

RESOLUTION

WHEREAS, on Tuesday, June 9, 2015, the Township Council for the Township of West Orange (the “Township”) passed Resolution 156-15 which authorized the commencement of a declaratory judgment action with the Superior Court of New Jersey (the “Court”) consistent with the transitional process established in the New Jersey Supreme Court In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) to obtain a Judgment of Compliance and Repose for the Township’s adopted Housing Element and Fair Share Plan (the “Plan”); and

WHEREAS, the Township submitted a Plan to the Court allocating funds for affordability assistance and rehabilitation; and

WHEREAS, the Township anticipated that this funding will come from collected and projected developer fees; and

WHEREAS, the Court has determined that the Township must allocate funds for the provision of affordable housing as set forth in the Township’s Plan; and

WHEREAS, in the event that the above funding sources from collected and projected developer fees prove inadequate to complete the affordable housing programs included in the Township’s Plan, the Township shall take all appropriate actions to secure and make available sufficient funding from all sources to address any shortfalls.

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that the Township hereby agrees to take appropriate actions, consistent with law, to fund any shortfall in its approved affordable housing programs

that may arise whether due to inadequate funding from other sources or for any other related reason; and it is further

RESOLVED, that any shortfall may also be funded by bonding if there are no other resources, provided, however, that the Township should first utilize all other funding sources available to it, including, but not limited to, development fees; and be it further

RESOLVED that a copy of this Resolution shall remain on file with the Township Clerk for inspection by the public.

Karen J. Carnevale, R.M.C
Municipal Clerk

Cindy Matute-Brown
Council President

Adopted: January 26, 2021