to the principal use(s) and building(s).
  - ~~i.~~ Open mic entertainment.
- (Ord. #07-31, §2)

**Central Business Zone—Schedule of District Regulations  
(Subsection 25-205.1.5)**

Zone District	Minimum Lot Area (Square Feet)		Minimum Lot Width and Lot Frontage (Feet)		Minimum Yard Requirements (Feet)			Min. Lot Depth (Feet) (4)	Maximum Building Height (22)		Maximum Building Coverage (percent)	Maximum Impervious Coverage (percent)
	Interior	Corner	Interior	Corner	Front (1)	Rear	Side		Flat/Pitched Roof (Feet)	Habitable Stories		
CB	6000	7000	60	70	Schedule B	4	(14) <del>N/A</del>	100	<del>41</del> 32/38	3	90	100

NOTES TO SCHEDULE:

- (1) In all zone districts, the minimum front yard setback shall be as indicated on Schedule B, "Schedule of Front Yard Setback Depths by Street." Where development is proposed on lots adjacent to a street not listed on Schedule B, the front yard shall be the average setback of the adjacent buildings on the entire block, as determined from a certified survey provided by the applicant/owner.
- (2)—(3) Reserved.
- (4) The minimum required lot depth, lot frontage and lot area indicated shall be provided, except that lots with less than the required lot depth, frontage and lot area at the time of adoption of this Ordinance, shall be deemed to be conforming for the purposes of lot depth, lot frontage and lot area.
- (5)—(21) Reserved.
- (14) No side yard shall be required for nonresidential uses on any floor level. Two (2) side yards of not less than four feet (4') each shall be required for second and/or third floor residential uses.
- (22) Building height for commercial and mixed-use buildings is measured from Base Flood Elevation. Maximum building height is determined by the ceiling height of the lowest floor may be increased above forty-one feet (41') provided the ceiling height above the first finished floor is increased as specified in the followings table:

<u>Lowest Floor- to-Ceiling Height</u>	<u>Building Height (Flat Roof)</u>	<u>Building Height (Pitched Roof)</u>
12 feet or less	32 feet	38 feet
12.1 - 13 feet	33 feet	39 feet
13.1 - 14 feet	34 feet	40 feet
14.1 - 15 feet	35 feet	41 feet
15.1 feet or more 16 feet	36 feet	42 feet

SCHEDULE A—Schedule of Zoning District Regulations (Section 25-209.1)

SCHEDULE B—Schedule of Front Yard Setback Depths by Street (Section 25-209.2)

SCHEDULE C—Schedule of Side Yard Setbacks (Section 25-209.3)

(Ord. #07-31, §2; Ord. #08-12, §4; Ord. #09-28, §12)

**25-205.1.6 Building Design.**

*a. General Guidelines.*

- 1. Infill building design should be consistent with the design of significant buildings that already exist on adjacent lots.
- 2. New buildings should strive for a contextual approach to design. A contextual design approach does not mean that new buildings should imitate older buildings, but rather that they should be sensitive to the surrounding built and natural environment.
- 3. New buildings should provide an appropriate harmonious relationship to existing nearby structures in terms of height and scale.
- 4. The height and scale of new buildings should be similar to that of the surrounding area, or articulated or subdivided into massing that is more or less proportional to other structures in the area and maintains the existing architectural rhythm.
- 5. The scale of new infill buildings should be sensitive to pedestrians. Large buildings should contain design elements for entrance ways, plazas, facades, and general street level design that creates a street frontage that is attractive and pleasant for pedestrians.
- 6. The selection of building design elements, such as materials, fenestration, color, texture, etc., should ensure that such treatment is harmonious with that prevalent in the area where such prevalence exists and such harmony is desirable.
- 7. The incorporation of desirable design features in the surrounding area, for example, continuing a particular design feature or statement, is encouraged.
- 8. When the development consists of or includes a building addition, the addition should be designed to reflect the existing building in terms of scale, fenestration and color. A change in scale, for example, may require a transitional design element between the addition and the existing building.
- 9. The lowest floor in commercial and mixed-use buildings should be elevated to the greatest extent practical to comply with BFE requirements.

*b. Design Standards.* The following requirements shall apply to all new development, additions, alterations, renovations to front building facades, and modifications affecting the commercial floor area.

Buildings should be compatible in terms of their placement on the lot, height, general design, architectural embellishment, facade treatment, and finish materials.

1. Minimum 1st Floor Commercial Floor Area. ~~Fourteen-~~ Fifteen hundred (1,500) ~~(1,400)~~ square feet or fifty percent (50%) of the ~~first-floor-building-~~ lot area, whichever results in the greater floor area. ~~is greater.~~

2. The minimum required interior floor-to-ceiling height for new first floor commercial space ~~in the ground-level-commercial-unit~~ shall be twelve feet (12'). This minimum ceiling height may be reduced to eight feet (8') when buildings are being renovated to comply with BFE requirements.

3. Minimum Interior Store Width. Twenty-four feet (24').

4. Transparent windows equal in area to not less than ~~sixty-~~ forty-five percent (~~60~~ 45%) of the first floor commercial unit's front facade are required subject to the following:

(a) Buildings located on corner lots shall meet this requirement for both street-facing facades.

(b) Windows shall use clear or lightly tinted glass, except for decorative or architectural accents, typical of commercial storefronts and not of the type utilize on residential dwellings. Reflective glass is not an acceptable window material.

(c) Windows shall allow pedestrians unobstructed views into the building or into display windows from the outside extending at least ten feet (10') into the interior. ~~Closely-gridded residential style windows are not permitted.~~

(d) The percentage of glass shall be calculated by measuring the height (from the base of the front wall to the top of the first wall plate) and width of the front wall of the commercial unit, and the area of glass within the main frame(s) of the windows and doors. Frames, grids and mullions shall not be included in this calculation.

5. Front Entry. An entry from the street providing access to the upper floors is required on all lots forty feet (40') or greater in width. This entry shall be secondary in terms of design to the primary access for the commercial space.

~~6. — Second floor front facades are to be in vertical alignment with first floor front facades.~~

~~7. — Balconies on the front facade are limited to a width of ten feet (10') or one-third (1/3) the front facade width, whichever is less, and twenty-four inches (24") in depth.~~

~~8. — Porches and decks are permitted at the rear second and third floor levels. Porches and decks are not permitted on the front of buildings.~~

~~9. — Roof decks are prohibited on the front one-third (1/3) of the building, shall not be visible from the adjoining street(s), shall be limited to ten percent (10%) of the roof area, shall only be accessed by internal stairs, and shall be setback a minimum of six feet (6') from the edges of the building.~~

10. Buildings located on corner lots shall treat both street frontages as front facades in terms of architecture, and setbacks. ~~— balconies, porches and decks.~~

11. To accommodate food preparation, venting for the entire first floor to the roof is required.

12. Flat roofs are to be enclosed by a parapet. ~~to conceal rooftop mechanical equipment.~~

13. Vinyl and aluminum siding on front facades is prohibited.

14. Front facades shall be designed to be compatible with adjacent structures in terms of vertical and horizontal building elements, and to provide interest to pedestrians through the use of architectural relief, selection of materials and components, window and door frames, pediments, columns, etc.

15. Where the side of a building is visible from an adjoining property or the public right-of-way, the design and materials used on the front facade shall be extended to at least one-third (1/3) of the building's side facade.

16. All new structures shall have the primary entrance oriented toward the street or public walkway, with direct, barrier-free and convenient pedestrian.

17. Buildings on ~~a~~-corner lots shall have the main entrance on the primary street (Asbury Avenue or Central Avenue). This requirement does not preclude additional rear or side entrances. ~~facing parking areas.~~

18. The landscaping, lighting, signage and accessory features such as street furniture and hardware, trash storage, and mechanical equipment shall be consistent with established norms and compatible with the infill design.  
(Ord. #07-31, §2)

**25-205.1.7 Vacant Lots.**

Any lot within the Central Business Zone kept vacant for more than one hundred eighty (180) days shall be landscaped and thereafter maintained in good order by the owner. The landscaping shall be appropriate to an urban park or garden. (Ord. #07-31, §2)

**25-205.1.8 Off-Street Parking and Loading.**

a. Off-street parking spaces shall be provided as noted:

1. Retail Sales (including Pet Shops). No parking spaces required. ~~One (1) parking space for every one thousand (1,000) square feet, or fraction thereof.~~

2. Banks, savings and loan associations, federal credit unions. One (1) parking space for each three hundred fifty (350) square feet of gross floor area and one (1) space for every four (4) employees on the shift with the largest number of employees. ~~As specified in subsection 25-300.12.5 of this Ordinance.~~

3. Personal Service Shops. No parking spaces required. ~~As specified in subsection 25-300.12.5 of this Ordinance.~~

4. ~~Restaurants, Delicatessens, Coffee Shops.~~ Restaurants (excluding drive-through restaurants), and other eating establishments including but not limited to cafes, coffee shops, luncheonettes, pizzerias, snack shops and bakeries. No parking spaces required. ~~One (1) parking space for every one thousand (1,000) square feet (or fraction thereof) of interior space, except when located on 30-foot wide lots where only one (1) parking space is required. No parking shall be required for sidewalk cafes.~~

5. Professional Offices, Contractor's Offices and Home Design Studios. One (1) parking space for every one thousand (1,000) ~~five hundred seventy-five (575)~~ square feet, or fraction thereof.

6. Residential. Required parking spaces for residential dwelling units shall be determined by the number of bedrooms as follows: ~~Two (2) parking spaces per dwelling unit.~~

(a) 2 bedrooms, 1.5 parking spaces

(b) 3 bedrooms, 2.0 parking spaces

(c) 4 bedrooms, 2.5 parking spaces\*

\* Where the number of bedrooms is not specified, this parking requirement shall apply

~~7. On Properties Under 3,999 Square Feet:~~

~~(a) Two (2) parking spaces per each two thousand three hundred (2,300) square foot 3-bedroom dwelling unit.~~

~~(b) One and one-half (1.5) parking spaces per each one thousand two hundred fifty (1,250) square foot 2-bedroom dwelling unit.~~

b. Off-site parking spaces may be provided through one (1) or a combination of the following options:

1. Providing the required spaces on other properties owned in fee simple by the commercial use, located within a zone which permits the proposed use(s), either contiguous with or within five hundred feet (500') walking distance of a primary pedestrian entrance to the site being developed.

2. Providing evidence that the required parking spaces have been leased or rented from others within five hundred feet (500') walking distance of a primary pedestrian entrance to the site being developed. In such case, the parking spaces to be leased or rented shall be properly established

under the terms of this Ordinance and the minimum term of such lease or rental shall be consistent with the probable duration of the proposed occupancy but not less than twenty (20) years.

c. *Stacked Parking.*

1. Parking spaces for commercial uses may be placed in a "stacked" fashion, one behind the other, provided that each parking space is clearly designated and the business owner/operator has established a vehicle management plan.

2. Parking spaces for residential uses may be placed in a "stacked" fashion, one behind the other; provided that each parking space is clearly designated and assigned to the dwelling unit it is intended to serve.

d. *Parking Buffer.* Off-street parking spaces shall not be within four feet (4') of any structure, except when the parking spaces are located directly adjacent to a garage door in which case no setback is required.

e. *Mixed Uses.* For mixed uses, required parking facilities shall be the sum of the requirements for the individual uses, computed separately in accordance with this Ordinance. Parking facilities for one (1) use shall not be considered as providing the required parking facilities for any other use. ~~Parking for mixed uses shall be as specified in subsection 25-300.12.4g of this Ordinance.~~

f. *Truck Berths.* Truck berths shall be provided for all lots sixty feet (60') or more in width, as specified in Section 25-300.12.4.l of this Ordinance.

g. *Shared Parking.* ~~The collective provision of such space~~ Parking spaces shared by two (2) or more uses located on adjacent properties is permitted, provided that the total amount of such parking spaces shall not be less than the total parking requirement for all uses if computed separately.

h. ~~— Vehicular access to drive thru facilities, parking areas, loading and unloading spaces shall be as provided in subsection 25-300.12.6 of this Ordinance.~~

~~— i. —~~ Parking lots are not permitted within any required front yard setback.

(Ord. #07-31, §2)

**25-205.1.9 Streetscape Design Standards.**

All ~~improvements to the curb and sidewalk~~ areas and curbs (public and private) on Asbury Avenue between 6<sup>th</sup> Street and 11<sup>th</sup> Street, and from Asbury Avenue to the alley on corners between 6<sup>th</sup> Street and 11<sup>th</sup> Street ~~between 6<sup>th</sup> Street and 11<sup>th</sup> Street~~, inclusive, shall ~~comply with the standards adopted by the Special Improvement District. (Ord. #07-31, §2)~~ be French Gray, with no pavers, and installed in compliance with Standard Specifications, as amended.

**Section 2.**

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

\_\_\_\_\_  
Jay A. Gillian, Mayor

\_\_\_\_\_  
Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the \_\_\_ day of \_\_\_\_\_, 2014, and will be taken up for a second reading and final passage at a meeting of said Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, in Council Chambers, City Hall, Ocean City, New Jersey, at 7:00 o'clock in the evening.

\_\_\_\_\_  
Linda P. MacIntyre, City Clerk

| ~~August 18, 2014~~ 8.22.14 DFM

**Summary -**

This ordinance provides revisions to improve the functionality of the Central Business Zones.

Section 1 amends the Zoning Map by converting the Asbury Avenue CB Zone between 10<sup>th</sup> and 11<sup>th</sup> Streets to CB-1.

Section 2 proposes the following revisions to the Central Business Zone:

- The list of permitted uses is modified and clarified
- Building height is related to BFE
- Design standards for commercial floor area, ceiling height and commercial glass are made consistent with CB-1; restrictions on balconies, porches and decks modified or eliminated
- Parking requirements are made consistent with CB-1 and RSIS

Section 3 revises the CB and CB-1 Conditional Use requirements as follows:

- Residential units are permitted above the first floor. The 30 dwelling unit/acre density results in one unit for each 1,500 SF of lot area. A 3-story building on a 30' lot with commercial first floor may have one (1) dwelling unit on each of the two upper floors.
- In the CB-1 on West Avenue the density is adjusted to 33 DU/Acre due to the 90' lot depths. This density for a mixed-use building configuration on West Avenue yields 2 dwelling units above commercial on a 2,700 SF lot.



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF LAW

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## Memo

**DATE:** September 19, 2014  
**TO:** City Council  
**FROM:** Dorothy F. McCrosson, Esquire  
**RE:** CB Zone Ordinance

---

The attached ordinance is intended to replace Ordinance 14-30, the only revision being the elimination of the Section changing the zoning of the 1000 block of Asbury Avenue (Block 1004, Lots 1-11.04 inclusive and Block 1005, Lots 15-29 inclusive) from CB to CB-1. If the attached ordinance is adopted, the zoning of that block **will not** change.

The balance of the ordinance is the same as Sections 2 through 8 of Ordinance 14-30.

Mr. Scheule's summary is attached to the Ordinance, for your information.





**ORDINANCE NO. 14-38**

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

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

**Section 1.**

**Section 25-209.5, "Schedule D-Residential Building Height"** of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

Lot Width	Maximum Building Height Above Zoning Flood Elevation	
	(Pitched Roof)	(Flat Roof)
Lots 55' and less in width	30'	25'
Lots 55.1'-60' in width	31'	26'
Lots <del>60.1'</del> and greater than 60' in width	32'	27'
<b>Zone District</b>		
Old City Overlay Zone	32'	27'
R-O-1 and R-O-2 Zones, <del>and</del> R-1 Zone and R-2 Zone - "beachfront lots <sup>*</sup> " <del>in the R-1- and R-2 Zones</del>	33'	28'
Corinthian R-2 Zone	34'	29'
<del>Residential Zones Permitting Half Story (other than those otherwise specified in this Schedule, and except where this schedule permits &gt;31')</del>	<del>31'</del>	<del>26'</del>

\* "Beachfront lots" shall mean those lots adjoining the Boardwalk between 16<sup>th</sup> Street and 23<sup>rd</sup> Street, and including Block 1901, Lots 9, 9.01 and 11.

**Section 2.**

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

**Section 3.**

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

**Section 4.**

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

\_\_\_\_\_  
Jay A. Gillian, Mayor

\_\_\_\_\_  
Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the x day of x, 2014 and will taken up for a second reading and final passage at a meeting of said Council held on the x day of x, 2014 in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

\_\_\_\_\_  
Linda P. MacIntyre, City Clerk



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF LAW

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## Memo

**DATE:** September 19, 2014  
**TO:** City Council  
**FROM:** Dorothy F. McCrosson, Esquire  
**RE:** Ordinance Revision Schedule D to Zoning District Regulations

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Council will conduct a public hearing and consider Ordinance 14-26 on second reading at its meeting of September 25, 2014. Ordinance 14-26 changes the point from which height is measured on residential buildings, otherwise known as ZFE, from "the elevation at the top of the lowest floor or two feet (2') above base flood elevation, whichever is lower" to "BFE plus two (2) feet measured to the bottom of the floor joists that directly support the finished flooring of the Lowest Floor, or measured to the top of a concrete slab to which the finished flooring of the Lowest Floor is adhered."

The result of the adoption of Ordinance 14-26 will be to reduce the habitable portion of residential buildings by approximately one foot (1').

The attached ordinance would add one foot (1') back only in residential zones in which it is permissible to construct a half-story, where the permitted building height is currently less than 31 feet (31').



ORDINANCE NO. 14-23

AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE  
REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY  
Elevated Buildings

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

Section 1.

Section 25-107 of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended to add the following definition.

Elevated Building shall mean a non-basement building (i) built, in the case of a building in an area of special flood hazard, to have the top of the elevated floor or, in the case of a building in a coastal high-hazard area, to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the base flood elevation by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an area of special flood hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In areas of coastal high hazard "elevated buildings" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls.

Section 2.

Section 25-1700.5.4 of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows.

~~25-1700.5.4—Buildings on Pilings.~~

~~Elevated buildings on pilings shall provide architectural screening of the pilings from the street, alley and adjoining properties in a manner permitted by the Federal Emergency Management Agency Flood Hazard Regulations and the Ocean City Flood Hazard Ordinance.~~

~~The required architectural screening element shall be permanent and may be constructed of wood, vinyl, masonry or other suitable material compatible with the finish and architectural style of the building. (Ord. #02-36, §12)~~

25-1700.5.4 Elevated Buildings.

- a. Buildings on pilings, columns or piers. Elevated buildings shall provide screening (except where vehicular access is provided, and except where the columns or piers are suitably finished) so that the construction-grade pilings, columns, piers and cross-bracing are not visible from the street, alley and adjoining properties, in a manner permitted by the Federal Emergency Management Agency Flood Hazard Regulations and the Ocean City Flood Damage Prevention Ordinance. The screening shall be permanent (except in a "V" zone where break-a-way walls are required), and may be constructed of wood panels, vinyl, dimensional lattice, masonry or other suitable material compatible with the finish and architectural style of the building.
- b. Buildings elevated by means of solid foundation perimeter walls. Solid foundation perimeter walls shall be finished in a manner that does not detract from the appearance of the neighborhood. Unfinished concrete block and cinder block is not acceptable. Split-face and decorative block, stucco, wood, vinyl and fiber cement siding, brick (and veneers), stone (and veneers), or other suitable material compatible with the finish and architectural style of the building are acceptable foundation wall treatments.

Section 3.

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

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Jay A. Gillian, Mayor

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Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the 14th day of **August, 2014**, it will be taken up for a second reading and final passage at a meeting of said Council held on the 25th day of **September, 2014** in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

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Linda P. MacIntyre, City Clerk

# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

## DEPARTMENT OF COMMUNITY OPERATIONS

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Code Enforcement • Construction • Engineering • Environmental Management • Parks and Recreation • Planning • Zoning

# Memo

**To:** Administrator Michael Dattilo  
**From:** Roger D. McLarnon, PE, PP, CFM, CME, CPWM – Director of Community Operations and City Engineer  
**CC:** Dottie McCrosson – Solicitor, James V. Mallon  
**Date:** August 7, 2014  
**Re:** Elevated Buildings Ordinance

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The purpose of this ordinance is to require more aesthetically pleasing and permanent screening of exposed structural pilings. This ordinance also reflects the screening of cross bracing from public and neighbor view. V-zone construction will be required to adhere to NFIP and ASCE standards.

RDM

N:\Administration\Director\ordinances\080714 rdm memo elevated buildings piling screening ordinance.doc



**CITY OF OCEAN CITY**  
**ORDINANCE NO. 14-23**  
**Master Plan Consistency Report**

**Introduction.**

Ordinance 14-23 - "An ordinance amending and supplementing the Revised General Ordinances of the City of Ocean City (Elevated Buildings)" was introduced on first reading by City Council on August 14, 2014. According to the August 15, 2014 referral from the City Clerk, Ordinance 14-23 will be advertised according to law and is scheduled to have second reading and public hearing at the September 25, 2014 City Council meeting.

The "Municipal Land Use Law" provides the Planning Board with thirty-five (35) days from the referral date to prepare, review, adopt and transmit their consistency report regarding Ordinance 14-23 to City Council. NJS 40:55D-26 describes the Planning Board's responsibility regarding the master plan consistency review as follows:

*"... the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning those inconsistencies and any other matters as the board deems appropriate."*

While formerly only zoning ordinances and amendments thereto were required to be submitted to the planning board, it is now clear from the wording in NJS 40:55D-26 that all "development regulations" must be referred to the planning board for comment and report. The statute requires that every zoning ordinance must "either be substantially consistent with the land use plan and housing plan of the master plan, or designed to effectuate such plan elements." The "Master Plan" referred to herein is the City of Ocean City Master Plan adopted February 3, 1988, and as subsequently amended by the Planning Board.

**Ordinance Summary.**

Ordinance 14-23 defines "Elevated Building" and revises the design standards to improve the screening required for the ground-level space. The definition for "Elevated Building" is consistent with the term as used in the City's Flood Damage Prevention Ordinance. The proposed screening requirements are intended to improve the appearance of buildings by establishing minimum screening standards for the ground-level space. These standards are sensitive to FEMA's Flood Hazard Regulations and the Flood Damage Prevention Ordinance.

**Conclusion.**

As noted above the Planning Board's responsibility in terms of the master plan consistency review is to identify any provisions in Ordinance 14-23 which are inconsistent with the Master

Ordinance No. 14-23  
Master Plan Consistency Report

Plan, and make recommendations concerning those inconsistencies and any other matters as the Board deems appropriate.

In defining "substantial consistency" the Supreme Court in *Manalapan Realty v. Township Committee* made it clear that some inconsistency is permitted "provided it does not substantially or materially undermine or distort the basic provisions and objectives of the Master Plan." The "Municipal Land Use Law" does not define the term *inconsistent*.

Ordinance 14-23 advances the following Ocean City Master Plan Objectives:

- *To encourage municipal action which will guide the long range appropriate use and development of lands within the City of Ocean City in a manner which will promote the public health, safety, and general welfare of present and future residents.*
- *To improve the quality of life of both residents and tourists.*
- *To promote a desirable visual/physical environment for residents and visitors by updating the City's ordinances and through creative development techniques that recognizes the environmental assets and constraints of individual development sites.*
- *To promote architectural detail and design standards as essential components of new development.*
- *To maintain and upgrade the City's housing stock.*

I have carefully reviewed Ordinance 14-23 and the Master Plan. Based on this review and the advancement of the Master Plan Objectives noted above, it is my professional opinion that Ordinance 14-23 is consistent with the Ocean City Master Plan.

Respectively submitted,



Randall E. Scheule, PP/AICP

New Jersey Professional Planner License No. LI003666

August 27, 2014

ORDINANCE NO. 14-24

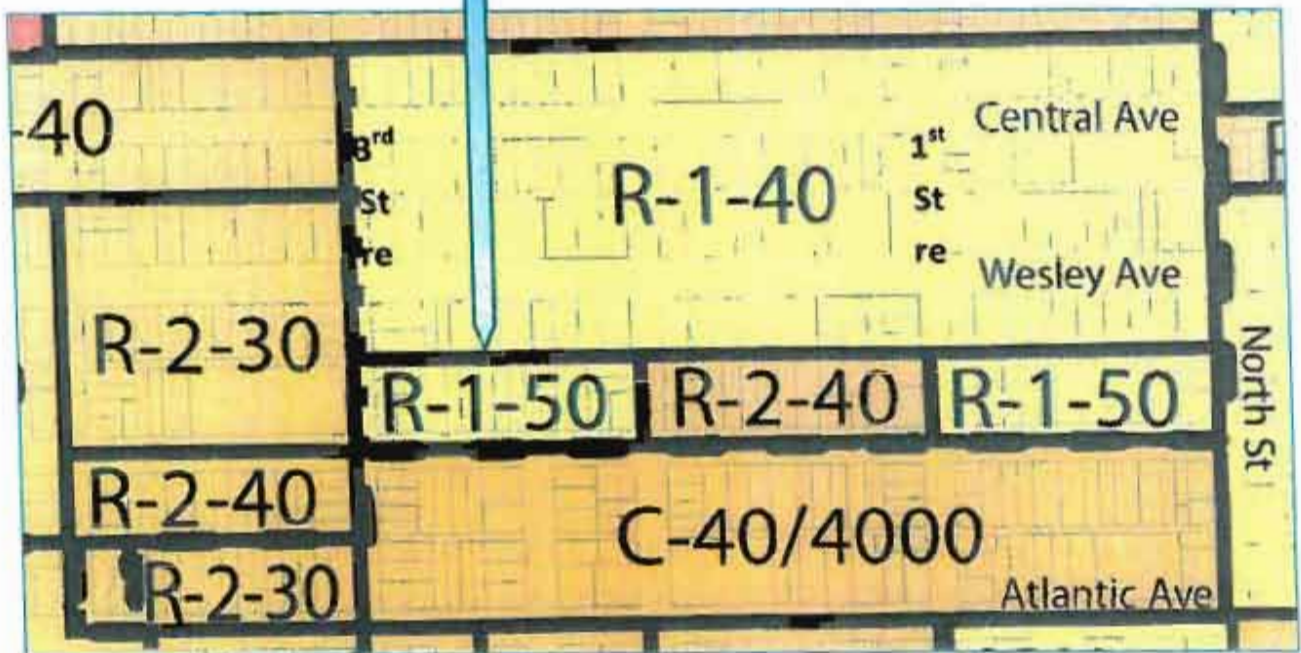
AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE  
REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY  
Zoning Map (Block 208)

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

Section 1.

Section 25-202 Zoning District Map of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

*The Zoning District designation for Block 208, Lots 12-27.01 inclusive, is hereby changed from R-1-50 to R-1-30.*



Section 2.

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

\_\_\_\_\_  
Jay A. Gillian, Mayor

\_\_\_\_\_  
Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the 14th day of August, 2014, and will be taken up for a second reading and final passage at a meeting of said Council held on the 25th day of September, 2014, in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

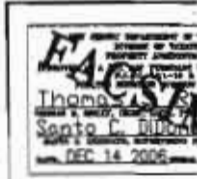
\_\_\_\_\_  
Linda P. MacIntyre, City Clerk





REVISIONS			
BY	DATE	DESCRIPTION	LOT
NOLO W. BARNETT	1/28/07	305	18
NOLO W. BARNETT	4/28/07	407	18
NOLO W. BARNETT	1/28/07	Assigned two unit condos	

△ DENOTES TWO UNIT CONDOMINIUMS.  
 TO LOCATE CONDO DETAILS SEE INDEX SHEET 300.  
 THIS SHEET HAS BEEN DRAWN USING COMPUTER AIDED DRAFTING/  
 DESIGN (CAD/D) AND COORDINATED GEOMETRY (CGO).



