

(C)

cc: Adm
& Council
via
e-mail.
7/28/08

**TOWNSHIP OF PARSIPPANY-TROY HILLS
1001 PARSIPPANY BLVD., PARSIPPANY, NJ 07054**

(MS)

MEMORANDUM

To: The Honorable Jon S. Corzine, Governor of New Jersey
The Honorable Richard J. Codey, President of the State Senate
The Honorable Joseph J. Roberts, Jr., Speaker of the General Assembly

From: Judith I. Silver, Township Clerk *JIS*

Date: July 25, 2008

Re: **A Resolution of the Township Council of the Township of Parsippany-Troy Hills Opposing Third Round Affordable Housing Rules as Adopted by the Council on Affordable Housing**

Enclosed please find a certified copy of the above captioned resolution adopted by the Township Council of the Township of Parsippany-Troy Hills at its meeting of July 22, 2008. The Township opposes the Third Round Affordable Housing Rules as adopted by the Council on Affordable Housing for the reasons set forth in the resolution.

Enclosure

- cc: Mayor and Township Council, Township of Parsippany-Troy Hills
- J. Lim, Business Administrator, Township of Parsippany-Troy Hills
- Joseph Doria, Commissioner, Dept. of Community Affairs (w/copy of resolution)
- Members of the Morris County Legislative Delegation (w/copy of resolution)
- Morris County Board of Chosen Freeholders (w/copy of resolution)
- New Jersey State League of Municipalities (w/copy of resolution)
- Morris County League of Municipalities (w/copy of resolution)
- All Morris County Municipalities (via email or fax w/copy of resolution)

July 22, 2008

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS OPPOSING THE THIRD ROUND AFFORDABLE HOUSING RULES AS ADOPTED BY THE COUNCIL ON AFFORDABLE HOUSING

WHEREAS, on December 17th, 2007, the New Jersey Council on Affordable Housing (COAH) voted to propose its revised third round regulations in response to the Appellate Court decision of January 25, 2007; and

WHEREAS, on May 6, 2008, COAH voted to adopt the rules, with minor clarifications, as N.J.A.C. 5:96 (Procedural Rules) and N.J.A.C. 5:97 (Substantive Rules); and

WHEREAS, the revised rules became effective June 2, 2008; and

WHEREAS, the revised rules will have a negative impact upon economic development within the Township of Parsippany-Troy Hills as well as within the State of New Jersey; and

WHEREAS, under the revised rules, many municipalities are being required to plan for affordable housing based upon growth which is unlikely to occur since COAH has used a flawed approach in calculating prospective growth; and

WHEREAS, under the revised rules, the large retroactive obligation will serve to undermine prior compliance efforts, requiring municipal property taxpayers to suffer a higher tax burden; and

WHEREAS, under the revised rules, residential development generating such a high growth share obligation will create a shortfall that must be paid by property taxpayers, since neither the proposed mandatory development fees nor the proposed payments in lieu of constructing affordable units are sufficient to pay for municipal construction of units, since the proposal understates construction costs and overstates the average sale price of units; and

WHEREAS, under the revised rules, economic development will be negatively impacted by unreasonable growth share ratios; and

WHEREAS, the concept of growth share may be sound if applied prospectively only and if the growth share ratios are reasonable and sustainable.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills in the County of Morris and State of New Jersey as follows:

1. The governing body implores the members of COAH, and COAH staff, to recognize that there is a limit to what municipalities and developers can be called upon to satisfy in terms of affordable housing obligations.
2. That COAH reconsiders these regulations since, as adopted, they will have a negative impact upon economic development in the Township and in the State as a whole, and will financially overburden our Township's taxpayers.
3. That a copy of this resolution be transmitted to Governor Jon Corzine, Senate President Richard J. Codey, Assembly Speaker Joseph J. Roberts, Jr., DCA Commissioner Joseph Doria, the members of the Morris County Legislative Delegation, the Morris County Board of Chosen Freeholders, the New Jersey State League of Municipalities, the Morris County League of Municipalities and all Morris County municipalities.

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND
LAWFUL COPY OF A RESOLUTION ADOPTED BY THE
TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY,
TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY
AT ITS MEETING OF

Judith L. Silver
JUDITH L. SILVER, TOWNSHIP CLERK