

**TOWNSHIP OF BORDENTOWN
TOWNSHIP COMMITTEE REGULAR MEETING AGENDA**

DATE: August 10, 2020 TIME: 7:30 P.M. VIRTUAL
<https://us02web.zoom.us/j/85982335676?pwd=bjBZVEFlazl3QnNtQ1lLQlIxLzlfUT09>
 or Dial In +1 646 876 9923 (Meeting ID: 859 8233 5676)

1. Call to Order and Roll Call

PRESENT	ABSENT	
_____	_____	Mayor Benowitz
_____	_____	Deputy Mayor Holliday
_____	_____	Committeeman Fuzy
_____	_____	Committeeman Kostoplis
_____	_____	Committeeman Mason
_____	_____	Administrator Theokas
_____	_____	Clerk Carrington
_____	_____	Attorney Fahey
_____	_____	Chief Financial Officer Elsasser

2. Salute to the Flag and Moment of Silence

3. Open Public Meeting Announcement

This meeting is called pursuant to the provisions of the Open Public Meeting Act. A notice of the 2020 meeting schedule was sent to the *Burlington County Times* and *The Times* on January 8, 2020 and was subsequently published by the *Burlington County Times* on January 10, 2020. The notice was posted on the bulletin boards in the Municipal Building and has remained continuously posted as required under the statute. In addition, a copy of the notice is available to the public and is on file in the office of the Township Clerk.

Proper notice having been given, the Township Clerk is directed to include this statement in the minutes of the meeting. The proceedings of this meeting, which are open to the public, are being electronically recorded and will act as the minutes of the meeting in conjunction with the abbreviated written form of the minutes. Minutes are kept for all meetings, whether open or closed to the public.

4. Correspondence: Letter dated July 29, 2020 from the New Jersey Department of Transportation regarding the proposed milling and resurfacing of U.S. 130 in 2021. The proposed construction will also include reconstruction of deteriorated curbs, construction of ADA compliant pedestrian curb ramps and treatment of inlets and manholes where applicable between mile markers 53.3 and 55 on U.S. 130 Northbound and between mile markers 54 and 55 on US 130 Southbound.

5. Administrative Review of Agenda

6. CONSIDERATION OF CONSENT AGENDA ITEMS:

- a. Township Committee review and discussion of Consent Agenda Items.
- b. Public comment on Consent Agenda items.

7. CONSENT AGENDA: Motion, Second and Roll Call to adopt Resolutions #2020-177 to #2020-197

- a. Resolution #2020-177 entitled APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS

- b. Resolution #2020-178 entitled RENEWAL OF LIQUOR LICENSES FOR THE 2020-2021 TERM
- c. Resolution #2020-179 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC FOR PROFESSIONAL SERVICES THE NJ DEP PERMIT RESPONSE FOR THE ORCHARD AVENUE AND GLEN ROAD CULVERT REPLACEMENT PROJECT
- d. Resolution #2020-180 entitled RESOLUTION TO AWARD A CONTRACT FOR THE 2020 ROAD PROGRAM
- e. Resolution #2020-181 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC, FOR THE PREPARATION AND SUBMISSION OF A FINAL REMEDIAL ACTION REPORT FOR THE 266 CROSSWICKS ROAD PROPERTY
- f. Resolution #2020-182 entitled RELEASE OF TWO YEAR MAINTENANCE GUARANTEE FOR Bordentown Corner, LLC (Dollar General & Pep Boys) BLOCK: 20 LOT: 1
- g. Resolution #2020-183 entitled RELEASE OF CASH MAINTENANCE GUARANTEE FOR INVESTORS BANK, 213 US ROUTE 130, BLOCK: 116 LOT: 3
- h. Resolution #2020-184 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN APPROVING THE MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF BORDENTOWN AND THE BORDENTOWN TOWNSHIP POLICE COMMAND OFFICERS ASSOCIATION (LIEUTENANTS AND CAPTAINS)
- i. Resolution #2020-185 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO APPOINT MEGHAN SHADOW AS PROVISIONAL TECHNICAL ASSISTANT TO THE CONSTRUCTION OFFICIAL OF THE TOWNSHIP OF BORDENTOWN
- j. Resolution #2020-186 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO MEMORIALIZE ACCEPTANCE OF THE RESIGNATION OF ROBERT L. KING, FIRE PROTECTION SUBCODE OFFICIAL IN THE BORDENTOWN TOWNSHIP CONSTRUCTION DEPARTMENT
- k. Resolution #2020-187 entitled RESOLUTION APPROVING PARTICIPATION IN THE DONATED LEAVE PROGRAM
- l. Resolution #2020-188 entitled RESOLUTION FORMALLY INCREASING BID THRESHOLD FOR CONTRACTS UNDER LOCAL PUBLIC CONTRACTS LAW FROM \$40,000 TO \$44,000 AS AUTHORIZED ON JULY 1, 2020
- m. Resolution #2020-189 entitled RESOLUTION TO AMEND RESOLUTION #2020-97 TO AUTHORIZE THE TOWNSHIP OF BORDENTOWN TO EXECUTE OF AN AMENDED MEMORANDUM OF UNDERSTANDING WITH HABITAT FOR HUMANITY OF BURLINGTON COUNTY, INC. REGARDING THE FUTURE DEVELOPMENT OF 179, 181 AND 183 CROSSWICKS ROAD
- n. Resolution #2020-190 entitled RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT OF SALE WITH BORDENTOWN WATERFRONT COMMUNITY LLC FOR THE CONVEYANCE OF CERTAIN PROPERTIES

- o. Resolution #2020-191 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES
 - p. Resolution #2020-192 entitled RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87
 - q. Resolution #2020-193 entitled RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE AND TRAINING IN THE UCC DEPARTMENT
 - r. Resolution #2020-194 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPROVING THE AFFORDABLE HOUSING SPENDING PLAN
 - s. Resolution #2020-195 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY ADOPTING THE 'AFFIRMATIVE MARKETING PLAN' FOR THE TOWNSHIP OF BORDENTOWN
 - t. Resolution #2020-196 entitled A RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY AUTHORIZING AND ADOPTING THE 'FOR-SALE OPERATING MANUAL'; 'RENTAL OPERATING MANUAL' AND 'MARKET TO AFFORDABLE PROGRAM OPERATING MANUAL' FOR THE TOWNSHIP OF BORDENTOWN
 - u. Resolution #2020-197 entitled APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS
8. Ordinance #2020-14 entitled ORDINANCE AMENDING CHAPTER 2.68.050 THE TOWNSHIP CODE REGARDING SPECIAL LAW ENFORCEMENT OFFICERS
- a. Public Hearing
 - b. Adoption Consideration
9. Introduction of Ordinance #2020-17 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE PURCHASE OF CERTAIN PROPERTIES REPRESENTING THE REMAINING INTERESTS OF BORDENTOWN WATERFRONT COMMUNITY, L.L.C. IN THE WATERFRONT REDEVELOPMENT AREA AND APPROPRIATING \$4,700,000 FOR SAID PURPOSE; AUTHORIZING THE ISSUANCE OF \$4,465,000 PRINCIPAL AMOUNT OF OBLIGATIONS OF THE TOWNSHIP TO FINANCE SAID PURPOSE; AND PROVIDING FOR OTHER MATTERS RELATING THERETO
10. Introduction of Ordinance #2020-18 entitled ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY KNOWN AS BLOCK 140, LOTS 5.02, 10-19; BLOCK 140.01, LOTS 1.02 and 2.01; BLOCK 141 LOT 4 IN THE TOWNSHIP OF BORDENTOWN; BLOCK 69, LOT 1 IN THE TOWNSHIP OF MANSFIELD AND BLOCK 13, LOTS 8, 9.01 AND 9.02 IN THE TOWNSHIP OF FIELDSBORO PURSUANT TO N.J.S.A. 40A:12-5
11. New Business: None.
12. Administrator's Report
13. Township Committee Liaison Reports

14. Public Participation: Questions, comments or statements from members of the public in attendance
15. Final Comments from Township Committee
16. Motion to Adjourn

**ALL LEGISLATION LISTED ABOVE IS SUBJECT TO CHANGE
UNTIL IT IS OFFICIALLY ADOPTED BY THE GOVERNING BODY.**



State of New Jersey

DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, New Jersey 08625-0600

PHILIP D. MURPHY
Governor

DIANE GUTIERREZ-SCACCETTI
Commissioner

SHEILA Y. OLIVER
Lt. Governor

July 6, 2020

Maria Carrington
Municipal Clerk, Bordentown Township
1 Municipal Drive
Bordentown, NJ 08022

Maintenance Roadway Contract S116, DP No. 21407

U.S. 130 NB, M.P. 53.30 TO 55.00

U.S. 130 SB, M.P. 54.00 TO 55.00

Dear Ms. Carrington:

Please be advised that the above captioned resurfacing project has been tentatively scheduled for construction during the 2021 construction season.

The scope of this project consists of milling the roadway and resurfacing with bituminous concrete. It is also proposed to reconstruct deteriorated curb sections along with the construction of ADA compliant curb ramps, where applicable. Existing low inlets and manholes will be raised.

With this correspondence, we are requesting that the enclosed municipal utilities form be completed and emailed (To: Gabriella.Aiello@dot.nj.gov CC: Paul.Lenarczyk@dot.nj.gov).

If any problems or conflicts exist within your jurisdiction, please write or call Paul Lenarczyk at (609) 963-1507.

Sincerely,

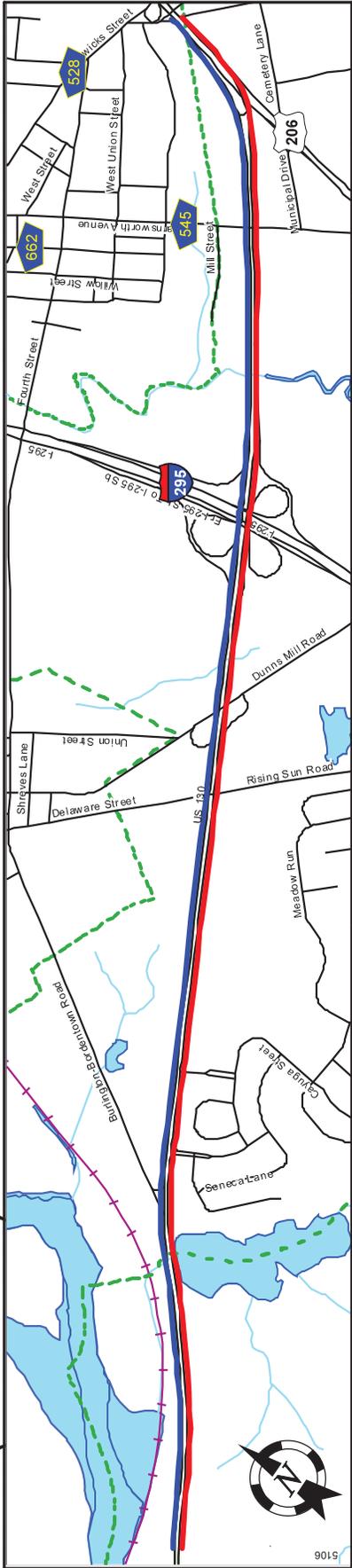
A handwritten signature in cursive script that reads "Aiello".

Gabriella Aiello
Engineer Trainee Transportation
Bureau of Operations Support & Engineering

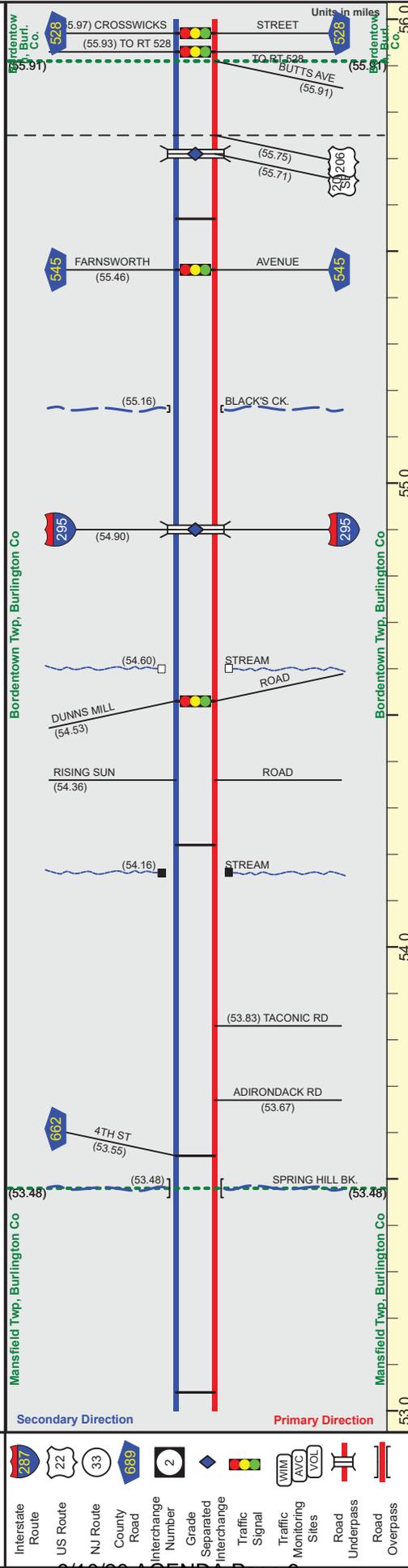
Enclosure

Mile Posts: 53.000 - 56.000

US 130 (South to North)



Pavement	24	8	2	50	36	12	3	55	40	26	12	0	4
Shoulder													
Number of Lanes													
Speed Limit													



Street Name	US 130												
Jurisdiction	N.J.D.O.T.												
Functional Class	Urban Principal Arterial												
Federal Aid - NHS Sy	NHS												
Control Section	STRAHNET Conn.												
Speed Limit	0317												
Number of Lanes	50												
Med. Type	Unprotected												
Med. Width	20												
Pavement	24												
Shoulder	8												
Traffic Volume	32,183 (2012)												
Traffic Sta. ID	5-4-206												
Structure No.	0317199												
Enlarged Views	0317159												

MP 55.75 - Begin Duplicate With US 206 MP=35.61

Date last inventoried: March 2014

SRI = 0000130

RESOLUTION #2020-177

APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the Regular and Closed Session Meeting Minutes of July 27, 2020; as submitted by the Clerk, are hereby approved as (_____ submitted) (_____ corrected) and authorized to be posted to the Municipal Bulletin Board and website.

RESOLUTION #2020-178

RENEWAL OF LIQUOR LICENSES FOR THE 2020-2021 TERM

WHEREAS, the New Jersey Division of Alcoholic Beverage Control (ABC) has implemented an electronic, web based licensing called POSSE ABC; and,

WHEREAS, renewal applications have been filed or submitted through the POSSE ABC portal as directed by the ABC; and,

WHEREAS, the submitted, renewal applications have been accepted via POSSE ABC, the Municipal fees have been paid and a Tax Clearance Certificate has been received for the following licensees; and,

WHEREAS, the Director of the ABC extended 2019-20 liquor licenses until September 30, 2020 vail AO 2020-02; and

WHEREAS, the applicants are qualified to be licensed per standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, and pertinent Township Ordinances; and,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, that the renewal of the following Liquor Licenses for the 2020-2021 term from October 1, 2020 to June 30, 2021, is hereby authorized:

<u>File No.</u>	<u>License Number</u>	<u>Licensee</u>	<u>Establishment</u>
- Club License -			
371972	0304-31-015-002	Bordentown Elks #20185	Bordentown Elks #20185
- Hotel/Motel License -			
365089	0304-36-011-007	Comfort Café, Inc.	

RESOLUTION #2020-179

RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC FOR PROFESSIONAL SERVICES THE NJ DEP PERMIT RESPONSE FOR THE ORCHARD AVENUE AND GLEN ROAD CULVERT REPLACEMENT PROJECT

WHEREAS, a response is due to the NJ Department of Environmental Protection regarding a review letter for the Flood Hazard Area permit required for the Orchard Avenue and Glen Road Culvert Replacement Project; and

WHEREAS, the permit response will require an “as built” survey of the culvert and the 500 feet upstream and downstream; the coordination of correspondence with the NJ DEP as well as meetings, any plan revisions, as necessary; and

WHEREAS, Turek Consulting, LLC submitted a proposal for the necessary professional services; and

WHEREAS, the Township Committee of the Township of Bordentown has determined that Turek Consulting LLC will best fulfill the needs of the Township at a price not to exceed \$60,000 to cover the estimated fees of \$51,800 plus additional expenses in accordance with rates listed in the proposal; and

WHEREAS, this is to certify to the Township Committee of the Township of Bordentown that funds for this resolution are available as follows:

BUDGET ACCOUNT	YEAR	COST	DETAIL
C-04-55-966-500	CAPITAL	\$60,000	Culvert NJ DEP Permit Response

JEFFREY C. ELSASSER
CMFO/CTC/PURCHASING AGENT

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown as follows:

The Township Administrator is hereby authorized enter into a contract with Turek Consulting LLC of 712 E. Main Street, Suite 1A, Moorestown NJ 08057 for the NJ DEP Permit Response regarding the Orchard Avenue and Glen Road Culvert Replacement Project in an amount not to exceed \$60,000.00.

RESOLUTION #2020-180

RESOLUTION TO AWARD A CONTRACT FOR THE 2020 ROAD PROGRAM

WHEREAS, two (2) bids were received by the Township Engineer on August 6, 2020 for the 2020 Road Program for the milling and resurfacing of Constitution Drive and the demolition and pavement installation at Frederick and Anthony Courts; and

WHEREAS, the Township Committee has reviewed the recommendation made by the Township Engineer to award said contract to the apparent low bidder, Earle Asphalt Co.; and

WHEREAS, this is to certify to the Township Committee of the Township of Bordentown that funds for this resolution are available as follows:

BUDGET ACCOUNT	YEAR	COST	DETAIL
C-04-55-966-100	CAPITAL	\$394,583.13	2020 ROAD PROGRAM

JEFFREY C. ELSASSER
CMFO/CTC/PURCHASING AGENT

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby award a contract for the CDBG 2019 Project to Remove ADA Barriers as Various Locations to Earl Asphalt Co. P.O Box 556, Farmingdale, NJ 07727 in the amount of \$340,313.12 for the Base Bid and \$54,270.00 for the Alternate Bid #1 totaling \$394,583.13; and

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are hereby authorized and directed to execute a contract for same.

RESOLUTION #2020-181

RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC, FOR THE PREPARATION AND SUBMISSION OF A FINAL REMEDIAL ACTION REPORT FOR THE 266 CROSSWICKS ROAD PROPERTY

WHEREAS, it is necessary to have a Final Remedial Action Report prepared and submitted which includes the case inventory document, NJ DEP forms, Receptor Evaluation Update for the 266 Crosswicks Road site; and

WHEREAS, the Turek Consulting LLC has provided a proposal of services for said purpose; and

WHEREAS, the Township Committee of the Township of Bordentown has determined that Turek Consulting LLC will best fulfill the needs of the Township at a price not to exceed \$9,375.00; and

WHEREAS, this is to certify to the Township Committee of the Township of Bordentown that funds for this resolution are available as follows:

BUDGET ACCOUNT	YEAR	COST	DETAIL
C-04-55-966-500	CAPITAL	\$9,375.00	Final Remedial Action Report

JEFFREY C. ELSASSER
CMO/CTC/PURCHASING AGENT

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown as follows:

The Township Administrator is hereby authorized enter into a contract with Turek Consulting LLC of 712 E. Main Street, Suite 1A, Moorestown, NJ 08057 for the preparation and submission of a Final Remedial Action Report regarding 262 Crosswicks Road for an amount not to exceed \$9,375.00

RESOLUTION #2020-182

**RELEASE OF TWO YEAR MAINTENANCE GUARANTEE FOR
BORDENTOWN CORNER, LLC
Dollar General & Pep Boys
BLOCK: 20 LOT: 1**

WHEREAS, Bordentown Corner, LLC, is the developer of a certain property within the Township of Bordentown and has been granted preliminary approval and final approval of development plans for the above captioned block and lot, known as the Dollar General & Pep Boys, subject to certain terms and conditions, including, but not limited to, the filing of Third Party Performance Guarantees guaranteeing the satisfactory installation of certain site improvements; and

WHEREAS, Bordentown Corner, LLC provided a two year maintenance guarantee (Bond BMY1069956) in the form of a Surety Bond the amount of \$100,519.05 and

WHEREAS, Bordentown Corner, LLC. has notified the Township in writing and in accordance with the procedures set forth in the Municipal Land Use Law (MLUL), N.J.S.A. 40:55D-53.d, that the required improvements have been completed which are the subject matter of the aforementioned guarantee, and has requested a release of said maintenance guarantee; and

WHEREAS, the Township Engineer has inspected all the improvements of which notice has been given and recommends herein that the Township Committee approve the release of the maintenance guarantee, and

WHEREAS, the Township Committee has reviewed said request and desires to act favorably with respect to the Director's recommendations in accordance with N.J.S.A. 40:55D-53.d.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bordentown, in the County of Burlington and State of New Jersey that:

1. The Township Committee, for the aforementioned reasons, hereby approves the release of the maintenance guarantee for Bordentown Corner, LLC.; and
2. The release of the guarantee is conditioned upon payment of any outstanding negative balance in the inspection escrow account; and
3. The Township Clerk shall forward a certified copy of this resolution to: Bordentown Corner, LLC, 713 Kimberly Drive, Moorestown, NJ 08057. Attention Tim Kalavruzos.

RESOLUTION #2020-183

**RELEASE OF CASH MAINTENANCE GUARANTEE FOR
INVESTORS BANK
213 US ROUTE 130
BLOCK: 116 LOT: 3**

WHEREAS, Investors Bank is the developer of a certain property within the Township of Bordentown and has been granted preliminary approval and final approval of development plans for the above captioned block and lot, known as Investors Bank, subject to certain terms and conditions, including, but not limited to, the filing of Third Party Performance Guarantees guaranteeing the satisfactory installation of certain site improvements; and

WHEREAS, Investors Bank provided a 2 year maintenance guarantee in the form of a cash deposit the amount of \$14,123.10 and

WHEREAS, Investors Bank has notified the Township in writing and in accordance with the procedures set forth in the Municipal Land Use Law (MLUL), N.J.S.A. 40:55D-53(d), that the required improvements have been completed which are the subject matter of the aforementioned guarantee, and has requested a release of said maintenance guarantee; and

WHEREAS, the Township Engineer has inspected all the improvements of which notice has been given and recommends herein that the Township Committee approve the release of the maintenance guarantee, and

WHEREAS, the Township Committee has reviewed said request and desires to act favorably with respect to the Director's recommendations in accordance with N.J.S.A. 40:55D-53.d.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bordentown, in the County of Burlington and State of New Jersey that:

1. The Township Committee, for the aforementioned reasons, hereby approves the release of the cash maintenance guarantee for Investors Bank in the amount of \$14,123.10; and
2. The release of the guarantee is conditioned upon payment of any outstanding negative balance in the inspection escrow account; and
3. The Township Clerk shall forward a certified copy of this resolution to: Investors Bank, 1010 JFK Parkway, Short Hills, NJ 07068, Attn: Lisa A. James via email (ljames@investorsbank.com).

RESOLUTION #2020-184

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN
APPROVING THE MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF
BORDENTOWN AND THE BORDENTOWN TOWNSHIP POLICE COMMAND OFFICERS
ASSOCIATION (LIEUTENANTS AND CAPTAINS)

WHEREAS, the terms of the final contract language for the Collective Bargaining Agreement between the Township of Bordentown and the Bordentown Township Police Command Officers Association have been resolved between the parties; and

WHEREAS, a copy of the Memorandum of Agreement summarizing the changes of certain provisions within the Collective Bargaining Agreement is attached hereto and is made a part thereof.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown does hereby approve said Memorandum of Agreement between the Township of Bordentown and the Bordentown Township Police Command Officers Association; and

BE IT FURTHER RESOLVED that the Mayor, Township Administrator and Township Clerk are hereby authorized to execute the contract, once ratified, with the Bordentown Township Police Command Officers Association which shall be in effect from January 1, 2020 through December 31, 2022; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Bordentown Township Police Command Officers Association for their information and attention.

RESOLUTION #2020-185

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO APPOINT MEGHAN SHADDOW AS PROVISIONAL TECHNICAL ASSISTANT TO THE CONSTRUCTION OFFICIAL OF THE TOWNSHIP OF BORDENTOWN

WHEREAS, the Construction Department of the Township of Bordentown is in need of a Technical Assistant to the Construction Official due to a recent retirement; and

WHEREAS, Meghan Shaddow has satisfied all the requirements of the position and possesses a valid New Jersey Uniform Construction Code Certification as a Technical Assistant to a Construction Official issued by the Department of Community Affairs.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby appoint Meghan Shaddow as the provisional Technical Assistant to the Construction Official of the Township of Bordentown effective August 3, 2020; and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Bordentown that the above provisional appointment is in accordance with and under the regulations of the New Jersey State Civil Service Commission.

RESOLUTION #2020-186

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO
MEMORIALIZE ACCEPTANCE OF THE RESIGNATION OF ROBERT L. KING, FIRE
PROTECTION SUBCODE OFFICIAL IN THE BORDENTOWN TOWNSHIP CONSTRUCTION
DEPARTMENT

WHEREAS, Robert L. King who currently serves as a Fire Protection Subcode Official with the Construction Department submitted a letter of resignation dated August 2, 2020 effective August 19, 2020; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby accept the resignation of Mr. King's employment with the Township; and

BE IT FURTHER RESOLVED that the Township Committee hereby thanks Mr. King for his service on behalf of the Township of Bordentown and wishes him much happiness in the future.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Bordentown that the above employment termination is in accordance with and under the regulations of the New Jersey State Civil Service Commission.

RESOLUTION #2020-187

RESOLUTION APPROVING PARTICIPATION IN THE DONATED LEAVE PROGRAM

WHEREAS, the Bordentown Township Personnel Policy and Township Code allow for a donation of Sick and/or Vacation Leave time for eligible employees; and

WHEREAS, Melissa Ross has requested participation in the Donated Leave Program pursuant to the provisions of Bordentown Township Municipal Code Section 2.108.360 and meets the criteria of eligibility; and

WHEREAS, the Township Administrator has reviewed the request and recommends the Township Committee considers granting the request; and

WHEREAS, the Township Committee must decide whether to approve or deny the request taking into account any relevant information in the employee's work history; and

WHEREAS, participation in the Donated Leave Program permits employees who would have at least 20 days of accrued sick leave or 12 days of accrued vacation time remaining following any donation of a maximum of 10 whole sick or leave days to donate leave.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown to grant the request of Melissa Ross to participate in the Donated Leave Program.

BE IT FURTHER RESOLVED that the Township Committee directs the Township Administrator to post or circulate the employee's name to encourage the donation of leave time and approve leave donors who are eligible to donate leave in accordance with Section 2.108.360 of the Bordentown Township Municipal Code.

BE IT FURTHER RESOLVED that the Administrator or his designee notify the Disability section of the New Jersey Department of Labor of the donated leave as directed in Section 2.108.360 G.

RESOLUTION #2020-188

RESOLUTION FORMALLY INCREASING BID THRESHOLD FOR CONTRACTS UNDER LOCAL PUBLIC CONTRACTS LAW FROM \$40,000 TO \$44,000 AS AUTHORIZED ON JULY 1, 2020

WHEREAS, pursuant to N.J.S.A. 40A:11-3, the State authorized an adjustment to the bid threshold, effective July 1, 2020, for contracting units subject to the Local Public Contracts Law, which allows local contracting units with an appointed Qualified Purchasing Agent to increase their bid threshold to a maximum of \$44,000; and

WHEREAS, pursuant to Resolution #2020-62, adopted February 24, 2020, the Township Committee increased the bid threshold for contracts subject to public bidding to \$40,000 upon the qualification of Jeffrey Elsasser as a Qualified Purchasing Agent; and

WHEREAS, the Township desires to increase its bid threshold from \$40,000 to \$44,000.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington that the Township's bid threshold for the award of public contracts is hereby increased from \$40,000 to \$44,000.

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 40A:11-6.1(a) the informal quotation threshold shall be increased from \$6,000 to \$6,600, or 15% of the bid threshold.

BE IT FURTHER RESOLVED that the Township Clerk shall forward a certified true copy of this resolution to the Director of the Division of Local Government Services.

RESOLUTION #2020-189

RESOLUTION TO AMEND RESOLUTION #2020-97 TO AUTHORIZE THE TOWNSHIP OF BORDENTOWN TO EXECUTE AN AMENDED MEMORANDUM OF UNDERSTANDING WITH HABITAT FOR HUMANITY OF BURLINGTON COUNTY, INC. FOR DEVELOPMENT OF 179, 181 AND 183 CROSSWICKS ROAD

WHEREAS, in response to the New Jersey Supreme Court's decision In re Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015), on or about July 2, 2015, the Township filed an action with the Superior Court of New Jersey ("Court"), entitled In the Matter of the Application of the Township of Bordentown, County of Burlington Docket No. BUR-L-1620-15, seeking a Judgment of Compliance and Repose approving its Affordable Housing Plan (as defined herein), in addition to related reliefs (the "Compliance Action"); and

WHEREAS, the Township of Bordentown has secured an Order from the New Jersey Courts protecting the Township from all exclusionary zoning lawsuits while it pursues approval of its Fair Share Plan; and

WHEREAS, Habitat for Humanity of Burlington County, Inc. ("Habitat") is an experienced and reputable entity in providing affordable home ownership opportunities to low- and moderate-income households; and

WHEREAS, pursuant to N.J.S.A. 52:27D-325, the Township of Bordentown has or is about to acquire real properties located at 179, 181 and 183 Crosswicks Road (the "Property") for the purpose of providing low- and moderate-income housing; and

WHEREAS, the Township of Bordentown and Habitat for Humanity of Burlington County, Inc. have reached an agreement in principal to create a realistic opportunity for the construction of affordable housing units on the Property and credits towards the Township's affordable housing obligation; and

WHEREAS, the Township adopted Resolution #2020-97 authorizing the Mayor and Township Clerk to execute a Memorandum of Understanding with and Habitat to memorialize general terms for the proposed development of the Property which is to be incorporated into a mutually acceptable Affordable Housing Agreement; and

WHEREAS, there is now need to amend the executed Memorandum of Understanding to specify the number of affordable housing units.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown in the County of Burlington and State of New Jersey as follows:

- 1) That the Mayor and Township Clerk are hereby authorized to execute the attached amended Memorandum of Understanding with Habitat for Humanity of Burlington County, Inc., and
- 2) The Township hereby authorizes and approves any non-substantive modifications to the Memorandum of Understanding as may be recommended and approved by the Township Engineer and Township Attorney prior to execution.