**CITY OF OCEAN CITY**  
**ORDINANCE NO. 14-24**  
**Master Plan Consistency Report**

**Introduction.**

Ordinance 14-24 - "An ordinance amending and supplementing the Revised General Ordinances of the City of Ocean City (Zoning Map, Block 208)" was introduced on first reading by City Council on August 14, 2014. According to the August 15, 2014 referral from the City Clerk, Ordinance 14-24 will be advertised according to law and is scheduled to have second reading and public hearing at the September 25, 2014 City Council meeting.

The "Municipal Land Use Law" provides the Planning Board with thirty-five (35) days from the referral date to prepare, review, adopt and transmit their consistency report regarding Ordinance 14-24 to City Council. NJS 40:55D-26 describes the Planning Board's responsibility regarding the master plan consistency review as follows:

*"... the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning those inconsistencies and any other matters as the board deems appropriate."*

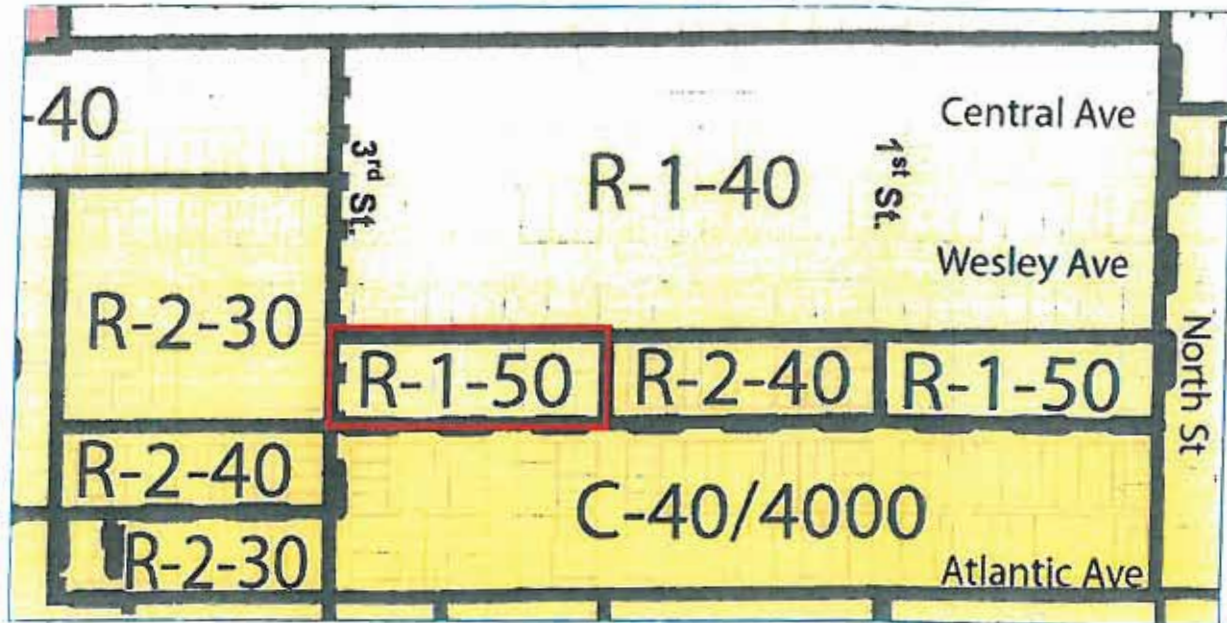
While formerly only zoning ordinances and amendments thereto were required to be submitted to the planning board, it is now clear from the wording in NJS 40:55D-26 that all "development regulations" must be referred to the planning board for comment and report. The statute requires that every zoning ordinance must "either be substantially consistent with the land use plan and housing plan of the master plan, or designed to effectuate such plan elements." The "Master Plan" referred to herein is the City of Ocean City Master Plan adopted February 3, 1988, and as subsequently amended by the Planning Board.

**Ordinance Summary.**

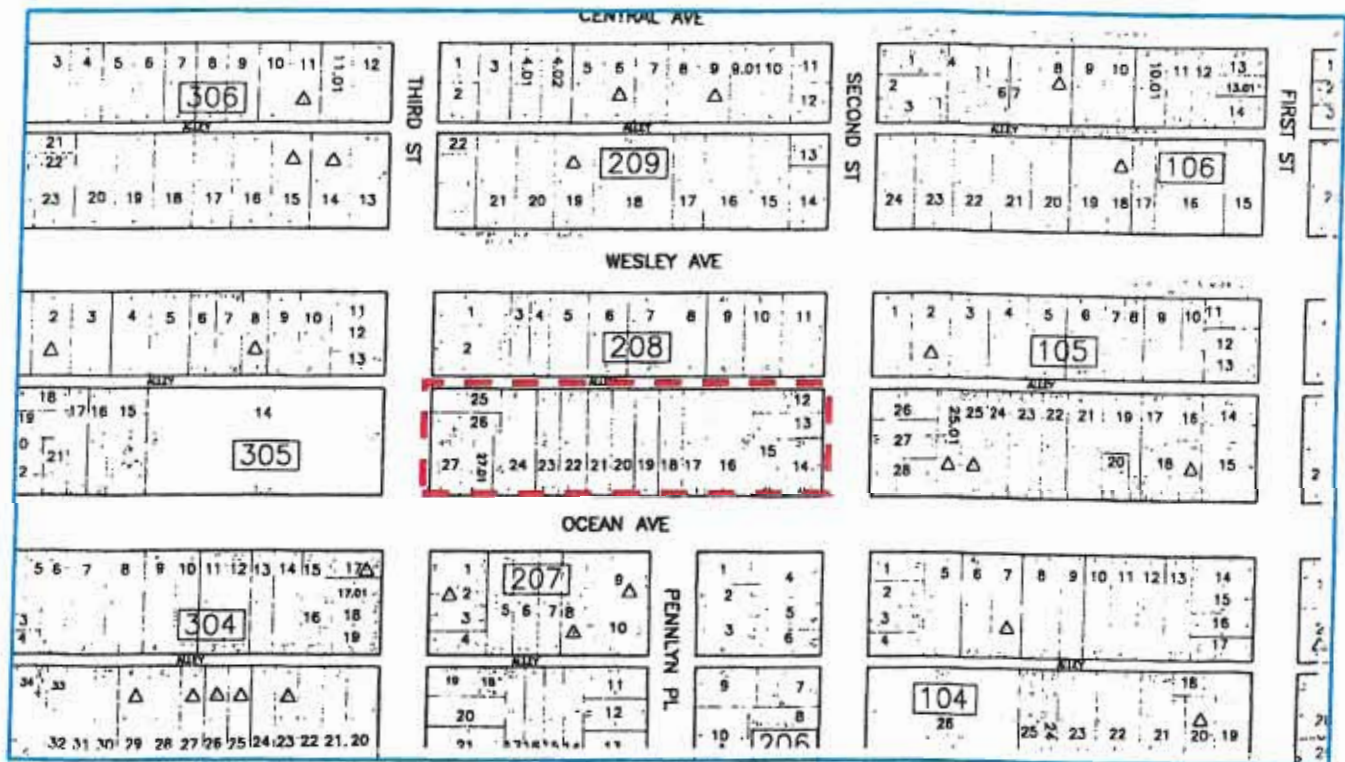
Ordinance 14-24 revises the City Zoning Map by changing the Zoning District designation of Block 208, Lots 12-27.01 inclusively, from R-1-50 to R-1-30.

The current zoning designation of Block 208, Lots 12-27.01 is inappropriate based on the prevailing lot sizes that exist. Of the 17 lots in this half-block, only 2 conform to the R-1-50 zone or 90% rule requirements. Ten of the 17 lots are 30 feet in width. Re-zoning of these lots to R-1-30 will enable owners to build to the same standards enjoyed in other 30-foot zones. The primary benefit for development of single-family homes is that the R-1-30 zone allows 40% building coverage, whereas the R-1-50 building coverage is limited to 35%.

Zoning Map



Tax Map



**Conclusion.**

As noted above the Planning Board's responsibility in terms of the master plan consistency review is to identify any provisions in Ordinance 14-24 which are inconsistent with the Master Plan, and make recommendations concerning those inconsistencies and any other matters as the Board deems appropriate.

In defining "substantial consistency" the Supreme Court in *Manalapan Realty v. Township Committee* made it clear that some inconsistency is permitted "provided it does not substantially or materially undermine or distort the basic provisions and objectives of the Master Plan." The "Municipal Land Use Law" does not define the term *inconsistent*.

Ordinance 14-24 advances the following Ocean City Master Plan Objectives:

- *To promote the establishment of appropriate population densities in locations that will contribute to the well-being of persons, neighborhoods and preservation of the environment.*
- *To provide sufficient space and facilities in appropriate locations within the City for residential, business, office, public, quasi-public uses and parking in a manner, which will provide for balanced City growth and development.*
- *To encourage coordination of the numerous regulations and activities which influence land development with a goal of producing efficient uses of land with appropriate development types and scale*
- *To preserve existing single-family neighborhoods*
- *To provide for context-sensitive infill development*
- *To encourage municipal action which will guide the long range appropriate use and development of lands within the City of Ocean City in a manner which will promote the public health, safety, and general welfare of present and future residents.*
- *To maintain and upgrade the City's housing stock.*

I have carefully reviewed Ordinance 14-24 and the Master Plan. Based on this review and the advancement of the Master Plan Objectives noted above, it is my professional opinion that Ordinance 14-24 is consistent with the Ocean City Master Plan.

Respectively submitted,



Randall E. Scheule, PP/AICP

New Jersey Professional Planner License No. LI003666

August 27, 2014

ORDINANCE NO. 14-25

AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE  
REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY  
West Avenue 90' Lots

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

Section 1.

The **Bulk Requirements** (Note 4) contained in Section 204.1 through Section 205.10 inclusively, of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey are hereby amended as follows:

- (4) The minimum required lot depth and lot frontage indicated shall be provided, except that:
- (a) Existing lots with less than the required depth at the time of adoption of this Ordinance, shall be deemed to be conforming for purposes of lot depth, and except that
  - (b) The minimum required lot depth for lots created subsequent to the effective date of this ordinance fronting on the east side of West Avenue between North Street and 59<sup>th</sup> Street shall be ninety (90) feet.

Section 2.

The **Bulk Requirements** contained in Section 204.1 through Section 205.10 inclusively, of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey are hereby amended to: [1] add a footnote reference to the second column heading in the respective Schedules of District Regulations thusly, "Minimum Lot Area (9)" and, [2] to add the following new note:

- (9) In all zone districts the required Minimum Lot Area shall be as indicated in the Schedule of District Regulations, except that the required Minimum Lot Area for lots created subsequent to the effective date of this ordinance fronting on the east side of West Avenue between North Street and 59<sup>th</sup> Street shall be ninety (90) percent of the Minimum Lot Area indicated on the respective Schedule of District Regulations.

Section 3.

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

\_\_\_\_\_  
Jay A. Gillian, Mayor

\_\_\_\_\_  
Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the **14<sup>th</sup>** day of **August, 2014**, and will be taken up for a second reading and final passage at a meeting of said Council held on the **25<sup>th</sup>** day of **September, 2014**, in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

\_\_\_\_\_  
Linda P. MacIntyre, City Clerk

CITY OF OCEAN CITY  
ORDINANCE NO. 14-25  
**Master Plan Consistency Report**

**Introduction.**

Ordinance 14-25 - "An ordinance amending and supplementing the Revised General Ordinances of the City of Ocean City (West Avenue 90' Lots)" was introduced on first reading by City Council on August 14, 2014. According to the August 15, 2014 referral from the City Clerk, Ordinance 14-25 will be advertised according to law and is scheduled to have second reading and public hearing at the September 25, 2014 City Council meeting.

The "Municipal Land Use Law" provides the Planning Board with thirty-five (35) days from the referral date to prepare, review, adopt and transmit their consistency report regarding Ordinance 14-25 to City Council. NJS 40:55D-26 describes the Planning Board's responsibility regarding the master plan consistency review as follows:

*"... the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning those inconsistencies and any other matters as the board deems appropriate."*

While formerly only zoning ordinances and amendments thereto were required to be submitted to the planning board, it is now clear from the wording in NJS 40:55D-26 that all "development regulations" must be referred to the planning board for comment and report. The statute requires that every zoning ordinance must "either be substantially consistent with the land use plan and housing plan of the master plan, or designed to effectuate such plan elements." The "Master Plan" referred to herein is the City of Ocean City Master Plan adopted February 3, 1988, and as subsequently amended by the Planning Board.

**Ordinance Summary.**

Existing lot depths on the east side of West Avenue extending from North Street to 59<sup>th</sup> Street are 90 feet. The adopted zoning requirements stipulate a minimum lot depth of 100 feet for these lots. Although there are mechanisms in place that address lot depth and lot area nonconforming conditions for existing lots, these regulations do not effectively address the 90-foot lot depth when subdivision is proposed. Variances for insufficient lot depth and lot area related to the 90-foot depth condition are routinely granted.

Ordinance 14-25 revises Note 4 in the "Schedules of District Regulations" to require a minimum lot depth of ninety (90) feet for the affected area. Note 9 requires that new lots contain at least

ninety (90) percent of the lot area required by the respective zone's bulk requirements. It is anticipated that these revisions will significantly reduce, if not eliminate, the necessity to obtain lot depth and lot area variances when the subject parcels are proposed for subdivision.

**Conclusion.**

As noted above the Planning Board's responsibility in terms of the master plan consistency review is to identify any provisions in Ordinance 14-25 which are inconsistent with the Master Plan, and make recommendations concerning those inconsistencies and any other matters as the Board deems appropriate.

In defining "substantial consistency" the Supreme Court in *Manalapan Realty v. Township Committee* made it clear that some inconsistency is permitted "provided it does not substantially or materially undermine or distort the basic provisions and objectives of the Master Plan." The "Municipal Land Use Law" does not define the term *inconsistent*.

Ordinance 14-25 advances the following Ocean City Master Plan Objectives:

- *To encourage municipal action which will guide the long range appropriate use and development of lands within the City of Ocean City in a manner which will promote the public health, safety, and general welfare of present and future residents.*
- *To promote the establishment of appropriate population densities in locations that will contribute to the well-being of persons, neighborhoods and preservation of the environment.*
- *To encourage coordination of the numerous regulations and activities which influence land development with a goal of producing efficient uses of land with appropriate development types and scale.*
- *To create and increase single-family housing in the City.*
- *To preserve existing single-family neighborhoods.*
- *To provide for context-sensitive infill development.*

I have carefully reviewed Ordinance 14-25 and the Master Plan. Based on this review and the advancement of the Master Plan Objectives noted above, it is my professional opinion that Ordinance 14-25 is consistent with the Ocean City Master Plan.

Respectively submitted,



Randall E. Scheule, PP/AICP

New Jersey Professional Planner License No. LI003666

August 27, 2014

ORDINANCE NO. 14-26

AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE  
REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY  
Zoning Flood Elevation

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

Section 1.

Section 25-107 Definitions of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

*Zoning Flood Elevation (ZFE)* shall mean ~~the elevation at the top of the Lowest Floor or two feet (2') above base flood elevation, whichever is lower, except that~~ BFE plus two (2) feet measured to the bottom of the floor joists that directly support the finished flooring of the Lowest Floor, or measured to the top of a concrete slab to which the finished flooring of the Lowest Floor is adhered, except that:

Zoning Flood Elevation may be up to three feet (3') above finished grade within FEMA "A Zones" where base flood elevation is less than two feet (2') above finished grade, and where base flood elevation is below finished grade. The lowest adjacent grade will determine the need for flood vents;

Zoning Flood Elevation for front-loaded-garage dwellings located on non-alley lots less than forty-five feet (45') wide where the lowest habitable floor is above the garage, the elevation of the lowest floor shall be nine feet (9') above finished grade unless the above provisions result in a higher elevation requirement, in which case the higher elevation requirement applies.

Zoning Flood Elevation within FEMA "X" Zones shall be two feet (2') above the base flood elevation of the highest adjacent FEMA "A" Zone. However, this provision shall not apply in the case of substantial renovation or repair of a key or contributing property located in the Historic District where the height of the structure is not changed.

Section 2.

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

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Jay A. Gillian, Mayor

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Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the 14<sup>th</sup> day of August, 2014, and will be taken up for a second reading and final passage at a meeting of said Council held on the 25<sup>th</sup> day of September, 2014, in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

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Linda P. MacIntyre, City Clerk





# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

## DEPARTMENT OF COMMUNITY OPERATIONS

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Code Enforcement • Construction • Engineering • Environmental Management • Parks and Recreation • Planning • Zoning

# Memo

**To:** Administrator Michael Dattilo  
**From:** Roger D. McLarnon, PE, PP, CFM, CME, CPWM – Director of Community Operations and City Engineer  
**CC:** Dottie McCrosson – Solicitor, James V. Mallon  
**Date:** August 8, 2014  
**Re:** ZFE modification Ordinance

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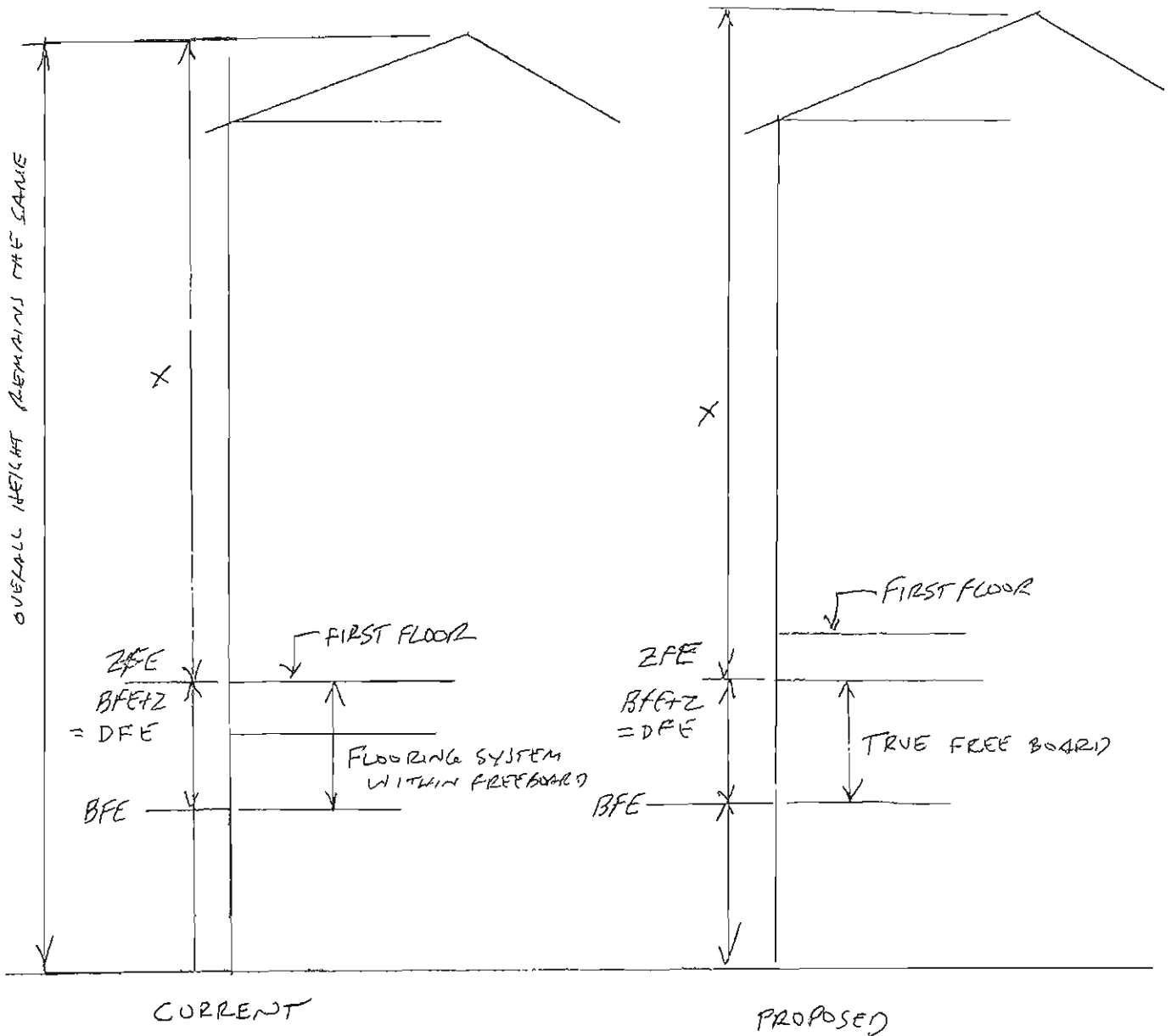
The purpose of this ordinance is to revise the reference point of the Zoning Flood Elevation (ZFE) for measuring overall height of a building for zoning purposes from the top of the finished first floor to bottom of the first floor joists. The overall building height does not change – a vertical foot of foundation is gained whereas a vertical foot of habitable elevation is lost.

This is a result of Base Flood Elevation (BFE) plus 2 foot freeboard (BFE+2) redefining Design Flood Elevation (DFE). All first floor elements must be water resistant material if it is within the free board zone or the floor elements must be above the free board zone. The current ordinance requires the first floor elements to be within the free board whereas the revisions give the developer the option to above to comply.

Modifying this ordinance will bring us into compliance with CRS.

RDM

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$$DFE = BFE + Z = ZFE$$



**CITY OF OCEAN CITY  
ORDINANCE NO. 14-26  
Master Plan Consistency Report**

**Introduction.**

Ordinance 14-26 - "An ordinance amending and supplementing the Revised General Ordinances of the City of Ocean City (Zoning Flood Elevation)" was introduced on first reading by City Council on August 14, 2014. According to the August 15, 2014 referral from the City Clerk, Ordinance 14-26 will be advertised according to law and is scheduled to have second reading and public hearing at the September 25, 2014 City Council meeting.

The "Municipal Land Use Law" provides the Planning Board with thirty-five (35) days from the referral date to prepare, review, adopt and transmit their consistency report regarding Ordinance 14-26 to City Council. NJS 40:55D-26 describes the Planning Board's responsibility regarding the master plan consistency review as follows:

*"... the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning those inconsistencies and any other matters as the board deems appropriate."*

While formerly only zoning ordinances and amendments thereto were required to be submitted to the planning board, it is now clear from the wording in NJS 40:55D-26 that all "development regulations" must be referred to the planning board for comment and report. The statute requires that every zoning ordinance must "either be substantially consistent with the land use plan and housing plan of the master plan, or designed to effectuate such plan elements." The "Master Plan" referred to herein is the City of Ocean City Master Plan adopted February 3, 1988, and as subsequently amended by the Planning Board.

**Ordinance Summary.**

Ordinance 14-26 revises the definition of Zoning Flood Elevation by adjusting the plane of measurement from the top of the floor to the bottom of the floor joists. This change results in an additional one (1) foot of building foundation height, and a one (1) foot reduction in building height as measured from the bottom of the floor joists. The vertical building profile is not altered as a result of Ordinance 14-26.

This change brings the ZFE definition into conformance with *Design Flood Elevation*, a term referenced in the *International Building Code*®. Freeboard is required as a function of the nature of occupancy and the flood zone. The City's Flood Damage Prevention Ordinance requires dwellings and most other buildings to provide a 2-foot freeboard. The building code requires all

first-floor components to be water-resistant material if located within the required freeboard area. The existing zoning code does not require the first floor components to be above freeboard, therefore creating a conflict with the building code. Ordinance 14-26 promotes compliance with the Flood Damage Prevention ordinance and building code, and improves the City's CRS standing by requiring all components comprising the first floor to be above freeboard.

**Conclusion.**

As noted above the Planning Board's responsibility in terms of the master plan consistency review is to identify any provisions in Ordinance 14-26 which are inconsistent with the Master Plan, and make recommendations concerning those inconsistencies and any other matters as the Board deems appropriate.

In defining "substantial consistency" the Supreme Court in *Manalapan Realty v. Township Committee* made it clear that some inconsistency is permitted "provided it does not substantially or materially undermine or distort the basic provisions and objectives of the Master Plan." The "Municipal Land Use Law" does not define the term *inconsistent*.

Ordinance 14-26 advances the following Ocean City Master Plan Objectives:

- *To encourage municipal action which will guide the long range appropriate use and development of lands within the City of Ocean City in a manner which will promote the public health, safety, and general welfare of present and future residents.*
- *To secure safety from fire, flood, panic and other natural and man-made disasters.*
- *To encourage coordination of the numerous regulations and activities which influence land development with a goal of producing efficient uses of land with appropriate development types and scale.*
- *To improve the quality of life of both residents and tourists*
- *To maintain and upgrade the City's housing stock*

I have carefully reviewed Ordinance 14-26 and the Master Plan. Based on this review and the advancement of the Master Plan Objectives noted above, it is my professional opinion that Ordinance 14-26 is consistent with the Ocean City Master Plan.

Respectively submitted,



Randall E. Scheule, PP/AICP

New Jersey Professional Planner License No. LI003666

August 27, 2014

ORDINANCE NO. 14-29

AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE  
REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY  
Rear Yard Encroachments

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

Section 1.

**Section 25-205.107 Definitions** of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended by addition of the following new term and definition:

*Sun Canopy* shall mean a freestanding accessory structure having a roof and no foundation, footing, utility connections, walls or side enclosure of any type.

Section 2.

**Section 25-300.1 Encroachments in Front Yards, Rear Yards and Side Yards** of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

a. No encroachments shall be permitted within the minimum required front yard, side yard or rear yard setback areas except as follows:

2. Rear Yard.

[Subsections (a) through (d) – no changes]

(e) One (1) freestanding storage shed as permitted by the specific district regulations provided it is not larger than one hundred (100) square feet, does not exceed a height of ten feet (10') above grade, provided that it is not closer than four feet (4') from the rear or side lot lines, is not located on the bayfront, lagoon or oceanfront, does not displace or eliminate required parking spaces or create a nonconforming condition related to either building coverage or impervious surface coverage.

[Subsections (f) through (q) – no changes]

(r) Detached pergolas provided the pergola:

- (1) Does not exceed twelve feet (12') in height
- (2) Is not closer than four feet (4') to either the rear or side lot lines
- (3) Is not located on an ~~a bayfront, lagoon or~~ oceanfront lot

[Subsections (s) through (t) – no changes]

(u) A *sun canopy* subject to the following regulations:

- (1) Maximum Height to the highest point from the base of structure - 12 feet.
- (2) Maximum area coverage - 144 square feet.
- (3) Minimum setbacks – 4-feet each side yard; no rear yard setback required.

- (4) Impervious surface coverage – canopies with a permanent roof (as opposed to fabric, canvas or other pliable material) shall be considered as impervious surface coverage.
  - (5) One (1) sun canopy permitted per lot.
  - (6) Sun canopies require a Zoning Permit and shall be installed in accord with manufacturer's specifications or the building code, whichever is most restrictive.
- (v) In-ground basketball system subject to the following regulations:
- (1) Minimum side yard setback – four (4) feet
  - (2) Minimum setback from rear property line, alley or street – ten (10) feet.
  - (3) One in-ground basketball system permitted per lot.
  - (4) In-ground basketball systems require a Zoning Permit and shall be installed in accord with manufacturer's specifications.

