

(c)

Page 1 of 1  
Scan email to  
cc: Admin

**Lashway, Lisa**

---

**From:** Kirkman, Lauren [kirkman@middletownnj.org]  
**Sent:** Tuesday, April 01, 2008 11:57 AM  
**To:** Kirkman, Lauren  
**Subject:** Resolution supporting a stay on Third Round COAH Proposals, Resolution supporting change in Legal Noticing

The attached resolutions were adopted by the Middletown Township Committee, please distribute a copy to your Mayor and Governing Body.

Thank you!

Lauren Kirkman, RMC  
Deputy Municipal Clerk  
Township of Middletown  
One Kings Highway  
Middletown, NJ 07748  
732-615-2014  
732-957-9090-Fax  
[www.middletownnj.org](http://www.middletownnj.org)

Resolution No. 08-112

**RESOLUTION URGING THAT THE GOVERNOR  
AND LEGISLATURE IMPLEMENT A STAY ON  
THE FURTHER IMPLEMENTATION OF THE  
COAH THIRD ROUND PROPOSALS AND  
THE FAIR HOUSING ACT**

**WHEREAS**, as has been plainly established over the past few years, New Jersey is in the midst of a major fiscal and tax crisis, and the State government and municipalities throughout the State are struggling to maintain government services while not increasing the already substantial tax burden on its citizens and businesses, and

**WHEREAS**, on top of those already substantial economic and tax issues, over the past year there has arisen a major crisis in the housing market, with housing prices either stagnating or falling and many of the builders in the State being thrust into serious financial difficulties due to lack of demand for housing in the existing economic climate, and

**WHEREAS**, with those two economic situations and realities in place, at the same time the New Jersey Council on Affordable Housing has continued to move forward to propose substantial and costly new "Third Round" COAH Rules and Requirements, to be imposed upon most of the municipalities in this State, and

**WHEREAS**, the COAH Rules and standards will clearly create enormous additional burdens and expenses to municipalities, will substantially increase and adversely effect the already sensitive "free market" cost of new "non-affordable" housing units, will increase the tax burden to municipalities and their taxpaying residents, will mandate additional new development densities that will be environmentally detrimental and mandate the change in character and the "urbanization" of many communities and neighborhoods, and will discourage or preclude the rehabilitation of existing housing units in urban areas having proper infrastructure in place by raising the cost of RCA units to unaffordable levels, and

**WHEREAS**, in light of the facts that New Jersey and its municipalities are in the midst of a financial and tax crisis, that the New Jersey housing market is in substantial stress, that many New Jersey citizens and taxpayers are having substantial difficulty funding their own housing and tax obligations without having the additional burdens of housing densities and subsidies placed upon them by these new and clearly onerous COAH proposed requirements, and

**WHEREAS**, in view of the now clearly established crisis in the State's financial and tax base and the continuing abilities of both State and local governments to fund basic services without further raising taxes to economically-debilitating levels and the ongoing crisis in the State's "free market" housing market, to go forward blindly to create new and substantial financial/tax burdens on municipalities, the State's taxpayers, the State's business and housing economy, and the housing market seems to be improvident, reckless, and certainly detrimental to the interest of the State and its citizens, and

**WHEREAS**, the supposed "Mount Laurel" doctrine and the Fair Housing Act are, to a certain extent, the product of a different time, and COAH is not responsive to the public or

electorate and its narrow focus is without due consideration to the long term consequences to environmental concerns or fiscal/tax burdens, and

**WHEREAS**, many communities, such as Middletown, now have in place a diversity of housing, including affordable housing, through implementation of COAH directives over the past 20 years and by the balance of the free market, and the proposed "Third Round" requirements are an unnecessary additional burden on its citizens and taxpayers and will, no doubt, severely aggravate the existing financial/tax and housing issues now facing this Township and the entire State, and

**WHEREAS**, the elected leaders of this State --- the Governor and legislative leaders --- should recognize these existing crises and that the COAH proposals will further aggravate and exacerbate severe fiscal/tax and housing market problems, and it is requested that these officials move forward legislatively to implement a Stay or hiatus as to the proposed "Third Round" requirements of COAH and further fiscal obligations on municipalities and their taxpayers until these other problems are further addressed.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Middletown that the Governor and State Legislative leaders are requested to review and implement a Stay of the Fair Housing Act and the proposed COAH "Third Round" requirements, so as to avoid further aggravation of the serious fiscal/tax problems, free-market housing difficulties, and environmental issues now pending before the State and municipalities within the State.

Middletown Township Committee

Committee Member	Approved	Opposed	Abstain	Absent
P. Brightbill	X			
S. Byrnes		X		
T. Wilkens	X			
P. Short		X		
Mayor Scharfenberger	X			

CERTIFICATION

I, Heidi R. Abs, Township Clerk of the Township of Middletown hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their regular meeting held on March 17, 2008.

Witness, my hand and the seal of the Township of Middletown this 17th day of March, 2008.



Heidi R. Abs, Township Clerk

Resolution No. 08-114

RESOLUTION SUPPORTING ASSEMBLY  
BILL A1105 AUTHORIZING ON-LINE  
PUBLICATION OF MUNICIPAL LEGAL NOTICES

WHEREAS, government at all levels is under severe financial stress, and the State has just announced plans to substantially reduce or eliminate State Aid to many municipalities, and

WHEREAS, municipalities and public entities are required by law to post and publicly advertise various proposed Legislative actions and/or applications for various approvals or permits, so that the citizenry will be informed and able to comment or inquire at appropriate times, and

WHEREAS, the State law applicable to such public advertising and notice, requiring legal notice advertisements in certain designated "official" newspapers, was established many years ago, at a time when newspapers were practically the only form of mass communications, advertising rates were lower, and municipalities and public entities were not so financially stressed, and

WHEREAS, in addition, the cost of many public notices is passed through directly to the applicant/public, resulting in higher application or permit costs to the public applying for these various approvals or permits, and

WHEREAS, over the years, there has always been the complaint or issue that newspaper legal notices are not prominent and not regularly read by many citizens, and the state of internet technology now will permit such legal notices to be posted in a specific on-line location at little or no cost to the municipality and available to the citizen at this specific on-line location at no cost, and allowing such internet posting/advertising will save municipalities substantial monies while increasing public accessibility, and

WHEREAS, in the current state of government economics, it is imperative that reasonable measures be implemented to save public funds and tax dollars, and this change in public notice procedures would save substantial funds while preserving, if not enhancing, public notification effectiveness.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Middletown that the Township urges the State Legislature and Governor to adopt Assembly Bill A1105, or similar legislation, to authorize public advertising of legal notices by on-line posting of Public and Legal Notices, pursuant to designed guidelines and requirements to ensure effective public notice and availability, in lieu of costly newspaper legal notices.


Middletown Township Committee

Committee Member	Approved	Opposed	Abstain	Absent
P. Brightbill	X			
S. Byrnes	X			
T. Wilkens	X			
P. Short	X			
Mayor Scharfenberger	X			

CERTIFICATION

I, Heidi Abs, Clerk of the Township of Middletown hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their public meeting held on March 17, 2008.

WITNESS, my hand and the seal of the Township of Middletown this 17<sup>th</sup> day of March, 2008.

  
HEIDI ABS, Township Clerk