RESOLUTION #2020-190

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT OF SALE WITH BORDENTOWN WATERFRONT COMMUNITY LLC FOR THE CONVEYANCE OF CERTAIN PROPERTIES

WHEREAS, the Township Committee of the Township of Bordentown has determined that it is in the best interest of the Township to acquire certain property currently owned by Bordentown Waterfront Community LLC (the “Property”) as more specifically identified on attached Exhibit A; and

WHEREAS, the Property consists of approximately 72 acres approved for the development of approximately 330 residential units and limited retail space which the Township now seeks to acquire for the development of affordable housing, preserved open space and public amenities; and

WHEREAS, the Township Committee is currently negotiating an Agreement of Sale in exchange for consideration in the amount of Four Million Six-Hundred Thousand Dollars and other good and valuable consideration.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey that the Mayor, Township Administrator, and Township Clerk be and are hereby authorized to execute an Agreement of Sale with Bordentown Waterfront Community LLC in a form substantially similar to that attached hereto, subject to such modifications as may be agreed to by the Township Solicitor, so long as said modifications do not change the fundamental intent of the Agreement of Sale,

BE IT FURTHER RESOLVED that the authorization set forth herein may be implemented immediately, but is subject nevertheless to adoption of an Ordinance authorizing said acquisition.

RESOLUTION #2020-191

AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of overpayment of 2020 taxes in the amount of \$15,405.55 to ESTATE OF BARBARA ANN MULFORD for Block 18 Lot 7 commonly known as 23 US HIGHWAY 130.

8/10/20

JCE

RESOLUTION #2020-192

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
N.J.S.A. 40A:4-87

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 county or municipality when such item has been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Bordentown in the County of Burlington, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$5,500.00, which is now available from the Township of Bordentown, in the amount of \$5,500.00; and

BE IT FURTHER RESOLVED that the like sum of \$5,500.00 is hereby appropriated under the caption "DRIVE SOBER GET PULLED OVER"; and

BE IT FURTHER RESOLVED that the above is the result of funds from the Township of Bordentown in the amount of \$5,500.00.

08/10/20
JCE

RESOLUTION #2020-193

RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE AND TRAINING IN THE UCC DEPARTMENT

WHEREAS, there is a need to purchase updated software and training for the Department of Construction; and

WHEREAS, the Township has solicited quotes for said item; and

WHEREAS, the Township Committee of the Township of Bordentown has determined that Mitchell Humphrey & Co. will best fulfill the needs of the Township at a price of \$17,100; and

WHEREAS, this is to certify to the Township Committee of the Township of Bordentown that funds for this resolution are available as follows:

BUDGET ACCOUNT	YEAR	COST	DETAIL
0-01-21-200-211	2020	\$17,100.00	Updated Software and Training

JEFFREY C. ELSASSER
CMFO/CTC/PURCHASING AGENT

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown as follows:

The Township Administrator is hereby authorized to approve and forward a purchase order to Mitchell Humphrey & Co., 1285 Fern Ridge Parkway, St. Louis, Missouri 63141-4402 for the purchase of Software and Training in the amount of \$17,100.00.

RESOLUTION #2020-194

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPROVING THE AFFORDABLE
HOUSING SPENDING PLAN**

WHEREAS, on June 26, 2017 and June 11, 2019 the Township of Bordentown (“Township”) signed a settlement agreement and an amended settlement agreement (respectively) with Fair Share Housing Center (“FSHC”), which established the Township’s fair share obligation and preliminarily approved the Township’s compliance mechanisms in accordance with the March 10, 2015 decision of the Supreme Court, which transferred responsibility to review and approve housing elements and fair share plans from the Council on Affordable Housing (“COAH”) to designated Mount Laurel trial judges within the Superior Court; and

WHEREAS, pursuant to the settlement agreement and amended settlement agreement with FSHC, the Township must implement a Spending Plan in accordance with N.J.A.C. 5:93-5.1, et. seq.; and

WHEREAS, the Township prepared a Spending Plan consistent with P.L.2008, c.46 COAH regulations and the settlement agreements entered into between the Township and FSHC; and

WHEREAS, on August 12, 2019 the Township adopted Resolution 2019-222 approving the Affordable Housing Spending Plan, dated August 2, 2019; and

WHEREAS, on December 10, 2019, the Township received a Conditional Judgment of Compliance and Repose from the Court subject to conditions, one of which being an amendment to the Township’s Affordable Housing Spending Plan; and

WHEREAS, the Township desires to submit its Amended Spending Plan to the Court in connection with the Compliance Action for its review and approval.

NOW THEREFORE BE IT RESOLVED, the by the Governing Body of Bordentown Township, County of Burlington, State of New Jersey:

1. That it hereby approves the Amended Spending Plan that is attached hereto as Exhibit A; and
2. That it authorizes its professionals to seek Court approval of the 2020 Amended Spending Plan, if necessary.

I hereby certify that the above resolution was duly adopted by the Township Committee of the Township of Bordentown at a regular meeting conducted on the 10th day of August 2020.

**EXHIBIT A
SPENDING PLAN**

August 4, 2020
Approved by Township Committee____

Township of Bordentown
Burlington County, New Jersey

Prepared By:



Heyer, Gruel & Associates
Community Planning Consultants
236 Broad Street, Red Bank, NJ 07701
(732) 741-2900

The original of this report was signed and
sealed in accordance with N.J.S.A. 45:14A-12

Susan S. Gruel, P.P. #1955

Fred Heyer, AICP, P.P. #3581

M. McKinley Mertz, AICP, P.P. #6368

Contents

INTRODUCTION	3
1. REVENUES FOR CERTIFICATION PERIOD	4
(a) Development fees	4
(b) Payment in lieu (PIL)	4
(c) Other funding sources	4
(d) Projected interest	4
(e) Projected Revenues	5
2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS	6
(a) Collection of development fee revenues:	6
(b) Distribution of development fee revenues:	6
(c) Collection and distribution of barrier free funds:	6
3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS	7
(a) New Construction Programs and Projects (N.J.A.C. 5:93-8.16)	7
(b) Affordability Assistance (N.J.A.C. 5:93-8.16)	8
(c) Administrative Expenses (N.J.A.C. 5:93-8.16)	9
4. EXPENDITURE SCHEDULE	11
5. EXCESS OR SHORTFALL OF FUNDS	11
SUMMARY	12

Attachments

Attachment A: Affordability Assistance Program Manual

INTRODUCTION

The Township of Bordentown, Burlington County has prepared and adopted a Housing Element and Fair Share plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the Fair Housing Act (N.J.S.A. 52:27D-301). The Township received a Prior Round Judgment of Compliance and Repose (JOR) on August 16, 2000 and a Third Round JOR on September 20, 2006, both issued by the New Jersey Superior Court. A third court Order was issued on May 9, 2012 granting the Township continued immunity and repose from Mount Laurel litigation. The Township has consistently and voluntarily remained under the jurisdiction of the Court.

Even though Bordentown has remained under the Court, the Township continued to submit their Development Fee Ordinance and Spending Plan to COAH for approval. Bordentown adopted its first Development Fee ordinance on April 7, 1998. The ordinance was approved by COAH on August 16, 2000. The Township updated its Development Fee Ordinance in 2008 (via Ordinance 2008-23) to reflect the changes required by COAH. The updated Development Fee Ordinance was approved by COAH on March 19, 2010. The Township prepared an amended Development Fee Ordinance that was adopted by the Township Committee on August 12, 2019. This revised Development Fee Ordinance brings the ordinance up to current standards.

Bordentown's first Spending Plan was prepared and approved by COAH on October 26, 2006. A subsequent Spending Plan was approved by COAH on October 30, 2007. As part of the Township's current efforts to address their fair share of the affordable housing need, another Spending Plan was prepared and adopted by the Township on August 12, 2019 via Resolution 2019-222. The Spending Plan is once again being amended to address additional conditions. This 2020 Spending Plan supersedes all prior Spending Plans.

As of December 31, 2019, the Township had collected a total of \$3,857,414.36 in development fees, payments in lieu of construction, interest, and other income. Bordentown has spent a total of \$2,582,141.43, leaving a balance of \$1,285,649.28. All development fees, payments in lieu of constructing affordable units on site, interest generated by the fees as well as any other source of income are deposited into this separate, interest-bearing affordable housing Trust Fund for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:93, or applicable regulations, as described in the sections that follow.

In accordance with the settlement agreement with Fair Share Housing Center (FSHC) executed on June 26, 2017 and as amended June 11, 2019, the expenditures of funds contemplated under the FSHC agreement constitute a "commitment" for expenditure pursuant to N.J.S.A. 52:27D-329.2

and -329.3, with the four-year time period for expenditure designated pursuant to those provisions beginning to run with the entry of a final judgment approving this settlement in accordance with the provisions of *In re Tp. Of Monroe*, 442 N.J. Super. 565 (Law Div. 2015) (aff'd 442 N.J. Super. 563). Upon approval of this Spending Plan, the Township shall provide an annual Mount Laurel Trust Fund accounting report to the New Jersey Department of Community Affairs, Council on Affordable Housing, Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to FSHC and posted on the municipal website, using forms developed for this purpose by DCA, COAH, or LGS.

This Spending Plan is submitted to the Superior Court of New Jersey for approval to expend all current and future affordable housing Trust Fund monies, as necessary, that will contribute to the development of new affordable housing units.

1. REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of Third Round "Substantive Certification," the Township of Bordentown considered the following:

(a) Development fees

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL)

Actual and committed payments in lieu (PIL) of construction from developers.

(c) Other funding sources

Funds from other sources, including, but not limited to, the sale of units with extinguished controls, repayment of affordable housing program loans, rental income, proceeds from the sale of affordable units.

(d) Projected interest

Interest on the projected revenue in the municipal affordable housing Trust Fund at the current average interest rate.

(e) Projected Revenues

Projected Revenues-Housing Trust Fund - 2020 - 2025								
SOURCE OF FUNDS	Trust Fund balance as of 12/31/2019	2020	2021	2022	2023	2024	2025	Total Revenue
Current Balance*	\$1,285,649.28							\$1,285,649.28
(a) Projected Development Fees:								
1. General	-	\$1,846,600	\$923,330	\$355,000	\$355,000	\$355,000	\$355,000	\$4,189,930
(d) Interest	-	\$24,005.8	\$12,003.29	\$4,615	\$4,615	\$4,615	\$4,615	\$54,469.09
Total	\$1,285,649.28	\$1,870,606.8	\$935,333.29	\$359,615	\$359,615	\$359,615	\$359,615	

* As of December 31, 2019, the Township had collected a total of \$3,857,414.36 in development fees, payments in lieu of construction, interest, and other income. Bordentown has spent a total of \$2,582,141.43, leaving the current balance of \$1,285,649.28.

To calculate the projection of revenue anticipated from the general development fees, 12 years (2007 through 2019) of construction data (for both residential and non-residential construction) for the Township, acquired from the New Jersey Department of Community Affairs, was examined. The historic activities of Township's existing Affordable Housing Trust Fund was also analyzed.

The Township projects a total of \$4,189,930.00 will be collected between January 1, 2020 and December 31, 2025. It is expected that approximately \$2.7 million will be collected between 2020 and 2021 from anticipated warehousing and larger commercial projects. An additional \$54,469.09 in interest is projected to be earned through 2025. Interest calculations are based on a historic average of the interest earned in the Township's Trust Fund. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing. In conjunction with the existing Trust Fund balance, the Township projects total Trust Fund balance of \$5,530,048.37 through December 31, 2025.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the Township of Bordentown:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with Bordentown's development fee ordinance for both residential and non-residential developments.

(b) Distribution of development fee revenues:

The Administrative Agent and the Municipal Housing Liaison will manage the projects outlined in this Spending Plan and the Housing Element and Fair Share Plan.

The release of funds requires the adoption of a resolution by the governing body. Once a request is approved by resolution, the Chief Financial Officer releases the requested revenue from the Trust Fund for the specific use approved in the governing body's resolution.

(c) Collection and distribution of barrier free funds:

Collection and distribution of barrier free funds shall be consistent with the Township's Affordable Housing Ordinance (Chapter 25 Section 1100 of the Township's General Code) and in accordance with applicable regulations. A process describing the collection and distribution procedures for barrier free escrow is detailed within the Township's Affordable Housing Ordinance.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

The following sections represent the anticipated affordable housing expenditures within the Township of Bordentown, that will utilize Trust Fund monies.

(a) New Construction Programs and Projects (N.J.A.C. 5:93-8.16)

The Township of Bordentown will dedicate \$2,775,547.26 to new construction programs, pursuant to the Housing Element and Fair Share Plan. Additional information on each of the below programs and projects can be found in the Housing Element and Fair Share Plan.

VOA II

The Township will contribute \$1,000,000 to implement the proposed 100% affordable development. VOA II is anticipated to produce 65 affordable family rental units.

Habitat for Humanity - Block 66 Lots 12.02, 13, and 14

On June 24, 2019, the Township adopted Ordinance 2019-10 authorizing the purchase of the property located at 178 and 181 Crosswicks Road, known as Block 66 Lots 13 and 14. In 2019, the Township expended \$249,091.23 from its Trust Fund to purchase Lots 13 and 14. On March 23, 2020 the Township Committee passed Ordinance 2020-08 approving funding totaling \$265,000 for the purchase of 183 Crosswicks Road, known as Block 66 Lot 12.02. The Township will provide \$60,000 from the Trust Fund to demolish the existing structure. Habitat for Humanity will develop the site, which will produce up to 4 to 10 affordable units. The Township will also provide \$15,000 from the Trust Fund for the subdivision fees.

Market-to-Affordable

The Township will implement a market-to-affordable program to subsidize the conversion of 11 to 17 apartments into affordable, deed restricted units that will comply with COAH's regulations and the Uniform Housing Affordability Controls. As a component of the Township's Housing Element and Fair Share Plan, an analysis was done of existing rental housing stock available in the Township. The Township will therefore dedicate \$1,435,547.26 from its Trust Fund to deed restrict the 11 to 17 units as detailed in the Housing Element and Fair Share Plan.

(b) Affordability Assistance (N.J.A.C. 5:93-8.16)

As per the requirements regarding the use of funds for affordability assistance laid out in N.J.A.C. 5:93-8.16, the Township is required to dedicate at least 30% of all development fees collected and interest earned to provide affordability assistance to low-, and moderate-income households. In addition, at least one-third of the affordability assistance shall be used to provide affordability assistance to very-low income households.

The calculation of available affordability assistance funds is performed by considering the lifetime of the Trust Fund. To project the funding amount that is dedicated to affordability assistance, all actual expenditures spent on new construction activities as well as any rehabilitation activities from the inception of the fund are subtracted from the sum of the actual and projected development fees and interest. That total is multiplied by 30% to determine the 30% requirement. The actual affordability assistance expenditures from inception of the fund are then subtracted from the overall 30% requirement. This final outcome is the total remaining funds that must be dedicated to affordability assistance for the period moving forward.

The Township of Bordentown has collected \$3,857,414.36 in development fees and interest through December 31, 2019. The Township projects an additional \$4,189,930.00 in development fees and \$54,469.09 in interest through 2025. The Township has spent \$1,836,765.45 on housing activities for new construction.

Affordability Assistance		
Actual development fees collected, and interest earned through 12/31/2019*		\$3,857,414.36
Projected Development Fees 2020-2025	+	\$4,189,930.00
Projected Interest 2020-2025	+	\$54,469.09
Less Housing Activity Through 12/31/2019 (not including any affordability assistance)	-	\$1,836,765.45
Total	=	\$6,265,048.00
30 percent requirement	x 0.30 =	\$1,879,514.40
Less Affordability Assistance Expenditures Through 12/31/2019	-	\$0.00
Projected Minimum Affordability Assistance	=	\$1,879,514.40**
Projected Minimum Very Low-Income Requirement	÷ 3 =	\$626,504.80

*Due to the way the older records were kept, income into the account was not split out between interest and development fees for the years 1999 through 2014. During those years, a total income of \$1,277,508.63 was deposited/earned. Between the years 2015 and 12/31/2019, \$2,558,355.20 in development fees were collected and \$21,550.53 in interest was earned.

**Includes \$525,000 for infrastructure upgrades to the VOA-1 development, pursuant to Court Order dated June 10, 2020

The Township, therefore, will dedicate \$1,879,514.40 from the affordable housing Trust Fund to render units more affordable, including \$626,504.80 to render units more affordable to households earning 30 percent or less of median income. The Affordability Assistance Program Manual can be found in Attachment A of this Spending Plan.

(c) Administrative Expenses (N.J.A.C. 5:93-8.16)

No more than 20% of revenues collected from development fees shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop and implement: a new construction program; a housing element; and an affirmative marketing program. Administrative funds may be used for: income qualification of households; monitor the turnover of sale and rental units; and compliance with monitoring requirements.

The calculation of allowable administrative expenses is performed by considering the lifetime of the Trust Fund. To project the funding amount that will be available for administrative costs, the sum of all development fees actually collected and all interest earned since the inception of the account will be added to the sum of all projected development fees and interest projected to be collected through the remainder of this round. From this amount, any Regional Contribution Agreement (RCA) expenditures made or contractually obligated from the inception of the account are subtracted. This final amount is multiplied by 20% and then actual administrative expenditures made from inception is subtracted out. The final outcome of this calculation, as depicted in the following table, is the total remaining funds that will be available for administrative expenses through the end of this Round.

The Township has collected \$3,857,414.36 in development fees and interest through December 31, 2019. The Township projects an additional \$4,189,930 in development fees and \$54,469.09 in interest through 2025. The Township has never taken part in an RCA. Bordentown has spent \$745,375.98 on administrative expenses through December 31, 2019.

Administrative Expenses		
Actual development fees collected, and interest earned through 12/31/2019*		\$3,857,414.36
Projected Development Fees 2020-2025	+	\$4,189,930.00
Projected Interest 2020-2025	+	\$54,469.09
RCA expenditures	-	\$0.00
Total	=	\$8,101,813.45
20 percent maximum permitted on administrative expenses based on total projection	x 0.20 =	\$1,620,362.69
Less Administrative Expenditures through 12/31/2019	-	\$745,375.98
Projected Allowed Admin. Expenditures	=	\$874,986.71

*Due to the way the older records were kept, income into the account was not split out between interest and development fees for the years 1999 through 2014. During those years, a total income of \$1,277,508.63 was deposited/earned. Between the years 2015 and 12/31/2019, \$2,558,355.20 in development fees were collected and \$21,550.53 in interest was earned.

As of December 31, 2019, the Township has spent \$745,375.98 on administrative expenses. Therefore, moving forward, the Township projects that \$874,986.71 is available from the affordable housing Trust Fund for administrative expenses for the time period of January 1, 2020 through December 31, 2025. Because the actual administrative expense maximum is calculated on an ongoing basis based on actual revenues, the Township shall be permitted to spend 20% of the actual balance at any given time on administrative fees. Money becomes available for administrative expenses as additional income is collected.

Projected administrative expenditures, subject to the 20 percent cap, include but are not limited to:

- Administration and expenses associated with Township's affordable housing units;
- Expenses associated with the preparation and implementation of the Housing and Fair Share Plan and monitoring of the current and future housing programs for the Township of Bordentown;
- Affirmative Marketing;
- Income qualification; and
- Administration of the Township's affordable housing units.

Legal or other fees related to litigation opposing affordable housing sites are not eligible uses of the affordable housing Trust Fund.

4. EXPENDITURE SCHEDULE

Program	Projected Expenditures Schedule 2020-2025						
	2020	2021	2022	2023	2024	2025	Total
VOA II New Construction	-	\$1,000,000	-	-	-	-	\$1,000,000
Habitat for Humanity: Demolition of structures on Block 66	\$60,000	-	-	-	-	-	\$60,000
Habitat for Humanity: Purchase of Block 66 Lot 12.02	\$265,000*	-	-	-	-	-	\$265,000
Habitat for Humanity: Subdivision Fees for Block 66 Lots 12.02, 13, and 14	\$15,000	-	-	-	-	-	\$15,000
Market-to-Affordable	-		\$1,435,547.26	-	-	-	\$1,435,547.26
Affordability Assistance	\$525,000**	\$200,000	\$250,000	\$300,000	\$300,000	\$304,514.40	\$1,879,514.40
Administration	\$130,000	\$140,000	\$140,000	\$140,000	\$140,000	\$184,986.71	\$874,986.71
TOTALS	\$995,000	\$1,340,000.00	\$1,825,547	\$440,000	\$440,000	\$489,501.11	\$5,530,048.37

*The purchase of Block 66 Lots 13 and 14 occurred in 2019 and has been accounted for under previous housing expenditures.

**Infrastructure upgrades to the VOA-1 development, pursuant to Court Order dated June 10, 2020

5. EXCESS OR SHORTFALL OF FUNDS

In the event funding sources as identified within this Spending Plan for the projects detailed in the Housing Element and Fair Share Plan prove inadequate to complete the affordable housing programs, the Township shall provide sufficient funding to address any shortfalls through bonding.

In the event that more funds than anticipated are collected or projected funds exceed the amount necessary to implement the Township's affordable housing projects, these excess funds will be used to fund eligible affordable housing activity pursuant to applicable rules and regulations.

SUMMARY

The Township of Bordentown intends to spend affordable housing Trust Fund revenues pursuant to N.J.A.C. 5:93 and consistent with the housing programs outlined in its adopted Housing Element and Fair Share Plan.

As of December 31, 2019, the Township's Trust Fund has a balance of \$1,285,649.28. Bordentown anticipates an additional \$4,244,399.09 in revenues and interest by December 31, 2025. The Township will expend \$1,000,000 to construct the VOA II development; \$265,000 toward the purchase of Block 66 Lot 12.02; \$60,000 to demolish the existing structures on Block 66 Lots 12.02, 13, and 14; \$15,000 toward the subdivision fees for the development of 4 to 10 affordable units on Block 66 Lots 12.02, 13, and 14; \$1,435,547.26 to convert 11 to 17 market rate units into affordable deed restricted units; \$1,879,514.40 to render units more affordable (including \$525,000 to the VOA-I development for infrastructure upgrades); and \$874,986.71 to administrative costs.

SPENDING PLAN SUMMARY	
Balance as of December 31, 2019	\$1,285,649.28
Projected REVENUE January 1, 2020 to December 31, 2025	
Development fees	+ \$4,189,930.00
Payments in lieu of construction	+ \$0
Other funds	+ \$0
Interest	+ \$54,469.09
TOTAL REVENUE + CURRENT BALANCE	= \$5,530,048.37
EXPENDITURES	
Funds used for new construction projects; Market-to-Affordable program	- \$2,775,547.26
Affordability Assistance	- \$1,879,514.40
Administration	- \$874,986.71
Excess Funds for Additional Housing Activity	= \$0
TOTAL PROJECTED EXPENDITURES	= \$5,530,048.37
REMAINING BALANCE	= \$0

SPENDING PLAN ATTACHMENT A
AFFORDABILITY ASSISTANCE PROGRAM MANUAL

OPERATING MANUAL
FOR THE ADMINISTRATION OF THE
AFFORDABILITY ASSISTANCE PROGRAM

In Accordance with the Uniform Housing Affordability
Controls

Bordentown Township
Burlington County, New Jersey

May 2020

Prepared By:



Heyer, Gruel & Associates

Community Planning Consultants
236 Broad Street, Red Bank, NJ 07701
(732) 741-2900

TABLE OF CONTENTS

INTRODUCTION	1
THE AFFORDABILITY ASSISTANCE PROGRAM	1
OWNERSHIP ASSISTANCE PROGRAMS	2
RENTAL ASSISTANCE PROGRAMS	3
ADMINISTRATION	4
ELIGIBILITY	5
ANNUAL BUDGET	6
MAXIMUM AMOUNT	6

APPENDICES

- A. AHPNJ Affordable Housing Regional Income Limits Chart
- B. Bordentown For-Sale Affordability Assistance Application
- C. Bordentown Rental Affordability Assistance Application
- D. Summary of Bordentown Township's Affordability Assistance Program Terms

INTRODUCTION

The purpose of this Operating Manual is to describe the policies and procedures of the Township of Bordentown's Affordability Assistance Program. It will serve as a guide to the program staff and the public alike. This manual describes the basic content and operation of the various affordability assistance program components. This manual may be periodically revised to reflect changes in local, state, and federal policies and regulations relative to implementation of the affordable housing programs described herein.

Implementation of any procedure, even if it is not included in this Operating Manual, shall be in accordance with the Federal Fair Housing Act and Equal Opportunities laws¹, the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 et seq.², the substantive rules of the Council on Affordable Housing N.J.A.C. 5:93 as revised and the affordable housing regulations of the Township of Bordentown (hereafter referred to as the "Regulations"). In accordance with the Federal Fair Housing Act and Equal Opportunities laws it is unlawful to discriminate against any person making application to buy or rent a home with regard to age, race, religion, national origin, sex, handicapped or familial status.

THE AFFORDABILITY ASSISTANCE PROGRAM

In accordance with N.J.A.C. 5:93-8.16, the Township will dedicate at least 30 percent of all development fees collected and interest earned to provide affordability assistance to very low-, low- and moderate-income households. See Appendix A for the current Regional Income Limits for Housing Region 5. The types of affordability assistance discussed in this manual are as follows;

Ownership Assistance Programs

- Down Payment Loan Assistance
- Payment of Closing Costs
- Payment of Lender Fees

¹ <http://www.hud.gov/offices/fheo/FHLaws/index.cfm>

² <http://www.nj.gov/dca/affiliates/coah/regulations/uhac.html>

Rental Assistance Programs

- Moving Expense Assistance
- First Month's Rent Subsidy
- Utility Deposit Assistance
- Very-Low Income Households only: Security Deposit Assistance

OWNERSHIP ASSISTANCE PROGRAMS

The Affordability Assistance Program is available to income-qualified purchasers whose households earn 80 percent or less than the area median income for the housing region. The aim of this Program is to encourage higher rates of homeownership within Bordentown Township. The Township currently offers affordability assistance to applicants for ownership units in the form of down payment, closing cost, and lender fee assistance.

To be eligible for **Down Payment Assistance**, the buyer must be able to supply three percent of the down payment with the buyer's own funds, plus additional closing costs that exceed the amount of the loan. No gifts or other loans may be used to fund the three percent down payment amount but may be used to fund additional closing costs. The loan amount may be made up to 10 percent of the purchase price. The Township must approve the buyer's qualifications and need for the loan. The loan has no prepayment penalty. It is due and payable when the buyer resells, borrows against the property or refinances the First Purchase Money Mortgage. The loan may be subordinated only to the First Purchase Money Mortgage. When calculating the borrowing capacity of the homeowner and the equity in the property, this loan must be included. The buyer must sign a mortgage and mortgage note to the Township.

Payment of Closing Costs may include title work and policy, reasonable attorney's fees for closing of title, preparation of survey, homeowner's insurance, recording fees, and other necessary closing expenses to third parties. Utility deposits, i.e., gas and electric, paid to utility companies are to be returned to the Township Affordable Housing Trust Fund upon resale of the unit. The buyer will execute documents required to secure payment to Bordentown Township.

Payment of Lender Fees includes mortgage points, application fees, appraisal fees, bank attorney review fees, and necessary mortgage closing expenses. The buyer will execute documents required to secure payment to Bordentown Township.

Ownership Affordability Assistance Procedures

The procedure for Ownership Affordability Assistance is as follows:

1. Applicant submits application (Appendix B) and proof of Determination of Eligibility.
2. Administrative Agent reviews and processes application.
3. Administrative Agent notifies Township and prepares resolution authorizing award.
4. Township adopts Resolution.
5. For Down Payment and Closing Cost Assistance: Township disperses funds directly to escrow account. For Payment of Lender Fees: Township sends assistance directly to lending company.
6. For Down Payment and Closing Cost Assistance: The Repayment Agreement, Mortgage and Mortgage Note will be executed at closing.
7. For Down Payment and Closing Cost Assistance: Title Company will record the Mortgage as part of the closing documents.
8. Administrative Agent records assistance on master reporting spreadsheet.

RENTAL ASSISTANCE PROGRAMS

The Affordability Assistance Program can be utilized to help improve the affordability of rental units within Bordentown Township. Rental assistance does not need to be repaid by the tenant. The amount of the rental subsidy will be calculated initially based on the tenant's actual income and the rent level of the affordable units to help bring the total shelter costs down to 30 percent of the total household income or lower, if warranted by the particular household circumstances. The Township offers affordability assistance to applicants for very low-, low- and moderate-income rental units. The following assistance is available to low- and moderate-income households:

1. Payment of "moving expenses" based upon verified receipts, in an amount not to exceed five hundred dollars (\$500.00) per household
2. Rent subsidy for the first month's rent
3. Utility deposit assistance

The following assistance is available to very low-income households:

1. Payment of "moving expenses" based upon verified receipts, in an amount not to exceed one thousand five hundred dollars (\$1,500.00) per household
2. Rental security deposit paid to a landlord on behalf of a tenant– Security deposits paid to a landlord are to be returned to the Township's Affordable Housing Trust Fund upon termination of tenancy. The tenant is not responsible for returning the security deposit back to the Township. This transaction is completely between the landlord and the Township.
3. Rent subsidy for the first month's rent
4. Utility deposit assistance

Rental Affordability Assistance Procedures

The procedure for Rental Affordability Assistance is as follows:

1. Applicant submits application (Appendix C) and proof of Determination of Eligibility.
2. Administrative Agent reviews and processes application.
3. Administrative Agent notifies the Township and prepares resolution authorizing grant.
4. Township adopts Resolution.
5. For First Month's Rent Subsidy and Security Deposit Assistance: Township sends assistance directly to landlord.
6. For Utility Deposit Assistance: the check is given directly to utility company.
7. For Moving Expense Assistance: the check is given directly to the moving or truck rental company.
8. Administrative Agent records assistance on master reporting spreadsheet.