**Section 3.**

**Section 25-300.15 Standards for Accessory Buildings** of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

[Subsections "a through "e – no change]

- f. Sheds and detached pergolas, where permitted, shall comply with the following standards:
  - 1. No shed shall be used for any purpose other than storage.
  - 2. No more than one (1) shed shall be permitted per lot.
  - 3. A building permit is not required for a shed; however, a zoning permit is required. Zoning and building permits are required for a pergola.
  - 4. Sheds and pergolas shall be installed in accord with the manufacturer's specifications or the building code, whichever is most restrictive. ~~anchored as required.~~
  - 5. Sheds shall not exceed one hundred (100) square feet in size, and ten feet (10') in height measured from the adjacent grade. Pergola height shall be limited to twelve feet (12') above adjacent grade.
  - 6. Sheds and pergolas shall not be closer than four feet (4') to the rear or side lot lines, except that on lagoon and bayfront lots there shall be no rear yard setback requirement for pergolas.-
  - 7. Sheds ~~and pergolas~~ are not permitted on bayfront, lagoon or oceanfront lots. Pergolas are not permitted on oceanfront lots.
  - 8. Sheds shall not be located so as to displace or eliminate required parking spaces or create a nonconforming condition related to either building coverage or impervious surface coverage.

**Section 4.**

**Section 25-300.17 Rear Yards on Waterfront Lots** of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

**25-300.17 Rear Yards on Waterfront Lots.**

- a. The following special requirements shall apply to all lots where the rear yard adjoins a lagoon, or Beach Thorofare (Great Egg Harbor Bay).
  - 1. An open patio shall be permitted and may extend from the house to the bulkhead. Steps, ramps, and landings, providing access from the first floor to the patio, from the patio over the bulkhead, and from the patio on the subject lot to a deck or patio on an adjoining lot are also permitted.

2. Inground swimming pools (subject to NJDEP approval and Section 25-300.1a.2(i) of this Ordinance) and associated fencing, circulating pumps and filters, tennis courts, air conditioners, ~~and~~ heat pumps, sun canopies and pergolas are permitted as per the applicable requirements of this Ordinance.

3. Where the rear lot line is on the water side of the physical bulkhead(s) or bulkhead line, the rear yard setback shall be measured from the physical bulkhead. Where there is more than one (1) bulkhead on said property, the rear yard setback shall be measured from the most landward physical bulkhead.

4. Where the rear lot line is landward of the physical bulkhead(s) or bulkhead line, the rear yard setback requirement shall be measured from the rear lot line.

**Section 5.**

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

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Jay A. Gillian, Mayor

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Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the **28th** day of **August, 2014** and will be taken up for a second reading and final passage at a meeting of said Council held on the **25th** day of **September, 2014** in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

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Linda P. MacIntyre, City Clerk

Summary –

The Zoning Office continues to experience difficulties in dealing with structures in the rear yard of lagoon and bayfront lots. The regulations do not presently permit sheds, garages or other structures in the rear yard of these properties although it is estimated that at least 50 gazebo-type structures exist adjacent to the bayfront and lagoons.

This ordinance requires a Zoning Permit and provides regulations to control the characteristics, size and location of what are being referred to as *Sun Canopies*. The ordinance will also allow *Pergolas* to be located in the rear yard of bayfront and lagoon lots.

Section 2 of this Ordinance will also permit an in-ground basketball system as an allowable rear yard encroachment. A Zoning Permit is required to assure that the required setbacks are observed.

11/14





**CITY OF OCEAN CITY**  
**ORDINANCE NO. 14-29**  
**Master Plan Consistency Report**

**Introduction.**

Ordinance 14-29 - "An ordinance amending and supplementing the Revised General Ordinances of the City of Ocean City (Rear Yard Encroachments)" was introduced on first reading by City Council on August 28, 2014. According to the August 29, 2014 referral from the City Clerk, Ordinance 14-29 will be advertised according to law and is scheduled to have second reading and public hearing at the September 25, 2014 City Council meeting.

The "Municipal Land Use Law" provides the Planning Board with thirty-five (35) days from the referral date to prepare, review, adopt and transmit their consistency report regarding Ordinance 14-29 to City Council. NJS 40:55D-26 describes the Planning Board's responsibility regarding the master plan consistency review as follows:

*"... the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning those inconsistencies and any other matters as the board deems appropriate."*

While formerly only zoning ordinances and amendments thereto were required to be submitted to the planning board, it is now clear from the wording in NJS 40:55D-26 that all "development regulations" must be referred to the planning board for comment and report. The statute requires that every zoning ordinance must "either be substantially consistent with the land use plan and housing plan of the master plan, or designed to effectuate such plan elements." The "Master Plan" referred to herein is the City of Ocean City Master Plan adopted February 3, 1988, and as subsequently amended by the Planning Board.

**Ordinance Summary.**

The current regulations do not permit sheds, garages or other structures in the rear yard of lagoon and bayfront lots properties. Due to the presence of and continued interest in locating gazebo-type structures adjacent to the bay and lagoons, appropriate regulations are needed. Ordinance 14-29 provides regulations to control the characteristics, size and location for a structure defined as a *Sun Canopy*. The ordinance will also allow *Pergolas* to be located in the rear yard of bayfront and lagoon lots. Sheds remain as prohibited structures in the rear yard of all waterfront lots. The proposed regulations are intended to allow for the installation of a roofed structure that provides respite from the sun while minimizing obstruction of lateral views from adjacent properties.

**Conclusion.**

As noted above the Planning Board's responsibility in terms of the master plan consistency review is to identify any provisions in Ordinance 14-29 which are inconsistent with the Master Plan, and make recommendations concerning those inconsistencies and any other matters as the Board deems appropriate.

In defining "substantial consistency" the Supreme Court in *Manalapan Realty v. Township Committee* made it clear that some inconsistency is permitted "provided it does not substantially or materially undermine or distort the basic provisions and objectives of the Master Plan." The "Municipal Land Use Law" does not define the term *inconsistent*.

Ordinance 14-29 advances the following Ocean City Master Plan Objectives:

- *To encourage municipal action which will guide the long range appropriate use and development of lands within the City of Ocean City in a manner which will promote the public health, safety, and general welfare of present and future residents.*
- *To provide adequate light, air and open space.*
- *To secure safety from fire, flood, panic and other natural and man-made disasters.*
- *To encourage coordination of the numerous regulations and activities which influence land development with a goal of producing efficient uses of land with appropriate development types and scale.*
- *To promote a desirable visual/physical environment for residents and visitors by updating the City's ordinances and through creative development techniques that recognizes the environmental assets and constraints of individual development sites.*
- *To improve the quality of life of both residents and tourists*

I have carefully reviewed Ordinance 14-29 and the Ocean City Master Plan. Based on this review and advancement of the Master Plan Objectives noted above, it is my professional opinion that Ordinance 14-29 is consistent with the Ocean City Master Plan.

Respectively submitted,



Randall E. Scheule, PP/AICP

New Jersey Professional Planner License No. LI003666

September 3, 2014

ORDINANCE NO. 14-30

AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE  
REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY  
CENTRAL BUSINESS (CB) ZONE

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

Section 1.

**Section 25-202 Zoning District Map** of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

*The Zoning District designation for Block 1004, Lots 1-11.04 inclusive, and Block 1005, Lots 15-29 inclusive is hereby changed from Central Business (CB) to Central Business-1 (CB-1).*



Section 2.

**Section 25-205.1 CB, Central Business Zone** of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

25-205.1 CB, Central Business Zone.

**25-205.1.1 Purpose.**

The Central Business Zone established in Section 25-201.2 of this Ordinance is intended to provide a focal point of retail activity and professional offices in close proximity to the historical center of town, in accordance with the provisions of N.J.S.A. 40:55D-2(g). (Ord. #07-31, §2)

**25-205.1.2 Permitted Uses.**

One or more of the following uses shall be permitted on any lot in the CB Zone.

- a. Retail sales and retail services;
- b. Banks, savings and loan associations, federal credit unions;
- c. Municipal facilities deemed necessary and appropriate by the governing body of the City of Ocean City;
- d. Personal service shops, such as barber shops, beauty shops, shoe repair, laundry, dry cleaning, h  
Health clubs;

e. Restaurants, (excluding drive-through restaurants), and other eating establishments including but not limited to cafes, coffee shops, luncheonettes, pizzerias, snack shops, bakeries and sidewalk cafes; Eating and drinking places such as restaurants other than fast food restaurants;

f. Bicycle rentals and sales; Open mic entertainment

~~g. Mixed use consisting of residential dwelling units and professional office and/or retail sales, provided that neither the residential use nor the professional office use occupies the first (grade level) floor of any building;~~

~~gf. Contractor's offices and home design studios (including showroom, garage, warehouse and shop); provided all materials and equipment are stored, and all fabrication and processing contained within a completely enclosed building.~~

hg. Essential services;

i. ~~All other uses referenced in Ordinance No. 07-26.~~

(Ord. #07-31, §2)

**25-205.1.3 Conditional Uses.**

a. Quasi-public uses subject to Section 25-208.3; and

b. Residential dwelling units in a mixed-use building subject to Section 25-208.2.5.

c. Educational uses subject to Section 25-208.2.1 of this Ordinance.

(Ord. #07-31, §2)

**25-205.1.4 Permitted Accessory Uses.**

a. Manufacturing, assembly and fabrication clearly incidental to the conduct of ~~a retail—the principal~~ business in which no more than four (4) persons are employed;

b. On-site storage of goods; ~~incidental to the daily conduct of the on-site retail business or Professional Office~~

c. Signs in accordance with this Section 25-1700.29 of this Ordinance;

d. Solid waste/recyclable material storage in accordance with Section 25-1700.31 of this Ordinance;

e. Landscaping, buffers and screening in accordance with the requirements set forth in Section 25-1700;

f. Off-street Parking areas, and truck berths and loading docks.

g. Fences and walls in accordance with Section 25-1700.14 of this Ordinance.

h. Other customary accessory uses, buildings and structures, which are clearly incidental to the principal use(s) and building(s).

~~i. Open mic entertainment.~~

(Ord. #07-31, §2)

**Central Business Zone—Schedule of District Regulations  
(Subsection 25-205.1.5)**

Zone District	Minimum Lot Area (Square Feet)		Minimum Lot Width and Lot Frontage (Feet)		Minimum Yard Requirements (Feet)			Min. Lot Depth (Feet) (4)	Maximum Building Height (22)		Maximum Building Coverage (percent)	Maximum Impervious Coverage (percent)
	Interior	Corner	Interior	Corner	Front (1)	Rear	Side		Flat/Pitched Roof (Feet)	Habitable Stories		
CB	6000	7000	60	70	Schedule B	4	(14) N/A	100	4+ 32/38	3	90	100

NOTES TO SCHEDULE:

- (1) In all zone districts, the minimum front yard setback shall be as indicated on Schedule B, "Schedule of Front Yard Setback Depths by Street." Where development is proposed on lots adjacent to a street not listed on Schedule B, the front yard shall be the average setback of the adjacent buildings on the entire block, as determined from a certified survey provided by the applicant/owner.
- (2) — (3) Reserved.
- (4) The minimum required lot depth, lot frontage and lot area indicated shall be provided, except that lots with less than the required lot depth, frontage and lot area at the time of adoption of this Ordinance, shall be deemed to be conforming for the purposes of lot depth, lot frontage and lot area.
- (5) — (21) Reserved.
- (14) No side yard shall be required for nonresidential uses on any floor level. Two (2) side yards of not less than four feet (4') each shall be required for second and/or third floor residential uses.
- (22) Building height for commercial and mixed-use buildings is measured from Base Flood Elevation plus one (1) foot (BFE+1). Maximum building height is determined by the ceiling height of the lowest floor may be increased above forty-one feet (41') provided the ceiling height above the first finished floor is increased as specified in the following table:

<u>Lowest Floor-to-Ceiling Height</u>	<u>Building Height (Flat Roof)</u>	<u>Building Height (Pitched Roof)</u>
12 feet or less	32 feet	38 feet
12.1 - 13 feet	33 feet	39 feet
13.1 - 14 feet	34 feet	40 feet
14.1 - 15 feet	35 feet	41 feet
15.1 feet or more 46-feet	36 feet	42 feet

SCHEDULE A—Schedule of Zoning District Regulations (Section 25-209.1)

SCHEDULE B—Schedule of Front Yard Setback Depths by Street (Section 25-209.2)

SCHEDULE C—Schedule of Side Yard Setbacks (Section 25-209.3)

(Ord. #07-31, §2; Ord. #08-12, §4; Ord. #09-28, §12)

**25-205.1.6 Building Design.**

a. *General Guidelines.*

1. Infill building design should be consistent with the design of significant buildings that already exist on adjacent lots.
2. New buildings should strive for a contextual approach to design. A contextual design approach does not mean that new buildings should imitate older buildings, but rather that they should be sensitive to the surrounding built and natural environment.
3. New buildings should provide an appropriate harmonious relationship to existing nearby structures in terms of height and scale.
4. The height and scale of new buildings should be similar to that of the surrounding area, or articulated or subdivided into massing that is more or less proportional to other structures in the area and maintains the existing architectural rhythm.
5. The scale of new infill buildings should be sensitive to pedestrians. Large buildings should contain design elements for entrance ways, plazas, facades, and general street level design that creates a street frontage that is attractive and pleasant for pedestrians.
6. The selection of building design elements, such as materials, fenestration, color, texture, etc., should ensure that such treatment is harmonious with that prevalent in the area where such prevalence exists and such harmony is desirable.
7. The incorporation of desirable design features in the surrounding area, for example, continuing a particular design feature or statement, is encouraged.
8. When the development consists of or includes a building addition, the addition should be designed to reflect the existing building in terms of scale, fenestration and color. A change in scale, for example, may require a transitional design element between the addition and the existing building.

9. The lowest floor in commercial and mixed-use buildings should be elevated to the greatest extent practical to comply with BFE requirements.

- b. *Design Standards.* The following requirements shall apply to all new development, additions, alterations, renovations to front building facades, and modifications affecting the commercial floor area.

Buildings should be compatible in terms of their placement on the lot, height, general design, architectural embellishment, facade treatment, and finish materials.

1. Minimum 1st Floor Commercial Floor Area. ~~Fourteen- Fifteen hundred (1,500) (1,400)~~ square feet or fifty percent (50%) of the ~~first floor building lot~~ area, whichever ~~results in the greater floor area, is greater.~~

2. The minimum required interior floor-to-ceiling height ~~for new first floor commercial space in the ground level commercial unit~~ shall be twelve feet (12'). ~~This minimum ceiling height may be reduced to eight feet (8') when buildings are being renovated to comply with BFE requirements.~~

3. Minimum Interior Store Width. Twenty-four feet (24').

4. Transparent windows equal in area to not less than ~~sixty- forty-five~~ percent (~~60 45%~~) of the first floor commercial unit's front facade are required subject to the following:

(a) Buildings located on corner lots shall meet this requirement for both street-facing facades.

(b) Windows shall use clear or lightly tinted glass, except for decorative or architectural accents, typical of commercial storefronts and not of the type utilize on residential dwellings. Reflective glass is not an acceptable window material.

(c) Windows shall allow pedestrians unobstructed views into the building or into display windows from the outside extending at least ten feet (10') into the interior. ~~Closely-gridded residential style windows are not permitted.~~

(d) The percentage of glass shall be calculated by measuring the height (from the base of the front wall to the top of the first wall plate) and width of the front wall of the commercial unit, and the area of glass within the main frame(s) of the windows and doors. Frames, grids and mullions shall not be included in this calculation.

5. Front Entry. An entry from the street providing access to the upper floors is required on all lots forty feet (40') or greater in width. This entry shall be secondary in terms of design to the primary access for the commercial space.

~~6. Second floor front facades are to be in vertical alignment with first floor front facades.~~

~~7. Balconies on the front facade are limited to a width of ten feet (10') or one-third (1/3) the front facade width, whichever is less, and twenty-four inches (24") in depth.~~

~~8. Porches and decks are permitted at the rear second and third floor levels. Porches and decks are not permitted on the front of buildings.~~

~~9. Roof decks are prohibited on the front one-third (1/3) of the building, shall not be visible from the adjoining street(s), shall be limited to ten percent (10%) of the roof area, shall only be accessed by internal stairs, and shall be setback a minimum of six feet (6') from the edges of the building.~~

10. Buildings located on corner lots shall treat both street frontages as front facades in terms of architecture, and setbacks. ~~balconies, porches and decks.~~

11. To accommodate food preparation, venting for the entire first floor to the roof is required.

12. Flat roofs are to be enclosed by a parapet. ~~to conceal rooftop mechanical equipment.~~

13. Vinyl and aluminum siding on front facades is prohibited.

14. Front facades shall be designed to be compatible with adjacent structures in terms of vertical and horizontal building elements, and to provide interest to pedestrians through the use of architectural relief, selection of materials and components, window and door frames, pediments, columns, etc.

15. Where the side of a building is visible from an adjoining property or the public right-of-way, the design and materials used on the front facade shall be extended to at least one-third (1/3) of the building's side facade.

16. All new structures shall have the primary entrance oriented toward the street or public walkway, with direct, barrier-free and convenient pedestrian access.

17. Buildings on a-corner lots shall have the main entrance on the primary street (Asbury Avenue or Central Avenue). This requirement does not preclude additional rear or side entrances. ~~facing parking areas.~~

18. The landscaping, lighting, signage and accessory features such as street furniture and hardware, trash storage, and mechanical equipment shall be consistent with established norms and compatible with the infill design.  
(Ord. #07-31, §2)

#### 25-205.1.7 Vacant Lots.

Any lot within the Central Business Zone kept vacant for more than one hundred eighty (180) days shall be landscaped and thereafter maintained in good order by the owner. The landscaping shall be appropriate to an urban park or garden. (Ord. #07-31, §2)

#### 25-205.1.8 Off-Street Parking and Loading.

a. Off-street parking spaces shall be provided as noted:

1. Retail Sales ~~(including Pet Shops). No parking spaces required. One (1) parking space for every one thousand (1,000) square feet, or fraction thereof.~~

2. Banks, savings and loan associations, federal credit unions. ~~One (1) parking space for each three hundred fifty (350) square feet of gross floor area and one (1) space for every four (4) employees on the shift with the largest number of employees. As specified in subsection 25-300.12.5 of this Ordinance.~~

3. Personal Service Shops. ~~No parking spaces required. As specified in subsection 25-300.12.5 of this Ordinance.~~

4. ~~Restaurants, Delicatessens, Coffee Shops. Restaurants (excluding drive-through restaurants), and other eating establishments including but not limited to cafes, coffee shops, luncheonettes, pizzerias, snack shops and bakeries. No parking spaces required. One (1) parking space for every one thousand (1,000) square feet (or fraction thereof) of interior space, except when located on 30-foot wide lots where only one (1) parking space is required. No parking shall be required for sidewalk cafes.~~

5. Professional Offices, ~~Contractor's Offices and Home Design Studios.~~ One (1) parking space for every ~~one thousand (1,000) five hundred seventy-five (575)~~ square feet, or fraction thereof.

6. Residential. ~~Required parking spaces for residential dwelling units shall be determined by the number of bedrooms as follows: Two (2) parking spaces per dwelling unit,~~

~~(a) 2 bedrooms, 1.5 parking spaces~~

~~(b) 3 bedrooms, 2.0 parking spaces~~

~~(c) 4 bedrooms, 2.5 parking spaces\*~~

~~\* Where the number of bedrooms is not specified, this parking requirement shall apply~~

~~7. On Properties Under 3,999 Square Feet:~~

~~(a) Two (2) parking spaces per each two thousand three hundred (2,300) square foot 3-bedroom dwelling unit.~~

~~(b) One and one half (1.5) parking spaces per each one thousand two hundred fifty (1,250) square foot 2-bedroom dwelling unit.~~

b. Off-site parking spaces may be provided through one (1) or a combination of the following options:

1. Providing the required spaces on other properties owned in fee simple by the commercial use, located within a zone which permits the proposed use(s), either contiguous with or within five hundred feet (500') walking distance of a primary pedestrian entrance to the site being developed.

2. Providing evidence that the required parking spaces have been leased or rented from others within five hundred feet (500') walking distance of a primary pedestrian entrance to the site being developed. In such case, the parking spaces to be leased or rented shall be properly established

under the terms of this Ordinance and the minimum term of such lease or rental shall be consistent with the probable duration of the proposed occupancy but not less than twenty (20) years.

c. *Stacked Parking.*

1. Parking spaces for commercial uses may be placed in a "stacked" fashion, one behind the other, provided that each parking space is clearly designated and the business owner/operator has established a vehicle management plan.

2. Parking spaces for residential uses may be placed in a "stacked" fashion, one behind the other; provided that each parking space is clearly designated and assigned to the dwelling unit it is intended to serve.

d. *Parking Buffer.* Off-street parking spaces shall not be within four feet (4') of any structure, except when the parking spaces are located directly adjacent to a garage door in which case no setback is required.

e. *Mixed Uses.* For mixed uses, required parking facilities shall be the sum of the requirements for the individual uses, computed separately in accordance with this Ordinance. Parking facilities for one (1) use shall not be considered as providing the required parking facilities for any other use. Parking for mixed uses shall be as specified in subsection 25-300.12.4g of this Ordinance.

f. *Truck Berths.* Truck berths shall be provided for all lots sixty feet (60') or more in width, as specified in Section 25-300.12.4.1 of this Ordinance.

g. *Shared Parking.* ~~The collective provision of such space~~ Parking spaces shared by two (2) or more uses located on adjacent properties is permitted, provided that the total amount of such parking spaces shall not be less than the total parking requirement for all uses if computed separately.

h. ~~Vehicular access to drive thru facilities, parking areas, loading and unloading spaces shall be as provided in subsection 25-300.12.6 of this Ordinance.~~

~~i.~~ Parking lots are not permitted within any required front yard setback.

(Ord. #07-31, §2)

**25-205.1.9 Streetscape Design Standards.**

All ~~improvements to the curb and~~ sidewalk areas and curbs (public and private) on Asbury Avenue between 6<sup>th</sup> Street and 11<sup>th</sup> Street, and from Asbury Avenue to the alley on corners between 6<sup>th</sup> Street and 11<sup>th</sup> Street ~~between 6<sup>th</sup> Street and 11<sup>th</sup> Street~~, inclusive, shall ~~comply with the standards adopted by the Special Improvement District. (Ord. #07-31, §2)~~ be French Gray, with no pavers, and installed in compliance with Standard Specifications, as amended.

**Section 3.**

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

\_\_\_\_\_  
Jay A. Gillian, Mayor

\_\_\_\_\_  
Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the 28<sup>th</sup> day of **August, 2014** and will be taken up for a second reading and final passage at a meeting of said Council held on the 25<sup>th</sup> day of **September, 2014** in Council Chambers, City Hall, Ocean City, New Jersey, at 7:00 o'clock in the evening.

\_\_\_\_\_  
Linda P. MacIntyre, City Clerk



### Summary ~

This ordinance provides revisions to improve the functionality of the Central Business Zones.

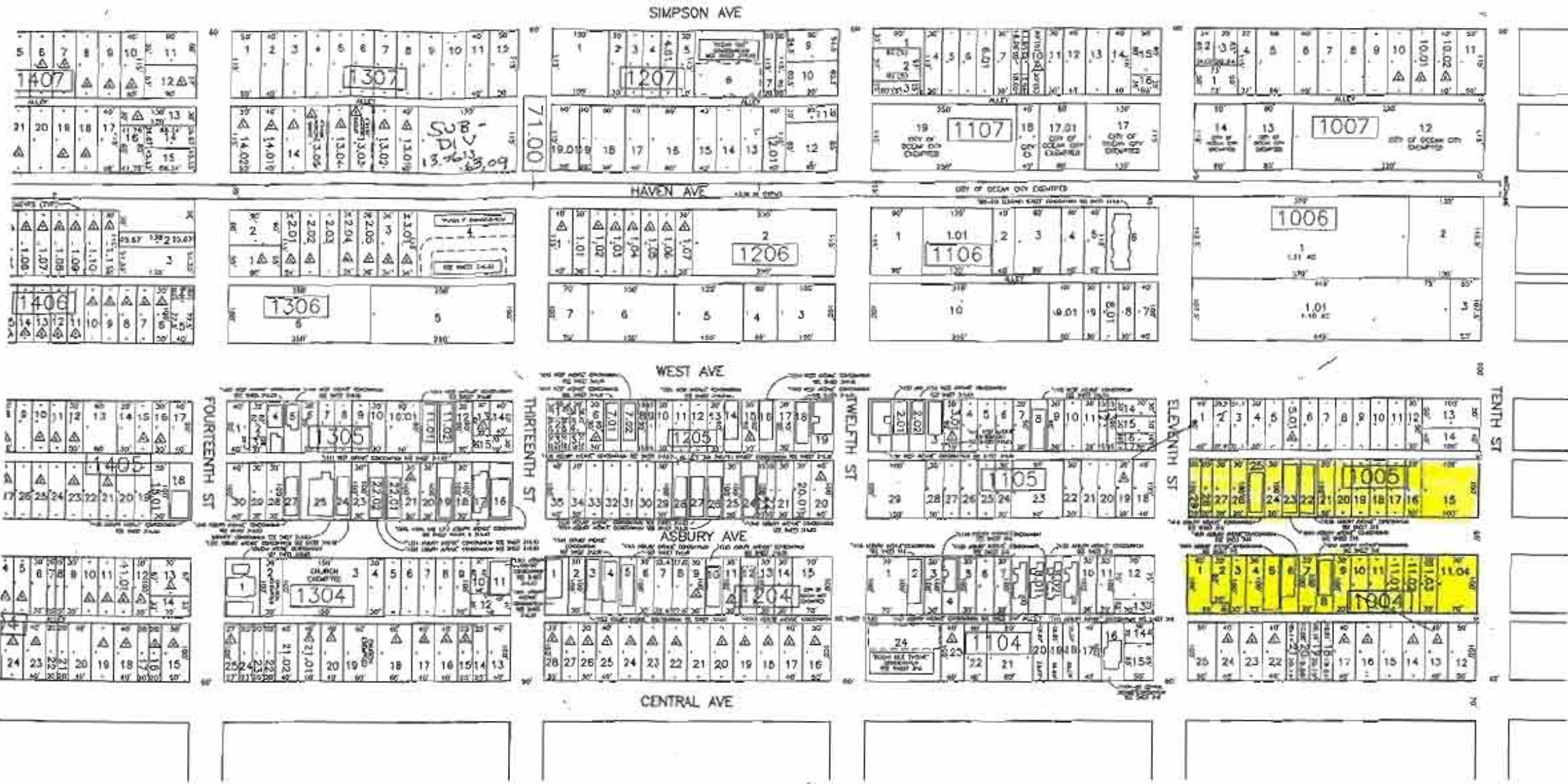
Section 1 amends the Zoning Map by converting the Asbury Avenue CB Zone between 10<sup>th</sup> and 11<sup>th</sup> Streets to CB-1.

Section 2 proposes the following revisions to the Central Business Zone:

- The list of permitted uses is modified and clarified
- Building height is related to BFE
- Design standards for commercial floor area, ceiling height and commercial glass are made consistent with CB-1; restrictions on balconies, porches and decks modified or eliminated
- Parking requirements are made consistent with CB-1 and RSIS

Section 3 revises the CB and CB-1 Conditional Use requirements as follows:

- Residential units are permitted above the first floor. The 30 dwelling unit/acre density results in one unit for each 1,500 SF of lot area. A 3-story building on a 30' lot with commercial first floor may have one (1) dwelling unit on each of the two upper floors.
- In the CB-1 on West Avenue the density is adjusted to 33 DU/Acre due to the 90' lot depths. This density for a mixed-use building configuration on West Avenue yields 2 dwelling units above commercial on a 2,700 SF lot.



