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re: Admin
Plan

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF RANDOLPH OPPOSING THE THIRD ROUND AFFORDABLE HOUSING RULES AS ADOPTED BY THE COUNCIL ON AFFORDABLE HOUSING

WHEREAS, on December 17, 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 Randolph 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.



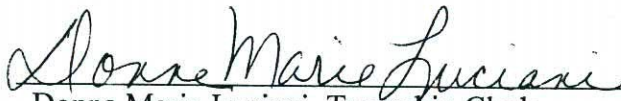
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Randolph in the County of Morris and State of New Jersey as follows:

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 reconsider 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.

CERTIFICATION

I, Donna Marie Luciani, Municipal Clerk for the Township of Randolph, do hereby certify the above to be a true copy of a resolution adopted by the Mayor and Council at a regular meeting held on August 7, 2008.

Date: 8/7/08


Donna Marie Luciani, Township Clerk