ADMINISTRATION

Bordentown's Affordability Assistance Programs will be managed by the Township Affordable Housing Administrative Agent. The availability of the Program shall be advertised continually on the Township's website. After an applicant is income qualified by the Administrative Agent pursuant to the Uniform Housing Affordability Controls, the applicant will complete and provide an affordability assistance application to the Administrative Agent.

For qualified and approved payment of moving expenses, the Administrative Agent will follow the Township purchasing and requisition process for generating a check that is made out to the moving or truck company. Once the check is produced, the Administrative Agent provides it to the moving or truck company.

For qualified and approved payment of utility deposit, the Administrative Agent follows the Township purchasing and requisition process for generating a check that is made out to the utility company. Once the check is produced, the Administrative Agent provides it directly to the utility company.

The affordability assistance recipient will sign a contract with the Township of Bordentown that states, at a minimum: the amount of funds granted, interest information, procedures, duration and conditions of affordability assistance, and repayment information if required.

The availability of any Affordability Assistance Programs must be noticed to all tenants of affordable units within the Township and provided to all Administrative Agents of affordable units within Bordentown and advertised on the Township's website.

An income eligible occupant or applicant for an affordable unit within the Township may not be denied participation in the Affordability Assistance Program(s) unless funding is no longer available pursuant to the Spending Plan.

ELIGIBILITY

The Affordability Assistance Program is open to all income-qualified households and is provided on a first-come, first-serve basis according to the following criteria:

1. The applicant is income certified. Applicants for assistance with first month's rent will have already been income certified. Applicants applying for all other types of assistance will require income certification at the time of application.
2. The applicant is seeking affordability assistance for a deed-restricted affordable unit in Bordentown Township to maintain as their primary residence.
3. The applicant has not received an affordability assistance grant in the past. Only one award per household is permitted. This requirement can be waived with justification.

4. There are Affordability Assistance Funds remaining in the budget for the year. This will include whether sufficient funds have been allocated to very low-income households.

ANNUAL BUDGET

The annual budget is provided in Appendix D of this manual as well as in the Township's Spending Plan. Please note that these are rough funding numbers which are subject to change.

MAXIMUM AMOUNT

The maximum amount of assistance that may be provided is detailed in Appendix D.

APPENDICES

- A.** AHPNJ Affordable Housing Regional Income Limits Chart
- B.** Bordentown For-Sale Affordability Assistance Application
- C.** Bordentown Rental Affordability Assistance Application
- D.** Summary of Bordentown Township's Affordability Assistance Program Terms

APPENDIX A

AHPNJ Affordable Housing Regional Income Limits Chart (April 2020)

2020 AFFORDABLE HOUSING REGIONAL INCOME LIMITS BY HOUSEHOLD SIZE

Income limits not officially adopted by the State of New Jersey. Contact your municipality to see if applicable in your jurisdiction. Additional information about AHPNJ income limits is posted on AHPNJ.org

	1 Person	*1.5 Person	2 Person	*3 Person	4 Person	*4.5 Person	5 Person	6 Person	7 Person	8+ Person	Max Increase Rents**	Regional Asset Limit****
Region 1												
Median	\$67,166	\$71,964	\$76,761	\$86,357	\$95,952	\$99,790	\$103,628	\$111,304	\$118,980	\$126,656		
Moderate	\$53,733	\$57,571	\$61,409	\$69,085	\$76,761	\$79,832	\$82,902	\$89,043	\$95,184	\$101,325	1.9%	\$185,539
Low	\$33,583	\$35,982	\$38,381	\$43,178	\$47,976	\$49,895	\$51,814	\$55,652	\$59,490	\$63,328	0.84%	
Very Low	\$20,150	\$21,589	\$23,028	\$25,907	\$28,786	\$29,937	\$31,088	\$33,391	\$35,694	\$37,997		
Region 2												
Median	\$73,857	\$79,132	\$84,408	\$94,959	\$105,510	\$109,730	\$113,951	\$122,391	\$130,832	\$139,273		
Moderate	\$59,085	\$63,306	\$67,526	\$75,967	\$84,408	\$87,784	\$91,160	\$97,913	\$104,666	\$111,418	1.9%	\$202,419
Low	\$36,928	\$39,566	\$42,204	\$47,479	\$52,755	\$54,865	\$56,975	\$61,196	\$65,416	\$69,636	4.71%	
Very Low	\$22,157	\$23,740	\$25,322	\$28,488	\$31,653	\$32,919	\$34,185	\$36,717	\$39,250	\$41,782		
Region 3												
Median	\$83,650	\$89,625	\$95,600	\$107,550	\$119,500	\$124,280	\$129,060	\$138,620	\$148,180	\$157,740		
Moderate	\$66,920	\$71,700	\$76,480	\$86,040	\$95,600	\$99,424	\$103,248	\$110,896	\$118,544	\$126,192	1.9%	\$227,546
Low	\$41,825	\$44,813	\$47,800	\$53,775	\$59,750	\$62,140	\$64,530	\$69,310	\$74,090	\$78,870	1.01%	
Very Low	\$25,095	\$26,888	\$28,680	\$32,265	\$35,850	\$37,284	\$38,718	\$41,586	\$44,454	\$47,322		
Region 4												
Median	\$76,469	\$81,931	\$87,393	\$98,317	\$109,242	\$113,611	\$117,981	\$126,720	\$135,460	\$144,199		
Moderate	\$61,175	\$65,545	\$69,915	\$78,654	\$87,393	\$90,889	\$94,385	\$101,376	\$108,368	\$115,359	1.9%	\$205,486
Low	\$38,235	\$40,966	\$43,697	\$49,159	\$54,621	\$56,806	\$58,990	\$63,360	\$67,730	\$72,099	5.96%	
Very Low	\$22,941	\$24,579	\$26,218	\$29,495	\$32,772	\$34,083	\$35,394	\$38,016	\$40,638	\$43,260		
Region 5												
Median	\$67,620	\$72,450	\$77,280	\$86,940	\$96,600	\$100,464	\$104,328	\$112,056	\$119,784	\$127,512		
Moderate	\$54,096	\$57,960	\$61,824	\$69,552	\$77,280	\$80,371	\$83,462	\$89,645	\$95,827	\$102,010	1.9%	\$179,028
Low	\$33,810	\$36,225	\$38,640	\$43,470	\$48,300	\$50,232	\$52,164	\$56,028	\$59,892	\$63,756	7.21%	
Very Low	\$20,286	\$21,735	\$23,184	\$26,082	\$28,980	\$30,139	\$31,298	\$33,617	\$35,935	\$38,254		
Region 6												
Median	\$57,458	\$61,562	\$65,666	\$73,874	\$82,083	\$85,366	\$88,649	\$95,216	\$101,782	\$108,349		
Moderate	\$45,966	\$49,250	\$52,533	\$59,100	\$65,666	\$68,293	\$70,919	\$76,173	\$81,426	\$86,679	1.9%	\$153,730
Low	\$28,729	\$30,781	\$32,833	\$36,937	\$41,041	\$42,683	\$44,325	\$47,608	\$50,891	\$54,175	6.97%	
Very Low	\$17,237	\$18,469	\$19,700	\$22,162	\$24,625	\$25,610	\$26,595	\$28,565	\$30,535	\$32,505		

Moderate income is between 80 and 50 percent of the median income. Low income is 50 percent or less of median income. Very low income is 30 percent or less of median income.

* These columns are for calculating the pricing for one, two and three bedroom sale and rental units as per N.J.A.C. 5:80-26.4(a).

**This column is used for calculating the pricing for rent increases for units (as previously calculated under N.J.A.C. 5:97-9.3 (Consumer price index for All Urban Consumers (CPI-U): Regions by expenditure category and commodity and service group). Landlords who did not increase rents in 2015, 2016, 2017, 2018 or 2019 because of the lack of authority to do so, may increase rent by up to the applicable combined percentage including 2020 or 9.0% whichever is less in accordance with N.J.A.C. 5:97-9.3(c). In no case can rent for any particular apartment be increased more than one time per year.

*** This column is used for calculating the pricing for resale increases for units (as previously calculated under N.J.A.C. 5:97-9.3). The price of owner-occupied low and moderate income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.

Low income tax credit developments may increase based on the low income tax credit regulations.

**** The Regional Asset Limit is used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3.

APPENDIX B

Bordentown For-Sale Affordability Assistance Application

BORDENTOWN TOWNSHIP, BURLINGTON COUNTY
For-Sale Affordability Assistance Application

Bordentown Township offers for-sale affordability assistance to income-qualified purchasers whose households earn 80 percent or less than the area median income for the housing region. The aim of this Program is to encourage higher rates of homeownership within Bordentown Township. The Township currently offers affordability assistance to applicants for ownership units in the form of down payment, closing cost, and lender fee assistance.

To be eligible for **Down Payment Assistance**, the buyer must be able to supply three percent of the down payment with the buyer's own funds, plus additional closing costs that exceed the amount of the loan. No gifts or other loans may be used to fund the three percent down payment amount but may be used to fund additional closing costs. The loan amount may be made up to 10 percent of the purchase price. The Township must approve the buyer's qualifications and need for the loan. The loan has no prepayment penalty. It is due and payable when the buyer resells, borrows against the property or refinances the First Purchase Money Mortgage. The loan may be subordinated only to the First Purchase Money Mortgage. When calculating the borrowing capacity of the homeowner and the equity in the property, this loan must be included. The buyer must sign a mortgage and mortgage note to the Township.

Payment of Closing Costs may include title work and policy, reasonable attorney's fees for closing of title, preparation of survey, homeowner's insurance, recording fees, and other necessary closing expenses to third parties. Utility deposits, i.e., gas and electric, paid to utility companies are to be returned to the Township Affordable Housing Trust Fund upon resale of the unit. The buyer will execute documents required to secure payment to Bordentown Township.

Payment of Lender Fees includes mortgage points, application fees, appraisal fees, bank attorney review fees, and necessary mortgage closing expenses. The buyer will execute documents required to secure payment to Bordentown Township.

If you are interested in the Bordentown Township For-Sale Affordability Assistance Grant, please complete the following application, attach the required documents and return it to:

Lauren Purdom, Administrative Agent
Heyer, Gruel & Associates
236 Broad Street Red Bank, NJ 07701

This application does not guarantee you receipt of grant monies. There will not be any additional deed restrictions/lien on the property should these funds be awarded. At no time will any individual/household be allowed to receive funding approval under any of the Local Affordability

Assistance Programs more than once in a five-year time frame. Applications submitted for affordability assistance will be accepted on a first-come, first-served basis according to the following criteria:

1. There are Affordability Assistance Funds remaining in the budget for the year. This will include whether sufficient funds have been provided to very low-income households.
2. The home being purchased is an affordable unit in Bordentown Township to be maintained as the applicant's primary residence. Applicants cannot own any other real estate at the time of application.
3. The applicant is income-certified and must provide a copy of the certification. Applicants must also be credit worthy and not mortgage more than three (3) times their gross annual income.
4. After attorney review and after your professional home inspection, contact HGA to apply and to make an appointment to produce the required documentation (see checklist). No home inspection necessary if purchasing a brand new affordable unit requiring a Certificate of Occupancy inspection from Bordentown Township.
5. The applicant has not received an affordability assistance grant in the past (only one award per household is permitted. This required can be waived with justification).

SPECIFIC INCOME ELIGIBILITY REQUIREMENTS

The income of the borrower(s) only will be used to qualify for the grant.

1. Recipients of the Bordentown Township For-Sale Affordability Assistance Grant must be very low-, low- and moderate-income families as determined by the Affordable Housing Professionals of New Jersey (AHPNJ) Regional Income Limits, Region 5 guidelines.
2. Households will not be approved for a grant unless they can show/document the ability to afford the unit and related housing costs. Proof of gross annual household income is required.
3. The unit purchased using Bordentown Township For-Sale Affordability Assistance Grant must be occupied by the named purchaser(s) on the affordable housing documents and must be used as the applicant's primary residence at all times.
4. Each purchaser shall certify in writing that he/she is purchasing said unit for the expressed purpose of primary living quarters and for no other reason beyond what is allowable.

5. Applicants who can put 10 percent down, cover all closing costs and still be left with \$10,000 in liquid assets after closing will not qualify. In addition, applicants with combined liquid assets greater than 30 percent of the purchase price will not be considered, unless there are documented extenuating circumstances.

To be eligible for the For-Sale Affordability Assistance Grant, qualified applicants must have incomes not to exceed the most recent Affordable Housing Regional Income Limits for Housing Region 5. The income of the entire household will be used to qualify for the grant.

NOTICE OF DISCLOSURE STATEMENT

This application must be fully completed for it to be accepted and processed. This application is not transferable, and the original must be submitted. Once you have completed this application and attached all required documents, please mail to Lauren Purdom, Affordable Housing Administrative Agent at Heyer, Gruel & Associates (HGA), 236 Broad Street Red Bank, NJ 07701.

**IT IS YOUR RESPONSIBILITY TO MAKE CERTAIN YOUR APPLICATION IS COMPLETE AND THE
INFORMATION PROVIDED IS TRUE AND ACCURATE.**

The information in this application and any other information will be kept confidential. NO PART OF THIS APPLICATION OR YOUR APPLICATION FILE WILL BE GIVEN TO ANY PERSON, ENTITY OR BUSINESS NOT RELATED TO THE TOWNSHIP OF BORDENTOWN, OR THEIR AGENTS WITHOUT YOUR WRITTEN REQUEST OR CONSENT. The filing of this application constitutes your approval for the Administrative Agent to certify the information contained herein through credit verification or other necessary means.

"Family" includes all persons living in a single housing unit whether or not they are related by blood, marriage or otherwise. The information requested includes information about all persons intending to reside in the affordable unit.

If you would like more information, please contact:

Bordentown Township Affordable Housing Administrative Agent

Lauren Purdom, AICP
Heyer, Gruel & Associates
236 Broad Street Red Bank, NJ 07701
Email: LPurdom@hgapa.com
Phone: (732) 741-2900
Fax: (732) 741-2929

CERTIFICATION

I hereby certify that the above information concerning my family size, actual gross income as well as all other information contained herein is true and accurate to the best of my knowledge. I understand that HGA and the Township of Bordentown in the County of Burlington are relying on this information to determine whether I qualify for Bordentown Township For-Sale Affordability Assistance Grant.

I further certify that the copies of the documents attached to this application are true and accurate copies of the originals of such documents.

I further certify that I intend to personally occupy the unit as my primary residence except for reasonable periods of vacations and illnesses. I will not rent or lease the unit.

I authorize HGA, the Township of Bordentown and their agents to check for accuracy on any and all statements and representations made in this application. This may include calls to employers to verify income, contact with banks, etc.

Signature of APPLICANT

Signature of CO-APPLICANT

Date signed

Date signed

FOR STATISTICAL PURPOSES

Please indicate your marital status:

Single ____ Divorced ____
Married / Domestic Partnership ____ Widowed ____
Separated ____

Please indicate your racial/ethnic group:

Hispanic Yes ____ No ____
Asian ____ Asian American Indian/ Alaskan Native ____
Asian & White ____ American Indian/Alaskan Native & White ____
Black/African American ____ American Indian/Alaskan Native & Black ____
Black/African American & White ____ Native Hawaiian/Other Pacific Islander ____
White ____ Choose Not to Respond ____
Other Multi Racial ____

Please indicate your employment status:

Self-employed ____ Permanently unable to work ____
Work full-time for employer ____ Unemployed and seeking work ____
Work part-time for employer ____ Unemployed and not seeking work ____
Homemaker ____ Retired ____
Full-time student ____

Please indicate your educational attainment:

Less than HS diploma ____ Associate's Degree ____
HS diploma or equivalent ____ Bachelor's Degree ____
Some post-secondary education ____ Master's or other graduate degree ____
Certification from a vocational or technical training program ____

GENERAL INFORMATION

Date: _____

Name of Household Member filling out this form: _____

Sex: M/F ____ Date of Birth: _____ Social Security Number: ____ - ____ - ____

Home Phone: () _____ Work Phone: () _____

Email: _____ Cell Phone: () _____

Current Address: Street: _____

City: _____ State: ____ Zip Code: _____ County: _____

Mailing Address (if different): _____

Please indicate the type of affordability assistance you are applying for:

Down Payment Loan Program	
Payment of Closing Costs	
Payment of Lender Fees	

Please explain the reason why you need assistance (attach additional paper if needed):

If your total monthly expenses exceed your monthly income, how will you pay your household expenses in the future? _____

HOUSEHOLD COMPOSITION

Please list all household members over the age of 18, **excluding the person filling out the form**, who would live in the home being purchased:

Name	Relationship	Gender	Date of Birth

How many are less than 18 years of age? _____

Please provide the contact information of any persons over age 18, **excluding the person filling out the form**, who would live in the home being purchased:

Adult #2 Name: _____

Sex: M/F ____ Date of Birth: _____ Social Security Number: ____-____-_____

Home Phone: () _____ Work Phone: () _____

Email: _____ Cell Phone: () _____

Current Address: Street: _____

City: _____ State: ____ Zip Code: _____ County: _____

Mailing Address (if different): _____

Adult #3 Name: _____

Sex: M/F ____ Date of Birth: _____ Social Security Number: ____-____-_____

Home Phone: () _____ Work Phone: () _____

Email: _____ Cell Phone: () _____

Current Address: Street: _____

City: _____ State: ____ Zip Code: _____ County: _____

Mailing Address (if different): _____

Adult #4 Name: _____

Sex: M/F ____ Date of Birth: _____ Social Security Number: ____ - ____ - ____

Home Phone: () _____ Work Phone: () _____

Email: _____ Cell Phone: () _____

Current Address: Street: _____

City: _____ State: ____ Zip Code: _____ County: _____

Mailing Address (if different): _____

YOUR PRESENT HOUSING

Do you own your own home or any real estate? Yes ____ No ____

If you answered yes, please explain: _____

If you do not own a home, do you currently rent? _____

What do you currently pay a month for housing costs? _____

Are utilities included? Yes ____ No ____ Some (explain): _____

How many people will live with you in the unit, including yourself? _____

How long have you lived at current address? _____

How much do you have saved for down payment and closing costs? _____

What is the purchase price of the unit you are buying? _____

Who are you getting your mortgage with? _____

What are the terms of the mortgage?

Loan Amount: _____ Years: _____ Interest Rate: _____

EMPLOYMENT INFORMATION

Please provide information for each household member who receives income from present employment and is 18 years of age or over (also include any part-time employment).

1. Household Member Name: _____

Job Title: _____

Employer Name: _____

Employer Address: _____

County: _____ How long at job? _____

Immediate Supervisor: _____

Supervisor Phone Number: _____ Ext #: _____

2. Household Member Name: _____

Job Title: _____

Employer Name: _____

Employer Address: _____

County: _____ How long at job? _____

Immediate Supervisor: _____

Supervisor Phone Number: _____ Ext #: _____

3. Household Member Name: _____

Job Title: _____

Employer Name: _____

Employer Address: _____

County: _____ How long at job? _____

Immediate Supervisor: _____

Supervisor Phone Number: _____ Ext #: _____

4. Household Member Name: _____

Job Title: _____

Employer Name: _____

Employer Address: _____

County: _____ How long at job? _____

Immediate Supervisor: _____

Supervisor Phone Number: _____ Ext #: _____

INCOME CALCULATION

Please state the amount of your current annual projected gross income from each applicable source. Please complete a separate calculation for every household member who is 18 years of age or over and receives income of any kind. Use additional pages if more than four adults have income.

	Adult #1	Adult #2	Adult #3	Adult #4
Gross Salary or Wages	\$	\$	\$	\$
Pension	\$	\$	\$	\$
Social Security	\$	\$	\$	\$
Unemployment Compensation	\$	\$	\$	\$
Child Support <u>received</u> (added to income)	\$	\$	\$	\$
Child Support <u>paid</u> (deducted from income)	-\$	-\$	-\$	-\$
Disability Payment	\$	\$	\$	\$
Welfare	\$	\$	\$	\$
Tips/Commissions	\$	\$	\$	\$
Alimony	\$	\$	\$	\$
Other	\$	\$	\$	\$
Sub-Totals	\$	\$	\$	\$
TOTAL OF ADULT INCOMES	\$			

OTHER INCOME / ASSET INFORMATION

Please list all **checking and savings accounts, CDs, Money Market Funds, Mutual Funds** and any other assets held by financial institutions below, whether or not you gain any interest from them, for all household members.

Name and Address of Financial Institution	Account Number	Current Balance/Value	Projected Annual Interest Income

Total Projected Interest Income in a year: _____

Please list all **stocks, bonds** and all other sources of investment income.

Name of Assets	Number of shares	Current Value	Projected Annual Income

Total Projected Income in a year: _____

Do you own a business or income producing real estate? Yes _____ No _____

Do you receive income/monies/rent receipts from this asset? Yes _____ No _____

If you own a business provide the monthly gross income and expenses (also provide 2 quarters of a Profit & Loss statement dated and signed by a 3rd party): \$ _____

Do you have any other sources of income? Yes _____ No _____

If so, please describe: _____ Gross yearly income: \$ _____

<p>TOTAL HOUSEHOLD GROSS ANNUAL INCOME FROM ALL SOURCES</p>
<p>\$ _____</p>

INCOME DOCUMENTATION

Please attach the following documents for every household member who is 18 years of age or over and receives income of any kind (also see attached checklist).

1. Copy of the executed Contract of Sale by all parties.
2. Copy of the home inspection report. If purchasing a brand new affordable unit, you do not need a home inspection.
3. Completed Attorney and/or title company information form (specify your attorney name, address, phone, fax and email). The Administrative Agent may be present at closing and must receive a copy of the closing disclosure documents to review and approve.
4. Copies of State and Federal tax returns for the previous 3 consecutive years.
5. Copies of pay stubs (4 current and consecutive) and proof of income from all other sources.
6. Attach recent documentation to confirm all income (i.e., recent bank statement, statements from other assets, etc.).
7. Loan Estimate from Lender whom you are getting your mortgage loan from.

APPENDIX C

Bordentown Rental Affordability Assistance Application

TOWNSHIP OF BORDENTOWN, BURLINGTON COUNTY

Rental Affordability Assistance Application

Bordentown Township offers rental affordability assistance to income-qualified applicants. Rental assistance does not need to be repaid by the tenant. The amount of the rental subsidy will be calculated initially based on the tenant's actual income and the rent level of the affordable units to help bring the total shelter costs down to 30 percent of the total household income or lower, if warranted by the particular household circumstances. The Township offers affordability assistance to applicants for very low-, low- and moderate-income rental units. The following assistance is available to low- and moderate-income households:

1. Payment of "moving expenses" based upon verified receipts, in an amount not to exceed five hundred dollars (\$500.00) per household
2. Rent subsidy for the first month's rent
3. Utility deposit assistance

The following assistance is available to very low-income households:

1. Payment of "moving expenses" based upon verified receipts, in an amount not to exceed one thousand five hundred dollars (\$1,500.00) per household
2. Rental security deposit paid to a landlord on behalf of a tenant– Security deposits paid to a landlord are to be returned to the Township's Affordable Housing Trust Fund upon termination of tenancy. The tenant is not responsible for returning the security deposit back to the Township. This transaction is completely between the landlord and the Township.
3. Rent subsidy for the first month's rent
4. Utility deposit assistance

If you are interested in the Bordentown Township Rental Affordability Assistance Grant, please complete this form with the required documents and return it to:

Lauren Purdom, Administrative Agent
Heyer, Gruel & Associates
236 Broad Street Red Bank, NJ 07701

This application does not guarantee you receipt of grant monies. There will not be any additional forms of assistance should these funds be awarded. At no time will any individual/household be allowed to receive funding approval under any of the Local Affordability Assistance Programs more than once in a five-year time frame. Applications submitted for affordability assistance will be accepted on a first-come, first-served basis according to the following criteria:

1. There are Affordability Assistance Funds remaining in the budget for the year. This will include whether sufficient funds have been provided to very low-income households.
2. The applicant rents or is seeking to rent a deed restricted affordable unit in Bordentown Township as their primary residence.
3. The applicant is income-certified. Applicants applying for first month's rent will have already been income certified. Applicants applying for all other types of assistance will require income certification at the time of application. A copy of the certification must be provided.
4. The applicant has not received an affordability assistance grant in the past (only one award per household is permitted. This required can be waived with justification).

SPECIFIC INCOME ELIGIBILITY REQUIREMENTS

The income of the borrower(s) only will be used to qualify for the grant.

1. Recipients of the Bordentown Rental Affordability Assistance Grant must be very low-, low- and moderate-income families as determined by the Affordable Housing Professionals of New Jersey (AHPNJ) Regional Income Limits, Region 5 guidelines.
2. Households will not be approved for a grant unless they can show/document the ability to afford the rent and related housing costs. Proof of gross annual household income is required.
3. The unit rented using Bordentown Township Rental Affordability Assistance Grant must be occupied by the named lessee(s) on the affordable housing documents and must be used as the applicant's primary residence at all times.
4. Each lessee shall certify in writing that he/she is renting said unit for the expressed purpose of primary living quarters and for no other reason beyond what is allowable.

To be eligible for the Rental Affordability Assistance Grant, qualified applicants must have incomes not to exceed the most recent Affordable Housing Regional Income Limits for Housing Region 5. The income of the entire household will be used to qualify for the grant.

NOTICE OF DISCLOSURE STATEMENT

This application must be fully completed for it to be accepted and processed. This application is not transferable, and the original must be submitted. Once you have completed this application and attached all required documents, please mail to Lauren Purdom, Affordable Housing Administrative Agent at Heyer, Gruel & Associates (HGA), 236 Broad Street Red Bank, NJ 07701.

IT IS YOUR RESPONSIBILITY TO MAKE CERTAIN YOUR APPLICATION IS COMPLETE AND THE INFORMATION PROVIDED IS TRUE AND ACCURATE.

The information in this application and any other information will be kept confidential. NO PART OF THIS APPLICATION OR YOUR APPLICATION FILE WILL BE GIVEN TO ANY PERSON, ENTITY OR BUSINESS NOT RELATED TO THE TOWNSHIP OF BORDENTOWN, OR THEIR AGENTS, WITHOUT YOUR WRITTEN REQUEST OR CONSENT. The filing of this application constitutes your approval for the Administrative Agent to certify the information contained herein through credit verification or other necessary means.

"Family" includes all persons living in a single housing unit whether or not they are related by blood, marriage or otherwise. The information requested includes information about all persons intending to reside in the affordable unit.

If you would like more information, please contact:

Bordentown Township Affordable Housing Administrative Agent

Lauren Purdom, AICP
Heyer, Gruel & Associates
236 Broad Street Red Bank, NJ 07701
Email: LPurdom@hgapa.com
Phone: (732) 741-2900
Fax: (732) 741-2929

CERTIFICATION

I hereby certify that the above information concerning my family size, actual gross income as well as all other information contained herein is true and accurate to the best of my knowledge. I understand that HGA and the Township of Bordentown in the County of Burlington are relying on this information to determine whether I qualify for Bordentown Township Rental Affordability Assistance Grant.

I further certify that the copies of the documents attached to this application are true and accurate copies of the originals of such documents.

I further certify that I intend to personally occupy the unit as my primary residence except for reasonable periods of vacations and illnesses. I understand that I cannot sublet or re-rent the unit.

I authorize HGA, the Township of Bordentown and their agents to check for accuracy on any and all statements and representations made in this application. This may include calls to employers to verify income, contact with banks, etc.

Signature of APPLICANT

Signature of CO-APPLICANT

Date signed

Date signed

FOR STATISTICAL PURPOSES

Please indicate your marital status:

Single ____ Divorced ____
Married / Domestic Partnership ____ Widowed ____
Separated ____

Please indicate your racial/ethnic group:

Hispanic Yes ____ No ____
Asian ____ Asian American Indian/ Alaskan Native ____
Asian & White ____ American Indian/Alaskan Native & White ____
Black/African American ____ American Indian/Alaskan Native & Black ____
Black/African American & White ____ Native Hawaiian/Other Pacific Islander ____
White ____ Choose Not to Respond ____
Other Multi Racial ____

Please indicate your employment status:

Self-employed ____ Permanently unable to work ____
Work full-time for employer ____ Unemployed and seeking work ____
Work part-time for employer ____ Unemployed and not seeking work ____
Homemaker ____ Retired ____
Full-time student ____

Please indicate your educational attainment:

Less than HS diploma ____ Associate's Degree ____
HS diploma or equivalent ____ Bachelor's Degree ____
Some post-secondary education ____ Master's or other graduate degree ____
Certification from a vocational or technical training program ____

PART I

All applicants must complete this section. Date: _____

Name of Household Member filling out this form: _____

Sex: M/F ____ Date of Birth: _____ Social Security Number: ____ - ____ - ____

Home Phone: () _____ Work Phone: () _____

Email: _____ Cell Phone: () _____

Current Address: Street: _____

City: _____ State: ____ Zip Code: _____ County: _____

Mailing Address (if different): _____

Please indicate the type of affordability assistance you are applying for:

Moving Expense Assistance	
First Month's Rent	
Utility Deposit Assistance	
Security Deposit Assistance	

Please explain the reason why you need assistance (attach additional paper if needed):

If your total monthly expenses exceed your monthly income, how will you pay your household expenses in the future? _____

PART II

Only complete this section if you are applying for assistance **other than first month's rent**. Please list your estimated monthly expenses:

Expense Category	Monthly Expense
<u>Auto</u>	
Loan	
Insurance	
Maintenance/Repairs	
<u>Housing</u>	
Rent/Mortgage	
Homeowners association	
Property Tax	
Insurance	
<u>Medical</u>	
Health Insurance	
Co-pays	
Other (medications, glasses, etc.)	
<u>Utilities</u>	
Internet/phone/cable	
Electricity/heating	
Water Sewer	
Trash	
Cell Phone	
<u>Other</u>	
Childcare/daycare	
Child Support/Alimony	
Credit card debt	
Education	
Food	
Gas/tolls/parking	
Public Transportation	
Student loan	
Tuition	
Other (please specify):	
TOTAL EXPENSES	

HOUSEHOLD COMPOSITION

Please list all household members (of any age), **excluding the person filling out the form**, who would live in the home being rented:

Name	Relationship	Gender	Date of Birth

How many are less than 18 years of age? _____

Please provide the contact information of any persons over age 18, **excluding the person filling out the form**, who would live in the home being rented:

Adult #2 Name: _____

Sex: M/F ____ Date of Birth: _____ Social Security Number: ____-____-____

Home Phone: () _____ Work Phone: () _____

Email: _____ Cell Phone: () _____

Current Address: Street: _____

City: _____ State: ____ Zip Code: _____ County: _____

Mailing Address (if different): _____

Adult #3 Name: _____

Sex: M/F ____ Date of Birth: _____ Social Security Number: ____-____-____

Home Phone: () _____ Work Phone: () _____

Email: _____ Cell Phone: () _____

Current Address: Street: _____

City: _____ State: ____ Zip Code: _____ County: _____

Mailing Address (if different): _____

Adult #4 Name: _____

Sex: M/F ____ Date of Birth: _____ Social Security Number: ____ - ____ - ____

Home Phone: () _____ Work Phone: () _____

Email: _____ Cell Phone: () _____

Current Address: Street: _____

City: _____ State: ____ Zip Code: _____ County: _____

Mailing Address (if different): _____

EMPLOYMENT INFORMATION

Please provide information for each household member who receives income from present employment and is 18 years of age or over (also include any part-time employment).