△ DENOTES TWO UNIT CONDOMINIUMS.  
 TO LOCATE CONDO DETAILS SEE INDEX SHEET 200.  
 THIS SHEET HAS BEEN DRAWN USING COMPUTER AIDED DRAWING/  
 DESIGN (CAD/D) AND COORDINATED GEOMETRY (CGO).

**EAC**  
 Thomas J. Estabrook (L.S.)  
 Surveyor & Engineer  
 Santa Cruz, CA  
 DATE: DEC 14 2008

**TAX MAP**  
**CITY OF OCEAN CITY**  
 GAYMAY COPY  
 SCALE: 1" = 50'  
 DATE: OCT 2008

**ARNOLD W. BARNETT**  
 PROFESSIONAL ENGINEER AND LAND SURVEYOR  
 NEW JERSEY LICENSE NO. 14987

8000 WYOMING PIKE  
 GARDEN CITY, NEW JERSEY 08520  
 609-261-7700



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

## DEPARTMENT OF COMMUNITY OPERATIONS

---

Code Enforcement • Construction • Engineering • Environmental Management • Parks and Recreation • Planning • Zoning

# Memo

**To:** Administrator Michael Dattilo  
**From:** Roger D. McLarnon, PE, PP, CFM, CME, CPWM – Director of Community Operations and City Engineer  
**CC:** Dottie McCrosson – Solicitor, James V. Mallon  
**Date:** August 25, 2014  
**Re:** CB Zone modification Ordinance

---

The purpose of this ordinance revision is improve the functionality of the Central Business Zones (CB and CB-1).

The CB-1 zone will now extend to 10<sup>th</sup> Street along Asbury Avenue, thereby converting a portion of CB Zone to CB-1 Zone.

The following items have been revised:

- The list of permitted uses is modified and clarified
- All building heights are related to BFE instead of centerline of street thereby creating a consistent, static baseline for measuring height and relating the height to current flood maps.
- Design standards are now modified to be consistent with CB-1 such as commercial floor area, ceiling height and commercial glass. Restrictions on balconies, porches and decks are modified or eliminated.
- Ceiling heights are more flexible in allowing future in-filling of first floor units to comply with flood standards and ADA requirements.
- Parking requirements are more consistent with CB-1 and RSIS, New Jersey Residential Site Improvement Standards.

The last section revises the CB and CB-1 Conditional Use requirements by:

- Residential Units are permitted above the first floor. The 30 dwelling unit/acre density results in one unit for each 1,500 SF of lot area. A 3 story building on a 30' wide lot

115 12<sup>th</sup> Street, OCEAN CITY, NJ 08226  
PH: 609-399-6111 FAX: 609-525-0831

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# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

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Code Enforcement • Construction • Engineering • Environmental Management • Parks and Recreation • Planning • Zoning

with commercial first floor may have one (1) dwelling unit on each of the upper two floors.

- In the CB-1 zone that fronts on West Avenue the density is adjusted to 33 dwelling units/acre due to the 90' lot depths that exist. This density for a mixed-use building configuration on West Avenue yields 2 dwelling units above commercial on a 2,700 SF lot.

RDM

ORDINANCE NO. 14-31

AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER XXV, ZONING AND LAND DEVELOPMENT OF THE  
REVISED GENERAL ORDINANCES OF THE CITY OF OCEAN CITY  
CENTRAL BUSINESS-1 ZONE

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

Section 1.

Section 25-205.1A Central Business-1 (CB-1) Zone of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows.

25-205.1A CENTRAL BUSINESS-1 (CB-1) ZONE.

**25-205.1A.1 Purpose.**

The Central Business-1 Zone established in Section 25-201.2 of this Ordinance is intended to provide for more diversity in the mix of permitted uses adjacent to the downtown. The CB-1 Zone also functions as a transitional area between the Central Business Zone, Drive-in Business Zone and adjacent residential districts. ~~The ground floor unit shall not be used residential use. Upper floors may be used for any of the uses permitted in the zone.~~ (Ord. #08-01, §1)

**25-205.1A.2 Permitted Uses.**

One or more of the following uses shall be permitted on any lot in the CB-1 Zone

- a. Retail sales and retail service;
- b. Banks, savings and loan associations and other fiduciary institutions;
- c. Professional offices;
- d. Restaurants, (excluding drive-through restaurants), and other eating establishments including but not limited to cafes, coffee shops, luncheonettes, pizzerias, snack shops, bakeries and sidewalk cafes; ~~other than fast food restaurants;~~
- e. Essential services;
- ~~f. Mixed use consisting of residential and professional office or retail, provided the residential use does not occupy the first (grade level) floor of any building;~~
- ~~g. Contractor's office, showroom, garage, warehouse and shop, and home design studios, provided all materials and equipment are stored within a completely enclosed building.~~
- gh. ~~Decks above the elevation of the uppermost habitable floor are prohibited.~~ One-family and two-family dwelling units subject to R1-30 and R2-30 bulk requirements, respectively.

—Municipal facilities deemed necessary and appropriate by the governing body of the City of Ocean City.

~~i. Open mic entertainment~~  
(Ord. #8-01, §1)

**25-205.1A.3 Conditional Uses.**

~~The following conditional uses are permitted above the first floor only:~~

- ~~a. Quasi-public uses subject to Section 25-208.1 of this Ordinance.~~
- b. Educational uses subject to Section 25-208.2.1 of this Ordinance.

- c. Places of worship subject to Section 25-208.2.2. of this Ordinance.
  - d. Residential dwelling units in a mixed-use building subject to Section 25-208.2.5 of this Ordinance.
- (Ord. #08-01, §1)

**25-205.1A.4 Permitted Accessory Uses.**

- a. Manufacturing clearly incidental to the conduct of a retail business in which no more than four (4) persons are employed and subject to compliance with Section 25-1400.3 of this Ordinance;
  - b. On-site storage of goods incidental to the daily conduct of the on-site retail business;
  - c. Signs subject to Section 25-1700.29 of this Ordinance;
  - d. Solid waste and recyclable storage subject to Section 25-1700.31 of this Ordinance.
  - e. Landscaping, buffer areas and screening shall be in accordance with Section 25-1700.
  - f. Fences and walls in accordance with Section 25-1700.14 of this Ordinance.
  - g. Off-street parking areas, truck berths and loading docks.
  - h. Other customary accessory uses, buildings and structures, which are clearly incidental to the principal use(s) and building(s).
  - i. Open mic entertainment.
- (Ord. #08-01, §1)

**Central Business-1 Zone—Schedule of District Regulations  
(Subsection 25-205.1A.5)**

Zone District	Minimum Lot Area (Square Feet)		Minimum Lot Width and Lot Frontage (Feet)		Minimum Yard Requirements (Feet)			Min. Lot Depth (Feet) (4)	Maximum Building Height (15)		Maximum Building Coverage (percent)	Maximum Impervious Coverage (percent)
	Interior	Corner	Interior	Corner	Front (1)	Rear	Side (14)		Flat/Pitched Roof (Feet)	Habitable Stories		
CB1	6000	7000	60	70	Schedule B	4	Schedule C	100	32 <del>37</del> 38	3	90	90

**NOTES TO SCHEDULE (Central Business-1 Zone):**

- (1) In all zone districts, the minimum front yard setback shall be as indicated on Schedule B, "Schedule of Front Yard Setback Depths by Street." Where development is proposed on lots adjacent to a street not listed on Schedule B, the front yard shall be the average setback of the adjacent buildings on the entire block, as determined from a certified survey provided by the applicant/owner.
- (2)-(3) Reserved.
- (4) The minimum required lot depth and lot frontage indicated shall be provided, except that lots with less than the required depth or frontage at the time of adoption of this Ordinance, shall be deemed to be conforming for purpose of lot depth.
- (5)-(13) Reserved.
- (14) No side yard shall be required for nonresidential uses on any floor level. Two (2) side yards of not less than four feet (4') each shall be required for second or third floor residential uses.  
 SCHEDULE A—Schedule of Zoning District Regulations (Section 25-209.1)  
 SCHEDULE B—Schedule of Front Yard Setback Depths by Street (Section 25-209.2)  
 SCHEDULE C—Schedule of Side Yard Setbacks (Section 25-209.3)  
 (Ord. #02-19; Ord. #02-29, §15; Ord. No. 03-12, §5; Ord. #03-22, §1; Ord. #04-13, §3; Ord. #08-01, §1; Ord. #08-12, §4; Ord. #09-28, §12)
- (15) Building height for commercial and mixed-use buildings is measured from Base Flood Elevation plus one (1) foot (BFE+1). Maximum building height is determined by the ceiling height of the lowest floor as specified in the following table:

<u>Lowest Floor - Ceiling Height</u>	<u>Building Height (Flat Roof)</u>	<u>Building Height (Pitched Roof)</u>
12 feet or less	32 feet	38 feet
12.1 - 13 feet	33 feet	39 feet
13.1 - 14 feet	34 feet	40 feet
14.1 - 15 feet	35 feet	41 feet
15.1 feet or more	36 feet	42 feet

Building height for residential uses shall be in accord with the applicable residential zone bulk requirements.

#### **25-205.1A.6 Side Yards.**

a. Two (2) side yards shall be required for residential units (as permitted conditional uses) on the second and/or third floors; said side yards shall each be a minimum of four feet (4').

b. An elevator and/or stairwell to a second and/or third floor use may encroach not more than eighteen inches (18") into one (1) side yard.  
(Ord. 08-01, §1)

#### **25-205.1A.7 Off-Street Parking.**

a. Off-street parking spaces shall be provided as noted. For all other uses, refer to Section 25-300.12.5 of this Ordinance.

1. Retail sales (including Pet Shops), and retail services – no parking required.

2. Restaurants (excluding drive-through restaurants), and other eating establishments including but not limited to cafes, coffee shops, luncheonettes, pizzerias, snack shops and bakeries. – No parking required.

3. Professional offices, Contractor's Offices and Home Design Studios – one (1) parking space for every 1,000 square feet, or fraction thereof.

4. Banks, savings and loan associations, federal credit unions. One (1) parking space for each three hundred fifty (350) square feet of gross floor area and one (1) space for every four (4) employees on the shift with the largest number of employees

5. ~~Residential dwelling units—two (2) parking spaces per dwelling unit.~~

#### ~~Residential:~~

Required parking spaces for residential dwelling units shall be determined by the number of bedrooms as follows: ~~Two (2) parking spaces per dwelling unit.~~

(a) 2 bedrooms, 1.5 parking spaces

(b) 3 bedrooms, 2.0 parking spaces

(c) 4 bedrooms, 2.5 parking spaces\*

\* Where the number of bedrooms is not specified, this parking requirement shall apply

b. Off-site parking spaces may be provided through one (1) or a combination of the following options:

1. Providing the required spaces on other properties owned in fee simple by the commercial use, located within a zone which permits the proposed use(s), either contiguous with or within five hundred feet (500') walking distance of a primary pedestrian entrance to the site being developed.

2. Providing evidence that the required parking spaces have been leased or rented from others within five hundred feet (500') walking distance of a primary pedestrian entrance to the site being developed. In such case, the parking spaces to be leased or rented shall be properly established under the terms of this Ordinance and the minimum term of such lease or rental shall be consistent with the probable duration of the proposed occupancy but not less than twenty (20) years.

#### *c. Stacked Parking.*

1. Parking spaces for commercial uses may be placed in a "stacked" fashion, one behind the other, provided that each parking space is clearly designated and the business owner/operator has established a vehicle management plan.

2. Parking spaces for residential uses may be placed in a "stacked" fashion, one behind the other, provided that each parking space is clearly designated and assigned to the dwelling unit it is intended to serve.

d. *Designation of Parking Spaces.* Parking spaces designated for the commercial and/or residential use shall be clearly indicated on all site plans and zoning permits. Details of such designation,

whether in the form of signage or pavement marking, shall also be provided. Verification of such parking space designation shall be required prior to the issuance of the certificate of occupancy.

e. *Parking Buffer.* Except as otherwise noted, off-street parking ~~areas~~ spaces shall not be within four feet (4') of any structure except when the parking spaces are located directly adjacent to a garage door in which case no setback is required.

f. *Mixed Uses.* Parking for mixed uses shall be ~~as specified in Section 25-300.12.4g of this Ordinance~~ the sum of the requirements for the individual uses, computed separately in accordance with this Ordinance. Parking facilities for one (1) use shall not be considered as providing the required parking facilities for any other use.

g. *Truck Berths.* Truck berths shall be provided on all lots sixty (60) feet or more in width as specified in Section 25-300.12.4.l of this Ordinance.

h. *Shared Parking.* ~~The collective provision of such space~~ Parking spaces shared by two (2) or more uses located on adjacent properties is permitted, provided that the total amount of ~~such space~~ parking spaces shall not be less than the total requirement for all uses if computed separately.

i. Vehicular access to drive-thru facilities, parking areas, loading and unloading spaces shall be provided as specified in Section 25-300.12.6 of this Ordinance.  
(Ord. #08-01 §1)

#### 25-205.1A.8 Building Design.

##### a. *General Guidelines.*

1. Infill building design should be consistent with the design of significant buildings that already exist in the adjacent vicinity.

2. The scale of new infill buildings should be sensitive to pedestrians. Large buildings should contain design elements for entrance ways, plazas, facades, and general street level design that creates a street frontage that is attractive and pleasant for pedestrians.

3. The incorporation of desirable design features in the surrounding area, for example, continuing a particular design feature or statement, is encouraged.

4. When the development consists of or includes a building addition, the addition should be designed to reflect the existing building in terms of scale, fenestration and color. A change in scale, for example, may require a transitional design element between the addition and the existing building.

5. The lowest floor in commercial and mixed-use buildings should be elevated to the greatest extent practical to comply with BFE requirements .

b. *Design Standards.* The following requirements shall apply to all new development, additions or alterations, renovations to front building facades, and modifications which require site plan or variance approval.

1. Minimum interior floor-to-ceiling height for new first floor commercial space ~~in the ground-level commercial unit~~ shall be twelve feet (12'). ~~ten (10) feet~~. This minimum height may be reduced to eight feet (8') when buildings are being renovated to comply with BFE requirements.

2. Minimum commercial floor area shall be fifteen (1,500) square feet or fifty percent (50%) of the lot area ~~twenty-five percent (25%) of the gross floor area, or twelve hundred (1,200) square feet~~, whichever results in the greatest floor area. ~~is greater~~.

3. Minimum interior width for first floor commercial space shall be twenty-four feet (24').

4. Transparent windows equal in area to not less than ~~fifty~~ forty-five percent (~~5~~ 45%) of the first floor commercial unit's front facade are required subject to the following:

(a) Buildings located on corner lots shall meet this requirement for both street-facing facades.

(b) Windows shall use clear or lightly tinted glass, except for decorative or architectural accents, typical of commercial storefronts and not of the type utilized on residential dwellings. Reflective glass is not an acceptable window material.



(c) Windows shall allow pedestrians unobstructed views into the building or into display windows from the outside extending at least ten feet (10') into the interior. ~~Closely gridded residential style windows are not permitted; plate glass is preferred.~~

(d) The percentage of glass shall be calculated by measuring the height (from the base of the front wall to top of first floor plate) and width of the front wall of the commercial unit, and the area of glass within the main frame(s) of the windows and doors. Frames, grids and mullions shall not be included in this calculation.

5. Buildings located on corner lots shall treat both street frontages as front facades in terms of architecture, windows and setbacks.

6. In order to accommodate commercial cooking appliances and other uses requiring a mechanical ventilation system, ductwork meeting the specifications in the current edition of the International Mechanical Code for commercial cooking appliances shall be installed in each commercial unit.

7. Flat roofs are to be enclosed by a parapet ~~to conceal rooftop mechanical equipment.~~

~~8. Second floor front facades are to be in vertical alignment with first floor front facades.~~

~~9. Balconies on the front facade are limited to a width of ten feet (10') or one-third (1/3) the front facade width, whichever is less, and twenty four inches (24") in depth.~~

~~10. Porches and Decks are permitted at the rear second and third floor levels. Porches and decks are not permitted on the front of buildings.~~

8-11. Vinyl and aluminum siding on front (street-facing) facades is prohibited.

9-12. Where the side of a building is visible from an adjoining property or the public right-of-way, the design and materials used on the front facade shall be extended to at least one-third (1/3) of the building's side facade.

10. All new structures shall have the primary entrance oriented toward the street or public walkway, with direct, barrier-free and convenient pedestrian access.

11. Buildings on corner lots shall have their main entrances on the primary street. This requirement does not preclude additional rear or side entrances ~~facing parking areas.~~

12. The landscaping, lighting, signage and accessory features such as street furniture and hardware, trash storage, and mechanical equipment shall be compatible with the infill design.

13. All sidewalk areas and curbs (public and private) on Asbury Avenue between 6<sup>th</sup> Street and 11<sup>th</sup> Street, and from Asbury Avenue to the alley on corners between 6<sup>th</sup> Street and 11<sup>th</sup> Street, inclusive, shall be French Gray, with no pavers, and installed in compliance with Standard Specifications, as amended.

~~All improvements to the curb and sidewalk areas on Asbury Avenue between 6th Street and 11th Street shall comply with the standards adopted by the Special Improvement District.~~

~~(Ord. No. 08-01, §1)~~

## Section 2.

Section 25-208.2.5 Residential Dwelling Units of Chapter XXV "Zoning and Land Development" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

### **25-208.2.5 Residential Dwelling Units.**

\* **Editor's Note:** Former subsection 25-208.2.5, Hotels and Motels, previously codified herein and containing portions of Ordinance No. 06-33, was repealed in its entirety by Ordinance No. 07-37.

Residential dwelling units may be permitted as a conditional use within those zones specified, ~~provided the lot, use and structures adheres to the minimum bulk and design standards of the particular zone and~~ subject to the following:

a. Residential dwelling units shall not occupy any part of the first (grade-level) floor of any building.

b. Eating establishments ~~and drinking places~~ including but not limited to cafes, coffee shops, luncheonettes, pizzerias, restaurants and snack shops, candy, nut, confectionery stores, and bakeries shall not be prohibited or limited at any time or by any means including, but not limited to conditions contained within a master deed, deed restriction, Certificate of Occupancy, Mercantile License, Certificate of Zoning Compliance or other instrument. This requirement shall be memorialized in the decision and resolution approving the site plan and shall be promptly recorded thereafter.

c. *Density*. The maximum residential density within the Neighborhood Business Zone and 34th Street Gateway Zone shall be as permitted in the following schedule:

<i>Lot Area</i>	<i>Density</i>
Up to 3,999 sf	1 dwelling unit
4,000 sf and greater	1 dwelling unit/each 2,000 sf of lot area

Parking required: two (2) spaces per residential unit:

d. *Density in the Central Business (CB) Zone and Central Business-1 (CB-1) Zone*. The maximum permitted residential density in the Central Business (CB) Zone and Central Business-1 (CB-1) Zone shall be as follows:

<b>Central Business (CB) Zone</b>	<b>Central Business-1 (CB-1) Zone</b>
30 Dwelling Units per Acre	30 Dwelling Units per Acre 33 Dwelling Units per Acre (West Ave. only)

<i>Lot Area</i>	<i>Density</i>
<del>Up to 3,999 sf</del>	<del>Refer to subsection 25-205.2.5.e</del>
<del>4,000 sf and greater</del>	<del>1 dwelling unit/each 2,000 sf of lot area</del>

~~e. *Maximum Residential Unit Size in the Central Business (CB) Zone and Central Business-1 (CB-1) Zone:*~~

~~One Dwelling Unit—Maximum permitted residential unit size for one (1) dwelling unit shall be two thousand three hundred (2,300) feet and three (3) bedrooms.~~

~~OR~~

~~Two Dwelling Units—Maximum permitted residential unit size for each dwelling unit shall be one thousand two hundred fifty (1,250) square feet and two (2) bedrooms.~~

(Ord. #07-37, §3; Ord. #07-31, §3; Ord. #08-01, §2; Ord. #10-09, §6)

### Section 3.

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

\_\_\_\_\_  
Jay A. Gillian, Mayor

\_\_\_\_\_  
Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the 28<sup>th</sup> day of August, 2014 and will be taken up for a second reading and final passage at a meeting of said Council held on the 25<sup>th</sup> day of September, 2014 in Council Chambers, City Hall, Ocean City, New Jersey, at 7:00 o'clock in the evening.

\_\_\_\_\_  
Linda P. MacIntyre, City Clerk



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

## DEPARTMENT OF COMMUNITY OPERATIONS

---

Code Enforcement • Construction • Engineering • Environmental Management • Parks and Recreation • Planning • Zoning

# Memo

**To:** Administrator Michael Dattilo  
**From:** Roger D. McLarnon, PE, PP, CFM, CME, CPWM – Director of Community Operations and City Engineer  
**CC:** Dottie McCrosson – Solicitor, James V. Mallon  
**Date:** August 25, 2014  
**Re:** CB-1 Zone modification Ordinance

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### Section 1:

The purpose of this ordinance revision is to clarify and modify certain aspects of the CB-1 Zone Ordinance as follows:

- Residential dwelling are now a permitted use within this zone.
- Building heights are related to Base Flood Elevation (BFE) instead of the centerline of road.
- As in the CB Zone, the design standards for commercial floor area, ceiling height and commercial glass are modified to be consistent with CB zone. Restrictions on balconies, porches and decks being modified or eliminated.
- Parking requirements are made consistent with CB zone and RSIS, Residential Site Improvement Standards.

### Section 2:

Revises the CB and CB-1 Zone Conditional Use requirements such as:

- Residential Units are permitted above the first floor must comply with BFE+2 requirements. This will reduce hardships for flood insurance purposes. The 30 dwelling unit/acre density results in one unit for each 1,500 SF of lot area. A 3 story building on a 30' wide lot with commercial first floor may have one (1) dwelling unit on each of the upper two floors.
- In the CB-1 zone that fronts on West Avenue the density is adjusted to 33 dwelling units/acre due to the 90' lot depths that exist. This density for a mixed-use building configuration on West Avenue yields 2 dwelling units above commercial on a 2,700 SF lot.

115 12<sup>th</sup> Street, OCEAN CITY, NJ 08226  
PH: 609-399-6111 FAX: 609-525-0831

*Printed on Recycled Paper*

|

Summary -

Section 1 proposes the following revisions to the Central Business-1 Zone"

- The list of permitted uses is modified and clarified; residential dwellings are a permitted use
- Building height is measured from **BFE+1 for commercial and ZFE for residential.**
- Design standards for commercial floor area, ceiling height and commercial glass are made consistent with CB; restrictions on balconies, porches and decks modified or eliminated
- Parking requirements are made consistent with CB and RSIS

Section 2 revises the CB and CB-1 Conditional Use requirements as follows:

- Residential units are permitted above the first floor. The 30 dwelling unit/acre density results in one unit for each 1,500 SF of lot area. A 3-story building on a 30' lot with commercial first floor may have one (1) dwelling unit on each of the two upper floors.
- In the CB-1 on West Avenue the density is adjusted to 33 DU/Acre due to the 90' lot depths. This density for a mixed-use building configuration on West Avenue yields 2 dwelling units above commercial on a 2,700 SF lot.



**CITY OF OCEAN CITY**  
**ORDINANCE NO. 14-31**  
**Master Plan Consistency Report**

**Introduction.**

Ordinance 14-31 - "An ordinance amending and supplementing the Revised General Ordinances of the City of Ocean City (Central Business-1 Zone)" was introduced on first reading by City Council on August 28, 2014. According to the August 29, 2014 referral from the City Clerk, Ordinance 14-31 will be advertised according to law and is scheduled to have second reading and public hearing at the September 25, 2014 City Council meeting.

The "Municipal Land Use Law" provides the Planning Board with thirty-five (35) days from the referral date to prepare, review, adopt and transmit their consistency report regarding Ordinance 14-31 to City Council. NJS 40:55D-26 describes the Planning Board's responsibility regarding the master plan consistency review as follows:

*"... the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning those inconsistencies and any other matters as the board deems appropriate."*

While formerly only zoning ordinances and amendments thereto were required to be submitted to the planning board, it is now clear from the wording in NJS 40:55D-26 that all "development regulations" must be referred to the planning board for comment and report. The statute requires that every zoning ordinance must "either be substantially consistent with the land use plan and housing plan of the master plan, or designed to effectuate such plan elements." The "Master Plan" referred to herein is the City of Ocean City Master Plan adopted February 3, 1988, and as subsequently amended by the Planning Board.

**Ordinance Summary.**

Section 1 proposes the following revisions to the Central Business-1 Zone"

- The list of permitted uses is modified and clarified
- Residential dwellings are a permitted Principal Use
- Open mic entertainment is a permitted Accessory Use
- Building height is measured from BFE+1
- Design standards for commercial floor area, ceiling height and commercial glass are made consistent with the CB Zone; restrictions on balconies, porches and decks are either modified or eliminated
- Parking requirements are made consistent with CB Zone and the NJ Residential Site Improvement Standards

Section 2 revises the CB and CB-1 Conditional Use requirements as follows:

- Residential units are permitted above the first floor only.
- The 30 dwelling unit/acre density results in one unit for each 1,500 SF of lot area. A 3-story building on a 30' lot with commercial first floor may have one (1) dwelling unit on each of the two upper floors.
- In the CB-1 on West Avenue the density is adjusted to 33 DU/Acre due to the 90' lot depths. This density for a mixed-use building on West Avenue yields 2 dwelling units above commercial on a 2,700 SF lot.

Conclusion.

As noted above the Planning Board's responsibility in terms of the master plan consistency review is to identify any provisions in Ordinance 14-31 which are inconsistent with the Master Plan, and make recommendations concerning those inconsistencies and any other matters as the Board deems appropriate.

In defining "substantial consistency" the Supreme Court in *Manalapan Realty v. Township Committee* made it clear that some inconsistency is permitted "provided it does not substantially or materially undermine or distort the basic provisions and objectives of the Master Plan." The "Municipal Land Use Law" does not define the term *inconsistent*.


Ordinance 14-31 advances the following Ocean City Master Plan Objectives:

- *To encourage municipal action which will guide the long-range appropriate use and development of lands within the City of Ocean City in a manner which will promote the public health, safety, and general welfare of present and future residents.*
- *To secure safety from fire, flood, panic and other natural and man-made disasters.*
- *To promote the establishment of appropriate population densities in locations that will contribute to the well-being of persons, neighborhoods and preservation of the environment.*
- *To provide sufficient space and facilities in appropriate locations within the City for residential, business, office, public, quasi-public uses and parking in a manner, which will provide for balanced City growth and development.*
- *To encourage coordination of the numerous regulations and activities which influence land development with a goal of producing efficient uses of land with appropriate development types and scale.*
- *To encourage economic development through new investment and maintenance and reinvestment in existing commercial retail, amusement, hotel, motel and related resort activities within the City in areas suitable for such development.*
- *To improve the quality of life of both residents and tourists.*

I have carefully reviewed Ordinance 14-31 and the Ocean City Master Plan. Based on this review and advancement of the Master Plan Objectives noted above, it is my professional opinion that Ordinance 14-31 is consistent with the Ocean City Master Plan.

Ordinance No. 14-31  
Master Plan Consistency Report

Respectively submitted,



Randall E. Scheule, PP/AICP

New Jersey Professional Planner License No. LI003666

September 3, 2014

ORDINANCE NO. 14-32

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXV,  
ZONING AND LAND DEVELOPMENT, OF THE REVISED GENERAL ORDINANCES  
OF THE CITY OF OCEAN CITY TO ADDRESS BAMBOO  
(Introduced by Councilman Allegretto & Administration)

BE IT ORDAINED by the Mayor and Council of the City of Ocean City, County of Cape May, State of New Jersey, that Section 25-1700.38 of the Code of the City of Ocean City be and is hereby amended as follows:

**Section 1** Section 25-1700.38 "Landscaping" be and is hereby amended to include the following:

**25-1700.38.23 BAMBOO PLANTING PROHIBITED; CONTAINMENT AND REMOVAL**

It is determined the bamboo plant is an invasive and not native plant and often difficult to control, and can and has caused significant damage to properties in the City of Ocean City. The purposes of this subsection are to preserve and protect private and public property from the damaging spread of bamboo grasses and plants, to protect indigenous and other plant materials from the invasive spread of bamboo, and to maintain the general welfare of the residents of the City of Ocean City.

- a.) **Prohibition:** No owner, tenant or occupant of a property, or person, corporation or other entity, shall plant, install or cause or permit the planting or installation of plant species commonly known as Running (monopodial) Bamboo or Clumping (sympodial) Bamboo, including but not limited to the following plant genera: Arundinaria, Bambusa, Chimonobambusa, Dendrocalamus, Fargesia, Phyllostachys, Pleioblastus, Pseudosasa, Sasa, Sasaella, Semiarundinaria upon any property located within the City of Ocean City.
- b.) **Duty to Confine:** In the event any species commonly known as Running Bamboo or Clumping Bamboo is located upon any property within the City of Ocean City, prior to the effective date of this prohibition, the owner and occupant of said property shall jointly and severally be required to confine such species to prevent the encroachment, spread, invasion or intrusion of same onto any other private or public property or public right of way. In lieu of confining the species, the property owner or occupant may elect to totally remove the bamboo from the property, and all affected properties. Failure to properly confine such bamboo shall require removal as set forth below. The cost of said removal shall be at the bamboo property owner's expense. This duty to confine shall not apply if the property owner and/or occupant can establish to the satisfaction of the Construction Official that the bamboo which is on his/her property at the time of the adoption of this ordinance originated on another property.
- c.) **Removal:**
  - (1) In the event Running Bamboo or Clumping Bamboo is present on the effective date of this prohibition and a complaint is received by the City regarding an encroachment of any bamboo plant or root, and the Code Enforcement Officer of the City, after observation and/or inspection, determines that there is an encroachment or invasion on any adjoining/neighborhood private or public property or public right of way (hereinafter, "the affected property"), the City shall serve notice to the bamboo property owner in writing that the bamboo has invaded other private or public property(s) or public right of way(s) and demand the removal of the bamboo from the affected property, and demand approved confinement against future encroachment or, in the alternative, the total removal from the bamboo property owner's property. Notice shall be provided to the bamboo property owner, as well as to the owner of the affected property, by certified, return receipt requested mail and regular mail. Within 14 days of receipt of such notice, the bamboo property owner shall submit to the Code Enforcement



Officer of the City, with a copy to the owner of the affected property, a plan for the removal of the bamboo from the affected property, which plan shall include restoration of the affected property after removal of the bamboo. Within 30 days of receipt of the Code Enforcement Officer's approval of the plan of removal and restoration, the removal and restoration shall be completed to the satisfaction of the Code Enforcement Officer of the City.

(2) If the bamboo property owner does not accomplish the removal of the bamboo from such other private or public property or public right of way in accordance herewith, the Code Enforcement Officer of the City of Ocean City shall cause a citation to be issued with a penalty up to \$100.00 (25-1700.38.22) for each day the violation continues, enforceable through the Municipal Court of the City of Ocean City. The Administrative Officer may request, and the Municipal Court may grant, a specific performance remedy. The City may also institute civil proceedings for injunctive or civil relief.

(3) Nothing herein shall be interpreted as limiting the rights of a private property owner to seek civil relief through a Court of proper jurisdiction, nor the institution of civil proceedings against the property parties.

(4) When an encroachment is upon public property or public right of way and the bamboo property owner and/or occupant has not complied with the written notice provided as set forth above, the City of Ocean City, at its discretion, may remove or contract for the removal of such bamboo from the City property or public right of way. The cost of such removal shall be the responsibility of the bamboo property owner and occupant and shall be paid or assessed as a lien against the property on which the bamboo growth originated. The cost of said removal from the City owned property and/or public right of way shall include the installation of an appropriate barrier to prevent future bamboo invasion.

**d.) Replanting Prohibited:** Any Running Bamboo or Clumping Bamboo either planted or caused to be planted or existing on the effective date of this regulation, may not be replanted or replaced once such bamboo is or has become dead, destroyed, uprooted, or otherwise removed.

**Section 2** All ordinances or portions thereof inconsistent with this ordinance are repealed to the extent of such inconsistency.

**Section 3** If any portion of this ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect the remaining portions of the ordinance which shall remain in full force and effect.

**Section 4** This Ordinance shall take effect in the time and manner prescribed by law.

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Jay A. Gillian, Mayor

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Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the 28<sup>th</sup> day of **August, 2014**, and will be taken up for a second reading and final passage at a meeting of said Council held on the 25<sup>th</sup> day of **September, 2014**, in Council Chambers at City Hall, Ocean City, New Jersey, at seven o'clock in the evening.

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Linda P. MacIntyre, City Clerk



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DEPARTMENT OF LAW

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## Memo

**DATE:** August 22, 2014  
**TO:** City Council  
**FROM:** Dorothy F. McCrosson, Esquire  
**RE:** Bamboo Ordinance

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The attached Ordinance addresses Running and Clumping Bamboo, terms used to describe invasive species of bamboo.

This Ordinance would prohibit the planting of invasive bamboo.

With respect to existing bamboo, the Ordinance imposes a duty to confine the bamboo so as to prevent it from spreading onto neighboring properties.

In the event bamboo does spread onto a neighboring property, the Ordinance requires the owner of the property on which the bamboo originated to confine or remove the bamboo on his/her own property, and to remove the bamboo which spread onto the neighboring property.

Upon receipt of a complaint that bamboo has encroached onto a neighboring property, the City will notify the owner of the property on which the bamboo originated that the bamboo must be removed from the affected property. The owner of the property on which the bamboo originated will then have 14 days in which to submit to Code Enforcement a plan for the removal of the bamboo; and, upon approval of the plan of removal, 30 days to complete the removal of the encroaching bamboo, as well as removal or confinement on the property of origin, as required by the City.

If the bamboo encroachment occurs onto public property and the owner of the property on which the bamboo originated does not remove it and prevent further encroachment by removal or containment, the City may do so and impose a lien to recover the costs to do so.

The fine associated with violation of this Ordinance (up to \$100 per day) is the same as for other violations of the landscaping requirements.



**CITY OF OCEAN CITY**  
**ORDINANCE NO. 14-32**  
**Master Plan Consistency Report**

**Introduction.**

Ordinance 14-32 - "An ordinance amending and supplementing the Revised General Ordinances of the City of Ocean City (Bamboo)" was introduced on first reading by City Council on August 28, 2014. According to the August 29, 2014 referral from the City Clerk, Ordinance 14-32 will be advertised according to law and is scheduled to have second reading and public hearing at the September 25, 2014 City Council meeting.

The "Municipal Land Use Law" provides the Planning Board with thirty-five (35) days from the referral date to prepare, review, adopt and transmit their consistency report regarding Ordinance 14-32 to City Council. NJS 40:55D-26 describes the Planning Board's responsibility regarding the master plan consistency review as follows:

*"... the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning those inconsistencies and any other matters as the board deems appropriate."*

While formerly only zoning ordinances and amendments thereto were required to be submitted to the planning board, it is now clear from the wording in NJS 40:55D-26 that all "development regulations" must be referred to the planning board for comment and report. The statute requires that every zoning ordinance must "either be substantially consistent with the land use plan and housing plan of the master plan, or designed to effectuate such plan elements." The "Master Plan" referred to herein is the City of Ocean City Master Plan adopted February 3, 1988, and as subsequently amended by the Planning Board.

**Ordinance Summary.**

Ordinance 14-32 is intended to preserve and protect private and public property, and protect indigenous plants from the damage caused by invasive bamboo, and to otherwise maintain the general welfare of the residents of Ocean City. This Ordinance prohibit the planting of invasive bamboo, and requires the property owner to confine bamboo to his/her property. Inability by the owner to confine the plant requires removal at the owner's expense.

**Conclusion.**

As noted above the Planning Board's responsibility in terms of the master plan consistency review is to identify any provisions in Ordinance 14-32 which are inconsistent with the Master

Ordinance No. 14-32  
Master Plan Consistency Report

Plan, and make recommendations concerning those inconsistencies and any other matters as the Board deems appropriate.

In defining "substantial consistency" the Supreme Court in *Manalapan Realty v. Township Committee* made it clear that some inconsistency is permitted "provided it does not substantially or materially undermine or distort the basic provisions and objectives of the Master Plan." The "Municipal Land Use Law" does not define the term *inconsistent*.

Ordinance 14-32 advances the following Ocean City Master Plan Objectives:

- *To encourage municipal action which will guide the long-range appropriate use and development of lands within the City of Ocean City in a manner which will promote the public health, safety, and general welfare of present and future residents.*
- *To secure safety from fire, flood, panic and other natural and man-made disasters.*
- *To encourage coordination of the numerous regulations and activities which influence land development with a goal of producing efficient uses of land with appropriate development types and scale.*
- *To improve the quality of life of both residents and tourists.*

I have carefully reviewed Ordinance 14-32 and the Ocean City Master Plan. Based on this review and advancement of the Master Plan Objectives noted above, it is my professional opinion that Ordinance 14-32 is consistent with the Ocean City Master Plan.

Respectively submitted,



Randall E. Scheule, PP/AICP

New Jersey Professional Planner License No. LI003666

September 3, 2014

**ORDINANCE NO. 14-33**

**A BOND ORDINANCE APPROPRIATING \$1,435,000.00 AND AUTHORIZING THE ISSUANCE OF \$1,363,250.00 IN BONDS AND NOTES OF THE CITY OF OCEAN CITY FOR THE VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF OCEAN CITY, NEW JERSEY**

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

Section 1. The several improvements described in Section 3 of this Bond Ordinance are hereby respectively authorized as general improvements to be made or acquired by Ocean City, New Jersey for said several improvements or purposes stated in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to \$1,435,000.00 including the aggregate sum of \$71,750.00 from Capital Improvement Fund as the several down payments for said improvements for purposes required by law and more particularly described in Section 3 and now available therefore by virtue of a provision in a previously adopted budget or budgets of the City for down payment or for capital improvement or purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,435,000.00 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the City of Ocean City are hereby authorized to be issued in the principal amount of \$1,363,250.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding \$1,363,250.00 are hereby authorized to be issued pursuant to and within the limitations prescribed by said law.

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

**SEE ATTACHED SECTION 3**

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

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

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

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance is 10.00 years.

(c) The supplemental debt statement required by the said law has been duly made and filed in the Office of the City Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statements show that the gross debt of the City as defined in said law is increased by the authorization of the bonds and notes provided for in this Bond Ordinance by \$1,363,250.00 and the said obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said law.

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

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

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

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

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

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

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

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

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Jay A. Gillian, Mayor

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Anthony P. Wilson, Council President

The above ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the **11<sup>th</sup>** day of **September, 2014** and will be taken up for second reading and final passage at a meeting of said Council held on the **25<sup>th</sup>** day of **September, 2014** in Council Chambers, at seven o'clock in the evening.

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Linda P. MacIntyre, City Clerk

**Section 3 of Bond Ordinance 14-33**

<u>Improvement or Purpose</u>	<u>Improvement Authorization</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Useful Life</u>
(A) Improvement by construction, rehabilitation, and repair of public buildings Including but not limited to the installation of a generator at the 46th st firehouse	\$ 35,000	\$33,250	10
(B) Improvement by construction, rehabilitation, and repair of public facilities including but not limited to the Carey Field turf and track	\$ 1,250,000	\$1,187,500	10
(C) Acquisition by public purchase of a fire truck	\$ 150,000	\$142,500	10
	<u>\$ 1,435,000</u>	<u>\$ 1,363,250</u>	<u>10.00</u>

ORDINANCE NO. 14-34

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVII  
(Streets, Sidewalks and Sanitation) OF THE REVISED GENERAL ORDINANCES  
OF THE CITY OF OCEAN CITY  
(Introduced by Councilman Hartzell & Councilman Wilson)

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

**Section I.**

**Sub-Section 17-2.5. "Sidewalks, Driveways and Flat Work"** of Chapter XXVII "Streets, Sidewalks and Sanitation" of the Revised General Ordinances of the City of Ocean City, New Jersey is hereby amended as follows:

**17-2 SIDEWALK, CURB, CONCRETE AND HARDSCAPE CONSTRUCTION AND REPAIR.**

**17-2.5 Sidewalks, Driveways and Flat Work.**

The construction, reconstruction, repair or alteration of any sidewalk, driveway or flat work shall conform to the following requirements:

- a. *Materials and Methods of Construction.* Concrete utilized for any construction, reconstruction, repair or alteration of sidewalks, driveways or flat work shall be as specified in subsection 17-2.4c. of this section. Methods of construction shall conform to Section 606 of the Standard Specifications. The sidewalk subgrade shall be compacted prior to the placement of any sidewalk. Any unsuitable material encountered in the subgrade shall be removed and replaced with suitable material acceptable to the City Engineer or his designee.
- b. *Construction Details.* Sidewalks, driveways and flat work shall have a minimum concrete thickness of four (4") inches, except where the sidewalk is part of a driveway in which case the minimum concrete thickness shall be six (6") inches. The City Engineer or his designee may require reinforcement if unsuitable ground conditions are encountered. Minimum sidewalk width shall be six (6') feet except in those blocks or areas where partially developed sidewalks of lesser or greater widths exist. In those situations the City Engineer or his designee may permit or require such other widths to conform with the adjacent sidewalks. That portion of the driveway from the interior property line to the street shall have a minimum thickness of six (6") inches and shall be constructed of concrete. All driveways shall be reinforced with welded wire fabric (minimum 6x6), fibermesh, or an equivalent approved by the City Engineer or his designee. The width of the driveway shall be in accordance with Section 25-1700.11.3 or 25-1700.11.10. Expansion joints shall be installed at intervals not exceeding twenty (20') feet. Preformed bituminous cellular joint fillers one-half (1/2") inch thick shall be placed in the expansion joints. Formed joints shall be cut into the concrete sidewalk between the expansion joints at equal intervals not exceeding the width of the sidewalk.
- c. *Lot Coverage by Impervious Surface.* Impervious surface coverage for any lot is limited to the maximum permitted in the Zoning Ordinance for the applicable zone.
- d. *New Sidewalk.* All new sidewalks shall be constructed along full street and avenue frontage of new residential or commercial development.
- e. *Time Frame.* All removed or destroyed sidewalk shall be replaced within forty-eight (48) hours.

f. *Curb Strip (Area between curb and sidewalk).* All Curb Strips in residential zones shall be pervious areas and comply with sections 25-1700.38.12(c) (1), (2), (3) and (4) in Volume II of the Revised Ordinances of the City of Ocean City. Ground cover shall be sod with irrigation.



*1. Exception:* The City Engineer or his designee, after examination and review of the site conditions for pedestrian traffic, may require the Curb Strip Area to be Concrete as per 17-2.5, (a) and (b).

**SECTION 2.**

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

**SECTION 3.**

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

**Section 4.**

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

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Jay A Gillian, Mayor

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Anthony P. Wilson, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on **11<sup>th</sup>** day of **September, 2014**, and will be taken up for a second reading and final passage at a meeting of said Council held on **25<sup>th</sup>** day of **September, 2014** in Council Chambers, City Hall, Ocean City, New Jersey at 7:00 o'clock in the evening.

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Linda P. MacIntyre, City Clerk

## Memo

**DATE:** September 5, 2014  
**TO:** City Council  
**FROM:** Dorothy F. McCrosson, Esquire  
**RE:** Curb Strip Ordinance

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This ordinance would create a requirement for properties located in residential zones to provide a grass/sod curb strip with irrigation in the area between the curb and sidewalk.

The ordinance provides an exception to the requirement for irrigated grass/sod in the curb strip in cases in which the City Engineer feels concrete is a better surface, based on pedestrian traffic in that area.

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

#1

**TO AUTHORIZE THE ADVERTISEMENT OF SPECIFICATIONS FOR CITY  
CONTRACT #14-24, 2014 ROAD IMPROVEMENT PROGRAM – PHASE I**

**BE IT RESOLVED** by the City Council of the City of Ocean City, New Jersey that it authorizes the advertisement of specifications for City Contract #14-24, 2014 Road Improvement Program – Phase I.

\_\_\_\_\_  
Anthony P. Wilson  
Council President

Note: Legal advertisement will be placed in the Ocean City Sentinel on Wednesday, October 1, 2014 with the bid opening scheduled on Thursday, October 30, 2014 and an anticipated date of award on Thursday, November 13, 2014.

Files: RAU 14-24 14 Road Imp Program Ph I.doc

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the ..... day of ..... 2014

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinosse	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....  
Linda P. MacIntyre, City Clerk




# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

## DEPARTMENT OF COMMUNITY OPERATIONS

Code Enforcement • Construction • Engineering • Environmental Management • Parks and Recreation • Planning • Zoning

# Memo

**To:** Michael Dattilo  
**From:** Arthur J. Chew, PE, PP, CFM, CME, CPWM   
**CC:** Joseph Clark, Roger McLarnon, PE, PP, CFM, CME, CPWM  
**Date:** September 9, 2014  
**Re:** Authorization to Bid 14-24 -- 2014 Road Improvement Program -- Phase 1

This project includes the milling and paving of certain roads around North Street and 1<sup>st</sup> Street. Sidewalk, curb and drainage will also be replaced at the intersection of North Street and West Avenue in an effort to increase elevations on the streets and improvement drainage and tidal flooding situations. In addition, on the south west corner of North Street and West Avenue a bio-swale will be installed in an effort to promote groundwater recharge. The bio-swale is being constructed with grant money received from New Jersey American Water. Also as a part of the project, a sanitary sewer main will be extended to service the North Street Playground so that bathroom facilities can be added to the site at a future date.

The roads and road sections included in this project are:

1<sup>st</sup> Street – from the bay bulkhead to West Avenue  
North Street – from the bay bulkhead to Asbury Avenue  
Simpson/Haven Alley – 2<sup>nd</sup> Street to 1<sup>st</sup> Street  
Warwick Road – entire length – 1<sup>st</sup> Street to North Street  
Haven Avenue – 2<sup>nd</sup> Street to 1<sup>st</sup> Street  
Haven/West Alley – 2<sup>nd</sup> Street to North Street  
West Station Road – entire length – North Street to Battersea Road  
Sindia Road – entire length – North Street to Battersea Road

AJC

\\OCESERVER\NetworkShare\Engineering\3-Roads and Drainage\3-2014-024 2014 Road Improvement Program Phase I - North End Paving\Letters\14-024 memo to authorize 14-09-09.doc

115 12<sup>th</sup> Street, OCEAN CITY, NJ 08226  
PH: 609-399-6111 FAX: 609-525-0831

*Printed on Recycled Paper*

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY  
**RESOLUTION**

**#2**

**AUTHORIZING THE AWARD OF CITY CONTRACT #13-40 R-1, VEHICLE MAINTENANCE  
STORM DAMAGE RESTORATION & IMPROVEMENTS**

**WHEREAS**, Specifications were authorized for advertisement by Resolution #14-50-137 on Thursday, June 26, 2014 for City Contract #13-40, Vehicle Maintenance Storm Damage Restoration & Improvements; and

**WHEREAS**, the Notice to Bidders was advertised in the Ocean City Sentinel on July 2, 2014, the Notice to Bidders was posted on the City of Ocean City's website @ [www.ocnj.us](http://www.ocnj.us) and the Invitation to Bid was distributed to three (3) prospective bidder(s) for City Contract #13-40, Vehicle Maintenance Storm Damage Restoration & Improvements; and

**WHEREAS**, bid proposals were opened for City Contract #13-40, Vehicle Maintenance Storm Damage Restoration & Improvements on Tuesday, August 14, 2014 and two (2) bid proposals were received; and

**WHEREAS**, Brian Meyers, Czar Engineering, LLC; Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Roger Rinck, Manager Specialist; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant; Janice L. Mruz, Principal Clerk and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the bid proposals and specifications and recommend that the bid proposals be rejected due to the discrepancies in the technical specifications and substantial revision of the technical specification are needed in accordance to N.J.S.A. 40A:11-13.2 (b & d); and

**WHEREAS**, the City Council of the City of Ocean City rejected City Contract #13-40, Vehicle Maintenance Storm Damage Restoration & Improvements by Resolution #14-50-194 on Wednesday, August 28, 2014; and

**WHEREAS**, the Notice to Bidders for City Contract #13-40 R-1, Vehicle Maintenance Storm Damage Restoration & Improvements was advertised in the Ocean City Sentinel on August 27, 2014, the Notice to Bidders was posted on the City of Ocean City's website @ [www.ocnj.us](http://www.ocnj.us) and the Invitation to Bid was distributed to three (3) prospective bidder(s); and

**WHEREAS**, bid proposals were opened for City Contract #13-40 R-1, Vehicle Maintenance Storm Damage Restoration & Improvements on Wednesday, September 17, 2014 and three (3) bid proposals were received pre the attached Summary of Bid Proposals; and

**WHEREAS**, Brian Meyers, Czar Engineering, LLC; Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Roger Rinck, Manager Specialist; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant; Janice L. Mruz, Principal Clerk and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the bid proposals and specifications and recommend that the contract be awarded to R. Maxwell Construction Company, Inc., the lowest responsible bidder; and

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Ocean City, New Jersey, that City Contract #13-40 R-1, Vehicle Maintenance Storm Damage Restoration & Improvements be and is hereby awarded to the following lowest responsible bidder as follows:

<p><b>R. Maxwell Construction Company, Inc.</b> <b>206 W. Delilah Road</b> <b>Pleasantville, NJ 08232</b></p>
---

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**  
**RESOLUTION**

**R. Maxwell Construction Company, Inc. – Continued**

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
1.1	<b>Offer</b>			
A	Having examined the place of the work and all matters referred to in the Instructions to Bidders, Bid Documents and Contract Documents prepared by Czar Engineering, LLC, Architect/Engineer for the above mentioned project, we the undersigned, hereby offer to enter into a Contract to perform the work for the contract sum of:	1 LS	\$ 208,000.00	\$ 208,000.00
B	(+) Owner's Contingency Allowance	1 LS	\$ 30,000.00	<u>\$ 30,000.00</u>
C	<b>Base Bid (Totals of Items A and B above)</b>			<b>\$ 238,000.00</b>

**3. Unit Prices**

A. The following is the list of Unit Prices, which include labor, materials, taxes, insurance, overhead, profit and other cost in connection therewith, which shall prevail for the addition to or deduction from the Base Bid

1. Helical Piles (Base Bid Allowance=35 Feet Embedment) (+/-)	1 LS	\$ 20.00	\$ 20.00
--	------	----------	----------

**BE IT FURTHER RESOLVED** that the Mayor and the City Purchasing Manager are hereby authorized to enter into a contract with R. Maxwell Construction Company, Inc., 206 W. Delilah Road, Pleasantville, NJ 08232 for City Contract #13-40 R-1, Vehicle Maintenance Storm Damage Restoration & Improvements as listed and in accordance with the bid specifications and the bid proposal form.

The Director of Financial Management certifies that funds are available and will be charged to the Capital Account #C-04-55-280-305 when the Purchase Order is issued.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
 Frank Donato, III, CMFO  
 Director of Financial Management

\_\_\_\_\_  
 Anthony P. Wilson  
 Council President

Files: RAW 13-40 R-1 Vehicle Maintenance.doc

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the ..... day of ..... 2014

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....  
 Linda P. MacIntyre, City Clerk

# CZAR Engineering, L.L.C.

---

Lamont H. Czar, P.E.  
Phone: (609) 653-9445  
5014 Fernwood Avenue  
Fax: (609)653-2015  
Egg Harbor Township, New Jersey 08234  
www.czarengineering.com

September 18, 2014

Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M.  
Director of Community Operations  
City Engineer  
City of Ocean City, NJ  
115 E. 12th. Street  
Ocean City, NJ 08226

RE: City Contract No. 13-40 R-1  
Storm Damage Restoration and Improvements  
Vehicle Maintenance Facility  
10<sup>th</sup> Street & Haven Avenue  
Ocean City, New Jersey

Dear Mr. McLarnon:

CZAR Engineering, L.L.C., as the engineer for the proposed Storm Damage Restoration and Improvements project at the Vehicle Maintenance facility, has reviewed the bids received on September 17, 2014 for the work specified within the project documents issued by our firm.

Referring to the bid summary, R Maxwell Construction Company, Inc, was the low bidder of the three bids received with a base bid as follows:

<b>Base Bid</b>	\$208,000.00
Plus: Owner's Contingency	<u>\$30,000.00</u>
<b>RECOMMENDED AWARD</b>	<b><u>\$238,000.00</u></b>

In addition, R. Maxwell Construction Company, Inc. accepted the 180 day substantial completion period as stipulated.

Based on our review, R. Maxwell Construction Company, Inc.'s bid is within our opinion of the probable construction costs for this project and commensurate with industry standards for this type of work.

We have reviewed R. Maxwell Construction Company, Inc.'s work history, and have found that R. Maxwell Construction Company, Inc. has conducted themselves in a professionally manner.

Mr. McLarnon, if you have any questions or need further information, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Meyers', with a horizontal line extending to the right.