1. Household Member Name: _____

Job Title: _____

Employer Name: _____

Employer Address: _____

County: _____ How long at job? _____

Immediate Supervisor: _____

Supervisor Phone Number: _____ Ext #: _____

2. Household Member Name: _____

Job Title: _____

Employer Name: _____

Employer Address: _____

County: _____ How long at job? _____

Immediate Supervisor: _____

Supervisor Phone Number: _____ Ext #: _____

3. Household Member Name: _____

Job Title: _____

Employer Name: _____

Employer Address: _____

County: _____ How long at job? _____

Immediate Supervisor: _____

Supervisor Phone Number: _____ Ext #: _____

4. Household Member Name: _____

Job Title: _____

Employer Name: _____

Employer Address: _____

County: _____ How long at job? _____

Immediate Supervisor: _____

Supervisor Phone Number: _____ Ext #: _____

INCOME CALCULATION

Please state the amount of your current annual projected gross income from each applicable source. Please complete a separate calculation for every household member who is 18 years of age or over and receives income of any kind. Use additional pages if more than four adults have income.

	Adult #1	Adult #2	Adult #3	Adult #4
Gross Salary or Wages	\$	\$	\$	\$
Pension	\$	\$	\$	\$
Social Security	\$	\$	\$	\$
Unemployment Compensation	\$	\$	\$	\$
Child Support <u>received</u> (<u>added</u> to income)	\$	\$	\$	\$
Child Support <u>paid</u> (<u>deducted</u> from income)	- \$	- \$	- \$	- \$
Disability Payment	\$	\$	\$	\$
Welfare	\$	\$	\$	\$
Tips/Commissions	\$	\$	\$	\$
Alimony	\$	\$	\$	\$
Other	\$	\$	\$	\$
Sub-Totals	\$	\$	\$	\$
TOTAL OF ADULT INCOMES	\$			

OTHER INCOME / ASSET INFORMATION

Please list all **checking and savings accounts, CDs, Money Market Funds, Mutual Funds** and any other assets held by financial institutions below, whether or not you gain any interest from them, for all household members.

Name and Address of Financial Institution	Account Number	Current Balance/Value	Projected Annual Interest Income

Total Projected Interest Income in a year: _____

Please list all **stocks, bonds** and all other income producing assets.

Name of Assets	Number of shares	Current Value	Projected Annual Income

Total Projected Income in a year: _____

Do you own a business or income producing real estate? Yes _____ No _____

Do you receive income/monies/rent receipts from this asset? Yes _____ No _____

If you own a business provide the monthly gross income and expenses (also provide 2 quarters of a Profit & Loss statement dated and signed by a 3rd party): \$ _____

Do you have any other sources of income? Yes _____ No _____

If so, please describe: _____ Gross yearly income: \$ _____

Do you own a home or other real estate? Yes _____ No _____

<p>TOTAL HOUSEHOLD GROSS ANNUAL INCOME FROM ALL SOURCES</p>
<p>\$ _____</p>

INCOME DOCUMENTATION

Please attach the following documents for every household member who is 18 years of age or over and receives income of any kind (also see attached checklist).

1. Copies of federal and state tax returns for the previous three (3) consecutive years.
2. Copies of four (4) consecutive/current bank statements for all accounts.
3. Copies of six (6) months current bank statements for all accounts.
4. Copies of child support court documents and custody verification, if applicable, are required.

APPENDIX D

Summary of Bordentown Township's Affordability Assistance Program Terms

Summary of Bordentown Township Affordability Assistance Program Terms

	Purpose	Maximum Amount	Program Terms	Very-Low Income Households
Ownership Units	Down Payment Assistance	Up to 10% of the purchase price	To be repaid upon resale, refinancing or borrowing against property	Very low-income households will be assisted
	Payment of Closing Costs	Up to \$1,500 per household	This assistance is a grant and does not need to be repaid	Very low-income households will be assisted
	Payment of Lender Fees	Up to \$1,500 per household	This assistance is a grant and does not need to be repaid	Very low-income households will be assisted
Rental Units	Moving Expense Assistance	Up to \$500 per household; \$1,500 for very-low-income	This assistance is a grant and does not need to be repaid	Very low-income households will be prioritized
	First Month's Rent	Up to one (1) month's rent	This assistance is a grant and does not need to be repaid	Very low-income households will be prioritized
	Security Deposit Assistance	Determined on a case by case basis	To be repaid by landlord to the Affordable Housing Trust Fund upon termination of tenancy	Only Very low-income households will be assisted
	Utility Deposit Assistance	Determined on a case by case basis	This assistance is a grant and does not need to be repaid	Very low-income households will be prioritized

Pursuant to the Township's Spending Plan, the estimated budget for Affordability Assistance projected through 2025 averages approximately \$180,046 per year, totaling \$1,080,278.67. Of these funds, \$360,092.89 will be dedicated to very low-income families.

RESOLUTION #2020-195

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY ADOPTING THE ‘AFFIRMATIVE
MARKETING PLAN’ FOR THE TOWNSHIP OF BORDENTOWN**

WHEREAS, in accordance with the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26-1, *et seq.*, the Township of Bordentown is required to adopt an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by the rehabilitation of rental housing units within the Township of Bordentown, are affirmatively marketed to low and moderate income households, particularly those living and/or working within Housing Region 5, the COAH Housing Region encompassing the Township of Bordentown.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township of Bordentown, County of Burlington, State of New Jersey, do hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

- A. All affordable housing units in the Township of Bordentown shall be marketed in accordance with the provisions herein.
- B. The Township of Bordentown has a Prior Round obligation that has been fulfilled and a Third Round obligation covering the years from 1999-2025. This Affirmative Marketing Plan shall apply to all developments that contain or will contain low and moderate income units, including those that are part of the Township’s prior round Fair Share Plan and its current Fair Share Plan and those that may be constructed in future developments not yet anticipated by the Fair Share Plan. This Affirmative Marketing Plan shall also apply to any rehabilitated rental units that are vacated and re-rented during the applicable period of controls for rehabilitated rental units.
- C. The Affirmative Marketing Plan shall be implemented by one or more Administrative Agent(s) designated by and/or under contract to the Township of Bordentown. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of affordable unit(s), and all such advertising and affirmative marketing shall be subject to approval and oversight by the designated Administrative Agent.
- D. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Township of Bordentown, shall undertake, at the minimum, all of the following strategies:
 - 1. Publication of an advertisement in one or more newspapers of general circulation within the housing region.
 - 2. Broadcasting of an advertisement by a radio or television station broadcasting throughout the housing region.
 - 3. At least one additional regional marketing strategy using one of the other sources listed below.
- E. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or

number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Township of Bordentown is located in COAH Housing Region 5, consisting of Gloucester, Burlington, and Camden Counties.

F. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:

1. All newspaper articles, announcements and requests for applications for very low-, low- and moderate-income units shall appear in the *Philadelphia Inquirer* and the *Courier-Post*.
2. The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspapers once a week for four consecutive weeks. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of all publications to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.
3. The advertisement shall include a description of the:
 - a. Location of the units;
 - b. Directions to the units;
 - c. Range of prices for the units;
 - d. Size, as measured in bedrooms, of units;
 - e. Maximum income permitted to qualify for the units;
 - f. Location of applications;
 - g. Business hours when interested households may obtain an application; and
 - h. Application fees.
4. Newspaper articles, announcements and information on where to request applications for very low, low and moderate income housing shall appear at least once a week for four consecutive weeks in at least three locally oriented newspapers serving the housing region, one of which shall be circulated primarily in Gloucester County and the other two of which shall be circulated primarily outside of Gloucester County but within the housing region.
5. The developer must provide satisfactory proof of public dissemination. See Attachment A" COAH's *Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 5* (attached to and hereby made part of this Resolution).

G. Applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program shall be available/posted in the following locations:

1. Bordentown Township Hall
2. Bordentown Township Web Site

3. Developer's Sales/Rental Offices
4. Gloucester County Administration Building
5. Burlington County Administration Building
6. Camden County Administration Building
7. Gloucester County Library (all branches).
8. Burlington County Library (all branches)
9. Camden County Library (all branches)

Applications shall be mailed by the Administrative Agent and Municipal Housing Liaison to prospective applicants upon request. Also, applications shall be available at the developer's sales/rental office and multiple copies of application forms shall be mailed to Fair Share Housing Center, the Latino Action Network, Willingboro NAACP, Southern Burlington County NAACP, Supportive Housing Association, and the New Jersey Housing Resource Center.

- H. The Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in Gloucester, Burlington, and Camden Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers identified in Attachment A, Part III, Marketing, Section 3d. of COAH's *Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 5* (attached to and hereby made part of this Resolution) as well as the following entities: Fair Share Housing Center, the Latino Action Network, Willingboro NAACP, Southern Burlington County NAACP, Supportive Housing Association, and the New Jersey Housing Resource Center.

1. Quarterly informational flyers and applications shall be sent to each of the following agencies for publication in their journals and for circulation among their members:

Gloucester County Board of Realtors
 Burlington County Board of Realtors
 Camden County Board of Realtors

2. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies within the counties of Gloucester, Burlington, and Camden:

Welfare or Social Service Board (via the Director)
 Rental Assistance Office (local office of DCA)
 Office on Aging
 Housing Authority (municipal or county)
 Community Action Agencies
 Community Development Departments

3. Quarterly informational circulars and applications shall be sent to the chief personnel administrators of all of the major employers within the region, as listed on Attachment A,

Part III, Marketing, Section 3d.

4. In addition, specific notification of the availability of affordable housing units in Bordentown (along with copies of the application form) shall be provided to the following entities: Fair Share Housing Center, the Latino Action Network, Willingboro NAACP, Southern Burlington County NAACP, Supportive Housing Association, and the New Jersey Housing Resource Center.
- I. A random selection method to select occupants of very low-, low- and moderate-income housing will be used by the Administrative Agent, in conformance with N.J.A.C. 5:80-26.16 (I). The Affirmative Marketing Plan shall provide a regional preference for very low-, low- and moderate-income households that live and/or work in COAH Housing Region 5, comprised of Gloucester, Burlington, and Camden. Pursuant to the New Jersey Fair Housing Act (C.52:27D-311), a preference for very low, low and moderate income veterans duly qualified under N.J.A.C. 54:4-8.10 may also be exercised, provided an agreement to this effect has been executed between the developer or landlord and the Township prior to the affirmative marketing of the units.
- J. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify very low, low and moderate income households; to place income eligible households in very low, low and moderate income units upon initial occupancy; to provide for the initial occupancy of very low, low and moderate income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to very low, low and moderate income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C 5:80-26-1, *et seq.*
- K. The Administrative Agent shall provide or direct qualified very low, low and moderate income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.
- L. All developers/owners of very low-, low- and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent.
- M. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low-, low- and moderate-income housing units are initially occupied and for as long as the affordable units remain deed restricted such that qualifying new tenants and/or purchasers continues to be necessary.
- N. The Administrative Agent shall provide the Affordable Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C.5:80-26-1, *et seq.*

ATTACHMENT A
AFFIRMATIVE FAIR HOUSING MARKETING PLAN
For Affordable Housing in **(REGION 5)**

I. APPLICANT AND PROJECT INFORMATION

(Complete Section I individually for all developments or programs within the municipality.)

1a. Administrative Agent Name, Address, Phone Number Heyer, Gruel & Associates 236 Broad Street Redbank, NJ 07701 732-741-2900		1b. Development or Program Name, Address The Point Route 130 North at Crescent Drive Bordentown Township, NJ 08505	
1c. Number of Affordable Units: 19 Number of Rental Units: Number of For-Sale Units: 19	1d. Price or Rental Range From To	1e. State and Federal Funding Sources (if any)	
1f. <input checked="" type="checkbox"/> Age Restricted <input type="checkbox"/> Non-Age Restricted	1g. Approximate Starting Dates Advertising: _____ Occupancy: _____		
1h. County Burlington, Camden, Gloucester		1i. Census Tract(s):	
1j. Managing/Sales Agent's Name, Address, Phone Number			
1k. Application Fees (if any):			

1a. Administrative Agent Name, Address, Phone Number Heyer, Gruel & Associates 236 Broad Street Redbank, NJ 07701 732-741-2900		1b. Development or Program Name, Address Rising Sun Meadows Rising Sun Road & Route 130 North Bordentown Township, NJ 08505	
1c. Number of Affordable Units: 36 Number of Rental Units: 36 Number of For-Sale Units:	1d. Price or Rental Range From To	1e. State and Federal Funding Sources (if any)	
1f. <input type="checkbox"/> Age Restricted <input checked="" type="checkbox"/> Non-Age Restricted	1g. Approximate Starting Dates Advertising: _____ Occupancy: _____		
1h. County Burlington, Camden, Gloucester		1i. Census Tract(s):	
1j. Managing/Sales Agent's Name, Address, Phone Number			
1k. Application Fees (if any):			

Number of Affordable Units: 69 Number of Rental Units: 69 Number of For-Sale Units:	From To	Sources (if any)
If. <input checked="" type="checkbox"/> Age Restricted <input type="checkbox"/> Non-Age Restricted	1g. Approximate Starting Dates Advertising: Occupancy:	
1h. County Burlington, Camden, Gloucester	1i. Census Tract(s):	
1j. Managing/Sales Agent's Name, Address, Phone Number		
1k. Application Fees (if any):		

1a. Administrative Agent Name, Address, Phone Number Volunteers of America Delaware Valley 531 Market Street Camden, NJ 08102 856-854-4660		1b. Development or Program Name, Address Route 130 & Burlington Road Bordentown, NJ 08505	
1c. Number of Affordable Units: 65 Number of Rental Units: 65 Number of For-Sale Units:	1d. Price or Rental Range From To	1e. State and Federal Funding Sources (if any)	
If. <input type="checkbox"/> Age Restricted <input checked="" type="checkbox"/> Non-Age Restricted	1g. Approximate Starting Dates Advertising: Occupancy:		
1h. County Burlington, Camden, Gloucester	1i. Census Tract(s):		
1j. Managing/Sales Agent's Name, Address, Phone Number			
1k. Application Fees (if any):			

1a. Administrative Agent Name, Address, Phone Number Heyer, Gruel & Associates 236 Broad Street Redbank, NJ 07701 732-741-2900		1b. Development or Program Name, Address 179, 181, and 183 Crosswicks Road Bordentown Township, NJ	
1c. Number of Affordable Units: 4-10 Number of Rental Units: 4-10 Number of For-Sale Units:	1d. Price or Rental Range From To	1e. State and Federal Funding Sources (if any)	
If. <input type="checkbox"/> Age Restricted <input checked="" type="checkbox"/> Non-Age Restricted	1g. Approximate Starting Dates Advertising: Occupancy:		

1h. County Burlington, Camden, Gloucester	1i. Census Tract(s):
1j. Managing/Sales Agent's Name, Address, Phone Number	
1k. Application Fees (if any):	

(Sections II through IV should be consistent for all affordable housing developments and programs within the municipality. Sections that differ must be described in the approved contract between the municipality and the administrative agent and in the approved Operating Manual.)

II. RANDOM SELECTION

2. Describe the random selection process that will be used once applications are received.
--

III. MARKETING

3a. Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors)																								
<input type="checkbox"/> White (non-Hispanic) <input checked="" type="checkbox"/> Black (non-Hispanic) <input checked="" type="checkbox"/> Hispanic <input type="checkbox"/> American Indian or Alaskan Native <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Other group:																								
3b. HOUSING RESOURCE CENTER (www.njhousing.gov) A free, online listing of affordable housing																								
<input type="checkbox"/>																								
3c. Commercial Media (required) (Check all that applies)																								
<table border="1"> <thead> <tr> <th></th> <th>DURATION & FREQUENCY OF OUTREACH</th> <th>NAMES OF REGIONAL NEWSPAPER(S)</th> <th>CIRCULATION AREA</th> </tr> </thead> <tbody> <tr> <td colspan="4">TARGETS ENTIRE HOUSING REGION 5</td> </tr> <tr> <td colspan="4">Daily Newspaper</td> </tr> <tr> <td><input type="checkbox"/></td> <td></td> <td>Philadelphia Inquirer</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td></td> <td>Courier-Post</td> <td></td> </tr> <tr> <td colspan="4">TARGETS PARTIAL HOUSING REGION 5</td> </tr> </tbody> </table>		DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA	TARGETS ENTIRE HOUSING REGION 5				Daily Newspaper				<input type="checkbox"/>		Philadelphia Inquirer		<input type="checkbox"/>		Courier-Post		TARGETS PARTIAL HOUSING REGION 5			
	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA																					
TARGETS ENTIRE HOUSING REGION 5																								
Daily Newspaper																								
<input type="checkbox"/>		Philadelphia Inquirer																						
<input type="checkbox"/>		Courier-Post																						
TARGETS PARTIAL HOUSING REGION 5																								

Daily Newspaper			
<input type="checkbox"/>		Burlington County Times	Burlington
<input type="checkbox"/>		Gloucester County Times	Gloucester
Weekly Newspaper			
<input type="checkbox"/>		Central Record, The	Burlington
<input type="checkbox"/>		Fort Dix Post	Burlington
<input type="checkbox"/>		Maple Shade Progress	Burlington
<input type="checkbox"/>		News Weekly	Burlington
<input type="checkbox"/>		Register-News	Burlington
<input type="checkbox"/>		Gloucester City News	Camden
<input type="checkbox"/>		Haddon Herald	Camden
<input type="checkbox"/>		Record Breeze	Camden
<input type="checkbox"/>		Retrospect	Camden
<input type="checkbox"/>		Plain Dealer	Camden, Gloucester
<input type="checkbox"/>		News Report	Gloucester

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL TV STATION(S)	CIRCULATION AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 5			
<input type="checkbox"/>		3 KYW-TV Cbs Broadcasting Inc.	
<input type="checkbox"/>		6 WPVI-TV American Broadcasting Companies, Inc (Walt Disney)	
<input type="checkbox"/>		10 WCAU NBC Telemundo License Co. (General Electric)	
<input type="checkbox"/>		12 WHYY-TV Why, Inc.	
<input type="checkbox"/>		17 WPHL-TV Tribune Company	
<input type="checkbox"/>		23 WNJS New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		29 WTXF-TV Fox Television Stations, Inc. (News Corp.)	
<input type="checkbox"/>		35 WYBE Independence Public Media Of Philadelphia, Inc.	

<input type="checkbox"/>		48 WGTW-TV Trinity Broadcasting Network	
<input type="checkbox"/>		52 WNJT New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		57 WPSG Cbs Broadcasting Inc.	
<input type="checkbox"/>		61 WPPX Paxson Communications License Company, Llc	
<input type="checkbox"/>		65 WUVP-TV Univision Communications, Inc.	
<input type="checkbox"/>		69 WFMZ-TV Maranatha Broadcasting Company, Inc.	
TARGETS PARTIAL HOUSING REGION 5			
<input type="checkbox"/>		2 WCBS-TV Cbs Broadcasting Inc.	Burlington
<input type="checkbox"/>		4 WNBC NBC Telemundo License Co. (General Electric)	Burlington
<input type="checkbox"/>		5 WNYW Fox Television Stations, Inc. (News Corp.)	Burlington
<input type="checkbox"/>		7 WABC-TV American Broadcasting Companies, Inc (Walt Disney)	Burlington
<input type="checkbox"/>		9 WWOR-TV Fox Television Stations, Inc. (News Corp.)	Burlington
<input type="checkbox"/>		11 WPIX Wpix, Inc. (Tribune)	Burlington
<input type="checkbox"/>		13 WNET Educational Broadcasting Corporation	Burlington
<input type="checkbox"/>		39 WLVT-TV Lehigh Valley Public Telecommunications Corp.	Burlington
<input type="checkbox"/>		58 WNJB New Jersey Public Broadcasting Authority	Burlington
<input type="checkbox"/>		38 WPHA-CA Commercial Broadcasting Corp.	Burlington, Camden
<input type="checkbox"/>		41 WNAI-LP Marcia Cohen	Burlington, Camden
<input type="checkbox"/>		60 WBPH-TV Sonshine Family Television Corp	Burlington, Camden
<input type="checkbox"/>		62 WWSI Hispanic Broadcasters of Philadelphia, Llc	Camden, Gloucester
	DURATION & FREQUENCY OF OUTREACH	NAMES OF CABLE PROVIDER(S)	BROADCAST AREA

TARGETS PARTIAL HOUSING REGION 5			
	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL RADIO STATION(S)	BROADCAST AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
<input type="checkbox"/>		Comcast of Burlington County, Garden State, Gloucester County, South Jersey, Wildwood (Maple Shade System)	All Burlington, Camden, Gloucester
TARGETS ENTIRE HOUSING REGION 5			
AM			
<input type="checkbox"/>		WFIL 560	Christian
<input type="checkbox"/>		WIP 610	
<input type="checkbox"/>		WWJZ 640	
<input type="checkbox"/>		WTMR 800	
<input type="checkbox"/>		WWDB 860	
<input type="checkbox"/>		WPEN 950	
<input type="checkbox"/>		WNTP 990	
<input type="checkbox"/>		KYW 1060	
<input type="checkbox"/>		WPHT 1210	
<input type="checkbox"/>		WNWR 1540	
FM			
<input type="checkbox"/>		WXPB 88.5	
<input type="checkbox"/>		WRTI 90.1	
<input type="checkbox"/>		WHYY-FM 90.9	
<input type="checkbox"/>		WXTU 92.5	
<input type="checkbox"/>		WMMR 93.3	
<input type="checkbox"/>		WSTW 93.7	
<input type="checkbox"/>		WYSP 94.1	
<input type="checkbox"/>		WPST 94.5	
<input type="checkbox"/>		WBEN-FM 95.7	
<input type="checkbox"/>		WRDW-FM 96.5	
<input type="checkbox"/>		WUSL 98.9	
<input type="checkbox"/>		WJBR-FM 99.5	
<input type="checkbox"/>		WPHI-FM 100.3	

<input type="checkbox"/>		WBEB 101.1	
<input type="checkbox"/>		WIOQ 102.1	
<input type="checkbox"/>		WMGK 102.9	
<input type="checkbox"/>		WJJZ 106.1	
<input type="checkbox"/>		WKDN 106.9	Christian
<input type="checkbox"/>		WRNB 107.9	

TARGETS PARTIAL HOUSING REGION 5

AM

<input type="checkbox"/>		WOR 710	
<input type="checkbox"/>		WBUD 1260	
<input type="checkbox"/>		WIMG 1300	Black Gospel
<input type="checkbox"/>		WIFI 1460	Christian
<input type="checkbox"/>		WBCB 1490	
<input type="checkbox"/>		WPHY 920	
<input type="checkbox"/>		WURD 900	
<input type="checkbox"/>		WPHE 690	Latin
<input type="checkbox"/>		WNAP 1110	
<input type="checkbox"/>		WEMG 1310	Spanish
<input type="checkbox"/>		WHAT 1340	
<input type="checkbox"/>		WVCH 740	Christian
<input type="checkbox"/>		WDEL 1150	
<input type="checkbox"/>		WNJC 1360	
<input type="checkbox"/>		WDAS 1480	Black Gospel

FM

<input type="checkbox"/>		WBZC 88.9	Burlington
<input type="checkbox"/>		WSJI 89.5	Burlington
<input type="checkbox"/>		WAWZ 99.1	Burlington (Christian)
<input type="checkbox"/>		WPPZ-FM 103.9	Burlington (Christian)
<input type="checkbox"/>		WKXW-FM 101.5	Burlington, Camden
<input type="checkbox"/>		WPRB 103.3	Burlington, Camden

<input type="checkbox"/>		WOGL 98.1	Burlington, Camden, Gloucester
<input type="checkbox"/>		WDAS-FM 105.3	Burlington, Camden, Gloucester
<input type="checkbox"/>		WKDU 91.7	Camden
<input type="checkbox"/>		WGLS-FM 89.7	Gloucester
<input type="checkbox"/>		WVLT 92.1	Gloucester
<input type="checkbox"/>		WIXM 97.3	Gloucester
<input type="checkbox"/>		WSJO 104.9	Gloucester

3d. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters) (Check all that applies)

DURATION & FREQUENCY OF OUTREACH	NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 5			
Weekly			
<input type="checkbox"/>	Al Dia	Philadelphia Area	Spanish-Language
<input type="checkbox"/>	Nuestra Comunidad	Central/South Jersey	Spanish-Language
TARGETS PARTIAL HOUSING REGION 5			
Weekly			
<input type="checkbox"/>	El Hispano	Camden and Trenton areas	Spanish-Language
<input type="checkbox"/>	Ukrainian Weekly	New Jersey	Ukrainian community

3e. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)

DURATION & FREQUENCY OF OUTREACH	NAME OF EMPLOYER/COMPANY	LOCATION
Burlington County		
<input type="checkbox"/>	Burlington County College	601 Pemberton Browns Mills Rd Remberton
<input type="checkbox"/>	Our Lady of Lourdes Medical Center	218 Sunset Rd Willingboro, NJ
<input type="checkbox"/>	Masonic Home of NJ	902 Jacksonville Rd Burlington, NJ
<input type="checkbox"/>	Medford Leas Continuing Care	1 Medford Leas Medford, NJ
<input type="checkbox"/>	Virtua Geriatric Care Management	523 Fellowship Rd Mt Laurel, NJ
<input type="checkbox"/>	Virtua West Jersey Hospital	90 Brick rd Marlton, NJ
Camden County		
<input type="checkbox"/>	Campbell Soup Company	Campbell Place Camden, NJ 08103-1701

<input type="checkbox"/>		Lockheed Martin	Federal, Camden, NJ 08102
<input type="checkbox"/>		Bancroft Neurohealth	1000 Atlantic Ave Camden, NJ 08102
<input type="checkbox"/>		Cooper Health System	One Cooper Plaza Camden, NJ 08102
<input type="checkbox"/>		L-3 Communications Systems	1 Federal Street, Camden, New Jersey, 08103
<input type="checkbox"/>		Towers Perrin	101 Woodcrest Rd, Cherry Hill, NJ
<input type="checkbox"/>		Arch Manufacturing & Sales Co.	1213 S 6th St, Camden, NJ

Gloucester County

<input type="checkbox"/>		Underwood Memorial Hospital	509 North Broad Street, Woodbury, NJ 08096
<input type="checkbox"/>		Rowan University	201 Mullica Hill road Glassboro, NJ 08028
<input type="checkbox"/>		Kennedy Memorial Hospital	435 Hurffville-Cross Keys Road, Turnersville NJ 08012
<input type="checkbox"/>		U.S. Food Services	2255 High Hill Rd, Swedesboro, NJ & Swedesboro
<input type="checkbox"/>		Direct Group	100 Berkeley Dr, Swedesboro, NJ and 800 Arlington Blvd, Swedesboro, NJ
<input type="checkbox"/>		CompuCom Systems Inc.	1225 Forest Pkwy # 500, Paulsboro, NJ
<input type="checkbox"/>		Missa Bay LLC	101 Arlington Blvd, Swedesboro, NJ and 2339 Center Square Rd, Swedesboro, NJ and 730 Veterans Dr, Swedesboro, NJ
<input type="checkbox"/>		Sony Music	400 N Woodbury Rd, Pitman, NJ
<input type="checkbox"/>		Delaware Valley Wholesale Florists	520 N. Mantua Boulevard Sewell, NJ 08080
<input type="checkbox"/>		Valero Refining Co	800 Billingsport Rd, Paulsboro, NJ
<input type="checkbox"/>		Electric Mobility	591 Mantua Blvd, Sewell, NJ
<input type="checkbox"/>		Sunoco-Eagle Point Oil Refinery	US Highway 130 S & Highway 295, Westville, NJ
<input type="checkbox"/>		Heritage's Dairy Stores	376 Jessup Road Thorofare, NJ 08086
<input type="checkbox"/>		Cornell & Company	224 Cornell Ln, Westville, NJ
<input type="checkbox"/>		Exxon Mobil Research & Engineering Co	800 Billingsport Rd, Paulsboro, NJ

3f. Community Contacts (names of community groups/organizations throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing)

Name of Group/Organization	Outreach Area	Racial/Ethnic Identification of Readers/Audience	Duration & Frequency of Outreach

IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:	
4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)	
<input type="checkbox"/>	BUILDING Burlington County Library Headquarters
<input type="checkbox"/>	LOCATION 5 Pioneer Boulevard, Westampton, NJ 08060
<input type="checkbox"/>	Burlington County Office Building
<input type="checkbox"/>	49 Rancocas Rd, Mount Holly NJ 08060 (609)265-5000
<input type="checkbox"/>	Camden Court House Square
<input type="checkbox"/>	520 Market St, Camden NJ 08102-1375 (856)225-5000
<input type="checkbox"/>	Gloucester County Court House
<input type="checkbox"/>	1 N. Broad Street, Woodbury, NJ 08096 (856)853-3390
4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)	
4c. Sales/Rental Office for units (if applicable)	

V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the (select one: Municipality's substantive certification or DCA Balanced Housing Program funding or HMFA UHORP/MONI/CHOICE funding).	
Name (Type or Print)	
Title/Municipality	
Signature	Date

RESOLUTION #2020-196

A RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY AUTHORIZING AND ADOPTING THE 'FOR-SALE OPERATING MANUAL'; 'RENTAL OPERATING MANUAL' AND 'MARKET TO AFFORDABLE PROGRAM OPERATING MANUAL' FOR THE TOWNSHIP OF BORDENTOWN

WHEREAS, in accordance with the Fair Housing Act and the New Jersey Uniform Housing Affordability Controls (N.J.A.C. 5:80-26-1, *et seq.*), the Township of Bordentown is required to adopt all program operating manuals, which set forth the procedures for administering the programs and their associated affordability controls for affordable housing units created within the Township of Bordentown; and

WHEREAS, the Township of Bordentown Planner and the Township of Bordentown Mayor and Committee reviewed and supports the three (3) proposed manuals, For-Sale Operating Manual; Rental Operating Manual; and Market to Affordable Program Manual, a copy of each of which is incorporated herein as if set forth at length.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, that the Township does hereby authorize and adopt the following three (3) operating manuals, subject to final approval as to form by the Township Planner and Attorney:

1. For-Sale Operating Manual
2. Rental Operating Manual
3. Market to Affordable Program Manual

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

OPERATING MANUAL

FOR THE ADMINISTRATION OF FOR-SALE UNITS

In Accordance with the Uniform Housing Affordability Controls

Bordentown Township
Burlington County, New Jersey

July 2020

Prepared By:



Heyer, Gruel & Associates

Community Planning Consultants
236 Broad Street, Red Bank, NJ 07701
(732) 741-2900

TABLE OF CONTENTS

INTRODUCTION	1
AFFIRMATIVE MARKETING	1
OVERVIEW OF THE REQUIREMENTS OF AN AFFIRMATIVE MARKETING PLAN.....	1
IMPLEMENTATION OF THE AFFIRMATIVE MARKETING PLAN.....	2
DEVELOPER, AFFORDABLE HOUSING SPONSOR, LANDLORD, PROPERTY MANAGER.....	3
RANDOM SELECTION & APPLICANT POOLS	3
RANDOMIZATION AFTER CERTIFICATION.....	3
MATCHING HOUSEHOLDS TO AVAILABLE UNITS	4
HOUSEHOLD ELIGIBILITY & CERTIFICATION.....	4
PROCEDURE FOR INCOME-ELIGIBILITY CERTIFICATION.....	5
DISMISSAL OF APPLICATIONS	7
APPEALS	8
DETERMINING AFFORDABLE SALES PRICES.....	8
DEVELOPMENT CONSIDERATIONS AND COMPLIANCE ISSUES.....	8
DETERMINING MAXIMUM INITIAL SALES PRICES.....	9
ADDITIONAL REGULATIONS FOR AN OWNERSHIP DEVELOPMENT.....	10
DETERMINING RESALE PRICES.....	10
REQUESTS FOR INCREASES IN MAXIMUM SALES PRICE.....	11
DETERMINING THE RECAPTURE MORTGAGE AMOUNT	11
PROCEDURES FOR MAINTAINING LONG-TERM CONTROLS	11
FILES TO BE MAINTAINED ON EVERY APPLICANT.....	12
FILES TO BE MAINTAINED ON EVERY UNIT	12
FILES TO BE MAINTAINED ON EVERY PROJECT.....	12
FILES TO BE MAINTAINED ON THE APPLICANT POOL	12
ENFORCEMENT.....	13
WAIVERS AND EXEMPTIONS.....	13
VIOLATIONS, DEFAULTS AND REMEDIES.....	15
MONITORING	16
RELEASING UNITS	16

APPENDICES

- A.** Bordentown Township Affirmative Marketing Plan
- B.** 2020 AHPNJ Affordable Housing Regional Income Limits Chart
- C.** Mandatory Deed Restriction for Ownership Units
- D.** Certificate for Applicants Certified to Ownership Unit
- E.** Release (Quitclaim Deed) for Restricted Units

INTRODUCTION

The purpose of this Operating Manual is to describe the policies and procedures of the Township of Bordentown's Affordable Housing For-Sale Program. It will serve as a guide to the program staff and the public alike. This manual describes the basic content and operation of the various affordability assistance program components. This manual may be periodically revised to reflect changes in local, state, and federal policies and regulations relative to implementation of the affordable housing programs described herein.

Implementation of any procedure, even if it is not included in this Operating Manual, shall be in accordance with the Federal Fair Housing Act and Equal Opportunities laws¹, the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 et seq.², the substantive rules of the Council on Affordable Housing N.J.A.C. 5:93 as revised and the affordable housing regulations of the Township of Bordentown (hereafter referred to as the "Regulations"). The responsibilities of the administrative agent are outlined in Ordinance Section §94-87.18. In accordance with the Federal Fair Housing Act and Equal Opportunities laws it is unlawful to discriminate against any person making application to buy or rent a home with regard to age, race, religion, national origin, sex, handicapped or familial status.

AFFIRMATIVE MARKETING

OVERVIEW OF THE REQUIREMENTS OF AN AFFIRMATIVE MARKETING PLAN

All affordable units are required to be affirmatively marketed using the Township of Bordentown's Affirmative Marketing Plan. An Affirmative Marketing Plan is a regional marketing strategy designed to attract households of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age, or number of children to housing units which are being marketed by an administrative agent or a developer, sponsor, owner or property manager of affordable housing. The primary objectives of an Affirmative Marketing Plan are to target households who are least likely to apply for affordable housing, and to target households throughout the entire housing region in

¹ <http://www.hud.gov/offices/fheo/FHLaws/index.cfm>

² <http://www.nj.gov/dca/affiliates/coah/regulations/uhac.html>

which the units are located. The Township of Bordentown's Affirmative Marketing Plan can be found in Appendix A.

Before any sale or re-sale of an affordable unit, the unit shall be affirmatively marketed by the Township's Affordable Housing Administrative Agent to households throughout Affordable Housing Region 5 (consisting of Burlington, Camden and Gloucester Counties) in a manner consistent with the affirmative marketing requirements of the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 et seq. The Township has determined that households that live or work in Affordable Housing Region 5 shall be selected for an affordable housing unit before households from outside this region. Units that remain unoccupied after households who live or work in the region are exhausted, may be offered to households outside the region.

Advertisements must contain the following information for each affordable housing opportunity:

- The location of and directions to the units
- A range of prices for the housing units
- The bedroom size(s) of the units
- The maximum income permitted to qualify for the housing units
- The locations of applications for the housing units
- The business hours when interested households may obtain an application for a housing unit
- Application fees, if any

IMPLEMENTATION OF THE AFFIRMATIVE MARKETING PLAN

The affirmative marketing process for affordable units shall begin at least four (4) months prior to expected occupancy. In implementing the marketing program, the administrative agent shall undertake all of the strategies outlined in the Bordentown Township Affirmative Marketing Plan. Advertising and outreach shall take place during the first week of the marketing program and each month thereafter until all the units have been sold. Applications for affordable housing shall be available in several locations in accordance with the Affirmative Marketing Plan. The time period when applications will be accepted will be posted with the applications. Applications shall be mailed to prospective applicants upon request.

An applicant pool will be maintained by the administrative agent for re-sales. When a re-sale affordable unit becomes available, the administrative agent will select applicants

from the applicant pool and, if necessary, the unit will be affirmatively marketed as described above. The selection of applicants from the applicant pool is described in more detail in this manual under Random Selection & Applicant Pools.

DEVELOPER, AFFORDABLE HOUSING SPONSOR, LANDLORD, PROPERTY MANAGER

If permitted by the municipality, the developer, affordable housing sponsor, landlord or property manager may be responsible for advertising the affordable housing in accordance with the municipality's adopted Affirmative Marketing Plan. Prior to publication or broadcast, draft copies of the marketing material must be submitted to the municipal housing liaison for approval. Proof of publication must be submitted, including a copy of the final advertisements with a copy of the paid bill. Public Service Announcements shall be submitted by the municipality.

RANDOM SELECTION & APPLICANT POOLS

Ordinance §25.1102 defines the "random selection process" as a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery). The Township will employ the *randomization after certification* process.

Applicants will be required to file a pre-application and specify the number of bedrooms needed. After preliminary income-eligibility is determined, the applicants will submit all documentation required for income verification. Once applicants are notified of income-eligibility, households will be categorized based on the number of bedrooms needed and placed into applicant pools. When a unit becomes available, the applicant pool of that bedroom category will be randomized using a random number generator. Applicant pools will be re-randomized each time a unit becomes available.

RANDOMIZATION AFTER CERTIFICATION

Random selection is conducted when a unit is available, and only certified households seeking the type and bedroom size of the available unit are placed in the lottery. The process is as follows:

- After advertising is implemented, applications are accepted for 90 days.
- All applications are reviewed, and households are either certified or informed of non-eligibility. The certification is valid for 180 days and may be renewed by updating income-verification information. Eligible households are placed in applicant pools based upon the number of bedrooms needed (and any other

special requirements, such as regional preference or the need for an accessible unit).

- When a unit is available, only the certified households in need of that type of unit are selected for a lottery.
- Households are informed of the date, time, and location of the lottery and invited to attend. A municipal representative will also be in attendance for the lottery.
- After the lottery is conducted, the first household selected is given 60 days to express interest or disinterest in the unit. If the first household is not interested in the unit, this process continues until a certified household selects the unit.
- Applications are accepted on an ongoing basis, certified households are added to the pool for the appropriate household income and size categories, and advertising and outreach is ongoing, according to the Affirmative Marketing Plan.

MATCHING HOUSEHOLDS TO AVAILABLE UNITS

In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the administrative agent shall strive to implement the following policies:

- Provide an occupant for each unit bedroom;
- Provide children of different sex with separate bedrooms;
- Prevent more than two persons from occupying a single bedroom;
- Require that all the bedrooms be used as bedrooms; and
- Require that a couple requesting a two-bedroom unit provide a doctor's note justifying such request.

The administrative agent cannot require an applicant household to take an affordable unit with a greater number of bedrooms, as long as overcrowding is not a factor. A household can be eligible for more than one unit category and should be placed in the applicant pool for all categories for which it is eligible.

HOUSEHOLD ELIGIBILITY & CERTIFICATION

Before any household can purchase a restricted unit, the administrative agent must certify the household as income-eligible. Certification of a household involves the verification of two critical pieces of data: 1) household size and composition, including gender; and 2) the total income and assets for all household members over 18 years of age. The certification process begins with the applicant completing an application in its entirety and providing the required backup documentation. Once eligibility documents

and data have been collected, the administrative agent can begin the process of calculating the household's income for verification. Please note that preliminary eligibility is based solely on self-reported information by the applicant and is in no way a guarantee of eligibility. The current income limits are attached as Appendix B of this manual.

PROCEDURE FOR INCOME-ELIGIBILITY CERTIFICATION

The administrative agent shall require each member of an applicant household who is 18 years of age or older to provide documentation to verify their income. Income verification documentation should include, but is not limited to the following for each and every member of a household who is 18 years of age or older:

- Four current consecutive pay stubs (including both the check and the stub), including bonuses, overtime or tips, or a letter from the employer stating the present annual income figure or if self-employed, a current Certified Profit & Loss Statement and Balance Sheet.
- Copies of Federal and State income tax returns for each of the preceding three tax years - a Form 1040 Tax Summary for the past three tax years can be requested from the local Internal Revenue Service Center or by calling 1-800-829-1040.
- A letter or appropriate reporting form verifying monthly benefits such as
 - Social Security or SSI – Current award letter or computer printout letter
 - Unemployment – verification of Unemployment Benefits
 - Welfare -TANF³ current award letter
 - Disability - Worker's compensation letter or
 - Pension income (monthly or annually) – a pension letter
- A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony or child support – copy of court order or recent original letters from the court or education scholarship/stipends – current award letter.
- Current reports of savings and checking accounts (bank statements and passbooks) and income reports from banks or other financial institutions holding or managing trust funds, money market accounts, certificates of deposit, stocks

³ TANF – Temporary Assistance for Needy Families

or bonds (in brokerage accounts – most recent statements and/or in certificate form – photocopy of certificates).

- Evidence or reports of income from directly held assets, such as real estate or businesses.
- Interest in a corporation or partnership – Federal tax returns for each of the preceding three tax years.
- Current reports of assets – Market value appraisal or realtor comparative market analysis and bank/mortgage company statement indicating current mortgage balance. For rental property, attach copies of all leases.

Administrative agents must notify applicant households of their eligibility within 20 days of the administrative agent's determination.

Households with a verified total household income that exceeds 80 percent of the regional income limit for the appropriate family size are ineligible for purchase or rental of restricted units. A letter rejecting the household's application shall be mailed to the household.

Similarly, households with a verified total household income that is within the income limits, but too low to afford any of the units administered by the administrative agent shall be sent a letter rejecting the household's application, and/or referring them to housing counseling or the Affordability Assistance Program, if applicable.

Households with a verified total household income of less than 80 percent shall be issued a letter certifying eligibility. This certification is valid for 180 days. If the administrative agent is unable to place the household in a restricted unit at the conclusion of 180 days, an extension may be granted once the household's eligibility is verified. Pursuant to N.J.A.C. 5:80-26.16(b), certifications may be renewed in writing at the request of a certified household for an additional period of 180 days at the discretion of the administrative agent.

Once the applicant is certified and matched to an available unit, the administrative agent must secure from the applicant a signed and notarized acknowledgement of their requirements and responsibilities in owning a restricted unit. UHAC's Disclosure Statement (Appendix J of UHAC and Appendix D of this manual) shall be forwarded to the applicants.

In addition to non-eligibility based on income, the administrative agent may deny a certification because of the household's failure or inability to document household

composition, income, assets, sufficient funds for down payment, or any other required facts and information. A household may also be denied certification if the administrative agent determines that there was a willful or material misstatement of fact made by the applicant.

DISMISSAL OF APPLICATIONS

Applications can be dismissed for the following reasons:

1. The application is not signed or submitted on time.
2. The applicant commits fraud, or the application is not truthful or complete.
3. The applicant cannot or does not provide documentation to verify their income or other required information when due.
4. The household income does not meet the minimum or maximum income requirements for a particular property.
5. The applicant owns assets that exceed the Asset Limit.
6. The applicant fails to respond to any inquiry in a timely manner.
7. The applicant is non-cooperative or abusive with the staff, property manager, landlords or the Sellers of affordable units.
8. The applicant changes address or other contact information without informing the administrative agent in writing.
9. The applicant is unable to obtain suitable and legitimate financing for a sale unit or fails to verify attendance in a homebuyer credit counseling program when required to do so by the program rules.
10. The applicant does not respond to periodic update inquiry in a timely fashion.
11. The applicant fails to sign the Compliance Certification, Certificate for Applicant, Contract for Sale, Deed Restriction as may be required.
12. The applicant, once approved, fails to close on a sale in a timely manner.

Applicants will also be removed from all lists held by the administrative agent once they have been approved for an affordable unit. However, these applicants may re-apply for other opportunities in that municipality once they have occupied their unit.

Applicants who are dismissed may re-apply. A minimum time period of six (6) months applies in most situations where the applicant has been withdrawn for fraud, poor credit, uncooperative behavior or other serious matters.

Applicants are not automatically removed from sales lists if they do not respond to a Notice of Availability.

Applications may be held in abeyance for a period not to exceed 60 days if there is an error on the credit report, so that the applicant can correct the error and re-apply. Units will not be held open for that applicant. However, once the credit report is corrected, the applicant will be given a priority for the next opportunity at that property.

APPEALS

Appeals from all decisions of an administrative agent shall be filed in writing with the Court.

DETERMINING AFFORDABLE SALES PRICES

To determine the affordable sales prices, the administrative agent uses the most recently updated calculators provided by the Affordable Housing Professionals of New Jersey (AHPNJ), located at: <https://ahpnj.org/resources/2019-coah-calculators>.

DEVELOPMENT CONSIDERATIONS AND COMPLIANCE ISSUES

There are several regulations that must be considered from the development perspective before the sales prices of individual units can be calculated. These requirements should be discussed at the first meeting between the Municipal Housing Liaison/Administrative Agent and developer or affordable housing sponsor. The following is a summary of the requirements for ownership projects.

Bedroom Distribution. The standards on the distribution of unit sizes for affordable developments require that:

- The combined number of efficiency and one-bedroom units may be no greater than 20 percent of the total low- and moderate-income units;
- At least 30 percent of all low- and moderate-income units must be two-bedroom units;
- At least 20 percent of all low- and moderate-income units are three-bedroom units; and
- The remainder, if any, may be allocated at the discretion of the developer.

Age-restricted Units. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:

- A studio shall be affordable to a one-person household;
- A one-bedroom unit shall be affordable to a one- and one-half-person household; and

- A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
- The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

Pricing by Household Size. Initial sales prices are based on targeted “model” household sizes for each size home as determined by the number of bedrooms. Initial sales prices and rents must adhere to the following rules. These maximum sales prices are based on the Affordable Housing Regional Income Limits at the time of occupancy:

- A studio shall be affordable to a one-person household;
- A one-bedroom unit shall be affordable to a one- and one-half person household;
- A two-bedroom unit shall be affordable to a three-person household;
- A three-bedroom unit shall be affordable to a four- and one-half person household; and
- A four-bedroom unit shall be affordable to a six-person household.

Size of Unit	Household Size Used to Determined Max Sales Price
Studio/Efficiency	1
1 Bedroom	1.5
2 Bedrooms	3
3 Bedrooms	4.5
4 Bedrooms	6

The above rules are only to be used for setting initial sales prices. They are not guidelines for matching household sizes with unit sizes. The pricing of age-restricted units may not exceed affordability based on a two-person household.

DETERMINING MAXIMUM INITIAL SALES PRICES

The maximum sales price for an ownership unit is determined by first calculating the amount that an appropriately sized household can afford for housing expenses at various income ranges. Several related expenses (homeowner insurance, private mortgage insurance (PMI), association fees and taxes) must then be subtracted from the household's maximum monthly contribution toward housing expenses to arrive at the

maximum monthly mortgage payment. The calculated mortgage amount, a five (5%) percent down payment, and the current lending rate must be used to arrive at the maximum sales price.

ADDITIONAL REGULATIONS FOR AN OWNERSHIP DEVELOPMENT

In addition to the regulations in the previous Section entitled Development Considerations and Compliance Issues, ownership developments must also comply with the following regulations:

Division of Units: Low- and Moderate-income. In each affordable ownership development, at least 50 percent of all affordable units must be affordable to low-income households. The remaining affordable units must be affordable to moderate-income households.

Affordability Average. Each affordable development must achieve an affordability average of no more than 55 percent of the regional median income for restricted ownership units. In achieving this affordability average, moderate-income ownership units must be available for at least three (3) different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.

Maximum Initial Sales Price. The maximum initial sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of the regional median income.

Condominium/Homeowner Association Fees. Owners of affordable units and owners of market-rate units must be charged identical condominium or homeowner fees and/or special assessments.

DETERMINING RESALE PRICES

Calculating the maximum resale price (MRP) for an ownership unit involves applying the annual percentage increase corresponding with each calendar year since the Seller bought the house. No increase is permitted during the balance of the calendar year immediately after the sale. A Resale Price Calculator is available on AHPNJ's website. By selecting the proper county and inputting the year the home was purchased, along with the price the current owner paid for the home, the calculator will determine the MRP for the home. The spreadsheet also includes a calculation to determine the maximum amount a homeowner may refinance, which requires the approval of the administrative agent.

The requirements pertaining to maximum increases in sales prices are established within §25.1106(D)(1)(d) of the Township Code.

REQUESTS FOR INCREASES IN MAXIMUM SALES PRICE

The Seller of an ownership unit may ask the administrative agent to increase the sales price of their home beyond the maximum sales price under limited circumstances. Only those improvements that render the unit suitable for a larger household or that add an additional bathroom can increase the calculated maximum sales price. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger households.

Additionally, the purchase of a central air conditioning system installed subsequent to the initial sale and not included in the initial sales price may be made a condition of the resale provided the price, subject to a 10-year straight-line depreciation, for example, a 10 percent reduction in value each year since installation, may be approved by the administrative agent. In this instance, the approved value of the central air conditioning does not increase the resale price but is listed as a separate item on the HUD 1 form. Options or upgrades purchased at the time of the initial sale are not considered part of the initial sales price and therefore do not affect the value or sales price at the time of resale. Unless otherwise approved by the administrative agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale.

DETERMINING THE RECAPTURE MORTGAGE AMOUNT

The amount that the Mortgage Note recaptures is the difference between the fair market value and the restricted maximum sales price. Fair market value is based on either an appraisal of its unrestricted price or the unit's equalized assessed value of its unrestricted price, at the time of each purchase. For example, if the restricted sales price of the unit is \$110,000 and the appraised unrestricted market value of the unit is \$200,000, the Recapture Mortgage Note would be for \$90,000. The Township has determined to use the *equalized assessed value* to establish the amount of the Recapture Mortgage.

PROCEDURES FOR MAINTAINING LONG-TERM CONTROLS

Pursuant to N.J.A.C. 5:80-26.14(a)8, N.J.A.C. 5:80-26.15(c) and N.J.A.C. 5:80-26.17 current records must be maintained by the administrative agent and outdated records must be given to the municipality for safe-keeping. A file must be created and maintained on each restricted unit for its control period. The administrative agent maintains detailed records on all marketing initiatives.

FILES TO BE MAINTAINED ON EVERY APPLICANT

The administrative agent will maintain files on every applicant. All files will contain a preliminary application. If an applicant's preliminary application is approved, and the applicant files a formal application, the file will contain at a minimum:

- Application Form
- Income Verification
- Letter of Certification of Eligibility or Letter of Determination of Ineligibility.

Individual files will be maintained throughout the process and submitted to the Township upon termination of the program.

FILES TO BE MAINTAINED ON EVERY UNIT

The administrative agent will maintain files on every unit for the length of the affordability controls. The unit file will contain at a minimum:

- Base sales prices
- Identification as low- or moderate-income
- Description of number of bedrooms and physical layout
- Floor plan
- Original deed restriction
- Affordability control documents, including Declarations of Covenants, Conditions and Restrictions, Mandatory Deed Restrictions for Ownership Units (Appendix C), Deeds, Recapture Mortgages, Recapture Mortgage Notes, Disclosure Statement (Appendix D)
- Application materials, verifications and certifications of all present owners, pertinent correspondence, any documentation of home improvement, hardship or income waivers or other approvals granted by an administrative agent, certificate of exemption

FILES TO BE MAINTAINED ON EVERY PROJECT

The administrative agent will maintain files on every project for the length of the affordability controls. The project file will contain at a minimum:

- Condominium Master Deed
- Condominium Public Offering
- Crediting Information

FILES TO BE MAINTAINED ON THE APPLICANT POOL

- Any changes to the applicant pool
- Any action taken with regard to the applicant pool

- Any activity that occurs that affects a particular applicant
- Current applications for all applicants whose status is active in the applicant pool
- The application, the initial rejection notice, the applicant's reply to the notice, a copy of the administrative agent's final response to the applicant, and all documentation of the reason the applicant's name was removed from the applicant pool.

ENFORCEMENT

Ordinance Section §25.1121 outlines the requirements pertaining to the enforcement of affordable housing regulations.

WAIVERS AND EXEMPTIONS

Hardship and Income Waivers

An owner may not rent out their unit to any other person, not even to members of the owner's family. The administrative agent may grant a Hardship Waiver for the following extenuating circumstances:

- The owner's employer is temporarily sending the owner to a work place a great distance from the owner's home
- The owner is called up for military service

An owner of a low-income unit may request that the unit be sold to a household whose income exceeds the established income eligibility criteria for a low-income household by submitting a written request for an Income Waiver to the administrative agent. The owner must demonstrate that this request is consistent with the following reasons for an Income Waiver:

- The owner has made a good faith effort to sell the unit to a certified household for 180 days in accordance with procedures required by the administrative agent and no certified household has made a "reasonable" offer during the 180-day period. A "reasonable" offer is any offer at or above the maximum sale price for a new unit at the original range of affordability at the time of the current sale.
- The owner has demonstrated a willingness to consider price offers lower than the maximum allowable resale price, taking into account current market conditions and the marketability of the unit.
- The owner has advertised the unit's availability in newspapers and other locations likely to be noticed by potential purchasers.

The administrative agent may grant an Income Waiver upon demonstration that the owner has made a good faith effort to sell the unit and subject to DCA determining that there is an insufficient number of low-income purchasers in the market to permit prompt occupancy of the unit.

Upon receipt of a request for an Income Waiver, the Township shall have first option to purchase the unit at the approved resale price and holding, renting or conveying it to a certified household. The Township shall have 30 days in which to exercise this option.

The administrative agent shall approve or deny a Hardship Waiver in writing within 30 days of receipt all requested verification.

The administrative agent shall approve or deny an Income Waiver in writing within 10 days of receipt of all requested verification from the owner and a determination by DCA that there are an insufficient number of low-income purchasers in the market to permit prompt occupancy of the units. The Income Waiver shall be provided to the owner with a copy to the Buyer at the time of closing. The original shall be filed with the Deed. The Income Waiver is only valid for the designated resale transaction. All future resales will be in accordance with the deed restrictions and sold to income eligible households for no more than the approved indexed resale price.

The approval of an Income Waiver for a particular resale does not guarantee receipt of the maximum resale price to the owner.

If the administrative agent denies a Hardship Waiver or Income Waiver, the owner may appeal the decision of the administrative agent within 30 days from the date of notification of the decision of the administrative agent (see Appeals). If a written request has not been received within 30 days following the household's receipt of notification, the denial will be final. Owners shall be required to produce documentation to support their claim.

EXEMPT TRANSACTIONS

The following title transactions shall be deemed "non-sales" and the administrative agent shall provide the owner receiving title with written confirmation of the exemption to those restrictions that determine occupancy of the unit.

- Transfer of ownership between former spouses ordered as a result of a judicial decrees of divorce or judicial decree of separation (but not including sales to third parties);
- Transfer of ownership between family members by will or intestate succession;

- Transfer of ownership through an Executor's Deed to a Class A beneficiary; and
- Transfer of ownership by Court Order.

An exempt transfer of ownership does not terminate the resale restrictions or existing liens on the property. All liens must be satisfied in full prior to subsequent resale and all subsequent resale prices must be calculated using the resale price index in compliance with the term of the affordable housing regulations.

The exempt transaction shall not be considered as a recorded transaction in calculating subsequent resale prices.

The owner shall notify the administrative agent in writing of any proposed transaction that requires approval as an exempt transaction. The owner shall supply the administrative agent with all necessary documentation to demonstrate that the transaction qualifies as an exemption as defined above. The administrative agent shall approve or deny in writing a request for a Certificate of Exemption within 15 days of the receipt of the request.

If the administrative agent denies the exemption, the owner may appeal the decision of the administrative agent within 30 days from the date of notification of the decision of the administrative agent (see Appeals). If a written request has not been received within 30 days following the household's receipt of notification, the denial will be final. Owners shall be required to produce documentation to support their claim.

A Certificate of Exemption shall be filed with the Deed at the time of transfer of title.

VIOLATIONS, DEFAULTS AND REMEDIES

In the event of a threatened breach of any of the regulations governing the affordable unit by an owner, the administrative agent shall have all the remedies provided at law or equity, including the right to seek injunctive relief or specific performance, it being recognized by both parties that it will cause irreparable harm to the Township, in light of the public policies set forth in the Fair Housing Act and the obligation for the provision of low- and moderate-income housing.

Upon the occurrence of a breach of any of the regulations governing the affordable unit by an owner, the Township shall have all remedies provided at law or equity, including but not limited to foreclosure, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.

PROCEDURES FOR MAINTAINING LONG-TERM CONTROLS

Pursuant to N.J.A.C. 5:80-26.14(a)8, N.J.A.C. 5:80-26.15(c) and N.J.A.C. 5:80-26.17 current records must be maintained by the administrative agent and outdated records must be given to the municipality for safe-keeping. A file must be created and maintained on each restricted unit for its control period. Administrative agents maintain detailed records on all marketing initiatives.

MONITORING

The current annual monitoring information required to be maintained and reported annually to the municipal housing liaison can be found on the DCA website at:

<https://www.nj.gov/dca/affiliates/coah/upcoming/ctmproject.html>

The information required for each unit includes but is not limited to:

- Street Address
- Block/Lot/Qualifier/Unit Number
- Housing Type
- Income: Very Low/Low/Moderate
- Initial Rental Price
- % of affordability
- Bedroom Type
- Age-restricted
- Handicap accessible/adaptable
- CO #, date
- Effective date of affordability controls
- Length of affordability controls (years)
- Date Affordability controls removed

RELEASING UNITS

The procedure for releasing restricted units is outlined in Ordinance Section §25.1109. The Release (Quitclaim Deed) for Restricted Units can be found in Appendix E.