Brian S. Meyers  
CZAR Engineering, LLC





PURCHASING DIVISION  
SUMMARY OF BIDS

# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

BY THE GOVERNING BODY OF THE CITY OF OCEAN CITY, NJ

DATE RECEIVED: Wednesday, September 17, 2014 @ 2:00 PM, EDT  
CITY CONTRACT #: 13-40 R-1  
PROPOSAL NAME: Vehicle Maintenance Storm Damage  
Restoration & Improvements

NAME, ADDRESS & BID OF EACH BIDDER		John Mirenda Construction, Inc. 1555 Zion Road, Suite 204 Northfield, NJ 08225	Levy Construction Company, Inc. 134 Cuthbert Boulevard Audubon, NJ 08106	R. Maxwell Construction Company, Inc. 206 W. Delliah Road Pleasantville, NJ 08232	
ENGINEER'S ESTIMATE: \$400,000.00		John Mirenda, President	Simon Levy, President	David Maxwell, Vice President	
KEY		Ph: (609) 484-9090 Fx: (609) 484-9040 email: info@johnmirenda.com	Ph: (856) 547-0707 Fx: (856) 547-2424 email: simon@levyconstruction.com	Ph: (609) 646-6699 Fx: (609) 641-1857 email: Dave@maxwellconstruction.net	
APPARENT LOW BIDDER					
ITEM	DESCRIPTION	QTY	TOTAL COST	TOTAL COST	TOTAL COST
<b>1.1 OFFER:</b>					
A	Having examined the place of the work and all matters referred to in the Instructions to Bidders, Bid Documents and Contract Documents prepared by Czar Engineering LLC, Architect/Engineer for the above mention project, we the undersigned, hereby offer to enter into a Contract to perform the work for the contract sum of:	1 LS	\$ 254,429.00	\$ 213,600.00	\$ 208,000.00
B	(+) Owner's Contingency Allowance	1 LS	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
C	<b>BASE BID (Totals of Items A and B above)</b>		\$ 284,429.00	\$ 243,600.00	\$ 238,000.00
<b>1.2 DEDUCT ALTERNATES:</b>					
A	The following is the list of Deduct Alternates shall be deducted from the Bid Sum as indicated for a Net Bid Sum Difference				
1	Deduct Alternate #1 : Lighting Upgrade	1 LS	\$ (37,000.00)	\$ (32,000.00)	\$ (32,000.00)
2	Deduct Alternate #3: Exterior Window Replacement	1 LS	\$ (42,254.00)	\$ (39,000.00)	\$ (40,000.00)
<b>1.3 UNIT PRICES:</b>					
A	The following is the list of unit prices, which include labor, materials, taxes, insurance, overhead, profit and other cost in connection therewith, which shall prevail for the addition to or deduction from the base bid.				
1	Helical Piles (Base Bid Allowance = 35 Feet Embedment) (+/-)	1 FT	\$ 54.00	\$ 2,000.00	\$ 20.00
<b>1.5 CONTRACT TIME:</b>					
A	If this bid is accepted, we will complete the work from Notice to Proceed:		180 calendar days	180 calendar days	180 calendar days

PURCHASING DIVISION  
SUMMARY OF BIDS

BY THE GOVERNING BODY OF THE CITY OF OCEAN CITY, NJ

DATE RECEIVED: Wednesday, September 17, 2014 @ 2:00 PM, EDT  
CITY CONTRACT #: 13-40 R-1  
PROPOSAL NAME: Vehicle Maintenance Storm Damage  
Restoration & Improvements

NAME, ADDRESS & BID OF EACH BIDDER		John Mirenda Construction, Inc.	Levy Construction Company, Inc.	R. Maxwell Construction Company, Inc.			
ENGINEER'S ESTIMATE: \$400,000.00		1555 Zion Road, Suite 204 Northfield, NJ 08225	134 Cuthbert Boulevard Audubon, NJ 08106	206 W. Delilah Road Pleasantville, NJ 08232			
KEY		John Mirenda, President	Simon Levy, President	David Maxwell, Vice President			
APPARENT LOW BIDDER		Ph: (609) 484-9090 Fx: (609) 484-9040 email: info@ohnmirenda.com	Ph: (856) 547-0707 Fx: (856) 547-2424 email: simon@levyconstruction.com	Ph: (609) 646-6699 Fx: (609) 641-1857 email: Dave@maxwellconstruction.net			
REQUIRED INFORMATION							
BIO DEPOSIT/BOND:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
CONSENT OF SURETY:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
RIGHT TO EXTEND-TIME FOR AWARD:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
STOCKHOLDER DISCLOSURE STATEMENT:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NON-COLLUSION AFFIDAVIT:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NJ MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NJ AFFIRMATIVE ACTION REGULATION COMPLIANCE NOTICE:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
REQUIRED SUB-CONTRACTORS LISTING:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
OTHER SUBCONTRACTORS LISTED:	YES/NO	N/A	YES/NO	N/A	YES/NO	N/A	YES/NO
ACKNOWLEDGMENT OF RECEIPT OF ADDENDA:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN STATEMENT-2 PART FORM:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NJ BUSINESS REGISTRATION CERTIFICATE (BRC) SUBMITTED:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NJ BUSINESS REGISTRATION CERTIFICATE SUB CONTRACTORS (BRC) SUBMITTED:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NJ PUBLIC WORKS CONTRACTOR REGISTRATION ACT CERTIFICATE:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NJ PUBLIC WORKS CONTRACTOR REGISTRATION ACT CERTIFICATE FOR SUB CONTRACTORS:	YES/NO	Y	YES/NO	Y	YES/NO	Y	YES/NO
NUMBER OF COPIES REQUIRED (2):		Y		Y		Y	

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**#3**

**AUTHORIZING A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF OCEAN CITY & NORTHEAST & BUCKS COMPANY, T/A MULLIN & LONERGAN ASSOCIATES AS A CONSULTING SERVICE FOR THE COMMUNITY DEVELOPMENT PROGRAMS**

**WHEREAS**, the U.S. Department of Housing & Urban Development has identified the City of Ocean City, Cape May County, New Jersey as an entitlement grantee, and the City of Ocean City has elected to accept its status as an entitlement grantee and is therefore required to take necessary steps in order to continue to participate in the Community Development Programs; and

**WHEREAS**, it is determined in the best interest of the City of Ocean City to have said services performed; and

**WHEREAS**, Northeast & Bucks Company, T/A Mullin & Lonergan Associates has the required expertise and has agreed to serve as consultant for the community development programs and associated services for the City of Ocean City for various projects; and

**WHEREAS**, Joseph S. Clark, QPA, City Purchasing Manager has determined and certified in writing that the value of the contracts issued in the calendar year 2015 with said firm will exceed \$17,500.00; and

**WHEREAS**, James A. Mallon, Aid to the Mayor; Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the said firm's proposal and recommended that **Northeast & Bucks Company, T/A Mullin & Lonergan Associates, 800 Vinial Street, Suite B414, Pittsburg, PA 15212** be awarded an alternative-non-advertised professional service contract for environmental consulting and permitting services; and

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

**WHEREAS**, Northeast & Bucks Company, T/A Mullin & Lonergan Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Northeast & Bucks Company, T/A Mullin & Lonergan Associates has not made any contributions to a political or candidate committee for an elected office in the City of Ocean City, New Jersey in the previous one (1) year period, and that the contract will prohibit Northeast & Bucks Company, T/A Mullin & Lonergan Associates from making any contributions through the term of the contract; and

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Ocean City, New Jersey that it does hereby award a professional service contract to Northeast & Bucks Company, T/A Mullin & Lonergan Associates, 800 Vinial Street, Suite B414, Pittsburg, PA 15212 for professional consulting services for the community development programs as follows:

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Rate (2014/2015)</u>
1.1	Preparation & Development of a Citizen Participation Plan in accordance with 24 CFR 91 Subpart B	1 Lump Sum	\$ 1,700.00
1.2	Preparation & Development of a Consolidate Plan in accordance with 24 CFR 91 Subpart C, for Local Governments for Fiscal years 2014 through 2018	1 Lump Sum	\$ 11,000.00
1.3	Annual Consolidation Plan	Cost per Year	\$ 6,900.00
1.4	Annual Performance & Evaluation Report	Cost per Year	\$ 3,700.00
1.5	Preparation & Development of an Analysis of Impediments (AI) to Fair Housing (See 24 CFR 91.225 (a) (1))	1 Lump Sum	\$ 15,000.00
1.6	Preparation of Environmental Review as required (each)	1 Lump Sum	\$ 5,000.00

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

**Northeast & Bucks Company, T/A Mullin & Lonergan Associates (Continued)**

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Rate (2014/2015)</u>
2.	Technical & Advisory Services		
		<u>Labor Category</u>	<u>Rate Per Hour</u>
2.1	List Labor Category		
	2.1.1	Chairman/President	\$ 225.00
	2.1.2	Principal	\$ 165.00
	2.1.3	Project Leader	\$ 140.00
	2.1.4	Professional Staff	\$ 115.00
	2.1.5	Clerical	\$ 45.00
3.	Reimbursable		None Indicated
4.	Services during the contract period are subject to the actual needs as established by the City of Ocean City. As items are required, the City Purchasing Manager shall issue a purchase order for those items based on the availability of funds. No items shall be sent to the City without first obtaining a purchase order for said service.		
5.	A copy of the Pay to Play Certification & the Business Registration Certificate (BRC) for Northeast & Bucks Company, T/A Mullin & Lonergan Associates has been submitted and shall be placed on file in the City's Purchasing Division Office.		
6.	A copy of this Resolution and Contract shall be available for inspection in the Ocean City Clerk's Office and shall be published on one (1) occasion in the Ocean City Sentinel.		

**BE IT FURTHER RESOLVED** by the City Council of the City of Ocean City that the Mayor and the City Purchasing Manager are authorized to enter into a formal contract agreement with Northeast & Bucks Company, T/A Mullin & Lonergan Associates as a consultant for Community Development Programs beginning on September 1, 2014 and continuing through August 31, 2015 as listed and in accordance with this resolution and the associated proposal.

The Director of Financial Management certifies that funds are available for the 2014 Municipal Budget year and shall be charged to the appropriate Operating/Capital Accounts as the purchase orders are issued. The funds for 2015 are contingent upon the adoption of the 2015 Local Municipal Budget and will be charged to the appropriate Operating/Capital Accounts as the 2015 purchase orders are issued.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
 Frank Donato III, CMFO  
 Director of Financial Management

\_\_\_\_\_  
 Anthony P. Wilson  
 Council President

Files: RPS 2014-15 Northeast t-a Mullin & Lonergan.doc

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the ..... day of ..... 2014

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....  
 Linda P. MacIntyre, City Clerk



OFFICE OF ADMINISTRATION

# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

## MEMORANDUM

**TO:** Mike Dattilo  
**FROM:** Jim Mallon  
**DATE:** September 16, 2014  
**RE:** Award of Professional Service Contract

I would request that City Council consider approving a Professional Services contract between the City and Northeast & Bucks, Company, T/A Mullin & Lonergan Associates for Consulting Services for Community Development Programs. The City is awarding this contract through an alternative non-advertised process. As you know, the City has contracted Mullin & Lonergan in the past to provide technical assistance to the CDBG program. The firm is presently involved in several projects and changing firms at this time would not be beneficial to the City. The firm's fees have remained the same as past contracts. Should you have any questions please contact me.

**RESOLUTION**

**#4**

**AUTHORIZING A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF OCEAN CITY & THE TITLE COMPANY OF JERSEY FOR TITLE SEARCH SERVICES FOR THE CALENDAR YEAR 2014-2015 FOR THE CITY OF OCEAN CITY**

**WHEREAS**, the City of Ocean City requires a professional title search service for the various city projects; and

**WHEREAS**, it is determined in the best interest of the City of Ocean City to have said services performed; and

**WHEREAS**, the Notice of Request for Proposal (RFP's) for RFP #Q-13-008, Title Search Services for the Calendar Years 2013-2016 was advertised in the Ocean City Sentinel on August 14, 2013, the specifications were posted on the City of Ocean City's website [www.ocnj.us](http://www.ocnj.us) and the invitation to quote was sent to four (4) prospective bidders; and

**WHEREAS**, the Request for Proposals (RFP's) was received and opened for City RFP #Q-13-008, Title Search Services for the Calendar Years 2013-2016 on Thursday, September 5, 2013 and one (1) proposals was received per the Summary of Quotes attached; and

**WHEREAS**, based on the review and evaluations conducted in accordance with New Jersey State Local Public Contract Law of the received proposals for City RFP #Q-13-008, Title Search Services for the Calendar Years 2013-2016 by Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant; Janice L. Mruz, Principal Clerk; and Joseph S. Clark, QPA, City Purchasing Manager of the received proposal for City RFP #Q-13-008, Title Search Services it was recommended that a contract be awarded to The Title Company of Jersey, 1501 Tilton Road, Second Floor, Northfield, NJ 08225; and

**WHEREAS**, City Council awarded the original professional services contract for consulting service for the Community Development Programs to The Title Company of Jersey for a one (1) year duration (October 1, 2013-September 30, 2014) on Thursday, September 12, 2013 through the passage of Resolution No. 13-49-301; and

**WHEREAS**, The Title Company of Jersey has agreed to hold firm the fees that were proposed in City RFP # Q-13-008, Title Search Services for the second one (1) year duration beginning on October 1, 2014 and continuing through until September 30, 2015; and

**WHEREAS**, this contract is awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

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

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Ocean City, New Jersey that it does hereby award a professional service contract to **The Title Company of Jersey, 1501 Tilton Road, Second Floor, Northfield, NJ 08225** for title search services as follows:

<b>Item</b>	<b>Description</b>	<b>2<sup>nd</sup> Year Contract Rates</b>
1.	Accepted Fees as Stated in the Proposal for Calendar 2014 – 2015	Initial Title Search \$300.00 Each/Year Second Title Search \$200.00 Each/Year

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

**BE IT FURTHER RESOLVED** by the City Council of the City of Ocean City that the Mayor and the City Purchasing Manager are hereby authorized to enter into a formal contract agreement with The Title Company of Jersey, 1501 Tilton Road, Second Floor, Northfield, NJ 08225 beginning on October 1, 2014 and continuing through September 30, 2015 for City RFP #Q-13-008, Title Search Services for the Calendar Years 2013-2016 as listed and in accordance with this resolution and submitted proposal form.

The Director of Financial Management certifies that funds are available for the 2014 municipal budget year and shall be charged to appropriate account number as the purchase orders are issued. The funds for 2015 are contingent upon the adoption of the 2015 Local Municipal Budget.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
Frank Donato III, CMFO  
Director of Financial Management

\_\_\_\_\_  
Anthony P. Wilson  
Council President

Files: RPS 14-15 Q 13-008 Title Search - Title Company of Jersey.doc

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of  
said Council duly held on the ..... day of ..... 2014

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....  
Linda P. MacIntyre, City Clerk



PURCHASING DIVISION  
SUMMARY OF RFP

# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DATE RECEIVED: Thursday, September 5, 2013 @ 2:00 PM, EDT  
CITY RFP #: Q-13-008  
PROPOSAL NAME: Title Search Services for the Calendar Years 2013-2016  
for the City of Ocean City

BY THE GOVERNING BODY OF THE CITY OF OCEAN CITY, NJ

<b>NAME, ADDRESS &amp; BID OF EACH BIDDER</b>  The Title Company of Jersey 1501 Tilton Road, Second Floor Northfield, NJ 08225  William P. Gillingham, President  Ph: (609) 391-9400 Fx: (609) 391-9959  email: wgillingham@tcjonline.com					
<b>DESCRIPTION</b>					
Accepted Proposed Fees as Stated in the Proposal for Calendar Years 2013-2016	Title Search: \$300.00 each/year Second of Title: \$200.00 each/year	Title Search: \$300.00 each/year Second of Title: \$200.00 each/year	Title Search: \$300.00 each/year Second of Title: \$200.00 each/year	Title Search: \$300.00 each/year Second of Title: \$200.00 each/year	Title Search: \$300.00 each/year Second of Title: \$200.00 each/year
<b>REQUIRED INFORMATION</b>					
<b>SWORN STATEMENT BY PROFESSIONAL SERVICES PROVIDER:</b>	YES/NO      Y	YES/NO	YES/NO	YES/NO	YES/NO
<b>RIGHT TO EXTEND TIME OF AWARD:</b>	YES/NO      Y	YES/NO	YES/NO	YES/NO	YES/NO
<b>ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA:</b>	YES/NO      Y	YES/NO	YES/NO	YES/NO	YES/NO
<b>STOCKHOLDER DISCLOSURE STATEMENT:</b>	YES/NO      Y	YES/NO	YES/NO	YES/NO	YES/NO
<b>NON-COLLUSION AFFIDAVIT:</b>	YES/NO      Y	YES/NO	YES/NO	YES/NO	YES/NO
<b>NJ MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE:</b>	YES/NO      Y	YES/NO	YES/NO	YES/NO	YES/NO
<b>NJ AFFIRMATIVE ACTION REGULATION COMPLIANCE NOTICE:</b>	YES/NO      Y	YES/NO	YES/NO	YES/NO	YES/NO
<b>NJ BUSINESS REGISTRATION CERTIFICATE (BRC) SUBMITTED:</b>	YES/NO      Y	YES/NO	YES/NO	YES/NO	YES/NO
<b>NUMBER OF COPIES SUBMITTED (2):</b>	YES/NO      Y	YES/NO	YES/NO	YES/NO	YES/NO



**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

**#5**

**AUTHORIZING A PROFESSIONAL SERVICES CONTRACT BETWEEN THE  
CITY OF OCEAN CITY SHORE TITLE COMPANY FOR TITLE SEARCH SERVICES  
FOR THE CALENDAR YEAR 2014-2015 FOR THE CITY OF OCEAN CITY**

**WHEREAS**, the City of Ocean City requires a professional title search service for the various city projects; and

**WHEREAS**, it is determined in the best interest of the City of Ocean City to have said services performed; and

**WHEREAS**, the Notice of Request for Proposal (RFP's) for RFP #Q-13-008, Title Search Services for the Calendar Years 2013-2016 was advertised in the Ocean City Sentinel on August 14, 2013, the specifications were posted on the City of Ocean City's website [www.ocnj.us](http://www.ocnj.us) and the invitation to quote was sent to four (4) prospective bidders; and

**WHEREAS**, the Request for Proposals (RFP's) was received and opened for City RFP #Q-13-008, Title Search Services for the Calendar Years 2013-2016 on Thursday, September 5, 2013 and one (1) proposals was received; and

**WHEREAS**, based on the review and evaluations conducted in accordance with New Jersey State Local Public Contract Law of the received proposals for City RFP #Q-13-008, Title Search Services for the Calendar Years 2013-2016 by Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant; Janice L. Mruz, Principal Clerk; and Joseph S. Clark, QPA, City Purchasing Manager of the received proposal for City RFP #Q-13-008, Title Search Services for the Calendar Years 2013-2016 it was determined that a contract be awarded to The Title Company of Jersey, 1501 Tilton Road, Second Floor, Northfield, NJ 08225; and

**WHEREAS**, the City Council of the City of Ocean City, New Jersey awarded City RFP #Q-13-008, Title Search Services for the Calendar Years 2013-2016 Resolution #13-49-301 adopted on September 12, 2013; and

**WHEREAS**, the Notice of Request for Proposal (RFP's) for RFP #Q-13-008 R-1, Title Search Services for the Calendar Years 2013-2016 was advertised in the Ocean City Sentinel on December 25, 2013 the specifications were posted on the City of Ocean City's website [www.ocnj.us](http://www.ocnj.us) and the invitation to quote was sent to three (3) prospective bidders; and

**WHEREAS**, the Request for Proposals (RFP's) was received and opened for City RFP #Q-13-008 R-1, Title Search Services for the Calendar Years 2013-2016 on Tuesday, January 7, 2014 and one (1) proposals was received; and

**WHEREAS**, based on the review and evaluations conducted in accordance with New Jersey State Local Public Contract Law of the received proposals for City RFP #Q-13-008 R-1, Title Search Services for the Calendar Years 2013-2016 by Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant; Janice L. Mruz, Principal Clerk; and Joseph S. Clark, QPA, City Purchasing Manager of the received proposal for City RFP #Q-13-008 R-1, Title Search Services for the Calendar Years 2013-2016 it was recommended that a contract be awarded to Shore Title Agency, Inc., 4201 Landis Avenue, Sea Isle City, NJ 08243; and

**WHEREAS**, City Council awarded the original professional services contract for consulting service for the Community Development Programs to Shore Title Agency, Inc. for a one (1) year duration (October 1, 2013-September 30, 2014) on Thursday, January 23, 2014 through the passage of Resolution No. 14-50-025; and

**WHEREAS**, Shore Title Agency, Inc. has agreed to hold firm the fees that were proposed in City RFP # Q-13-008 R-1, Title Search Services for the second one (1) year duration beginning on October 1, 2014 and continuing through until September 30, 2015; and

**WHEREAS**, this contract is awarded through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

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

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Ocean City, New Jersey that it does hereby award a professional service contract to **Shore Title Agency, Inc., 4201 Landis Avenue, Sea Isle City, NJ 08243** for title search service as follows:

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

<b>Item</b>	<b>Description</b>	<b>2<sup>nd</sup> Year Contract Rates</b>
-------------	--------------------	---

- |    |  |   |
|----|--|---|
| 1. | Accepted Fees as Stated in the Proposal for Calendar 2014-2015 | Initial Title Search \$300.00 Each/Year<br>Second Title Search \$200.00 Each/Year |
|----|--|---|

**BE IT FURTHER RESOLVED** by the City Council of the City of Ocean City that the Mayor and the City Purchasing Manager are hereby authorized to enter into a formal contract agreement with Shore Title Agency, Inc., 4201 Landis Avenue, Sea Isle City, NJ 08243 beginning on October 1, 2014 and continuing through September 30, 2015 for City RFP #Q-13-008 R-1, Title Search Services for the Calendar Years 2013-2016 as listed and in accordance with this resolution and submitted proposal form.

The Director of Financial Management certifies that funds are available for the 2014 municipal budget year and shall be charged to appropriate account number as the purchase orders are issued. The funds for 2015 are contingent upon the adoption of the 2015 Local Municipal Budget.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
 Frank Donato III, CMFO  
 Director of Financial Management

\_\_\_\_\_  
 Anthony P. Wilson  
 Council President

Files: RPS 14-15 Q 13-008 R-1 Title Search – Shore Title Agency, Inc.doc

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the ..... day of ..... 2014

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinosse	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Malden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....  
 Linda P. MacIntyre, City Clerk



PURCHASING DIVISION  
SUMMARY OF RFP

# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DATE RECEIVED: Tuesday, January 7, 2014 @ 2:00 PM, EST  
CITY RFP #: Q-13-008 R-1  
PROPOSAL NAME: Title Search Services for the Calendar Years 2013-2016  
for the City of Ocean City

BY THE GOVERNING BODY OF THE CITY OF OCEAN CITY, NJ

NAME, ADDRESS & BID OF EACH BIDDER	Shore Title Agency, Inc. 4210 Landis Avenue Sea Isle City, NJ 08243  Rosemary Piersanti, Vice President  Ph: (609) 263-7472 Fx: (609) 263-9259  email: rosemary.piersanti@shoretittle.com					
DESCRIPTION						
Accepted Proposed Fees as Stated in the Proposal for Calendar Years 2013-2016	Title Search: \$300.00 each/year Second of Title: \$200.00 each/year	Title Search: \$300.00 each/year Second of Title: \$200.00 each/year	Title Search: \$300.00 each/year Second of Title: \$200.00 each/year	Title Search: \$300.00 each/year Second of Title: \$200.00 each/year	Title Search: \$300.00 each/year Second of Title: \$200.00 each/year	Title Search: \$300.00 each/year Second of Title: \$200.00 each/year
<i>REQUIRED INFORMATION</i>						
SWORN STATEMENT BY PROFESSIONAL SERVICES PROVIDER:	YES/NO Y	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO
RIGHT TO EXTEND TIME OF AWARD:	YES/NO Y	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA:	YES/NO Y	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO
STOCKHOLDER DISCLOSURE STATEMENT:	YES/NO Y	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO
NON-COLLUSION AFFIDAVIT:	YES/NO Y	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO
NJ MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE:	YES/NO Y	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO
NJ AFFIRMATIVE ACTION REGULATION COMPLIANCE NOTICE:	YES/NO Y	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO
NJ BUSINESS REGISTRATION CERTIFICATE (BRC) SUBMITTED:	YES/NO Y	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO
NUMBER OF COPIES SUBMITTED (2):	YES/NO Y	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

**#6**

**AUTHORIZING A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF OCEAN CITY & JUNETTA N. DIX CONSULTING, INC. FOR ENVIRONMENTAL CONSULTING & PERMITTING SERVICES**

**WHEREAS**, the City of Ocean City requires certain professional special environmental and permitting services for various projects throughout the City of Ocean City; and

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

**WHEREAS**, Junetta N. Dix Consulting, Inc. has the required expertise and has agreed to serve as environmental consultant and associated permitting services for the City of Ocean City for various projects; and

**WHEREAS**, Joseph S. Clark, QPA, City Purchasing Manager has determined and certified in writing that the value of the contracts issued in the calendar year 2013 with said firm will exceed \$17,500.00; and

**WHEREAS**, Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Arthur Chew, P.E., Assistant City Engineer; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the said firm's proposal and recommended that **Junetta N. Dix Consulting, Inc., 213 East Seaview Avenue, Linwood, NJ 08221** be awarded an alternative-non-advertised professional service contract for environmental consulting and permitting services; and

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

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

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Ocean City, New Jersey that it does hereby award a professional service contract to **Junetta N. Dix Consulting, Inc., 213 East Seaview Avenue, Linwood, NJ 08221** for professional environmental consulting and permitting services as follows:

<u>Item</u>	<u>Description</u>	<u>Unit</u>	<u>2014-2015 Year Rates</u>
1.	Environmental Specialist	Per Hour	\$ 110.00
2.	Engineer/Surveyor	Per Hour	\$ 140.00
3.	Engineer Technician	Per Hour	\$ 95.00
4.	Auto CAD specialist	Per Hour	\$ 75.00
5.	Clerical	Per Hour	\$ 50.00
6.	Services during the contract period are subject to the actual needs as established by the City of Ocean City. As items are required, the City Purchasing Manager shall issue a purchase order for those items based on the availability of funds. No items shall be sent to the City without first obtaining a purchase order for said service.		
7.	A copy of the Pay-to-Play Certification & the Business Registration Certificate (BRC) for Junetta N. Dix Consulting, Inc. has been submitted and shall be placed on file in the City's Purchasing Division Office.		
8.	A copy of this Resolution and Contract shall be available for inspection in the Ocean City Clerk's Office and shall be published on one (1) occasion in the Ocean City Sentinel.		

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

**BE IT FURTHER RESOLVED** by the City Council of the City of Ocean City that the Mayor and the City Purchasing Manager are hereby authorized to enter into a formal contract agreement with **Junetta N. Dix Consulting, Inc., 213 East Seaview Avenue, Linwood, NJ 08221** beginning on October 1, 2014 and continuing through September 30, 2015 for environmental consulting and permitting services for the City of Ocean City as listed and in accordance with this resolution and submitted proposal forms.

The Director of Financial Management certifies that funds are available for the 2014 Municipal Budget year and shall be charged to the appropriate Operating/Capital Accounts as the purchase orders are issued. The funds for 2015 are contingent upon the adoption of the 2015 Local Municipal Budget and will be charged to the appropriate Operating/Capital Accounts as the 2015 purchase orders are issued.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
Frank Donato, III, CMFO  
Director of Financial Management

\_\_\_\_\_  
Anthony P. Wilson  
Council President

Files: RPS 2014-15 Junetta N. Dix.doc

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the ..... day of ..... 2014

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guitosno	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....  
Linda P. MacIntyre, City Clerk



*Junetta N. Dix Consulting, Inc.*

213 EAST SEAVIEW AVENUE  
LINWOOD, NEW JERSEY 08221  
TELEPHONE/FAX: (609) 927-5580  
EMAIL: JUNETTANOWELL@COMCAST.NET

September 11, 2014

Mr. Joseph S. Clark, QPA  
Ocean City Purchasing Manager  
c/o Ocean City Clerk's Office  
City Hall, Room #101  
861 Asbury Avenue  
Ocean City, NJ 08226

**RE: ENVIRONMENTAL SERVICES**

Dear Mr. Clark:

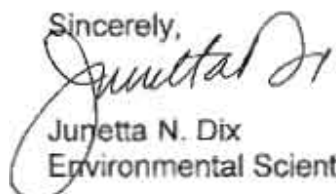
As you are aware, Junetta N. Dix Consulting, Inc. currently has a professional services contract with the City of Ocean City, due to expire on September 30, 2014.

I would be pleased to be considered for future environmental permitting work for the City of Ocean City and propose the following professional services rates for the September 30, 2014 – September 30, 2015 timeframe (rates are the same as the 2013-2014 contract).

ITEM	DESCRIPTION	UNIT	2014-2015 YEAR RATES
1	Environmental Specialist	Per Hour	\$110.00
2	Engineer/Surveyor	Per Hour	\$140.00
3	Engineer Technician	Per Hour	\$ 95.00
4	Auto CAD Specialist	Per Hour	\$ 75.00
5	Clerical	Per Hour	\$ 50.00

Thank you for your consideration of Junetta N. Dix Consulting, for future permitting needs of the City.

Sincerely,

  
Junetta N. Dix  
Environmental Scientist

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**  
**RESOLUTION**

**#7**

**AUTHORIZING CHANGE ORDER #4, FINAL ACCEPTANCE & FINAL PAYMENT OF CITY CONTRACT #13-35, CITY HALL STORM DAMAGE RESTORATION & IMPROVEMENTS**

**WHEREAS**, specifications were authorized for advertisement by Resolution #13-49-245 on June 13, 2013 for City Contract #13-35, City Hall Storm Damage Restoration & Improvements; and

**WHEREAS**, the Notice to Bidders was advertised in the Ocean City Sentinel on Wednesday, June 26, 2013, the Notice to Bidders was posted on the City of Ocean City's website, [www.ocnj.us](http://www.ocnj.us) and the Invitation to Bid was distributed to twelve (12) prospective bidder(s); and

**WHEREAS**, bid proposals were opened for City Contract #13-35, City Hall Storm Damage Restoration & Improvements on Tuesday, July 23, 2013 and five (5) bid proposals were received; and

**WHEREAS**, Lamont H. Czar, PE, Czar Engineering, LLC; Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operation; Dorothy F. McCrosson, Esq., City Solicitor and Joseph S. Clark, QPA were notified by the apparent low bidder, LR Costanzo Company, Inc. of mistakes in their bid proposal and hereby requested to withdraw their bid proposal per N.J.S.A. 40A:11-23.3; and

**WHEREAS**, Lamont H. Czar, PE, Czar Engineering, LLC; Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operation; Arthur Chew, P.E., Assistant City Engineer; Georgia Arnold, Manager; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the remaining four (4) bid proposals and specifications and recommended that the contract be awarded to Arthur J. Ogren, Inc., the lowest responsible bidder; and

**WHEREAS**, the City Council of Ocean City, New Jersey awarded City Contract #13-35, City Hall Storm Damage Restoration & Improvements on August 8, 2013 by Resolution #13-49-280 to **Arthur J. Ogren, Inc., 178 East Garden Road, Vineland, NJ 08360** in the amount of \$1,174,000.00; and

**WHEREAS**, the City Council of Ocean City, New Jersey authorized Change Order #1 in the amount of \$50,500.00 and a new adjusted contract amount of \$1,224,500.00 for City Contract #13-35, City Hall Storm Damage Restoration & Improvements on November 21, 2013 by Resolution #13-50-375; and

**WHEREAS**, the City Council of Ocean City, New Jersey authorized Change Order #2 in the amount of \$66,042.00 and a new adjusted contract amount of \$1,290,542.00 for City Contract #13-35, City Hall Storm Damage Restoration & Improvements on March 27, 2013 by Resolution #14-50-073; and

**WHEREAS**, the City Council of Ocean City, New Jersey authorized Change Order #3 in the amount of \$16,901.75 and a new adjusted contract amount of \$1,307,443.75 for City Contract #13-35, City Hall Storm Damage Restoration & Improvements on June 12, 2014 by Resolution #14-50-129; and

**WHEREAS**, Lamont H. Czar, PE, Czar Engineering, LLC; Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operation; Arthur Chew, P.E., Assistant City Engineer; Marcia R. Chew, Senior Accountant; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed and certified all the work has been completed in accordance with the job specifications and that the Maintenance Bond, Release of Liens, Application for Final Payment and Certified Payrolls have been submitted and are in proper order and certified Change Order #4 to City Contract #13-35, City Hall Storm Damage Restoration & Improvements is correct as follows:

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**  
**RESOLUTION**

**Change Order #4**

**Decreases to Contract**

<u>Description</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Cost Decrease</u>
1. Change Order #2 Not Completed	1 LS	\$ 61,997.00	(\$ 61,997.00)
2. Change Order #3 Not Completed	1 LS	\$ 539.75	(\$ 539.75)
<b>Total Amount of Decreases for Change Order #4</b>			<b>(\$ 62,536.75)</b>
<b>Total Amount of Change Order #4 Decreases to City Contract #13-35, City Hall Storm Damage Restoration &amp; Improvements</b>			<b>(\$ 62,536.75)</b>
<b>Total Amount of City Contract #13-35, City Hall Storm Damage Restoration &amp; Improvements (PO #13-02210) Including Change Order #4.....</b>			<b>\$1,244,907.00</b>

WHEREAS, the newly adjusted contract cost including Change Order #4 is **\$1,244,907.00** which represents a net increase of \$70,907.00 to the original contract which is a 6.04 (%) percent increase in the total of PO #13-02210 for City Contract #13-35, City Hall Storm Damage Restoration & Improvements; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, NJ that it authorizes Change Orders #4, Final Acceptance and Final Payment of City Contract #13-35, City Hall Storm Damage Restoration & Improvements; and

BE IT FURTHER RESOLVED that The Director of Financial Management is authorized to process the final payment of PO #13-02210 for City Contract #13-35, City Hall Storm Damage Restoration & Improvements issued to **Arthur J. Ogren, Inc., 178 East Garden Road, Vineland, NJ 08360** in the amount of \$24,407.00 (PO Balance - Capital Account # C-04-55-280-801).

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
 Frank Donato III, CMFO  
 Director of Financial Management

\_\_\_\_\_  
 Anthony P. Wilson  
 Council President

FILES: RESCO#4FAFP 13-35 City Hall.doc

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the ..... day of ..... 2014

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....  
 Linda P. MacIntyre, City Clerk



# CZAR Engineering, L.L.C.

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Phone: (609) 653-9445  
5014 Fernwood Avenue  
Fax: (609) 653-2015  
Egg Harbor Township, New Jersey 08234  
www.czarengineering.com

## MEMO

**TO:** Joseph Clark, Purchasing Manager

**FROM:** Brian S. Meyers

**CC:** Michael Dattilo, Business Administrator  
Roger McLarnon, City Engineer

**RE:** City Hall 1<sup>st</sup> Floor Storm Damage Restoration & Improvements  
CC #13-35  
FINAL ACCEPTANCE, FINAL CHANGE ORDER and  
PROJECT CLOSEOUT

The above project is complete and CZAR Engineering is recommending processing final payment and closeout at the next scheduled Council meeting.

As indicated on the attached payment request, final payment in the amount of \$24,407.00 is due.

As noted in the following summary, close out will require the City to issue a negative change order to Ogren Construction for the value of the previously approved "9<sup>th</sup> Street Window and Door Replacement" change order. The City opted not to proceed with the previously authorized work.

Therefore, the final contract accounting is as follows:

<b>ORIGINAL CONTRACT AMOUNT</b>	<b>\$1,174,000.00</b>
<b>TOTAL INCREASES</b>	<b>\$133,443.75</b>
<b>TOTAL DECREASES (PENDING)</b>	<b><u>-\$62,536.75</u></b>
<b>TOTAL ADJUSTED CONTRACT AMOUNT</b>	<b><u>\$1,244,907.00</u></b>
<b>Increase Over Original Contract</b>	<b>6.04%</b>



**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**  
**RESOLUTION**

**#8**

**AUTHORIZING CHANGE ORDER #1, FINAL ACCEPTANCE & FINAL PAYMENT OF  
CITY CONTRACT #13-56,  
INSTALLATION OF HAWK SIGNAL AT 9<sup>TH</sup> STREET AND ALDRICH ROAD**

**WHEREAS**, specifications were authorized for advertisement by Resolution # 13-50-389 on Thursday, December 12, 2013 for City Contract #13-56, Installation of Hawk Signal at 9<sup>th</sup> Street and Aldrich Road; and

**WHEREAS**, the Notice to Bidders was advertised in the Ocean City Sentinel on Wednesday, February 19, 2014, the Notice to Bidders was posted on the City of Ocean City's website, [www.ocnj.us](http://www.ocnj.us) and the specifications were distributed to nineteen (19) prospective bidder(s); and

**WHEREAS**, bid proposals were opened for City Contract #13-56, Installation of Hawk Signal at 9<sup>th</sup> Street and Aldrich Road on Thursday, March 13, 2014 and two (2) bid proposals were received; and

**WHEREAS**, Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Arthur Chew, P.E., Assistant City Engineer; Georgia Arnold, Manager; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the bid proposals and specifications and recommended that the contract be awarded to Diehl Electric Company, Inc., the lowest responsible bidder; and

**WHEREAS**, the City Council of Ocean City, New Jersey awarded City Contract #13-56, Installation of Hawk Signal at 9<sup>th</sup> Street and Aldrich Road on March 27, 2014 by Resolution #14-50-070 to Diehl Electric Company, Inc., PO Box 209, 190B S 2<sup>nd</sup> Road, Hammonton, NJ 08037 in the amount of \$238,857.18; and

**WHEREAS**, Roger D. McLarnon, P.E., P.P., C.M.E., C.F.M., C.P.W.M., Director of Community Operations; Michael Rossbach, Michael Rossbach, CPWM, CRP, Manager Specialist; Marcia R. Chew, Senior Accountant; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed and certified all the work has been completed in accordance with the job specifications and that the Maintenance Bond, Release of Liens, Application for Final Payment and Certified Payrolls have been submitted and are in proper order and certified Change Order #1 to City Contract #13-56, Installation of Hawk Signal at 9<sup>th</sup> Street and Aldrich Road is correct as follows:

**Change Order #1**

**Increase to Contract**

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
<b>Supplemental</b>				
S1.	Mobilization & Rental of "road Plates"	2 Units	\$ 3,753.03	\$ 7,506.06
S2.	Finish Pole Foundation	1 Unit	\$ 402.50	\$ 402.50
<b>Total Amount of Supplementals</b>				<b>\$ 7,908.56</b>
<b>Extras</b>				
E1.	Concrete Gutter 8" Thick	3.5 SY	\$ 118.00	\$ 413.00
E2.	8"x18" Concrete Vertical Curb	71 LF	\$ 47.10	\$ 3,344.10
E3.	Service Wire No. ^ AWG	106 LF	\$ 1.58	\$ 167.48
E4.	Flexible Bollard	1 Unit	\$ 348.00	\$ 348.00
<b>Total Amount of Extras</b>				<b>\$ 4,272.58</b>
<b>Total Amount of Increases for Change Order #1.....</b>				<b>\$ 12,181.14</b>

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**  
**RESOLUTION**

**Decrease to Contract**

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
<b>Reductions</b>				
R1.	Police Traffic Director	4 Hr	\$ 125.00	(\$ 500.00)
R2.	Concrete Sidewalk 4" Thick	5 SY	\$ 88.40	(\$ 442.00)
R3.	Traffic Markings Thermoplastic	410 SY	\$ 9.37	(\$ 3,841.70)
R4.	Removal of Traffic Stripes	316 LF	\$ 1.12	(\$ 353.92)
R5.	Removal of Traffic Markings	82 SF	\$ 2.95	(\$ 241.90)
R6.	Traffic Stripes, Long Life, Thermoplastic 4"	12 LF	\$ 0.77	(\$ 9.24)
R7.	Traffic Stripes, Long Life, Thermoplastic 8"	95 LF	\$ 1.53	(\$ 145.35)
R8.	Traffic Stripes, Long Life, Thermoplastic 24"	202 LF	\$ 4.60	(\$ 929.20)
R9.	Colored Pavement, Green	47 SF	\$ 8.19	(\$ 384.93)
R10.	Regulatory & Warning Signs	32 SF	\$ 31.80	(\$ 1,017.60)
R11.	Ground Wire No. 8AWG	66 LF	\$ 0.67	(\$ 44.22)
R12.	Traffic Signal Cable 2 Conductor	78 LF	\$ 0.96	(\$ 74.88)
R13.	Traffic Signal Cable 5 Conductor	78 LF	\$ 1.57	(\$ 122.46)
R14.	Traffic Signal Cable 10 Conductor	225 LF	\$ 2.12	(\$ 477.00)
<b>Total Amount of Reductions</b>				<b>(\$ 8,584.40)</b>

**Total Amount of Decreases for Change Order # 1..... (\$ 8,800.00)**

**Total Amount of Change Orders #1 to City Contract #13-56, Installation of Hawk Signal at 9<sup>th</sup> Street and Aldrich Road..... \$ 3,596.74**

**Total Amount of City Contract #13-56, Installation of Hawk Signal at 9<sup>th</sup> Street and Aldrich Road Including Change Order #1..... \$ 242,453.92**

WHEREAS, the new adjusted contract cost including Change Order #1 is \$242,453.92 a net increase to the original contract of 1.51 (%) percent increase in the total for City Contract #13-56, Installation of Hawk Signal at 9<sup>th</sup> Street and Aldrich Road; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, NJ that it authorizes Change Orders #1, Final Acceptance and Final Payment of City Contract #13-56, Installation of Hawk Signal at 9<sup>th</sup> Street and Aldrich Road; and

BE IT FURTHER RESOLVED that The Director of Financial Management is authorized to process the final payment of PO #14-00716 for City Contract #13-56, Installation of Hawk Signal at 9<sup>th</sup> Street and Aldrich Road issued to **Diehl Electric Company, Inc., PO Box 209, 190B S 2<sup>nd</sup> Road, Hammonton, NJ 08037** in the amount of \$16,878.41 charged as follows: \$13,281.69 (PO Balance) & \$3,596.74 Change Order #1 (\$2,228.45 Capital Account #C-04-55-272-015 & \$1,368.30 Capital Account #C-04-55-274-300).

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
 Frank Donato, III, CMFO  
 Director of Financial Management

\_\_\_\_\_  
 Anthony P. Wilson  
 Council President

Files: RESCO#1FAFP 13-56 Hawk Signal.doc

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the ..... day of ..... 2014

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....  
 Linda P. MacIntyre, City Clerk



# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

## DEPARTMENT OF COMMUNITY OPERATIONS

Code Enforcement • Construction • Engineering • Environmental Management • Parks and Recreation • Planning • Zoning

### MEMORANDUM

**To:** Joseph Clark, Purchasing Manager  
**From:** Michael Rossbach, Manager  
**Through:** Roger McLarnon, Director of Community Operations, City Engineer  
**CC:** Michael Dattilo, Business Administrator; Frank Donato Finance Director  
**Date:** September 10, 2014  
**RE:** **FINAL ACCEPTANCE AND CLOSEOUT**  
**2013 INSTALLATION OF HAWK SIGNAL**  
**Project #: 3-13-056**

The above referenced contract is complete. The Contractor's Affidavit of Payment and Release of Liens, Affidavit of Payment of Debts and Claims, Consent of Surety to Final Payment, and Maintenance Bond have been accepted. Final acceptance of the contact is requested for the **SEPTEMBER 25, 2014 Council Meeting**.

As indicated on the attached Final Payment Certificate, the sum of \$16,878.41 is due. The original contract to Diehl Electric Co., Inc. was for \$238,857.18. This represents 1.51% net increase. Three (3) interim payments were made.

The Final Payment Certificate illustrates the final quantities and the breakdown of costs:

Original Contract Amount:	\$	\$238,857.18
Change order No.1:	\$	3,596.74
Total Increases:	\$	4,272.58
Total Supplemental Items:	\$	7,908.56
Total Decreases:	(\$	8,584.4)
<b>Total Adjusted Contract Value:</b>	<b>\$</b>	<b>242,453.92</b>

If you have any questions, please feel free to contact me.

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**  
**RESOLUTION**

**#9**

**A RESOLUTION AUTHORIZING THE CITY OF OCEAN CITY TO ESTABLISH A  
COOPERATIVE PRICING SYSTEM AND TO ENTER INTO  
COOPERATIVE PRICING AGREEMENTS WITH OTHER CONTRACTING UNITS**

**WHEREAS**, N.J.S.A. 40A:11-11(5) authorizes two or more contracting units to establish a Cooperative Pricing System and to enter into a Cooperative Pricing Agreement for its administration; and

**WHEREAS**, the City of Ocean City, County of Cape May, State of New Jersey is desirous of establishing a Cooperative Pricing System and entering into a Cooperative Pricing Agreement with other contracting units; the City of Sea Isle City, NJ; and

**WHEREAS**, the City of Ocean City, NJ has agreed to serve as the Lead Agency for a Cooperative Pricing System; and

**WHEREAS**, on Thursday, September 25, 2014 the governing body of the City of Ocean City, County of Cape May, State of New Jersey duly considered the establishment of a Cooperative Pricing System for the provision and performance of goods and services; and

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Ocean City, New Jersey hereby authorizes the creation of a Cooperative Pricing System to be known as City of Ocean City Cooperative Pricing System with the City of Ocean City, New Jersey serving as the Lead Agency; and

**BE IT FURTHER RESOLVED** that the Mayor, Jay Gillian; the Chief Financial Officer, Frank Donato, III and the Purchasing Manager/QPA, Joseph S. Clark are hereby authorized to enter into separate Cooperative Pricing Agreements with the participating contracting units; the City of Sea Isle City, NJ and said Agreements shall be deemed a single Agreement.

\_\_\_\_\_  
Anthony P. Wilson  
Council President

Files: RES CO-OP Pricing Systems-Lead Agency.doc

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the ..... day of ..... 2014

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinnesso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____

.....  
Linda P. MacIntyre, City Clerk

**CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

**#10**

**AUTHORIZING THE CITY'S PARTICIPATION IN THE HOUSTON – GALVESTON AREA COUNCIL OF GOVERNMENTS NATIONAL COOPERATIVE PURCHASING PROGRAM (HGAC-BUY) FOR CONTRACT #AM10-14, AMBULANCES, EMS & OTHER SPECIAL SERVICE VEHICLES WITH VCI EMERGENCY VEHICLE SPECIALISTS FOR REFURBISHMENT OF TWO (2) CITY OF OCEAN CITY DEPARTMENT OF FIRE & RESCUE SERVICES AMBULANCES**

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

**WHEREAS**, the Huston-Galveston Area Council of Governments National Cooperative Purchasing Program (HGAC-Buy) has acted as lead agency and awarded Contract #AM10-14, Ambulances, EMS & Other Special Service Vehicles; and

**WHEREAS**, the City's Department of Fire & Rescue Services ambulances are in need of being refurbishment; and

**WHEREAS**, Chief Christopher Breunig, Director of the Fire and Rescue Services Department; James Toto, Public Works Supervisor – Fleet Maintenance; Dorothy F. McCrosson, Esq., City Solicitor; Darleen H. Korup, Purchasing Assistant and Joseph S. Clark, QPA, City Purchasing Manager have reviewed the contract from HGAC-Buy #AM10-14, Ambulances, EMS & Other Special Service Vehicles and determined that the 2015 RM-6 Ford E450 Type III Ambulance remount are the functional economic refurbishment for the City's Ambulances; and

**WHEREAS**, it is recommended that the City Council approve the refurbishment and remount of two (2) of the Department of Fire & Rescue Services ambulances for use throughout the City from VCI Emergency Vehicle Specialists; and

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Ocean City, New Jersey, that be two (2), model year 2015 or newer Ford E450 Type III Ambulance remounts from VCI Emergency Vehicle Specialists, HGAC-Buy #AM10-14, Ambulances, EMS & Other Special Service Vehicles for use by the Department of Fire & Rescue Services as follows:

**VCI Emergency Vehicle Specialists  
43 Jefferson Avenue  
Berlin. NJ 08009**

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
1.	Model Year 2015 or Newer, RM-6 Ford E450 Gas Type III Base Ambulance Remount	2 Each	\$ 63,525.00	\$ 127,050.00
2.	Additional Options	2 Each	\$ 14,673.00	\$ 29,346.00
3.	Upgrades, Installation & Delivery	2 Each	\$ 21,134.61	\$ 42,269.22
4.	Discounts/Credits	2 Each	\$ 6,200.00	\$ 12,400.00

**Total Amount of HGAC-Buy #AM10-14, Ambulances, EMS & Other Special Service Vehicles to VCI Emergency Vehicle Specialists..... \$ 186,265.22**

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

**BE IT FURTHER RESOLVED** by the City Council of Ocean City, New Jersey that the ambulance remount/rehabilitation of two (2), model year 2015 or newer, RM-6 Ford E450 Gas Type III Base Ambulance Remounts for use by the Department of Fire & Rescue Services for daily operations, be purchased from VCI Emergency Vehicle Specialists; 43 Jefferson Avenue, Berlin, NJ 08009 in the total amount of \$186,265.22 and that the City Purchasing Manager is authorized to issue a purchase order for said vehicles as stated above and in accordance with the terms of the Huston-Galveston Area Council of Governments National Cooperative Purchasing Program Contract for Ambulances, EMS & Other Special Service Vehicles, Contract HGAC-Buy #AM10-14.

The Director of Financial Management certifies that funds are available and shall be charged to the following Capital Account # C-04-55-285-801.

**CERTIFICATION OF FUNDS**

\_\_\_\_\_  
Frank Donato III, CMFO  
Director of Financial Management

\_\_\_\_\_  
Anthony P. Wilson  
Council President

Files: Res HGAC-Buy Ambulances.doc

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of  
said Council duly held on the ..... day of ..... 2014

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....  
Linda P. MacIntyre, City Clerk





**CONTRACT PRICING WORKSHEET**  
For Standard Equipment Purchases

Contract No.:

**AM10-12**

Date Prepared:

8/28/2014

*This Form must be prepared by Contractor, and provided to End User to attach to Purchase Order, with copy to H-GAC. The H-GAC administrative fee shall be calculated and shown as a separate line item. Please type or print legibly.*

Buying Agency:	THE CITY OF OCEAN CITY	Contractor:	VCI EMERGENCY VEHICLE SPECIALISTS
Contact Person:	DARLEEN H. KORUP, RPPS	Prepared By:	DAVID DIGANGI, TERRITORY SALES MANAGER
Phone:	(609) 399-6111, EXT. 9355	Phone:	(856) 768-2162
Fax:	(609) 399-3779	Fax:	(856) 768-6933
Email:	<a href="mailto:dkorup@ocnj.us">dkorup@ocnj.us</a>	Email:	<a href="mailto:digangi@vciambulances.com">digangi@vciambulances.com</a>

Product Code:	NE09	Description:	RM-6 FORD E450 GAS TYPE III BASE AMBULANCE REMOUNT
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**A. Product Item Base Unit Price Per Contractor's H-GAC Contract:** 63525

**B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.**  
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
Subtotal From Additional Sheet(s):			0
<b>Subtotal B:</b>			<b>0</b>

**C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.**  
(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
SEE ATTACHED WORKSHEET			
Subtotal From Additional Sheet(s):			14673
<b>Subtotal C:</b>			<b>14673</b>

**Check:** Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). For this transaction the percentage is: 23%

**D. Other Cost Items Not Itemized Above (e.g. Installation, Freight, Delivery, Etc.)**

Description	Cost	Description	Cost
2015 CHASSIS INCREASE AND UPGRADES	5748.39	MODULE BODY AND PAINT REPAIR	4630
LED EMERGENCY/FMVSS LIGHTING UPGRADE	3752	LETTERING/GRAPHICS/CHEVRONS UPGRADE	1678
LED SCENE & UTILITY LIGHTING UPGRADE	5026.22		
<b>Subtotal D:</b>			<b>20834.61</b>

**E. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C+D)**

Quantity Ordered:	<b>2</b>	X Subtotal of A + B + C + D:	<b>99032.61</b>	= Subtotal E:	<b>198065.22</b>
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**F. H-GAC Fee Calculation (From Current Fee Tables)** Subtotal F: **600**

**G. Trade-Ins / Other Allowances / Special Discounts**

Description	Cost	Description	Cost
FORD GPC - FIN: QB704	<b>-\$200</b>		
MULTIPLE PURCHASE DISCOUNT	<b>-1000</b>		
<b>Subtotal G:</b>			<b>12400</b>

**Delivery Date:** TO BE DETERMINED **H. Total Purchase Price (E+F+G): 186265.22**

8/28/2014

**ADDITIONAL PUBLISHED OPTIONS**

Description	Cost	Description	Cost
		TOTAL	0

**ADDITIONAL UNPUBLISHED OPTIONS**

Description	Cost	Description	Cost
UPGRADE EXTERIOR DOOR HANDLES, TRIMARK	3408		
EXTERIOR STAINLESS & ALD UPGRADE	3603		
REPLACE HVAC SYSTEM IN MODULE	1500		
HIDDEN DOOR UNLOCK SWITCH, GRILLE	92		
AUDIBLE WARNING UPGRADE	1145		
INHALATION PANEL CLOSEOUT, NJDOH	125		
EVS CHILD SAFETY SEAT	1350		
REPLACE INTERIOR UPHOLSTERY	3000		
FABRICATE ALUMINUM TRASH CHUTE, #2 COMPT	450		
		TOTAL	14673

LABELING OF SEALED RESPONSE PACKAGE

**IMPORTANT:**

You must affix an identifying label to the outside of your Sealed Response Package to ensure proper identification and log-in at **HGACBuy** offices on receipt. **HGACBuy** is not responsible for any response that might be lost or misdirected due to improper or unclear labeling. Your label should look as follows and should be affixed conspicuously to the package.

**H-GAC Cooperative Purchasing**  
**Sealed Bid/Proposal No. AM10-14**  
**DO NOT OPEN IN MAIL ROOM**

Responses by E-mail or FAX will not be acceptable. Hard copies, as described herein, plus appropriate electronic media are required.

NOTICE REGARDING NATIONWIDE SALES POTENTIAL

**HGACBuy** is conducting this procurement with the objective of establishing one or more blanket type contracts for use by our Members. Because our Members are located not only in Texas, but throughout the country, we strongly urge you to participate in the process at the corporate level. If you do not sell direct, your dealer network may still service customers while you handle the administrative functions of providing quotes, accepting purchase orders, and collecting payments. If this is not feasible, we will work with you to subsequently assign your contract to your dealers as necessary to service customers.

Whatever approach you choose to take, there is considerable potential sales value because **HGACBuy** is being used not only in the State of Texas, but **NATIONWIDE**. This means that **HGACBuy** contractors will have a special advantage available to them in promoting sales to government agencies throughout the country... the ability to sell products without the need for the buyer to duplicate the competitive bidding process and expend the associated staff time and taxpayer dollars. We believe an **HGACBuy** contract would enhance your competitive position in the government marketplace, and are eager to work with you to promote the best interests of our participating local governments and qualifying non-profit organizations.

We look forward to your participation in our process. Please contact the **HGACBuy** staff member listed on the cover of this Invitation for additional information.

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**  
**RESOLUTION**

**#11**

**AUTHORIZING PARTICIPATION IN THE NATIONAL PURCHASING PARTNERS  
GOVERNMENT (NPPGov) A NATIONAL ORGANIZATION**

**WHEREAS**, N.J.S.A. 52:34-6.2 (b) P.L. 2011, c.139 was enacted into law permitting agencies to use national purchasing cooperatives; and

**WHEREAS**, the City of Ocean City desires to participate in National Purchasing Partners Government Cooperative in order to effect substantial economies in the purchase of materials, supplies and services; and

**WHEREAS**, it is the City of Ocean City intent to utilize these contracts on as needed basis during the National Purchasing Partners Government Contract terms; and

**WHEREAS**, the City of Ocean City may enter into contractual agreements with the above referenced National Purchasing Partners Government Vendors through this resolution and properly executed contracts/purchase orders, which shall be subject to all the conditions applicable to the current New Jersey Local State Public Contracts Law; and

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Ocean City, New Jersey authorizes the City Purchasing Manager to purchase certain goods or services from various approved National Purchasing Partners Government Vendors pursuant to all conditions of the individual contracts and in compliance with New Jersey State Public Contracts Law; and

**BE IT FURTHER RESOLVED**, that the National Purchasing Partners Government vendors and their corresponding contracts may change during the timeframe indicated below and that the City Purchasing Manger is hereby authorized to make the necessary adjustments as may be required for the City to continue its routine procurement practices throughout the indicated timeframe; and

**BE IT FURTHER RESOLVED**, that the City Council of the City of Ocean City, pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds and that no contract amount shall be chargeable or certified until such times as the goods or services are ordered or otherwise called for prior to placing the order and a certification of availability of funds shall be made by the City's Chief Financial Officer; and

**BE IT FURTHER RESOLVED** that the duration of the contracts between the City of Ocean City and National Purchasing Partners Government Vendors shall be for the time period reference in the National Purchasing Partners Government Contract.