FOR-SALE HOUSING PROGRAM AUDIT CHECKLIST
UP-TO-DATE OPERATING MANUAL
Income Limits
Sample Forms and Letters
AFFIRMATIVE MARKETING
Copies of Display Ads
Copies of PSA Requests
Copies of Marketing Requests
RANDOM SELECTION
Log of Applications Received
Log of Random Selection Results
Database of Referrals
MAINTENANCE OF RECORDS
Files to Be Maintained on Every Applicant
Preliminary Application
Application Form
Income Verification, including spreadsheet to calculate applicant's income
Letter of Certification of Eligibility or Letter of Determination of Ineligibility
Files to Be Maintained on Every Unit
Base sales prices
Identification as low- or moderate-income
Description of number of bedrooms and physical layout
Floor plan
Original deed restriction
Affordability control documents, including Declarations of Covenants, Conditions and Restrictions, Deed Restrictions, Deeds, Recapture Mortgages, Recapture Mortgage Notes, Disclosure Statement
Application materials, verifications and certifications of all present owners, pertinent correspondence, any documentation of home improvement, hardship or income waivers or other approvals granted by an AA, certificate of exemption
Files to Be Maintained on Every Project
Condominium Master Deed
Condominium Public Offering
Crediting Information
MONITORING INFORMATION
Complete Monitoring Reporting Forms

OPERATING MANUAL

FOR THE ADMINISTRATION OF RENTAL UNITS

In Accordance with the Uniform Housing Affordability Controls

Bordentown Township
Burlington County, New Jersey

July 2020

Prepared By:



Heyer, Gruel & Associates

Community Planning Consultants
236 Broad Street, Red Bank, NJ 07701
(732) 741-2900

TABLE OF CONTENTS

INTRODUCTION	2
AFFIRMATIVE MARKETING	2
OVERVIEW OF THE REQUIREMENTS OF AN AFFIRMATIVE MARKETING PLAN.....	2
IMPLEMENTATION OF THE AFFIRMATIVE MARKETING PLAN	3
RANDOM SELECTION & APPLICANT POOLS	4
RANDOMIZATION AFTER CERTIFICATION.....	4
MATCHING HOUSEHOLDS TO AVAILABLE UNITS	5
HOUSEHOLD ELIGIBILITY & CERTIFICATION.....	5
PROCEDURE FOR INCOME-ELIGIBILITY CERTIFICATION.....	6
DISMISSAL OF APPLICATIONS	8
APPEALS	9
DETERMINING AFFORDABLE RENTS.....	9
DEVELOPMENT CONSIDERATIONS AND COMPLIANCE ISSUES.....	9
DETERMINING INITIAL RENTS.....	10
DETERMINING RENT INCREASES	10
PROCEDURES FOR MAINTAINING LONG-TERM CONTROLS	11
FILES TO BE MAINTAINED ON EVERY APPLICANT.....	11
FILES TO BE MAINTAINED ON EVERY UNIT	11
FILES TO BE MAINTAINED ON EVERY PROJECT	12
FILES TO BE MAINTAINED ON THE APPLICANT POOL	12
ENFORCEMENT.....	12
MONITORING	12
VIOLATIONS, DEFAULTS AND REMEDIES.....	13

APPENDICES

- A. Bordentown Township Affirmative Marketing Plan
- B. 2020 AHPNJ Affordable Housing Regional Income Limits Chart
- C. Certificate for Applicants Certified to Rental Unit
- D. Mandatory Deed Restriction for Rental Projects

INTRODUCTION

The purpose of this Operating Manual is to describe the policies and procedures of the Township of Bordentown's Affordable Housing Rental Program. It will serve as a guide to the program staff and the public alike. This manual describes the basic content and operation of the various affordability assistance program components. This manual may be periodically revised to reflect changes in local, state, and federal policies and regulations relative to implementation of the affordable housing programs described herein.

Implementation of any procedure, even if it is not included in this Operating Manual, shall be in accordance with the Federal Fair Housing Act and Equal Opportunities laws¹, the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 et seq.², the substantive rules of the Council on Affordable Housing N.J.A.C. 5:93 as revised and the affordable housing regulations of the Township of Bordentown (hereafter referred to as the "Regulations"). The responsibilities of the administrative agent are outlined in Ordinance Section §25.1119. In accordance with the Federal Fair Housing Act and Equal Opportunities laws, it is unlawful to discriminate against any person making application to buy or rent a home with regard to age, race, religion, national origin, sex, handicapped or familial status.

AFFIRMATIVE MARKETING

OVERVIEW OF THE REQUIREMENTS OF AN AFFIRMATIVE MARKETING PLAN

All affordable units shall be affirmatively marketed in accordance with the Township of Bordentown's Affirmative Marketing Plan. An Affirmative Marketing Plan is a regional marketing strategy designed to attract households of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age, or number of children to housing units which are being marketed by an administrative agent or a developer, sponsor, owner or property manager of affordable housing. The primary objectives of an Affirmative Marketing Plan are to target households who are least likely to apply for affordable housing, and to target households throughout the entire housing region in

¹ <http://www.hud.gov/offices/ftheo/FHLaws/index.cfm>

² <http://www.nj.gov/dca/affiliates/coah/regulations/uhac.html>

which the units are located. The Township's Affirmative Marketing Plan is attached as Appendix A to this document.

Before any rental or re-rental of an affordable unit, the unit shall be affirmatively marketed by the Township's Affordable Housing Administrative Agent to households throughout Affordable Housing Region 5 (consisting of Burlington, Camden and Gloucester Counties) in a manner consistent with the affirmative marketing requirements of the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 et seq. The Township has determined that households that live or work in Affordable Housing Region 5 shall be selected for an affordable housing unit before households from outside this region. Units that remain unoccupied after households who live or work in the region are exhausted, may be offered to households outside the region.

Advertisements must contain the following information for each affordable housing opportunity:

- The location of and directions to the units
- A range of prices for the housing units
- The bedroom size(s) of the units
- The maximum income permitted to qualify for the housing units
- The locations of applications for the housing units
- The business hours when interested households may obtain an application for a housing unit
- Application fees, if any

IMPLEMENTATION OF THE AFFIRMATIVE MARKETING PLAN

The affirmative marketing process for affordable units shall begin at least four (4) months prior to expected occupancy. In implementing the marketing program, the administrative agent shall undertake all of the strategies outlined in the Township's Affirmative Marketing Plan. Advertising and outreach shall take place during the first week of the marketing program and each month thereafter until all the units have been sold. Applications for affordable housing shall be available in several locations in accordance with the Affirmative Marketing Plan. The time period when applications will be accepted will be posted with the applications. Applications shall be mailed to prospective applicants upon request.

An applicant pool will be maintained by the administrative agent for re-rentals. When a re-rental affordable unit becomes available, the administrative agent will select

applicants from the applicant pool and, if necessary, the unit will be affirmatively marketed as described above. The selection of applicants from the applicant pool is described in more detail in this manual under Random Selection & Applicant Pools.

RANDOM SELECTION & APPLICANT POOLS

Ordinance §25.1102 defines the “random selection process” as a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery). The Township will employ the *randomization after certification* process.

Applicants will be required to file a pre-application and specify the household composition and number of bedrooms needed. After preliminary income-eligibility is determined, the applicants will submit all documentation required for income verification. Once applicants are notified of certified, households will be categorized based on the number of bedrooms needed and placed into applicant pools. When a unit becomes available, the applicant pool of that bedroom category will be randomized using a random number generator. Applicant pools will be re-randomized each time a unit becomes available.

RANDOMIZATION AFTER CERTIFICATION

Random selection is conducted when a unit is available, and only certified households seeking the type and bedroom size of the available unit are placed in the lottery. The process is as follows:

- After advertising is implemented, applications are accepted for 90 days.
- All applications are reviewed, and households are either certified or informed of non-eligibility. The certification is valid for 180 days and may be renewed by updating income-verification information. Eligible households are placed in applicant pools based upon the number of bedrooms needed (and any other special requirements, such as regional preference or the need for an accessible unit).
- When a unit is available, only the certified households in need of that type of unit are selected for a lottery.
- Households are informed of the date, time, and location of the lottery and invited to attend. A municipal representative will also be in attendance for the lottery.

- After the lottery is conducted, the first household selected is given 60 days to express interest or disinterest in the unit. If the first household is not interested in the unit, this process continues until a certified household selects the unit.
- Applications are accepted on an ongoing basis, certified households are added to the pool for the appropriate household income and size categories, and advertising and outreach is ongoing, according to the Affirmative Marketing Plan.

MATCHING HOUSEHOLDS TO AVAILABLE UNITS

In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the administrative agent shall strive to implement the following policies:

- Provide an occupant for each unit bedroom;
- Provide children of different sex with separate bedrooms;
- Prevent more than two persons from occupying a single bedroom;
- Require that all the bedrooms be used as bedrooms; and
- Require that a couple requesting a two-bedroom unit provide a doctor's note justifying such request.

The administrative agent cannot require an applicant household to take an affordable unit with a greater number of bedrooms, as long as overcrowding is not a factor. A household can be eligible for more than one unit category and should be placed in the applicant pool for all categories for which it is eligible.

HOUSEHOLD ELIGIBILITY & CERTIFICATION

Before any household can rent a restricted unit, the administrative agent must certify the household as eligible. Certification of a household involves the verification of two critical pieces of data: 1) Household size and composition, including gender; and 2) The total income and assets for all household members over 18 years of age. The certification process begins with the applicant completing an application in its entirety and providing the required backup documentation. Once eligibility documents and data have been collected, the administrative agent can begin the process of calculating the household's income for verification. Please note that preliminary eligibility is based solely on self-reported information by the applicant and is in no way a guarantee of eligibility. The current income limits are attached as Appendix B of this manual.

PROCEDURE FOR INCOME-ELIGIBILITY CERTIFICATION

The administrative agent shall require each member of an applicant household who is 18 years of age or older to provide documentation to verify their income. Income verification documentation should include, but is not limited to the following for each and every member of a household who is 18 years of age or older:

- Four current consecutive pay stubs (including both the check and the stub), including bonuses, overtime or tips, or a letter from the employer stating the present annual income figure or if self-employed, a current Certified Profit & Loss Statement and Balance Sheet.
- Copies of Federal and State income tax returns for each of the preceding three tax years – a Form 1040 Tax Summary for the past three tax years can be requested from the local Internal Revenue Service Center or by calling 1-800-829-1040.
- A letter or appropriate reporting form verifying monthly benefits such as
 - Social Security or SSI – Current award letter or computer printout letter
 - Unemployment – verification of Unemployment Benefits
 - Welfare -TANF³ current award letter
 - Disability - Worker's compensation letter or
 - Pension income (monthly or annually) – a pension letter
- A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony or child support – copy of court order, recent original letters from the court or education scholarship/stipends or current award letter.
- Current reports of savings and checking accounts (bank statements and passbooks) and income reports from banks or other financial institutions holding or managing trust funds, money market accounts, certificates of deposit, stocks or bonds.
- Evidence or reports of income from directly held assets, such as real estate or businesses.
- Interest in a corporation or partnership – Federal tax returns for each of the preceding three tax years.

³ TANF – Temporary Assistance for Needy Families

- Current reports of assets – Market value appraisal or realtor comparative market analysis and bank/mortgage company statement indicating current mortgage balance. For rental property, attach copies of all leases.

Administrative agents must notify applicant households of their eligibility within 20 days the administrative agent's determination.

Households with a verified total household income that exceeds 80 percent of the regional income limit for the appropriate family size are ineligible for purchase or rental of restricted units. A letter rejecting the household's application shall be mailed to the household.

Similarly, households with a verified total household income that is within the income limits, but too low to afford any of the units administered by the administrative agent shall be sent a letter rejecting the household's application, and/or referring them to housing counseling or the Affordability Assistance Program, if applicable.

Households with a verified total household income of less than 80 percent shall be issued a letter certifying eligibility. This certification is valid for 180 days. If the administrative agent is unable to place the household in a restricted unit at the conclusion of 180 days, an extension may be granted once the household's eligibility is verified. Pursuant to N.J.A.C. 5:80-26.16(b), certifications may be renewed in writing at the request of a certified household for an additional period of 180 days at the discretion of the administrative agent.

Once the applicant is certified and matched to an available unit, the administrative agent must secure from the applicant a signed and notarized acknowledgement of their requirements and responsibilities in renting a restricted unit. UHAC's Disclosure Statement (Appendix K of UHAC and Appendix C of this manual) shall be forwarded to the applicants.

In addition to non-eligibility based on income, the administrative agent may deny a certification because of the household's failure or inability to document household composition, income, assets, sufficient funds for down payment, or any other required facts and information. A household may also be denied certification if the administrative agent determines that there was a willful or material misstatement of fact made by the applicant.

DISMISSAL OF APPLICATIONS

Applications can be dismissed for the following reasons:

1. The application is not signed or submitted on time.
2. The applicant commits fraud, or the application is not truthful or complete.
3. The applicant cannot or does not provide documentation to verify their income or other required information when due.
4. The household income does not meet the minimum or maximum income requirements for a particular property.
5. The applicant owns assets that exceed the Asset Limit.
6. The applicant fails to respond to any inquiry in a timely manner.
7. The applicant is non-cooperative or abusive with the staff, property manager or landlord.
8. The applicant changes address or other contact information without informing the administrative agent in writing.
9. The applicant does not meet the credit standard or other requirement set forth by managers of rental properties.
10. The applicant fails to verify attendance in a credit counseling program when required to do so by the program rules.
11. The applicant does not respond to periodic update inquiry in a timely fashion.
12. The applicant fails to sign the Compliance Certification, Certificate for Applicant, Lease Document, as may be required.
13. The applicant, once approved, fails to sign the lease in a timely manner.
14. Applicants will also be removed from all lists held by the administrative agent once they have been approved for an affordable unit. However, these applicants may re-apply for other opportunities in that municipality once they have occupied their unit.

Applicants who are dismissed may re-apply. A minimum time period of six (6) months applies in most situations where the applicant has been withdrawn for fraud, poor credit, uncooperative behavior or other serious matters. Applicants are not automatically removed from rental lists if they do not respond to a Notice of Availability. Applications may be held in abeyance for a period not to exceed 60 days if there is an error on the credit report, so that the applicant can correct the error and re-apply. Units will not be held open for that applicant. However, once the credit report is corrected, the applicant will be given a priority for the next opportunity at that property.

APPEALS

Appeals from all decisions of an administrative agent shall be filed in writing with the Court.

DETERMINING AFFORDABLE RENTS

To determine the affordable rents, the administrative agent uses the most recently updated calculators provided by AHPNJ, located at:

<https://ahpnj.org/resources/2019-coah-calculators>.

DEVELOPMENT CONSIDERATIONS AND COMPLIANCE ISSUES

There are several regulations that must be considered from the development perspective before the rents of individual units can be calculated. These requirements should be discussed at the first meeting between the Municipal Housing Liaison/ Administrative Agent and homeowner.

Bedroom Distribution. The standards on the distribution of unit sizes for affordable developments require that:

- The combined number of efficiency and one-bedroom units may be no greater than 20 percent of the total low- and moderate-income units;
- At least 30 percent of all low- and moderate-income units must be two-bedroom units;
- At least 20 percent of all low- and moderate-income units are three-bedroom units; and
- The remainder, if any, may be allocated at the discretion of the developer.

Age-restricted Units. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:

- A studio shall be affordable to a one-person household;
- A one-bedroom unit shall be affordable to a one- and one-half-person household; and
- A two-bedroom unit shall be affordable to a two-person household or to two one-person households.

Pricing by Household Size. Initial rents are based on targeted "model" household sizes for each size home as determined by the number of bedrooms. Initial rents must adhere to the following rules. These maximum rents are based on the Affordable Housing Regional Income Limits at the time of occupancy:

- A studio shall be affordable to a one-person household;
- A one-bedroom unit shall be affordable to a one- and one-half person household;
- A two-bedroom unit shall be affordable to a three-person household;
- A three-bedroom unit shall be affordable to a four- and one-half person household; and
- A four-bedroom unit shall be affordable to a six-person household.

Size of Unit	Household Size Used to Determined Max Rent
Studio/Efficiency	1
1 Bedroom	1.5
2 Bedrooms	3
3 Bedrooms	4.5
4 Bedrooms	6

The above rules are only to be used for setting initial rents. They are not guidelines for matching household sizes with unit sizes. The pricing of age-restricted units may not exceed affordability based on a two-person household.

DETERMINING INITIAL RENTS

To determine the initial rents the administrative agent uses the HUD, Region 5 Rent and Income levels.

Affordability Average. The average rent for all affordable units cannot exceed 52 percent of the regional median income. At least one rent for each bedroom type must be offered for both low-income and moderate-income units.

Maximum Rent. When including percentages in the rental calculator, the maximum rent for a moderate-income unit shall be affordable to households earning no more than 60 percent of median income and the maximum rent for a low-income unit shall be affordable to households earning no more than 52 percent of median income. The maximum rent for a very low-income units shall be affordable to households earning no more than 30 percent of median income.

DETERMINING RENT INCREASES

Annual rent increases are permitted in affordable units. Rent increases are permitted at the anniversary of tenancy according to AHPNJ's Annual Affordable Housing Regional Income Limits Chart, available on AHPNJ's website. These increases must be filed with and approved by the administrative agent. Property managers or landlords who have charged less than the permissible increase may use the maximum allowable rent with the next tenant with permission of the administrative agent.

The maximum allowable rent would be calculated by starting with the rent schedule approved as part of initial lease-up of the development and calculating the annual increase from the initial lease-up year to the present. Rents may not be increased more than once a year, may not be increased by more than one court-approved increment at a time, and may not be increased at the time of new occupancy if this occurs less than one year from the last rental. No additional fees may be added to the approved rent without the express written approval of the administrative agent.

The requirements pertaining to maximum increases in rents are established within §25.1106(D)(1)(e) of the Township Code.

PROCEDURES FOR MAINTAINING LONG-TERM CONTROLS

Pursuant to N.J.A.C. 5:80-26.14(a)8, N.J.A.C. 5:80-26.15(c) and N.J.A.C. 5:80-26.17 current records must be maintained by the administrative agent and outdated records must be given to the municipality for safe-keeping. A file must be created and maintained on each restricted unit for its control period. The administrative agent maintains detailed records on all marketing initiatives. A comprehensive list of the administrative agent duties is provided in Ordinance Section §25.1119.

FILES TO BE MAINTAINED ON EVERY APPLICANT

The administrative agent will maintain files on every applicant. All files will contain a preliminary application. If an applicant's preliminary application is approved, and the applicant files a formal application, the file will contain at a minimum:

- Application Form
- Tenant Information Form
- Income Verification
- Letter of Certification of Eligibility or Letter of Determination of Ineligibility

Individual files will be maintained throughout the process and submitted to the Township upon termination of the program.

FILES TO BE MAINTAINED ON EVERY UNIT

The administrative agent will maintain files on every unit for the length of the affordability controls. The unit file will contain at a minimum:

- Base rent
- Identification as low- or moderate-income
- Description of number of bedrooms and physical layout
- Floor plan

- Application materials, verifications and certifications of all present owners, pertinent correspondence
- Copy of lease
- Disclosure Statement (Appendix K of UHAC and Appendix C of this manual)

FILES TO BE MAINTAINED ON EVERY PROJECT

The administrative agent will maintain files on every project for the length of the affordability controls. The project file will contain at a minimum:

- Condominium Master Deed
- Condominium Public Offering
- Crediting Information
- Original deed restriction
- Affordability control documents, including Declarations of Covenants, Conditions and Restrictions, Deed Restrictions (Appendix E-2 of UHAC and Appendix D of this manual), Deeds, Recapture Mortgages, Recapture Mortgage Notes, Disclosure Statement (Appendix K of UHAC and Appendix C of this manual)

FILES TO BE MAINTAINED ON THE APPLICANT POOL

- Any changes to the applicant pool
- Any action taken with regard to the applicant pool
- Any activity that occurs that affects a particular applicant
- Current applications for all applicants whose status is active in the applicant pool
- The application, the initial rejection notice, the applicant's reply to the notice, a copy of the administrative agent's final response to the applicant, and all documentation of the reason the applicant's name was removed from the applicant pool.

ENFORCEMENT

Ordinance Section §25.1121 outlines the requirements pertaining to the enforcement of affordable housing regulations.

MONITORING

The current annual monitoring information required to be maintained and reported annually to the municipal housing liaison can be found on the DCA website at:

<https://www.nj.gov/dca/affiliates/coah/upcoming/ctmproject.html>

The information required for each unit includes but is not limited to:

- Street Address

- Block/Lot/Qualifier/Unit Number
- Housing Type
- Income: Very Low/Low/Moderate
- Initial Rental Price
- % of affordability
- Bedroom Type
- Age-restricted
- Handicap accessible/adaptable
- CO #, date
- Effective date of affordability controls
- Length of affordability controls (years)
- Date Affordability controls removed

VIOLATIONS, DEFAULTS AND REMEDIES

In the event of a threatened breach of any of the regulations governing the affordable unit by an owner of a rental development, the administrative agent shall have all the remedies provided at law or equity, including the right to seek injunctive relief or specific performance, it being recognized by both parties that it will cause irreparable harm to the municipality, in light of the public policies set forth in the Fair Housing Act and the obligation for the provision of low- and moderate-income housing.

Upon the occurrence of a breach of any of the regulations governing the affordable units by an owner of a rental development, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.

RENTAL HOUSING PROGRAM AUDIT CHECKLIST
UP-TO-DATE OPERATING MANUAL
Income Limits
Sample Forms and Letters
AFFIRMATIVE MARKETING
Copies of Display Ads
Copies of PSA Requests
Copies of Marketing Requests
RANDOM SELECTION
Log of Applications Received
Log of Random Selection Results
Database of Referrals
MAINTENANCE OF RECORDS
Files to Be Maintained on Every Applicant
Preliminary Application
Application Form
Tenant Information Form
Income Verification
Letter of Certification of Eligibility or Letter of Determination of Ineligibility
Files to Be Maintained on Every Unit
Base rent
Identification as low- or moderate-income
Description of number of bedrooms and physical layout
Floor plan
Application materials, verifications and certifications of all present tenants, pertinent correspondence
Copy of lease
Disclosure Statement
Original deed restriction with length of controls
Files to Be Maintained on Every Project
Condominium Master Deed
Condominium Public Offering
Crediting Information
Original deed restriction
Affordability control documents, including Declarations of Covenants, Conditions and Restrictions, Deed Restrictions, Deeds, Recapture Mortgages, Recapture Mortgage Notes, Disclosure Statement
MONITORING INFORMATION
Complete Monitoring Reporting Forms

APPENDICES

- A.** Bordentown Township Affirmative Marketing Plan
- B.** 2020 AHPNJ Affordable Housing Regional Income Limits Chart
- C.** Certificate for Applicants Certified to Rental Unit
- D.** Mandatory Deed Restriction for Rental Projects

APPENDIX A

Bordentown Township Affirmative Marketing Plan

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
BORDENTOWN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY
ADOPTING THE ‘AFFIRMATIVE MARKETING PLAN’
FOR THE TOWNSHIP OF BORDENTOWN**

WHEREAS, in accordance with the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26-1, *et seq.*, the Township of Bordentown is required to adopt an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by the rehabilitation of rental housing units within the Township of Bordentown, are affirmatively marketed to low and moderate income households, particularly those living and/or working within Housing Region 5, the COAH Housing Region encompassing the Township of Bordentown.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township of Bordentown, County of Burlington, State of New Jersey, do hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

- A. All affordable housing units in the Township of Bordentown shall be marketed in accordance with the provisions herein.
- B. The Township of Bordentown has a Prior Round obligation that has been fulfilled and a Third Round obligation covering the years from 1999-2025. This Affirmative Marketing Plan shall apply to all developments that contain or will contain low and moderate income units, including those that are part of the Township’s prior round Fair Share Plan and its current Fair Share Plan and those that may be constructed in future developments not yet anticipated by the Fair Share Plan. This Affirmative Marketing Plan shall also apply to any rehabilitated rental units that are vacated and re-rented during the applicable period of controls for rehabilitated rental units.
- C. The Affirmative Marketing Plan shall be implemented by one or more Administrative Agent(s) designated by and/or under contract to the Township of Bordentown. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of affordable unit(s), and all such advertising and affirmative marketing shall be subject to approval and oversight by the designated Administrative Agent.
- D. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Township of Bordentown, shall undertake, at the minimum, all of the following strategies:

1. Publication of an advertisement in one or more newspapers of general circulation within the housing region.
 2. Broadcasting of an advertisement by a radio or television station broadcasting throughout the housing region.
 3. At least one additional regional marketing strategy using one of the other sources listed below.
- E. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Township of Bordentown is located in COAH Housing Region 5, consisting of Gloucester, Burlington, and Camden Counties.
- F. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:
1. All newspaper articles, announcements and requests for applications for very low-, low- and moderate-income units shall appear in the *Philadelphia Inquirer and the Courier-Post*.
 2. The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspapers once a week for four consecutive weeks. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of all publications to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.
 3. The advertisement shall include a description of the:
 - a. Location of the units;
 - b. Directions to the units;
 - c. Range of prices for the units;
 - d. Size, as measured in bedrooms, of units;

- e. Maximum income permitted to qualify for the units;
 - f. Location of applications;
 - g. Business hours when interested households may obtain an application; and
 - h. Application fees.
4. Newspaper articles, announcements and information on where to request applications for very low, low and moderate income housing shall appear at least once a week for four consecutive weeks in at least three locally oriented newspapers serving the housing region, one of which shall be circulated primarily in Gloucester County and the other two of which shall be circulated primarily outside of Gloucester County but within the housing region.
 5. The developer must provide satisfactory proof of public dissemination. See Attachment A” COAH’s *Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 5* (attached to and hereby made part of this Resolution).
- G. Applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program shall be available/posted in the following locations:
1. Bordentown Township Hall
 2. Bordentown Township Web Site
 3. Developer’s Sales/Rental Offices
 4. Gloucester County Administration Building
 5. Burlington County Administration Building
 6. Camden County Administration Building
 7. Gloucester County Library (all branches).
 8. Burlington County Library (all branches)
 9. Camden County Library (all branches)

Applications shall be mailed by the Administrative Agent and Municipal Housing Liaison to prospective applicants upon request. Also, applications shall be available at the developer’s sales/rental office and multiple copies of application forms shall be mailed to Fair Share Housing Center, the Latino Action Network, Willingboro NAACP, Southem

Burlington County NAACP, Supportive Housing Association, and the New Jersey Housing Resource Center.

H. The Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in Gloucester, Burlington, and Camden Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers identified in Attachment A, Part III, Marketing, Section 3d. of COAH's *Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 5* (attached to and hereby made part of this Resolution) as well as the following entities: Fair Share Housing Center, the Latino Action Network, Willingboro NAACP, Southern Burlington County NAACP, Supportive Housing Association, and the New Jersey Housing Resource Center.

1. Quarterly informational flyers and applications shall be sent to each of the following agencies for publication in their journals and for circulation among their members:

Gloucester County Board of Realtors
Burlington County Board of Realtors
Camden County Board of Realtors

2. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies within the counties of Gloucester, Burlington, and Camden:

Welfare or Social Service Board (via the Director)
Rental Assistance Office (local office of DCA)
Office on Aging
Housing Authority (municipal or county)
Community Action Agencies
Community Development Departments

3. Quarterly informational circulars and applications shall be sent to the chief personnel administrators of all of the major employers within the region, as listed on Attachment A, Part III, Marketing, Section 3d.

4. In addition, specific notification of the availability of affordable housing units in Bordentown (along with copies of the application form) shall be provided to the following entities: Fair Share Housing Center, the Latino Action Network, Willingboro NAACP, Southern Burlington County NAACP, Supportive Housing Association, and the New Jersey Housing Resource Center.

- I. A random selection method to select occupants of very low-, low- and moderate-income housing will be used by the Administrative Agent, in conformance with N.J.A.C. 5:80-26.16 (l). The Affirmative Marketing Plan shall provide a regional preference for very

low-, low- and moderate-income households that live and/or work in COAH Housing Region 5, comprised of Gloucester, Burlington, and Camden. Pursuant to the New Jersey Fair Housing Act (C.52:27D-311), a preference for very low, low and moderate income veterans duly qualified under N.J.A.C. 54:4-8.10 may also be exercised, provided an agreement to this effect has been executed between the developer or landlord and the Township prior to the affirmative marketing of the units.

- J. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify very low, low and moderate income households; to place income eligible households in very low, low and moderate income units upon initial occupancy; to provide for the initial occupancy of very low, low and moderate income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to very low, low and moderate income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C 5:80-26-1, *et seq.*
- K. The Administrative Agent shall provide or direct qualified very low, low and moderate income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.
- L. All developers/owners of very low-, low- and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent.
- M. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low-, low- and moderate-income housing units are initially occupied and for as long as the affordable units remain deed restricted such that qualifying new tenants and/or purchasers continues to be necessary.
- N. The Administrative Agent shall provide the Affordable Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C.5:80-26-1, *et seq.*

I hereby certify that the above resolution was duly adopted by the Township Committee of the Township of Bordentown at a regular meeting conducted on the 12th day of August 2019.

Maria Carrington, RMC

Township Clerk

ATTACHMENT A
AFFIRMATIVE FAIR HOUSING MARKETING PLAN
For Affordable Housing in **(REGION 5)**

I. APPLICANT AND PROJECT INFORMATION

(Complete Section I individually for all developments or programs within the municipality.)

1a. Administrative Agent Name, Address, Phone Number		1b. Development or Program Name, Address	
1c. Number of Affordable Units: Number of Rental Units: Number of For-Sale Units:	1d. Price or Rental Range From To	1e. State and Federal Funding Sources (if any)	
1f. <input type="checkbox"/> Age Restricted <input type="checkbox"/> Non-Age Restricted	1g. Approximate Starting Dates Advertising: Occupancy:		
1h. County Burlington, Camden, Gloucester		1i. Census Tract(s):	
1j. Managing/Sales Agent's Name, Address, Phone Number			
1k. Application Fees (if any):			

(Sections II through IV should be consistent for all affordable housing developments and programs within the municipality. Sections that differ must be described in the approved contract between the municipality and the administrative agent and in the approved Operating Manual.)

II. RANDOM SELECTION

2. Describe the random selection process that will be used once applications are received.
--

III. MARKETING

3a. Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors)

White (non-Hispanic) Black (non-Hispanic) Hispanic American Indian or Alaskan Native

Asian or Pacific Islander Other group:

3b. HOUSING RESOURCE CENTER (www.njhousing.gov) A free, online listing of affordable housing

3c. Commercial Media (required) (Check all that applies)

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA
TARGETS ENTIRE HOUSING REGION 5			
Daily Newspaper			
<input type="checkbox"/>		Philadelphia Inquirer	
<input type="checkbox"/>		Courier-Post	
TARGETS PARTIAL HOUSING REGION 5			
Daily Newspaper			
<input type="checkbox"/>		Burlington County Times	Burlington
<input type="checkbox"/>		Gloucester County Times	Gloucester
Weekly Newspaper			
<input type="checkbox"/>		Central Record, The	Burlington
<input type="checkbox"/>		Fort Dix Post	Burlington
<input type="checkbox"/>		Maple Shade Progress	Burlington
<input type="checkbox"/>		News Weekly	Burlington
<input type="checkbox"/>		Register-News	Burlington
<input type="checkbox"/>		Gloucester City News	Camden
<input type="checkbox"/>		Haddon Herald	Camden
<input type="checkbox"/>		Record Breeze	Camden
<input type="checkbox"/>		Retrospect	Camden
<input type="checkbox"/>		Plain Dealer	Camden, Gloucester
<input type="checkbox"/>		News Report	Gloucester

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL TV STATION(S)	CIRCULATION AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 5			

<input type="checkbox"/>		3 KYW-TV Cbs Broadcasting Inc.	
<input type="checkbox"/>		6 WPVI-TV American Broadcasting Companies, Inc (Walt Disney)	
<input type="checkbox"/>		10 WCAU NBC Telemundo License Co. (General Electric)	
<input type="checkbox"/>		12 WHYY-TV Why, Inc.	
<input type="checkbox"/>		17 WPHL-TV Tribune Company	
<input type="checkbox"/>		23 WNJS New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		29 WTXF-TV Fox Television Stations, Inc. (News Corp.)	
<input type="checkbox"/>		35 WYBE Independence Public Media Of Philadelphia, Inc.	
<input type="checkbox"/>		48 WGTW-TV Trinity Broadcasting Network	
<input type="checkbox"/>		52 WNJT New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		57 WPSG Cbs Broadcasting Inc.	
<input type="checkbox"/>		61 WPPX Paxson Communications License Company, Llc	
<input type="checkbox"/>		65 WUVP-TV Univision Communications, Inc.	
<input type="checkbox"/>		69 WFMZ-TV Maranatha Broadcasting Company, Inc.	
TARGETS PARTIAL HOUSING REGION 5			
<input type="checkbox"/>		2 WCBS-TV Cbs Broadcasting Inc.	Burlington
<input type="checkbox"/>		4 WNBC NBC Telemundo License Co. (General Electric)	Burlington
<input type="checkbox"/>		5 WNYW Fox Television Stations, Inc. (News Corp.)	Burlington
<input type="checkbox"/>		7 WABC-TV American Broadcasting Companies, Inc (Walt Disney)	Burlington
<input type="checkbox"/>		9 WWOR-TV	Burlington

		Fox Television Stations, Inc. (News Corp.)	
<input type="checkbox"/>		11 WPIX Wpix, Inc. (Tribune)	Burlington
<input type="checkbox"/>		13 WNET Educational Broadcasting Corporation	Burlington
<input type="checkbox"/>		39 WLVT-TV Lehigh Valley Public Telecommunications Corp.	Burlington
<input type="checkbox"/>		58 WNJB New Jersey Public Broadcasting Authority	Burlington
<input type="checkbox"/>		38 WPHA-CA Commercial Broadcasting Corp.	Burlington, Camden
<input type="checkbox"/>		41 WNAI-LP Marcia Cohen	Burlington, Camden
<input type="checkbox"/>		60 WBPH-TV Sonshine Family Television Corp	Burlington, Camden
<input type="checkbox"/>		62 WWSI Hispanic Broadcasters of Philadelphia, Llc	Camden, Gloucester

	DURATION & FREQUENCY OF OUTREACH	NAMES OF CABLE PROVIDER(S)	BROADCAST AREA
TARGETS PARTIAL HOUSING REGION 5			
<input type="checkbox"/>		Comcast of Burlington County, Garden State, Gloucester County, South Jersey, Wildwood (Maple Shade System)	All Burlington, Camden, Gloucester

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL RADIO STATION(S)	BROADCAST AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 5			
AM			
<input type="checkbox"/>		WFIL 560	Christian
<input type="checkbox"/>		WIP 610	
<input type="checkbox"/>		WWJZ 640	
<input type="checkbox"/>		WTMR 800	
<input type="checkbox"/>		WWDB 860	
<input type="checkbox"/>		WPEN 950	
<input type="checkbox"/>		WNTP 990	
<input type="checkbox"/>		KYW 1060	
<input type="checkbox"/>		WPHT 1210	
<input type="checkbox"/>		WNWR 1540	
FM			

<input type="checkbox"/>		WXPB 88.5	
<input type="checkbox"/>		WRTI 90.1	
<input type="checkbox"/>		WHYY-FM 90.9	
<input type="checkbox"/>		WXTU 92.5	
<input type="checkbox"/>		WMMR 93.3	
<input type="checkbox"/>		WSTW 93.7	
<input type="checkbox"/>		WYSP 94.1	
<input type="checkbox"/>		WPST 94.5	
<input type="checkbox"/>		WBEN-FM 95.7	
<input type="checkbox"/>		WRDW-FM 96.5	
<input type="checkbox"/>		WUSL 98.9	
<input type="checkbox"/>		WJBR-FM 99.5	
<input type="checkbox"/>		WPHI-FM 100.3	
<input type="checkbox"/>		WBEB 101.1	
<input type="checkbox"/>		WIOQ 102.1	
<input type="checkbox"/>		WMGK 102.9	
<input type="checkbox"/>		WJJZ 106.1	
<input type="checkbox"/>		WKDN 106.9	Christian
<input type="checkbox"/>		WRNB 107.9	
TARGETS PARTIAL HOUSING REGION 5			
AM			
<input type="checkbox"/>		WOR 710	
<input type="checkbox"/>		WBUD 1260	
<input type="checkbox"/>		WIMG 1300	Black Gospel
<input type="checkbox"/>		WIFI 1460	Christian
<input type="checkbox"/>		WBCB 1490	
<input type="checkbox"/>		WPHY 920	
<input type="checkbox"/>		WURD 900	
<input type="checkbox"/>		WPHE 690	Latin
<input type="checkbox"/>		WNAP 1110	

<input type="checkbox"/>		WEMG 1310	Spanish
<input type="checkbox"/>		WHAT 1340	
<input type="checkbox"/>		WVCH 740	Christian
<input type="checkbox"/>		WDEL 1150	
<input type="checkbox"/>		WNJC 1360	
<input type="checkbox"/>		WDAS 1480	Black Gospel

FM			
<input type="checkbox"/>		WBZC 88.9	Burlington
<input type="checkbox"/>		WSJI 89.5	Burlington
<input type="checkbox"/>		WAWZ 99.1	Burlington (Christian)
<input type="checkbox"/>		WPPZ-FM 103.9	Burlington (Christian)
<input type="checkbox"/>		WKXW-FM 101.5	Burlington, Camden
<input type="checkbox"/>		WPRB 103.3	Burlington, Camden
<input type="checkbox"/>		WOGL 98.1	Burlington, Camden, Gloucester
<input type="checkbox"/>		WDAS-FM 105.3	Burlington, Camden, Gloucester
<input type="checkbox"/>		WKDU 91.7	Camden
<input type="checkbox"/>		WGLS-FM 89.7	Gloucester
<input type="checkbox"/>		WVLT 92.1	Gloucester
<input type="checkbox"/>		WIXM 97.3	Gloucester
<input type="checkbox"/>		WSJO 104.9	Gloucester

3d. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters)
(Check all that applies)

DURATION & FREQUENCY OF OUTREACH	NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 5			
Weekly			
<input type="checkbox"/>	Al Dia	Philadelphia Area	Spanish-Language
<input type="checkbox"/>	Nuestra Comunidad	Central/South Jersey	Spanish-Language
TARGETS PARTIAL HOUSING REGION 5			
Weekly			
<input type="checkbox"/>	El Hispano	Camden and Trenton areas	Spanish-Language

<input type="checkbox"/>		Ukrainian Weekly	New Jersey	Ukrainian community
3e. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)				
DURATION & FREQUENCY OF OUTREACH		NAME OF EMPLOYER/COMPANY		LOCATION
Burlington County				
<input type="checkbox"/>		Burlington County College	601 Pemberton Browns Mills Rd Remberton	
<input type="checkbox"/>		Our Lady of Lourdes Medical Center	218 Sunset Rd Willingboro, NJ	
<input type="checkbox"/>		Masonic Home of NJ	902 Jacksonville Rd Burlington, NJ	
<input type="checkbox"/>		Medford Leas Continuing Care	1 Medford Leas Medford, NJ	
<input type="checkbox"/>		Virtua Geriatric Care Management	523 Fellowship Rd Mt Laurel, NJ	
<input type="checkbox"/>		Virtua West Jersey Hospital	90 Brick rd Marlton, NJ	
Camden County				
<input type="checkbox"/>		Campbell Soup Company	Campbell Place Camden, NJ 08103-1701	
<input type="checkbox"/>		Lockheed Martin	Federal, Camden, NJ 08102	
<input type="checkbox"/>		Bancroft Neurohealth	1000 Atlantic Ave Camden, NJ 08102	
<input type="checkbox"/>		Cooper Health System	One Cooper Plaza Camden, NJ 08102	
<input type="checkbox"/>		L-3 Communications Systems	1 Federal Street, Camden, New Jersey, 08103	
<input type="checkbox"/>		Towers Perrin	101 Woodcrest Rd, Cherry Hill, NJ	
<input type="checkbox"/>		Arch Manufacturing & Sales Co.	1213 S 6th St, Camden, NJ	
Gloucester County				
<input type="checkbox"/>		Underwood Memorial Hospital	509 North Broad Street, Woodbury, NJ 08096	
<input type="checkbox"/>		Rowan University	201 Mullica Hill road Glassboro, NJ 08028	
<input type="checkbox"/>		Kennedy Memorial Hospital	435 Hurffville-Cross Keys Road, Turnersville NJ 08012	
<input type="checkbox"/>		U.S. Food Services	2255 High Hill Rd, Swedesboro, NJ & Swedesboro	
<input type="checkbox"/>		Direct Group	100 Berkeley Dr, Swedesboro, NJ and 800 Arlington Blvd, Swedesboro, NJ	
<input type="checkbox"/>		CompuCom Systems Inc.	1225 Forest Pkwy # 500, Paulsboro, NJ	
<input type="checkbox"/>		Missa Bay LLC	101 Arlington Blvd, Swedesboro, NJ and 2339 Center Square Rd, Swedesboro, NJ and 730 Veterans Dr, Swedesboro, NJ	
<input type="checkbox"/>		Sony Music	400 N Woodbury Rd, Pitman, NJ	
<input type="checkbox"/>		Delaware Valley Wholesale Florists	520 N. Mantua Boulevard Sewell, NJ 08080	

<input type="checkbox"/>		Valero Refining Co	800 Billingsport Rd, Paulsboro, NJ
<input type="checkbox"/>		Electric Mobility	591 Mantua Blvd, Sewell, NJ
<input type="checkbox"/>		Sunoco-Eagle Point Oil Refinery	US Highway 130 S & Highway 295, Westville, NJ
<input type="checkbox"/>		Heritage's Dairy Stores	376 Jessup Road Thorofare, NJ 08086
<input type="checkbox"/>		Cornell & Company	224 Cornell Ln, Westville, NJ
<input type="checkbox"/>		Exxon Mobil Research & Engineering Co	800 Billingsport Rd, Paulsboro, NJ

3f. Community Contacts (names of community groups/organizations throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing)

Name of Group/Organization	Outreach Area	Racial/Ethnic Identification of Readers/Audience	Duration & Frequency of Outreach

IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:		
4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)		
<input type="checkbox"/>	BUILDING Burlington County Library Headquarters	LOCATION 5 Pioneer Boulevard, Westampton, NJ 08060
<input type="checkbox"/>	Burlington County Office Building	49 Rancocas Rd, Mount Holly NJ 08060 (609)265-5000
<input type="checkbox"/>	Camden Court House Square	520 Market St, Camden NJ 08102-1375 (856)225-5000
<input type="checkbox"/>	Gloucester County Court House	1 N. Broad Street, Woodbury, NJ 08096 (856)853-3390
4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)		
4c. Sales/Rental Office for units (if applicable)		

V. CERTIFICATIONS AND ENDORSEMENTS

<p>I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the (select one: Municipality's substantive certification or DCA Balanced Housing Program funding or HMFA UHORP/MONI/CHOICE funding).</p> <p>_____</p> <p>Name (Type or Print)</p>
--

Title/Municipality

Signature

Date

APPENDIX B

AHPNJ Affordable Housing Regional Income Limits Chart (April 2020)

2020 AFFORDABLE HOUSING REGIONAL INCOME LIMITS BY HOUSEHOLD SIZE

Income limits not officially adopted by the State of New Jersey. Contact your municipality to see if applicable in your jurisdiction. Additional information about AHPNJ income limits is posted on AHPNJ.org

	1 Person	*1.5 Person	2 Person	*3 Person	4 Person	*4.5 Person	5 Person	6 Person	7 Person	8+ Person	Max Increase Rents**	Regional Asset Limit****
Region 1												
Median	\$67,166	\$71,964	\$76,761	\$86,357	\$95,952	\$99,790	\$103,628	\$111,304	\$118,980	\$126,656		
Moderate	\$53,733	\$57,571	\$61,409	\$69,085	\$76,761	\$79,832	\$82,902	\$89,043	\$95,184	\$101,325	1.9%	\$185,539
Low	\$33,583	\$35,982	\$38,381	\$43,178	\$47,976	\$49,895	\$51,814	\$55,652	\$59,490	\$63,328	0.84%	
Very Low	\$20,150	\$21,589	\$23,028	\$25,907	\$28,786	\$29,937	\$31,088	\$33,391	\$35,694	\$37,997		
Region 2												
Median	\$73,857	\$79,132	\$84,408	\$94,959	\$105,510	\$109,730	\$113,951	\$122,391	\$130,832	\$139,273		
Moderate	\$59,085	\$63,306	\$67,526	\$75,967	\$84,408	\$87,784	\$91,160	\$97,913	\$104,666	\$111,418	1.9%	\$202,419
Low	\$36,928	\$39,566	\$42,204	\$47,479	\$52,755	\$54,865	\$56,975	\$61,196	\$65,416	\$69,636	4.71%	
Very Low	\$22,157	\$23,740	\$25,322	\$28,488	\$31,653	\$32,919	\$34,185	\$36,717	\$39,250	\$41,782		
Region 3												
Median	\$83,650	\$89,625	\$95,600	\$107,550	\$119,500	\$124,280	\$129,060	\$138,620	\$148,180	\$157,740		
Moderate	\$66,920	\$71,700	\$76,480	\$86,040	\$95,600	\$99,424	\$103,248	\$110,896	\$118,544	\$126,192	1.9%	\$227,546
Low	\$41,825	\$44,813	\$47,800	\$53,775	\$59,750	\$62,140	\$64,530	\$69,310	\$74,090	\$78,870	1.01%	
Very Low	\$25,095	\$26,888	\$28,680	\$32,265	\$35,850	\$37,284	\$38,718	\$41,586	\$44,454	\$47,322		
Region 4												
Median	\$76,469	\$81,931	\$87,393	\$98,317	\$109,242	\$113,611	\$117,981	\$126,720	\$135,460	\$144,199		
Moderate	\$61,175	\$65,545	\$69,915	\$78,654	\$87,393	\$90,889	\$94,385	\$101,376	\$108,368	\$115,359	1.9%	\$205,486
Low	\$38,235	\$40,966	\$43,697	\$49,159	\$54,621	\$56,806	\$58,990	\$63,360	\$67,730	\$72,099	5.96%	
Very Low	\$22,941	\$24,579	\$26,218	\$29,495	\$32,772	\$34,083	\$35,394	\$38,016	\$40,638	\$43,260		
Region 5												
Median	\$67,620	\$72,450	\$77,280	\$86,940	\$96,600	\$100,464	\$104,328	\$112,056	\$119,784	\$127,512		
Moderate	\$54,096	\$57,960	\$61,824	\$69,552	\$77,280	\$80,371	\$83,462	\$89,645	\$95,827	\$102,010	1.9%	\$179,028
Low	\$33,810	\$36,225	\$38,640	\$43,470	\$48,300	\$50,232	\$52,164	\$56,028	\$59,892	\$63,756	7.21%	
Very Low	\$20,286	\$21,735	\$23,184	\$26,082	\$28,980	\$30,139	\$31,298	\$33,617	\$35,935	\$38,254		
Region 6												
Median	\$57,458	\$61,562	\$65,666	\$73,874	\$82,083	\$85,366	\$88,649	\$95,216	\$101,782	\$108,349		
Moderate	\$45,966	\$49,250	\$52,533	\$59,100	\$65,666	\$68,293	\$70,919	\$76,173	\$81,426	\$86,679	1.9%	\$153,730
Low	\$28,729	\$30,781	\$32,833	\$36,937	\$41,041	\$42,683	\$44,325	\$47,608	\$50,891	\$54,175	6.97%	
Very Low	\$17,237	\$18,469	\$19,700	\$22,162	\$24,625	\$25,610	\$26,595	\$28,565	\$30,535	\$32,505		

Moderate income is between 80 and 50 percent of the median income. Low income is 50 percent or less of median income. Very low income is 30 percent or less of median income.

* These columns are for calculating the pricing for one, two and three bedroom sale and rental units as per N.J.A.C. 5:80-26.4(a).

**This column is used for calculating the pricing for rent increases for units (as previously calculated under N.J.A.C. 5:97-9.3 (Consumer price index for All Urban Consumers (CPI-U): Regions by expenditure category and commodity and service group). Landlords who did not increase rents in 2015, 2016, 2017, 2018 or 2019 because of the lack of authority to do so, may increase rent by up to the applicable combined percentage including 2020 or 9.0% whichever is less in accordance with N.J.A.C. 5:97-9.3(c). In no case can rent for any particular apartment be increased more than one time per year.

*** This column is used for calculating the pricing for resale increases for units (as previously calculated under N.J.A.C. 5:97-9.3). The price of owner-occupied low and moderate income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.

Low income tax credit developments may increase based on the low income tax credit regulations.

**** The Regional Asset Limit is used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3.

APPENDIX C

Certificate for Applicants Certified to Rental Unit

FORM OF CERTIFICATE FOR APPLICANTS CERTIFIED TO
RENTAL UNIT, REQUIRED BY SECTION 5:80-26.18(c)(2)

CERTIFICATE FOR APPLICANT
CERTIFIED TO A RENTAL UNIT SUBJECT TO
AFFORDABLE HOUSING RESTRICTIONS

My name is _____ and I am making this certificate in connection with my certification to rent the Affordable Housing unit located at _____.

I am aware, as the renter of an Affordable unit, that from this date until _____, 20____ as long as I am renting the unit described above, my renting the apartment is subject to the requirements that are listed below:

1. I am required to pay all rent set forth in my lease on time and in the manner provided for in my lease.
2. I know that I am required to live in my apartment, and that I cannot sublease it or rent it out to any other person, not even to members of my family.
3. I know that the maximum rent I am supposed to pay to my landlord is limited by law, that it is announced each year by _____, and that I can call _____ at any time if I have any questions about what rent I am supposed to be paying.
4. I know that I am not allowed to make any improvements to my apartment unless they have been approved in writing by _____.

BE IT REMEMBERED, that on this the _____ day of _____, 20____
the signer of this Certificate _____
appeared personally before me and who, being duly sworn by me, deposed and made
proof to my satisfaction (i) that he/she is the renter of the Affordable unit that is identified
as said renter in the foregoing Certificate, and (ii) and that he/she has executed said
Certificate with respect to the lease of the property described in the Certificate and for the
purposes described and set forth therein.

Applicant Signature Date

Sworn to and subscribed before me, _____ on the date
set forth above.

NOTARY PUBLIC

APPENDIX D

Mandatory Deed Restriction for Rental Projects

MANDATORY DEED RESTRICTION FOR RENTAL PROJECTS

Deed Restriction

**DEED-RESTRICTED AFFORDABLE HOUSING PROPERTY
WITH RESTRICTIONS ON RESALE AND REFINANCING**

To Rental Property
With Covenants Restricting Rentals, Conveyance and Improvements
And Requiring Notice of Foreclosure and Bankruptcy

THIS DEED RESTRICTION, entered into as of this the ___ day of _____, 20____, by and between the [Administrative Agent] ("Administrative Agent"), or its successor, acting on behalf of _____ [Municipality], with offices at _____, and _____ a New Jersey [Corporation / Partnership / Limited Partnership] having offices at _____ the developer/sponsor (the "Owner") of a residential low- or moderate-income rental project (the "Project"):

WITNESSETH

Article 1. Consideration

In consideration of benefits and/or right to develop received by the Owner from the Municipality regarding this rental Project, the Owner hereby agrees to abide by the covenants, terms and conditions set forth in this Deed restriction, with respect to the land and improvements more specifically described in Article 2, hereof (the Property).

Article 2. Description of Property

[If the project is a 100 percent affordable development, use the following:]

The Property consists of all of the land, and improvements thereon, that is located in the municipality of _____, County of _____, State of New Jersey, and described more specifically as Block No. _____ Lot No. _____, and known by the street address:

[Where restrictions are limited to specific units within the project, use the following:]

The Property consists of all of the land, and a portion of the improvements thereon, that is located in the municipality of _____, County of _____, State of New Jersey, and described more specifically as Block No. _____ Lot No. _____, and known by the street address:

More specifically designated as:

[List specific affordable units by address or apartment number.]

Article 3. Affordable Housing Covenants

The following covenants (the “Covenants”) shall run with the land for the period of time (the “Control Period”), determined separately with respect for each dwelling unit, commencing upon the earlier of the date hereof or the date on which the first certified household occupies the unit, and shall and expire as determined under the Uniform Controls, as defined below.

In accordance with N.J.A.C. 5:80-26.11, each restricted unit shall remain subject to the requirements of this subchapter, the “Control Period,” until the municipality in which the unit is located elects to release the unit from such requirements. Prior to such a municipal election, a restricted unit must remain subject to the requirements of this subchapter for a period of at least 30 years; provided, however, that:

1. Units located in high-poverty census tracts shall remain subject to these affordability requirements for a period of at least 10 years; and
 2. Any unit that, prior to December 20, 2004, received substantive certification from COAH, was part of a judgment of compliance from a court of competent jurisdiction or became subject to a grant agreement or other contract with either the State or a political subdivision thereof, shall have its control period governed by said grant of substantive certification, judgment or grant or contract.
-
- A. Sale and use of the Property is governed by regulations known as the Uniform Housing Affordability Controls, which are found in New Jersey Administrative Code at Title 5, chapter 80, subchapter 26 (N.J.A.C. 5:80-26.1, *et seq*, the “Uniform Controls”).
 - B. The Property shall be used solely for the purpose of providing rental dwelling units for low- or moderate-income households, and no commitment for any such dwelling unit shall be given or implied, without exception, to any person who has not been certified for that unit in writing by the Administrative Agent. So long as any dwelling unit remains within its Control Period, sale of the Property must be expressly subject to these Deed Restrictions, deeds of conveyance must have these Deed Restrictions appended thereto, and no sale of the Property shall be lawful, unless approved in advance and in writing by the Administrative Agent.
 - C. No improvements may be made to the Property that would affect the bedroom configuration of any of its dwelling units, and any improvements to the Property must be approved in advance and in writing by the Administrative Agent.
 - D. The Owner shall notify the Administrative Agent and the Municipality of any foreclosure actions filed with respect to the Property within five (5) business days of service upon Owner.
 - E. The Owner shall notify the Administrative Agent and the Municipality within three (3) business days of the filing of any petition for protection from creditors or reorganization filed by or on behalf of the Owner.

Article 4. Remedies for Breach of Affordable Housing Covenants

A breach of the Covenants will cause irreparable harm to the Administrative Agent, to the Municipality and to the public, in light of the public policies set forth in the New Jersey Fair Housing Act, the Uniform Housing Affordability Control rules found at N.J.A.C. 5:80-26, and the obligation for the provision of low and moderate-income housing.

- A. In the event of a threatened breach of any of the Covenants by the Owner, or any successor in interest of the Property, the Administrative Agent and the Municipality shall have all remedies provided at law or equity, including the right to seek injunctive relief or specific performance.
- B. Upon the occurrence of a breach of any Covenants by the Grantee, or any successor in interest or other owner of the Property, the Administrative Agent and the Municipality shall have all remedies provided at law or equity including but not limited to forfeiture, foreclosure, acceleration of all sums due under any mortgage, recouping of any funds from a sale in violation of the Covenants, diverting of rent proceeds from illegal rentals, injunctive relief to prevent further violation of said Covenants, entry on the premises, those provided under Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code and specific performance.

IN WITNESS WHEREOF, the Administrative Agent and the Owner have executed this Deed Restriction in triplicate as of the date first above written.

BY: _____
[THE ADMINISTRATIVE AGENT]

BY: _____
[THE OWNER]

APPROVED BY _____

Title

ACKNOWLEDGEMENTS

On this the ____ day of _____, 20____ before me came _____, to me known and known to me to be the Administrative Agent for _____ [Municipality], who states that (s)he has signed said Agreement on behalf of said Municipality for the purposes stated therein.

NOTARY PUBLIC

On this the ____ day of _____, 20____ before me came _____, to me known and known to me to be _____, the Owner of the Property, who states that (s)he has signed said Agreement for the purposes stated therein.

NOTARY PUBLIC

On this the ____ day of _____, 20____ before me came _____ known and known to me to be _____ of _____, the Municipality identified as such in the foregoing Agreement, who states that (s)he is duly authorized to execute said Agreement on behalf of said Municipality, and that (s)he has so executed the foregoing Agreement for the purposes stated therein

NOTARY PUBLIC

**OPERATING MANUAL
FOR THE ADMINISTRATION OF
MARKET-TO-AFFORDABLE UNITS**

**In Accordance with the Uniform Housing
Affordability Controls**

Bordentown Township
Burlington County, New Jersey

July 2020

Prepared By:



Heyer, Gruel & Associates

Community Planning Consultants
236 Broad Street, Red Bank, NJ 07701
(732) 741-2900

TABLE OF CONTENTS

INTRODUCTION2

DETERMINING HOW MUCH TO SPEND ON A MARKET RATE UNIT TO PRODUCE RENTAL UNITS.2

INSPECTION AND REHABILITATION3

RENTAL RESTRICTIONS3

ADMINISTRATION3

APPENDICES

- A.** 2020 AHPNJ Affordable Housing Regional Income Limits Chart
- B.** Mandatory Deed Restriction for Rental Projects

INTRODUCTION

The purpose of this Operating Manual is to describe the policies and procedures of the Township of Bordentown's Market-to-Affordable Housing Program. It will serve as a guide to the program staff and the public alike. This manual describes the basic content and operation of the various affordability assistance program components. This manual may be periodically revised to reflect changes in local, state, and federal policies and regulations relative to implementation of the affordable housing programs described herein.

Implementation of any procedure, even if it is not included in this Operating Manual, shall be in accordance with the Federal Fair Housing Act and Equal Opportunities laws¹, the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 et seq.², the substantive rules of the Council on Affordable Housing N.J.A.C. 5:93 as revised and the affordable housing regulations of the Township of Bordentown (hereafter referred to as the "Regulations"). In accordance with the Federal Fair Housing Act and Equal Opportunities laws, it is unlawful to discriminate against any person making application to buy or rent a home with regard to age, race, religion, national origin, sex, handicapped or familial status.

DETERMINING HOW MUCH TO SPEND ON A MARKET RATE UNIT TO PRODUCE RENTAL UNITS

HGA will provide administrative agent services to administer Bordentown Township's Market-to-Affordable Rental Program. The Township may utilize Affordability Assistance funds to further subsidize units to create very low-income units by converting a moderate- or low-income unit into a very low-income unit. The number of bedrooms in a unit shall not be a factor in the determination of whether to include a unit in the program.

The Township of Bordentown has completed an analysis of the affordable rents for units in this program. The municipality will negotiate with owners of existing market rate rental units to buy down the rent to an affordable level, offering owners a subsidy to deed restrict certain units in a project so that the household renting the unit will be paying an

¹ <http://www.hud.gov/offices/fheo/FHLaws/index.cfm>

² <http://www.nj.gov/dca/affiliates/coah/regulations/uhac.html>

Market-to-Affordable Housing Operating Manual

affordable rent as determined under this program. This may be done through a lump sum subsidy payment up front or through monthly subsidy payments to the landlord. The arrangement for payment of the subsidy must be documented. The landlord will retain oversight of the building, including the affordable units, and may conduct standard credit and background checks; however, marketing and tenant selection will be completed according to UHAC by the administrative agent.

INSPECTION AND REHABILITATION

The Township's code inspector will perform an inspection of the unit prior to deed restriction to determine if any rehabilitation needs to be done in order to confirm that the unit is code-compliant or whether any rehabilitation is necessary.

RENTAL RESTRICTIONS

Once an owner agrees to deed restrict certain units in a development as affordable housing, a deed restriction in the form of Appendix B must be recorded on the project. The deed restriction must specifically identify the units that are restricted. Identification and placement of an income-eligible household in the unit will conform to UHAC regulations and the Township's Affordable Housing Rental Operating Manual.

ADMINISTRATION

Bordentown Township's Market-to-Affordable Program will be administered by the Township's administrative agent. The responsibilities of the administrative agent are outlined in Ordinance Section §25.1119. Interested owners of rental properties may contact the administrative agent for more information on the program and how to apply.