\_\_\_\_\_  
Anthony P. Wilson  
Council President

FILES: RES 2014 NPPGov.doc

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the ..... day of ..... 2014

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Madden	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....  
Linda P. MacIntyre, City Clerk

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

#12

RESOLUTION

AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE  
FOR A CONSTRUCTION PROJECT AT 948 ASBURY AVENUE  
BLOCK 905, LOT 23, PROJECT #02-005P

WHEREAS, M.E. Shotwell Inc., a has posted a performance guarantee for construction of an approved Site Plan at 948 Asbury Avenue, Block 905, Lot 23 also known as application number 02-005P; and

WHEREAS, this application was submitted as a mixed use structure site plan as approved by the Planning Board on July 10, 2002; and

WHEREAS, the Planning Board Engineer has issued a request dated August 26, 2014 indicating the release of performance guarantee; and

WHEREAS, the Planning Board Engineer of the City of Ocean City has recommended the release of the cash performance guarantee, in the amount of \$5,400.00; and

NOW, THEREFORE, BE IT RESOLVED that the Director of Finance is authorized to release the cash performance guarantee in the amount of \$5,400.00 plus two thirds interest.

\_\_\_\_\_  
Frank Donato III  
Chief Financial Officer

\_\_\_\_\_  
Anthony P. Wilson  
Council President

Files: M.E. Shotwell Inc., Performance Release 02-002P.doc

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the ..... day of ..... 2014.

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....  
City Clerk

RESOLUTION

AMENDING THE 2014 BUDGET OF THE CITY OF OCEAN CITY TO INCLUDE  
ADDITIONAL REVENUE FROM THE STATE OF NEW JERSEY, DEPARTMENT  
OF THE TREASURY, CLEAN COMMUNITIES GRANT PROGRAM

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

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

WHEREAS, the City of Ocean City has received notification of a grant in the amount of \$78,490.26 from the State of New Jersey, Department of Environmental Protection, Clean Communities Grant Program and wishes to amend its 2014 Budget to include this amount as a revenue; and

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

NOW, THEREFORE, BE IT RESOLVED that the City of Ocean City hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$78,490.26 which item is now available as a revenue from:

GENERAL REVENUES

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

Public and Private Revenue Offset with Appropriations  
State of New Jersey, Department of Environmental Protection, Clean Communities Grant  
Program.....\$78,490.26  
pursuant to the provisions of Statute; and

BE IT FURTHER RESOLVED that a like sum of \$78,490.26 be and the same is hereby appropriated under the caption of:

8. GENERAL APPROPRIATIONS

(A) Operations-Excluded from "CAPS"

Public and Private Programs Offset by Revenues  
State of New Jersey, Department of Environmental Protection, Clean Communities Grant  
Program.....\$78,490.26

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

BE IT FINALLY RESOLVED that this amendment be published in the Sentinel Ledger in the issue of October 01, 2014.

Anthony P. Wilson  
Council President

FILES/Chapter 159 Clean Communities 2014

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the ..... day of ..... 2014.

NAME	AYE	NAY	ABSENT	ABSTAINED	.....
Allegretto	_____	_____	_____	_____	City Clerk
DeVlieger	_____	_____	_____	_____	
Guimosso	_____	_____	_____	_____	
Hartzell	_____	_____	_____	_____	
Madden	_____	_____	_____	_____	
McClellan	_____	_____	_____	_____	
Wilson	_____	_____	_____	_____	

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

#14

AMENDING THE 2014 BUDGET OF THE CITY OF OCEAN CITY TO INCLUDE  
ADDITIONAL REVENUE FROM THE COUNTY OF CAPE MAY, FOR YEAR 2013  
EMERGENCY MANAGEMENT ASSISTANCE GRANT

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

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

WHEREAS, the City of Ocean City has received notification of a grant in the amount of \$10,000.00 from the County of Cape May Emergency Management Assistance Grant and wishes to amend its 2014 Budget to include this amount as a revenue; and

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

NOW, THEREFORE, BE IT RESOLVED that the City of Ocean City hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$10,000.00 which item is now available as a revenue from:

GENERAL REVENUES

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

Public and Private Revenue Offset with Appropriations  
County of Cape May Emergency Management Assistance.....\$10,000.00  
pursuant to the provisions of Statute; and

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 be and the same is hereby appropriated under the caption of:

8. GENERAL APPROPRIATIONS  
(A) Operations-Excluded from "CAPS"

Public and Private Programs Offset by Revenues  
County of Cape May Emergency Management Assistance.....\$10,000.00

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

BE IT FINALLY RESOLVED that this amendment be published in the Sentinel Ledger in the issue of October 1, 2014.

\_\_\_\_\_  
Anthony P. Wilson  
Council President

FILES/Chapter 159 NJ State Police 2014

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the ..... day of ..... 2014.

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

\_\_\_\_\_  
City Clerk

**CITY OF OCEAN CITY**  
**CAPE MAY COUNTY, NEW JERSEY**

**RESOLUTION**

**#15**

**APPROVING TAX OVERPAYMENT REFUND**  
**2014-24 to 28**

**WHEREAS**, the Tax Collector has certified and issued refund vouchers to the following tax payers who overpaid their taxes; and

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Ocean City that authorization for refund be approved as per the attached schedule.

**DESCRIPTION**

<u>VOUCHER</u>	<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>	<u>YEAR</u>
14-24	Cross, Thomas	109	20 C1	\$ 525.77	2014
14-25	Haldeman, Bradley & Genevieve	804	13 C205	371.34	2014
14-26	Ladman, Aaron & Bergbauer, Patricia	2502	2.01 C1	1,212.43	2014
14-27	Lucci, Edward & Laura	2603	20 C1	1,385.77	2014
14-28	Core Logic Service Agency	309	4	391.64	2014
	CoreLogic Service Agency	1109	11 C2	858.38	2014

**Total                    \$4,745.33**

\_\_\_\_\_  
Anthony P. Wilson  
Council President

14Refund5

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the ..... day of ..... 2014.

NAME	AYE	NAY	ABSENT	ABSTAINED
Allegretto	_____	_____	_____	_____
DeVlieger	_____	_____	_____	_____
Guinasso	_____	_____	_____	_____
Hartzell	_____	_____	_____	_____
Madden	_____	_____	_____	_____
McClellan	_____	_____	_____	_____
Wilson	_____	_____	_____	_____

.....  
City Clerk





# CITY OF OCEAN CITY

AMERICA'S GREATEST FAMILY RESORT

DIVISION OF TAX COLLECTION

## Memo

**To:** Frank Donato, Director of Financial Management

**From:** Gary M. Hink, Tax Collector

**Date:** September 17, 2014

**Re:** Refund of Tax Overpayments

Attached, please find a Resolution authorizing refunds of tax overpayments to be placed on the agenda for the City Council meeting of September 25, 2014. The refunds are for over-payments due to the taxpayer for the reasons stated below. Typically the refunds are for duplicate payments made by the homeowner and a mortgage company or a title company. As you are aware we must apply bulk bank payments in their entirety per a directive from the Division of Local Government Services.

If you have any questions, please contact me.

### DESCRIPTION

<u>VOUCHER</u>	<u>NAME</u>	<u>BLOCK</u>	<u>LOT/QUAL</u>	<u>REASON</u>
14-24	Thomas Cross	109	20 C1	Overpayment
14-25	Bradley & Genevieve Haldeman	804	13 C205	Overpayment
14-26	Aaron Ladman & Patricia Bergbauer	2502	2.01 C1	Overpayment
14-27	Edward & Laura Lucci	2603	20 C1	Overpayment
14-28	CoreLogic Service Agency	309	4	Overpayment
	CoreLogic Service Agency	1109	11 C2	Overpayment

N:\Tax\_Collector\MEGAN\_Resolution\REFUND\14 RefundMemo5.docx

PO BOX 208, OCEAN CITY, NJ 08226

609-525-9379 FAX: 609-399-5047

*Printed on Recycled Paper*

CITY OF OCEAN CITY  
CAPE MAY COUNTY, NEW JERSEY

**RESOLUTION**

**#16**

**AUTHORIZING THE PAYMENT OF CLAIMS**

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

**WHEREAS**, the attached bill list represent claims against the municipality for period including September 6, 2014 to September 19, 2014.

**WHEREAS**, the attached P-Card check register represents paid claims against the municipality for the period of August 1, 2014 to August 31, 2014

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

\_\_\_\_\_  
Frank Donato III  
Chief Financial Officer

\_\_\_\_\_  
Anthony P. Wilson  
Council President

FILES/AUTHORIZING THE PAYMENT OF CLAIMS – 06.06.14 TO 06.20.14.doc

Offered by ..... Seconded by .....

The above resolution was duly adopted by the City Council of the City of Ocean City, New Jersey, at a meeting of said Council duly held on the ..... day of ..... 2014.

NAME	AYE	NAY	ABSENT	ABSTAINED	..... City Clerk
Allegretto	_____	_____	_____	_____	
DeVlieger	_____	_____	_____	_____	
Quinosso	_____	_____	_____	_____	
Hartzell	_____	_____	_____	_____	
Madden	_____	_____	_____	_____	
McClellan	_____	_____	_____	_____	
Wilson	_____	_____	_____	_____	

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

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
13-02210	08/13/13	ARTHURHJ	ARTHUR J. OGREN, INC.	Open	24,407.00	0.00	B
13-02257	08/22/13	CATER	CATERINA SUPPLY COMPANY	Open	1,280.00	0.00	B
13-02370	09/06/13	AQUATREA	AQUA-TREAT INC WATER MGMT.	Open	375.00	0.00	B
13-03388	12/19/13	PAULUS	PAULUS, SOKOLOWSKI & SARTOR LLC	Open	28,579.38	0.00	B
14-00007	01/06/14	SALES	SALES & USE TAX	Open	992.02	0.00	B
14-00008	01/06/14	SONJ8695	STATE OF NEW JERSEY	Open	68.77	0.00	B
14-00012	01/15/14	AC ELECT	ATLANTIC CITY ELECTRIC	Open	2,699.29	0.00	B
14-00016	01/15/14	VERIZONL	VERIZON ONLINE	Open	1,427.36	0.00	B
14-00018	01/15/14	VERIZ	VERIZON	Open	5,065.65	0.00	B
14-00039	01/15/14	LINESYST	LINE SYSTEMS INC.	Open	10,338.68	0.00	B
14-00042	01/15/14	ATT3	AT & T	Open	11.84	0.00	B
14-00052	01/17/14	TIX COM	TIX, INC.	Open	590.50	0.00	B
14-00054	01/17/14	SZAFERMA	SZAFERMAN, LAKIND, BLUMSTEIN & SCHILLING ESTATE	Open	735.00	0.00	B
14-00066	01/17/14	CRYSTAL	CRYSTAL SPRINGS	Open	16.06	0.00	B
14-00134	01/29/14	CRYSTAL	CRYSTAL SPRINGS	Open	198.10	0.00	B
14-00185	01/29/14	VERIZ	VERIZON	Open	142.19	0.00	B
14-00200	01/31/14	POGUE	POGUE INC.	Open	2,146.00	0.00	B
14-00205	01/31/14	INDHS	INDUSTRIAL HOUSING SOLUTIONS	Open	1,700.00	0.00	B
14-00222	02/05/14	ACUA	ATLANTIC COUNTY UTILITY AUTHOR	Open	1,624.48	0.00	B
14-00223	02/05/14	CRYSTAL	CRYSTAL SPRINGS	Open	209.60	0.00	B
14-00241	02/05/14	CRYSTAL	CRYSTAL SPRINGS	Open	5.99	0.00	B
14-00242	02/05/14	CRYSTAL	CRYSTAL SPRINGS	Open	3.49	0.00	B
14-00268	02/07/14	CRYSTAL	CRYSTAL SPRINGS	Open	202.18	0.00	B
14-00300	02/11/14	GRITH	GRIFFITH & CARLUCCI, ESQUIRES	Open	4,173.63	0.00	B
14-00304	02/11/14	STEIN	MARK H. STEIN, ESQUIRE	Open	3,349.00	0.00	B
14-00313	02/11/14	STETS	B. W. STETSON & CO.	Open	111.00	0.00	B
14-00323	02/13/14	CRYSTAL	CRYSTAL SPRINGS	Open	41.08	0.00	B
14-00327	02/13/14	STETS	B. W. STETSON & CO.	Open	131.00	0.00	B
14-00366	02/20/14	ORCHA	ORCHARD'S HYDRAULIC SERVICE, IN	Open	2,703.03	0.00	B
14-00372	02/20/14	WESTG	THOMAS REUTERS	Open	275.37	0.00	B
14-00379	02/20/14	VERIW	VERIZON WIRELESS	Open	1,584.94	0.00	B
14-00436	02/21/14	CRYSTAL	CRYSTAL SPRINGS	Open	66.08	0.00	B
14-00502	03/10/14	OCCHA	O.C. REGIONAL CHAMBER OF	Open	8,000.00	0.00	B
14-00618	03/13/14	LATECH	LATECH CONSULTING, INC.	Open	900.00	0.00	B
14-00641	03/21/14	WEBPAGE	WEBPAGEFX, INC	Open	15,925.00	0.00	B
14-00716	03/31/14	DIEHL E	DIEHL ELECTRIC, INC.	Open	16,878.44	0.00	B
14-00718	03/31/14	SHAWL	F.W. SHAWL & SONS, INC.	Open	338,703.90	0.00	B
14-00765	04/11/14	OCEXCHAN	THE EXCHANGE CLUB OF OC	Open	1,000.00	0.00	B
14-00766	04/11/14	ARSEN	ARSENAL SOUND, L.L.C.	Open	600.00	0.00	B
14-00930	04/23/14	KNOLLINC	KNOLL, INC.	Open	4,607.63	0.00	B
14-01010	05/01/14	OCHIS	OCEAN CITY HISTORICAL MUSEUM	Open	25,000.00	0.00	B
14-01017	05/02/14	SEASHORE	SEASHORE ASPHALT CORP.	Open	759.09	0.00	B
14-01021	05/06/14	ACTIO	ACTION SUPPLY, INC.	Open	1,220.00	0.00	B
14-01069	05/18/14	FORDS	FORD, SCOTT & ASSOCIATES, LLC	Open	2,250.00	0.00	B
14-01223	05/22/14	OCHUM	OCEAN CITY HUMANE SOCIETY	Open	10,000.00	0.00	B
14-01225	05/22/14	OCART	OCEAN CITY ARTS CENTER	Open	25,000.00	0.00	B
14-01239	05/22/14	ROCKEYMD	ROCKY MOUNTAIN TRACKING	Open	1,197.00	0.00	B
14-01439	06/11/14	JAMONTGO	J A MONTGOMERY RISK CONTROL LL	Open	3,278.00	0.00	B
14-01569	06/16/14	DIRECTEN	DIRECT ENERGY BUSINESS	Open	20,070.26	0.00	B
14-01581	06/16/14	WALKD	DOUGLAS K. WALKER	Open	6,050.98	0.00	B

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
14-01604	06/23/14	DEJANA	DEJANA TRUCK EQUIPMENT OF	CO-OP?	Open	4,285.00	0.00
14-01646	07/01/14	CLEARCOM	CLEAR COMMUNICATION		Open	510.00	0.00
14-01648	07/01/14	SCHOP	WILLIAM SCHOPPY TROPHY COMPANY		Open	35.52	0.00
14-01686	07/03/14	COURIER	COURIER POST		Open	1,995.00	0.00 B
14-01697	07/08/14	DEPT	DEPTCOR	OFFICE STATIONERY	Open	1,510.00	0.00
14-01698	07/08/14	DEPT	DEPTCOR	OFFICE STATIONERY	Open	1,362.50	0.00
14-01726	07/11/14	SERVICE	SERVICE TIRE TRUCK CENTER, INC	SEE ATTACHED QUOTES	Open	6,800.00	0.00
14-01733	07/11/14	BOSSEVEN	BOSS EVENTS, LLC		Open	4,364.00	0.00
14-01752	07/15/14	LUMBERMA	LUMBERMAN ASSOCIATES	Sandfence/Post&Rail#14-50-158	Open	10,367.50	0.00
14-01762	07/16/14	CAPRI	CAPRIONI PORTABLE TOILETS, INC		Open	186.00	0.00
14-01768	07/16/14	DEPT	DEPTCOR	BUSINESS CARDS/ HANNAH DESMOND	Open	56.00	0.00
14-01915	07/18/14	WESTN	WESTERN PEST SERVICES, INC	BRC, \$ to Date & BRC Attached	Open	7,518.00	0.00
14-01931	07/18/14	VICKERS	VICKERS CONSULTING SERVICES, INC	consult for grant	Open	500.00	0.00
14-01955	07/25/14	NAT A	NAT ALEXANDER COMPANY, INC.	SC 80948	Open	1,212.00	0.00
14-01969	07/30/14	RIVERSID	RIVERSIDE SHELL, INC.		Open	850.00	0.00
14-01999	08/01/14	TELVUE	TELVUE CORPORATION		Open	12,000.00	0.00
14-02002	08/01/14	ACIR	ACIR PROFESSIONALS		Open	75.00	0.00
14-02007	08/01/14	WIREL	WIRELESS ELECTRONICS INC.	40A:11-5(i)dd	Open	6,180.00	0.00
14-02046	08/08/14	PRESS	THE PRESS		Open	760.15	0.00
14-02049	08/08/14	WENGE	WENGER CORPORATION	Resolution #14-50-170	Open	19,416.00	0.00
14-02063	08/08/14	XRAYIMAG	X-RAY IMAGING, INC.		Open	8,066.75	0.00
14-02183	08/20/14	BSN	BSN SPORTS, INC	State Contract #A81413	Open	16,111.60	0.00
14-02187	08/20/14	ACE PLUM	ACE PLUMBING & ELEC. SUPPLIES		Open	1,106.94	0.00
14-02188	08/20/14	TUCKS	TUCKAHOE SAND & GRAVEL CO.		Open	985.00	0.00
14-02204	08/20/14	DEPT	DEPTCOR		Open	218.00	0.00
14-02205	08/20/14	PENDE	PENDEGAST SAFETY EQUIPMENT CO.		Open	1,956.33	0.00
14-02258	08/21/14	MARKKANE	MARGARET MARKKANEN	RENTAL REGISTRATION REFUND	Open	175.00	0.00
14-02261	08/22/14	DEPT	DEPTCOR	WINDOW ENVELOPES	Open	440.00	0.00
14-02269	08/22/14	FRIEN	FRIENDS OF THE POPS		Open	2,278.25	0.00
14-02271	08/22/14	BULLENW	WILLIAM B BULLEN		Open	30.00	0.00
14-02273	08/22/14	GELLERK	KATHLEEN GELLER		Open	100.00	0.00
14-02285	08/25/14	CHOICE	CHOICE ENVIR. SER. OF NJ, INC.		Open	205.50	0.00 B
14-02292	08/25/14	ITE	INTERCON TRUCK EQUIPMENT, INC.		Open	1,509.94	0.00
14-02297	08/27/14	RETAI	RETAIL MERCHANTS ASSN OF O.C.		Open	5,294.15	0.00
14-02306	08/27/14	73MUZSLA	DREW MUZSLAY		Open	150.00	0.00
14-02308	09/03/14	PERRY	PERRY-EGAN CHEVROLET, INC.		Open	2,004.77	0.00
14-02310	09/03/14	SCHOP	WILLIAM SCHOPPY TROPHY COMPANY		Open	499.75	0.00
14-02312	09/03/14	SJSHOREM	SJShore MARKETING, LLC		Open	65.08	0.00
14-02313	09/03/14	JEWIS	JEWISH TIMES		Open	360.12	0.00
14-02314	09/03/14	LAWSO	LAWSON PRODUCTS, INC.		Open	217.74	0.00
14-02316	09/03/14	RUTGERS	RUTGERS-CENTER FOR GOV SERVICE		Open	1,084.00	0.00
14-02318	09/03/14	TAYLD	TAYLOR DESIGN GROUP, INC.	PER RESOLUTION 14-50-198	Open	41,655.21	0.00
14-02329	09/10/14	PATCARR	SHAMROCK LASER ENGRAVING &		Open	640.78	0.00
14-02330	09/10/14	GLOUC	GLOUCESTER COUNTY POLICE		Open	40.00	0.00
14-02331	09/10/14	FENTONK	KRISTIE FENTON		Open	51.02	0.00
14-02334	09/10/14	CAPRI	CAPRIONI PORTABLE TOILETS, INC		Open	700.00	0.00
14-02337	09/10/14	OCNJ-COM	OCEAN CITY NJ.COM		Open	200.00	0.00 B
14-02343	09/10/14	DRAGERSD	DRAGER SAFETY DIAGNOSTICS, INC		Open	165.00	0.00
14-02347	09/10/14	COOC	CITY OF OCEAN CITY		Open	21.00	0.00
14-02348	09/10/14	NJSLOM	NJ STATE LEAGUE OF	2014 NJSLOM CONFERENCE	Open	165.00	0.00
14-02408	09/15/14	RILEIGHS	RILEIGHS OUTDOOR DECOR		Open	1,201.91	0.00
14-02410	09/15/14	06MCLARN	ROGER D. MCLARNON	REIMBURSE FOR BUSINESS EXP	Open	155.29	0.00
14-02414	09/15/14	PRIME	PRIME EVENTS		Open	300.00	0.00
14-02416	09/15/14	03CLA	JOSEPH CLARK	Reimbursement for NIGP confer	Open	961.29	0.00

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
14-02417	09/15/14	OCBOE	OCEAN CITY BOARD OF EDUCATION	Open	2,880.00	0.00	
14-02422	09/15/14	KRAVI	DBX PHOTO	Open	175.00	0.00	
14-02423	09/15/14	THEPOTOM	THE POTOMAC BEAD COMPANY,	Open	300.00	0.00	
14-02424	09/15/14	AME	AMERICAN LEGION	Open	53.48	0.00	
14-02426	09/15/14	SACK	SACK O' SUBS, INC.	Open	83.00	0.00	
14-02430	09/15/14	NJSLOM	NJ STATE LEAGUE OF	Open	55.00	0.00	
14-02432	09/15/14	730ROCKE	SHAYNE T. ROCKEY	Open	99.00	0.00	
14-02434	09/15/14	DAVIDSHU	DAVID SHULTZ AIRSHOWS LLC	Open	2,993.45	0.00	
14-02435	09/15/14	77BRE	CHRISTOPHER BREUNIG	Open	164.64	0.00	
14-02436	09/15/14	77QUIGLE	JOHN J. QUIGLEY, JR.	Open	265.01	0.00	
14-02437	09/15/14	PURDYAUT	PURDY AUTOMOTIVE	Open	86.08	0.00	
14-02440	09/15/14	NJSLOM	NJ STATE LEAGUE OF	Open	110.00	0.00	
14-02442	09/15/14	99DEM	DIANE DEMICHELE	Open	71.00	0.00	
14-02445	09/16/14	SHERW	SHERWIN WILLIAMS #3760	Open	28.99	0.00	
14-02446	09/16/14	WALLA	WALLACE HARDWARE INC.	Open	81.18	0.00	
14-02447	09/16/14	SANTO	SANTORI'S PRODUCE	Open	112.00	0.00	
14-02448	09/16/14	SUPER	SUPER FRESH #473	Open	57.90	0.00	
14-02449	09/16/14	SUPER	SUPER FRESH #473	Open	43.36	0.00	
14-02450	09/16/14	04CROSS	CROSS, THOMAS W	Open	525.77	0.00	
14-02451	09/16/14	04HALDE	HALDEMAN, BRADLEY & GENEVIEVE	Open	371.34	0.00	
14-02452	09/16/14	04LADMAN	LADMAN, A. J & BERGBAUER, P	Open	1,212.43	0.00	
14-02453	09/16/14	04LUCCI	LUCCI, EDWARD C & LAURA J	Open	1,385.77	0.00	
14-02454	09/16/14	04LOGIC	CORE LOGIC	Open	1,250.02	0.00	
14-02456	09/17/14	STONE	A.E. STONE, INC.	Open	2,778.28	0.00	B
14-02457	09/17/14	SPARKELE	SPARK ELECTRIC SERVICE, INC	Open	10,990.73	0.00	
14-02479	09/19/14	SCHOP	WILLIAM SCHOPPY TROPHY COMPANY	Open	23.20	0.00	
14-02481	09/19/14	SHERW	SHERWIN WILLIAMS #3760	Open	255.17	0.00	
14-02482	09/19/14	WALLA	WALLACE HARDWARE INC.	Open	89.92	0.00	
Total Purchase Orders: 133 Total P.O. Line Items: 295 Total List Amount: 772,333.82 Total Void Amount:							0.00

2014  
Recreation Dedicated Trust Fund  
Bill List



9/18/2014

Voucher #	Name	Amount	
3856	Cierra Howard	\$ 850.00	Little Miss Ocean City 2015 Awards
3857	Reagan DeVleeger	100.00	Little Miss Ocean City 2015 Awards
3858	Hope Aita	1,025.00	Little Miss Ocean City 2015 Awards
3859	Julia Wilson	325.00	Little Miss Ocean City 2015 Awards
3860	Avery Fritsch	425.00	Little Miss Ocean City 2015 Awards
3861	Lauren Roop	700.00	Little Miss Ocean City 2015 Awards
3862	Robin Aitman	50.00	Little Miss Ocean City 2015 Awards
3863	Riley Madden	25.00	Little Miss Ocean City 2015 Awards
3864	Alexis Hart	50.00	Little Miss Ocean City 2015 Awards
3865	Katie Bowman	50.00	Little Miss Ocean City 2015 Awards
3866	Sarah Burgas	200.00	Little Miss Ocean City 2015 Awards
3867	Brianna Reis	200.00	Little Miss Ocean City 2015 Awards
		<u>\$ 4,000.00</u>	

September 12, 2014  
04:05 PM

CITY OF OCEAN CITY  
Check Register By Check Id

Page No: 1

*Issued & Reconciled Outside Office*

Range of Checking Accts: GENERAL TO GENERAL Range of Check Ids: 81921 to 81921  
Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void	Ref Num
PO #	Item	Description				Contract	Ref Seq
81921	09/12/14	OCTHEATR OCEAN CITY THEATRE COMPANY					3322
14-02349	1	INVOICE; PAYMENT FOR KEYBOARD	820.00	T-12-56-173-018	Budget		1
				RECREATION TRUST- SPECIAL EVENTS POPS			
14-02349	2	SWING PRODUCTION TICKET SALES	35,092.25	T-12-56-173-018	Budget		2
				RECREATION TRUST- SPECIAL EVENTS POPS			
			<u>35,912.25</u>				

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	35,912.25	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	<u>1</u>	<u>0</u>	<u>35,912.25</u>	<u>0.00</u>