APPENDICES

- A.** 2020 AHPNJ Affordable Housing Regional Income Limits Chart
- B.** Mandatory Deed Restriction for Rental Projects

APPENDIX A

AHPNJ Affordable Housing Regional Income Limits Chart (April 2020)

2020 AFFORDABLE HOUSING REGIONAL INCOME LIMITS BY HOUSEHOLD SIZE

Income limits not officially adopted by the State of New Jersey. Contact your municipality to see if applicable in your jurisdiction. Additional information about AHPNJ income limits is posted on AHPNJ.org

	1 Person	*1.5 Person	2 Person	*3 Person	4 Person	*4.5 Person	5 Person	6 Person	7 Person	8+ Person	Max Increase Rents**	Regional Asset Limit****
Region 1												
Median	\$67,166	\$71,964	\$76,761	\$86,357	\$95,952	\$99,790	\$103,628	\$111,304	\$118,980	\$126,656		
Moderate	\$53,733	\$57,571	\$61,409	\$69,085	\$76,761	\$79,832	\$82,902	\$89,043	\$95,184	\$101,325	1.9%	\$185,539
Low	\$33,583	\$35,982	\$38,381	\$43,178	\$47,976	\$49,895	\$51,814	\$55,652	\$59,490	\$63,328	0.84%	
Very Low	\$20,150	\$21,589	\$23,028	\$25,907	\$28,786	\$29,937	\$31,088	\$33,391	\$35,694	\$37,997		
Region 2												
Median	\$73,857	\$79,132	\$84,408	\$94,959	\$105,510	\$109,730	\$113,951	\$122,391	\$130,832	\$139,273		
Moderate	\$59,085	\$63,306	\$67,526	\$75,967	\$84,408	\$87,784	\$91,160	\$97,913	\$104,666	\$111,418	1.9%	\$202,419
Low	\$36,928	\$39,566	\$42,204	\$47,479	\$52,755	\$54,865	\$56,975	\$61,196	\$65,416	\$69,636	4.71%	
Very Low	\$22,157	\$23,740	\$25,322	\$28,488	\$31,653	\$32,919	\$34,185	\$36,717	\$39,250	\$41,782		
Region 3												
Median	\$83,650	\$89,625	\$95,600	\$107,550	\$119,500	\$124,280	\$129,060	\$138,620	\$148,180	\$157,740		
Moderate	\$66,920	\$71,700	\$76,480	\$86,040	\$95,600	\$99,424	\$103,248	\$110,896	\$118,544	\$126,192	1.9%	\$227,546
Low	\$41,825	\$44,813	\$47,800	\$53,775	\$59,750	\$62,140	\$64,530	\$69,310	\$74,090	\$78,870	1.01%	
Very Low	\$25,095	\$26,888	\$28,680	\$32,265	\$35,850	\$37,284	\$38,718	\$41,586	\$44,454	\$47,322		
Region 4												
Median	\$76,469	\$81,931	\$87,393	\$98,317	\$109,242	\$113,611	\$117,981	\$126,720	\$135,460	\$144,199		
Moderate	\$61,175	\$65,545	\$69,915	\$78,654	\$87,393	\$90,889	\$94,385	\$101,376	\$108,368	\$115,359	1.9%	\$205,486
Low	\$38,235	\$40,966	\$43,697	\$49,159	\$54,621	\$56,806	\$58,990	\$63,360	\$67,730	\$72,099	5.96%	
Very Low	\$22,941	\$24,579	\$26,218	\$29,495	\$32,772	\$34,083	\$35,394	\$38,016	\$40,638	\$43,260		
Region 5												
Median	\$67,620	\$72,450	\$77,280	\$86,940	\$96,600	\$100,464	\$104,328	\$112,056	\$119,784	\$127,512		
Moderate	\$54,096	\$57,960	\$61,824	\$69,552	\$77,280	\$80,371	\$83,462	\$89,645	\$95,827	\$102,010	1.9%	\$179,028
Low	\$33,810	\$36,225	\$38,640	\$43,470	\$48,300	\$50,232	\$52,164	\$56,028	\$59,892	\$63,756	7.21%	
Very Low	\$20,286	\$21,735	\$23,184	\$26,082	\$28,980	\$30,139	\$31,298	\$33,617	\$35,935	\$38,254		
Region 6												
Median	\$57,458	\$61,562	\$65,666	\$73,874	\$82,083	\$85,366	\$88,649	\$95,216	\$101,782	\$108,349		
Moderate	\$45,966	\$49,250	\$52,533	\$59,100	\$65,666	\$68,293	\$70,919	\$76,173	\$81,426	\$86,679	1.9%	\$153,730
Low	\$28,729	\$30,781	\$32,833	\$36,937	\$41,041	\$42,683	\$44,325	\$47,608	\$50,891	\$54,175	6.97%	
Very Low	\$17,237	\$18,469	\$19,700	\$22,162	\$24,625	\$25,610	\$26,595	\$28,565	\$30,535	\$32,505		

Moderate income is between 80 and 50 percent of the median income. Low income is 50 percent or less of median income. Very low income is 30 percent or less of median income.

* These columns are for calculating the pricing for one, two and three bedroom sale and rental units as per N.J.A.C. 5:80-26.4(a).

**This column is used for calculating the pricing for rent increases for units (as previously calculated under N.J.A.C. 5:97-9.3 (Consumer price index for All Urban Consumers (CPI-U): Regions by expenditure category and commodity and service group). Landlords who did not increase rents in 2015, 2016, 2017, 2018 or 2019 because of the lack of authority to do so, may increase rent by up to the applicable combined percentage including 2020 or 9.0% whichever is less in accordance with N.J.A.C. 5:97-9.3(c). In no case can rent for any particular apartment be increased more than one time per year.

*** This column is used for calculating the pricing for resale increases for units (as previously calculated under N.J.A.C. 5:97-9.3). The price of owner-occupied low and moderate income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.

Low income tax credit developments may increase based on the low income tax credit regulations.

**** The Regional Asset Limit is used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3.

APPENDIX B

Mandatory Deed Restriction for Rental Projects

MANDATORY DEED RESTRICTION FOR RENTAL PROJECTS

Deed Restriction

**DEED-RESTRICTED AFFORDABLE HOUSING PROPERTY
WITH RESTRICTIONS ON RESALE AND REFINANCING**

To Rental Property
With Covenants Restricting Rentals, Conveyance and Improvements
And Requiring Notice of Foreclosure and Bankruptcy

THIS DEED RESTRICTION, entered into as of this the ___ day of _____, 20____, by and between the [Administrative Agent] ("Administrative Agent"), or its successor, acting on behalf of _____ [Municipality], with offices at _____, and _____ a New Jersey [Corporation / Partnership / Limited Partnership] having offices at _____ the developer/sponsor (the "Owner") of a residential low- or moderate-income rental project (the "Project"):

WITNESSETH

Article 1. Consideration

In consideration of benefits and/or right to develop received by the Owner from the Municipality regarding this rental Project, the Owner hereby agrees to abide by the covenants, terms and conditions set forth in this Deed restriction, with respect to the land and improvements more specifically described in Article 2, hereof (the "Property").

Article 2. Description of Property

[If the project is a 100 percent affordable development, use the following:]

The Property consists of all of the land, and improvements thereon, that is located in the municipality of _____, County of _____, State of New Jersey, and described more specifically as Block No. _____ Lot No. _____, and known by the street address:

[Where restrictions are limited to specific units within the project, use the following:]

The Property consists of all of the land, and a portion of the improvements thereon, that is located in the municipality of _____, County of _____, State of New

Jersey, and described more specifically as Block No. _____ Lot No. _____, and known by the street address:

More specifically designated as:

(List specific affordable units by address or apartment number.)

Article 3. Affordable Housing Covenants

The following covenants (the “Covenants”) shall run with the land for the period of time (the “Control Period”), determined separately with respect for each dwelling unit, commencing upon the earlier of the date hereof or the date on which the first certified household occupies the unit, and shall and expire as determined under the Uniform Controls, as defined below.

In accordance with N.J.A.C. 5:80-26.11, each restricted unit shall remain subject to the requirements of this subchapter, the “Control Period,” until the municipality in which the unit is located elects to release the unit from such requirements. Prior to such a municipal election, a restricted unit must remain subject to the requirements of this subchapter for a period of at least 30 years; provided, however, that:

1. Units located in high-poverty census tracts shall remain subject to these affordability requirements for a period of at least 10 years; and
 2. Any unit that, prior to December 20, 2004, received substantive certification from COAH, was part of a judgment of compliance from a court of competent jurisdiction or became subject to a grant agreement or other contract with either the State or a political subdivision thereof, shall have its control period governed by said grant of substantive certification, judgment or grant or contract.
- A. Sale and use of the Property is governed by regulations known as the Uniform Housing Affordability Controls, which are found in New Jersey Administrative Code at Title 5, chapter 80, subchapter 26 (N.J.A.C. 5:80-26.1, *et seq.*, the “Uniform Controls”).
 - B. The Property shall be used solely for the purpose of providing rental dwelling units for low- or moderate-income households, and no commitment for any such dwelling unit shall be given or implied, without exception, to any person who has not been certified for that unit in writing by the Administrative Agent. So long as any dwelling unit remains within its Control Period, sale of the Property must be expressly subject to these Deed Restrictions, deeds of conveyance must have these Deed Restrictions appended thereto, and no sale of the Property shall be lawful, unless approved in advance and in writing by the Administrative Agent.
 - C. No improvements may be made to the Property that would affect the bedroom configuration of any of its dwelling units, and any improvements to the Property must be approved in advance and in writing by the Administrative Agent.
 - D. The Owner shall notify the Administrative Agent and the Municipality of any foreclosure actions filed with respect to the Property within five (5) business days of service upon Owner.

- E. The Owner shall notify the Administrative Agent and the Municipality within three (3) business days of the filing of any petition for protection from creditors or reorganization filed by or on behalf of the Owner.

Article 4. Remedies for Breach of Affordable Housing Covenants

A breach of the Covenants will cause irreparable harm to the Administrative Agent, to the Municipality and to the public, in light of the public policies set forth in the New Jersey Fair Housing Act, the Uniform Housing Affordability Control rules found at N.J.A.C. 5:80-26, and the obligation for the provision of low and moderate-income housing.

- A. In the event of a threatened breach of any of the Covenants by the Owner, or any successor in interest of the Property, the Administrative Agent and the Municipality shall have all remedies provided at law or equity, including the right to seek injunctive relief or specific performance.
- B. Upon the occurrence of a breach of any Covenants by the Grantee, or any successor in interest or other owner of the Property, the Administrative Agent and the Municipality shall have all remedies provided at law or equity including but not limited to forfeiture, foreclosure, acceleration of all sums due under any mortgage, recouping of any funds from a sale in violation of the Covenants, diverting of rent proceeds from illegal rentals, injunctive relief to prevent further violation of said Covenants, entry on the premises, those provided under Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code and specific performance.

IN WITNESS WHEREOF, the Administrative Agent and the Owner have executed this Deed Restriction in triplicate as of the date first above written.

BY: _____
ADMINISTRATIVE AGENT

BY: _____
OWNER

APPROVED BY _____ [Municipality]

BY: _____

ACKNOWLEDGEMENTS

On this the ____ day of _____, 20__ before me came _____, to me known and known to me to be the Administrative Agent for _____ [Municipality], who states that (s)he has signed said Agreement on behalf of said Municipality for the purposes stated therein.

NOTARY PUBLIC

On this the ____ day of _____, 20__ before me came _____, to me known and known to me to be _____, the Owner of the Property, who states that (s)he has signed said Agreement for the purposes stated therein.

NOTARY PUBLIC

On this the ____ day of _____, 20__ before me came _____ known and known to me to be _____ of _____, the Municipality identified as such in the foregoing Agreement, who states that (s)he is duly authorized to execute said Agreement on behalf of said Municipality, and that (s)he has so executed the foregoing Agreement for the purposes stated therein

NOTARY PUBLIC

RESOLUTION #2020-197

APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that all of the bills listed to be paid on the list dated August 10, 2020, as submitted by the Office of Treasurer are hereby approved for payment and the Office of the Treasurer is directed to pay the same.

TOWNSHIP OF BORDENTOWN

ORDINANCE No. 2020-14

**ORDINANCE AMENDING CHAPTER 2.68.050 THE TOWNSHIP CODE
REGARDING SPECIAL LAW ENFORCEMENT OFFICERS**

WHEREAS, N.J.S.A. 40A:14-146.8 *et seq.*, provides for the appointment of special law enforcement officers to temporarily or intermittently perform duties similar to those performed by members of a municipal police department, or to provide assistance to a police department during unusual or emergency circumstances, and to provide security in a school system; and

WHEREAS, the Township has previous experience with the use of Class I and Class II officers and now wishes to provide for the appointment of Class III Officers to support the School Resource Officer program for the Township School District; and

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Bordentown Township that the Township Code be and is hereby amended as follows:

Section 1. Chapter 2.68.050 of the Township Code is hereby replaced in its entirety as follows:

2.68.050 Special Law Enforcement Officers

- A. The Township of Bordentown authorizes the use of special law enforcement officers to assist the regular police department in the performance of its duties and responsibilities subject to the eligibility criteria and limitations set forth in the Special Law Enforcement Officers Act, N.J.S.A. 40A: 14-146.10 et seq. and further subject to the Bordentown Police Department Rules and Regulations incorporated herein. No special law enforcement officers shall be appointed to any term exceeding one year.
- B. Special Law Enforcement Officer (SLEO) shall mean any person appointed annually by the governing body pursuant to N.J.S.A. 40A:14-146.8, et seq., to temporarily or intermittently perform duties similar to those performed regularly by members of a municipal police department, or to provide assistance to a police department during unusual or emergency circumstances, and to provide security in a school system within Bordentown. Nothing here in shall be construed to require reappointment at the expiration of the term.
- C. No special law enforcement officer, by virtue of his/her appointment as such, shall be or become a regular member of the police department.
- D. Special law enforcement officers shall be at-will part-time employees assigned for not more than the number of hours prescribed by applicable provisions of the Special Law Enforcement Officers Act except that pursuant to N.J.S.A. 40A: 14-146.16, the Township may designate one special law enforcement officer to whom the limitation on hours employed shall not apply. Special law enforcement officers can be terminated for cause after adequate hearing unless the appointment is for four months or less, in which event the appointment may be revoked without cause or hearing.
- E. The number of SLEO Class II officers employed by the Bordentown Police Department shall not exceed 25% of the total number of regular police officers pursuant to N.J.S.A. 40A:14-146-7.

- F. Every special law enforcement officer, while on duty, shall abide by the Police Department Rules and Regulations and those policies, general order or standard operating procedures established by the Chief of Police.
- G. No person shall be appointed as a special law enforcement officer unless the person meets the criteria of N.J.S.A. 40A:14-146.10, including but not limited to the provision that the person:
1. Is legally permitted to work in the United States.
 2. Is a resident of the State of New Jersey during the term of appointment.
 3. Is at least 18 years of age.
 4. Shall possess and maintain a valid New Jersey driver's license.
 5. Shall be able to read, write and speak the English language well and intelligently and have a high school diploma or its equivalent.
 6. Shall be sound in body and of good health and be able to perform the physical functions of the duties assigned.
 7. Shall be of good moral character and shall not have been convicted of any crime or offense involving moral turpitude (dishonesty) or a crime or offense that would render him/her unfit for duty.
 8. Shall successfully undergo the same psychological testing that is required of full-time police officers.
 9. Additionally, SLEO III personnel:
 - a. Must be retired law enforcement officers who are less than 65 years of age. For the purposes of this paragraph, a law enforcement officer shall not be considered retired if the officer's return to employment violates any federal or state law or regulation, which would deem the officer's retirement as not being bona fide;
 - b. Must have served as a duly qualified, fully-trained, full-time officer in any municipality or county of this state or as a member of the New Jersey State Police and was separated from that prior service in good standing, within three years of appointment. Good standing means to exclude a retirement resulting from injury or incapacity.
 - c. Must be physically capable of performing the functions of the position, determined in accordance with PTC guidelines.
 - d. Must possess a valid New Jersey PTC basic police officer certification or New Jersey State Police Academy certification.
 - e. Must be hired only in a part-time capacity.
- H. Classification of Special Law Enforcement Officers/Duties
1. SLEO Class I Officers shall be authorized to perform routine traffic detail, spectator control and similar duties. If authorized by ordinance or resolution, as appropriate, Class One officers shall have the power to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances and violations of Title 39 of the Revised Statutes. The use of a firearm by an officer of this class shall be strictly prohibited and no Class One officer shall be assigned any duties which may require the carrying or use of a firearm.
 2. SLEO Class II (SLEO II) are authorized to perform all duties of regular full-time police officers subject to the authorization of the Chief of Police.
 - a. SLEO II are authorized to carry firearms and must qualify and demonstrate proficiency with the same frequency as regular police officers.
 - b. SLEO II are authorized to carry designated mechanical and enhanced mechanical force weapons while on duty and must qualify and demonstrate proficiency with the same frequency as regular police officers.

- c. SLEO II are authorized to utilize handcuffs and other restraining devices consistent with this department's policies and only after demonstrating proficiency in the use of these devices.
 - d. SLEO II have the power of arrest and the authority to issue summonses and uniform traffic tickets the same as regular full-time police officers. SLEO II can enforce crimes, disorderly person offenses, petty disorderly person offenses and township ordinances.
3. SLEO Class III (SLEO III) are authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer while providing security at a public or nonpublic school premises while occupied by the public or nonpublic school students and/or its staff.
- a. SLEO III are authorized to carry a handgun and must qualify and demonstrate proficiency with the handgun and any other authorized firearms with the same frequency as regular police officer but must first comply with the requirements of N.J.S.A. 2C:39-6 authorizing a retired law enforcement officer to carry a handgun.
 - b. SLEO III are authorized to carry designated mechanical and enhanced mechanical force weapons while on duty and must qualify and demonstrate proficiency with the same frequency as regular police officers.
 - c. SLEO III are authorized to utilize handcuffs and other restraining devices consistent with this department's policies and only after demonstrating proficiency in the use of these devices.
 - d. SLEO III are not eligible for health care benefits or enrollment in any state-administered retirement system.
 - e. Specific SLEO III duties are contained within the Police Department Rules and Regulations.
- I. The Township Committee shall make appointments upon recommendation by the Chief of Police or his/her designee. The Chief of Police or his/her designee shall certify the eligibility and qualifications of all applicants, in writing, to the Township Committee prior to appointment.

Section 2. Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 3. Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudicated by a court of competent jurisdiction to be involved or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 4. This ordinance shall take effect immediately upon adoption and publication according to law.

ORDINANCE NO. 2020-17

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE PURCHASE OF CERTAIN PROPERTIES AS MORE PARTICULARLY DESCRIBED HEREIN AND COMMONLY REFERRED TO AS THE WATERFRONT REDEVELOPMENT AREA AND APPROPRIATING \$4,700,000 FOR SAID PURPOSE; AUTHORIZING THE ISSUANCE OF \$4,465,000 PRINCIPAL AMOUNT OF OBLIGATIONS OF THE TOWNSHIP TO FINANCE SAID PURPOSE; AND PROVIDING FOR OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring), AS FOLLOWS:

Section 1. Description of Project

The Township of Bordentown, in the County of Burlington, New Jersey (the “**Township**”) hereby authorizes the purchase of certain properties (the “**Land Purchase**”), as specifically described on Exhibit A attached hereto and made a part hereof, consisting generally of the remaining property interests of Bordentown Waterfront Community LLC (the “**Seller**”) in the area previously designated by the Township as the Waterfront Redevelopment Area along with certain related properties, in accordance with an Agreement of Sale by and between the Township and the Seller, all as more particularly described in Ordinance #2020-18.

Section 2. Appropriation for Projects - Down Payment

The Township hereby appropriates the sum of \$4,700,000 for the purpose of paying the costs of the Land Purchase, including the sum of \$235,000 which is hereby appropriated as the down payment for said Land Purchase pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq. It is hereby determined and stated that the amount of the down payment is not less than five percent (5%) of the obligations authorized by this Ordinance and that the amount appropriated as a down payment has been made available prior to final adoption of this Ordinance by provisions in prior or current budgets of the Township for capital improvements and down payments.

Section 3. Useful Life

The period of usefulness associated with the acquisition of real property, as set forth in the Local Bond Law, N.J.S.A. 40A:2-1 et seq., is 40 years.

Section 4. Estimated Cost

It is hereby determined and stated that the estimated cost of the Land Purchase described in Section 1 hereof is \$4,700,000, that the amount of this appropriation is \$4,700,000 and that such estimated cost includes the aggregate amount of \$100,000 for items of expense permitted to be included in the cost of said project under Section 20 of the Local Bond Law, such as legal expenses in connection with the Land Purchase and the costs of authorizing, selling and issuing the obligations herein authorized, and other expenses as set forth in said Section 20 of the Local Bond Law.

Section 5. General Improvement Project

The Land Purchase described in Section 1 hereof shall be undertaken as a general improvement project, no part of the cost of which has been or shall be assessed against properties benefited thereby.

Section 6. Authorization of Bonds

(a) For the purpose of financing a portion of the costs of the Land Purchase authorized in Section 1 hereof, there is hereby authorized pursuant to the Local Bond Law the issuance of bonds of the Township in an aggregate principal amount not to exceed \$4,465,000.

(b) The Chief Financial Officer of the Township and the Mayor of the Township are hereby authorized and directed to execute all bonds authorized under this Ordinance on behalf of the Township and the Township Clerk is hereby authorized and directed to affix to such bonds the seal of the Township and to attest the same. The Chief Financial Officer of the Township is authorized to deliver all such bonds to the purchaser thereof against receipt of the purchase price therefor. All such Township officials are authorized to take such other action and execute such other documents as may be necessary or appropriate to effect the issuance or delivery of the bonds authorized under this Ordinance.

Section 7. Authorization of Notes

(a) Pending the issuance of the bonds authorized in Section 6(a) hereof, there is hereby authorized the issuance of bond anticipation notes of the Township in an aggregate principal amount not to exceed \$4,465,000; provided, however, that if bonds are issued pursuant to Section 6(a) hereof, the aggregate amount of notes authorized to be issued under this Section 7(a) shall be reduced by an amount equal to the principal amount of bonds so issued.

(b) If the aggregate principal amount of outstanding obligations issued pursuant to Section 6(a) and Section 7(a) hereof shall at any time exceed \$4,465,000 the proceeds thereof shall, to the extent of such excess, be applied to the payment of the obligations then outstanding. Whenever funds have been deposited with a bank or trust company and committed or reserved for the payment thereof, the principal amount of the obligations for which sufficient funds have been so deposited shall be deemed no longer outstanding under this Ordinance.

(c) All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one year from its date of issuance. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer of the Township. The Chief Financial Officer shall determine all other matters in connection with notes pursuant to this Ordinance, and the execution of the notes on behalf of the Township shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer of the Township is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer of the Township is directed to report in writing to the governing body of the Township 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 interest rate and the maturity schedule of the notes sold, the price obtained and the name or names of the purchasers.

Section 8. Supplemental Debt Statement

It is hereby determined that the Supplemental Debt Statement required pursuant to the Local Bond Law has been duly filed in the Office of the Township Clerk prior to the passage on first reading of this Ordinance, that a complete executed duplicate thereof has been duly 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 prior to the final passage of this Ordinance, and that said Supplemental Debt Statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of obligations hereunder in the amount of \$4,465,000 and that the issuance of the obligations authorized by this Ordinance is within all the debt limitations prescribed by the Local Bond Law

Section 9. Amendment of Capital Budget

The capital budget of the Township is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available in the office of said Clerk for public inspection.

Section 10. Pledge of Credit and Taxes

For the punctual payment of the principal of and interest on all obligations authorized to be issued by this Ordinance, the entire full faith, credit and taxing power of the Township is hereby irrevocably pledged. The obligations shall be direct, unlimited general obligations of the Township, and, unless paid from other sources, the Township shall levy ad valorem taxes upon all taxable property within the Township for the payment of the principal of and interest on the obligations without limitation as to rate or amount.

Section 11. Covenant as to Federal Income Tax Exemption

The Township hereby covenants with the owners of all obligations authorized to be issued by this Ordinance not to take or omit to take any action so as to cause interest on the obligations to be no longer exempt from federal income taxes. The Township further covenants with the owners of the obligations that it will not authorize or make any prohibited payment or any investment of any proceeds of any obligations or make any other use of such proceeds which would cause such obligations to be “arbitrage bonds” as such term is defined in Section 148 of the Internal Revenue Code of 1986 as the same may be amended or superseded from time to time and the regulations issued thereunder, and the Township further covenants to rebate to the United States Treasury any excess earnings on the gross proceeds of such obligations, as necessary, and to otherwise comply with said Section 148 and said regulations throughout the term of all such obligations.

Section 12. Official Intent

The Township reasonably expects to reimburse itself from proceeds of the obligations authorized by this Ordinance for capital expenditures with respect to the Land Purchase initially paid for from current or other available funds of the Township. This constitutes a declaration of “official intent” within the meaning of Treasury Regulations §1.150-2. The Township hereby certifies that this declaration is reasonable on the date hereof in that (i) it is consistent with the budgetary and financial circumstances of the Township, (ii) no funds (other than the proceeds of the obligations authorized by this Ordinance) are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Township pursuant to its budget or financial policies with respect to the capital expenditures to be reimbursed, and (iii) the Township does not have a pattern of failing to reimburse itself for capital expenditures actually paid and for which an official intent was declared, other than due to unforeseeable extraordinary circumstances beyond the Township’s control. The Township acknowledges that in order to reimburse itself for capital expenditures incurred with respect to the Land Purchase the obligations authorized by this Ordinance must be initially issued not later than eighteen months after the later of the date the relevant capital expenditure is initially paid or the date the relevant capital improvement is placed into service.

Section 13. Subsequent Resolutions

Pursuant to Section 16 of the Local Bond Law, all matters with respect to the obligations authorized by this Ordinance not contained or determined in this Ordinance, including, without limitation, the maturity or maturities, rate or rates of interest and redemption provisions thereof, may be determined by resolution or resolutions hereafter to be adopted in the manner provided by law.

Section 14. Effective Date

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

**THE TOWNSHIP OF BORDENTOWN IN THE
COUNTY OF BURLINGTON, NEW JERSEY**

Introduction: August 10, 2020

Enactment: August 24, 2020

EXHIBIT A

TOWNSHIP	BLOCK	LOT
Bordentown	140	5.02
Bordentown	140.01	1.02
Bordentown	140.01	2.01
Bordentown	141	4
Bordentown	140	10
Bordentown	140	11
Bordentown	140	12
Bordentown	140	13
Bordentown	140	14
Bordentown	140	15
Bordentown	140	16
Bordentown	140	18
Bordentown	140	19
Mansfield	69	1
Fieldsboro	13	8
Fieldsboro	13	9.01
Fieldsboro	13	9.02

TOWNSHIP OF BORDENTOWN

ORDINANCE No. 2020-18

ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY KNOWN AS BLOCK 140, LOTS 5.02, 10-19; BLOCK 140.01, LOTS 1.02 and 2.01; BLOCK 141 LOT 4 IN THE TOWNSHIP OF BORDENTOWN; BLOCK 69, LOT 1 IN THE TOWNSHIP OF MANSFIELD AND BLOCK 13, LOTS 8, 9.01 AND 9.02 IN THE TOWNSHIP OF FIELDSBORO PURSUANT TO N.J.S.A. 40A:12-5

Being finalized by Eileen Fahey.

TOWNSHIP OF BORDENTOWN

ORDINANCE No. 2020-18

AUTHORIZE THE PURCHASE OF REAL PROPERTY KNOWN AS BLOCK 140, LOTS 5.02, 10-19; BLOCK 140.01, LOTS 1.02 and 2.01; BLOCK 141 LOT 4 IN THE TOWNSHIP OF BORDENTOWN; BLOCK 69, LOT 1 IN THE TOWNSHIP OF MANSFIELD AND BLOCK 13, LOTS 8, 9.01 and 9.02 IN THE TOWNSHIP OF FIELDSBORO PURSUANT TO N.J.S.A. 40A:12-5

WHEREAS, the owner of property identified on attached Exhibit A has offered this property for sale to the Township; and

WHEREAS, an appraisal was obtained, and due diligence undertaken to determine the suitability of the property for public purposes; and

WHEREAS, the Township Committee has determined that this property is suitable for a legitimate public purpose, more specifically, the development of affordable housing, open space preservation and/or the construction of public facilities; and

WHEREAS pursuant to N.J.S.A. 40A:12-5(a)(1) et. seq., a municipality may acquire real property for public use.

WHEREAS, funding for this purchase, including closing costs, totaling \$4,700,000 will be provided from the Bond Ordinance being introduced simultaneously with this Ordinance to purchase real property.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Bordentown, County of Burlington, as follows:

SECTION 1.

The Township is hereby authorized to acquire the real property known identified on attached Exhibit A for the sum of \$4,700,000 to be paid through the Bond Ordinance being introduced with this ordinance, such purchase to be contingent upon the adoption of the Bond Ordinance and in accordance with the provisions of the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et. seq.

SECTION 2.

The Township Administrator and Township Attorney are hereby authorized to prepare a contract of sale and to negotiate its terms in accordance with applicable law and to do and to perform all other acts as are necessary to complete the real estate transaction including retaining such professionals including, but not limited to, engineers, land surveyors, title company and the like. The Township's acquisition shall be contingent upon satisfaction of all conditions and requirements contained in the contract documents.

SECTION 3.

The Mayor, Township Clerk, Township Administrator, Township Attorney, and such other Township Officials and/or professionals as required are authorized and directed to execute any and all documents on behalf of the Township and undertake all necessary actions in regard to this matter.

SECTION 4.

Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 5

Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudicated by a court of competent jurisdiction to be involved or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

SECTION 6

This ordinance shall take effect immediately upon adoption and publication according to law.

INTRODUCED: August 10, 2020

PUBLIC HEARING: August 24, 2020

ADOPTION: