

**AGENDA**  
**BOARD OF COMMISSIONERS**  
**December 17, 2019 at 7:30 p.m.**

- A. Call to Order and Announcement of Public Meetings (In accordance with the Open Public Meetings Act, notice of this meeting has been sent to the Retrospect and posted on the bulletin board in the Borough Hall)
- B. Pledge of Allegiance, followed by Moment of Silence
- C. Roll Call
- D. Waive reading of Minutes and Approve as Submitted for November 26, 2019

**FIRE DEPARTMENT EXPLORER PROGRAM:**

- 182. Authorization to Swear in New Explorer Member  
Swearing-In

**CERTIFICATES OF ACHIEVEMENT:** 85lb & 135lb Teams – WJFL Championships

**ORDINANCES:**

- 2019-16 Amend Ordinance 2019-13, Section I, Item 2 – Second Reading
- 2019-17 Amend Chapter 173 – Property Maintenance – Second Reading
- 2019-18 Repeal Chapter 39 – Neighborhood Disputes Mediation – Second Reading
- 2019-19 Repealing & Replacing Chapter 63 Entitled Affordable Housing – Second Reading
- 2019-20 Amend Chapter 135 – Land Development – Zoning Overlay – Second Reading

**RESOLUTIONS:**

- 183. Authorization to Approve Budget Transfers
- 184. Authorization to Pay Vouchers
- 185. Authorization to Issue Checks – Fair Share Housing Escrow Fund Overpayments
- 186. Authorization to Approve Appointments – Various
- 187. Authorization to Appoint Fund Commissioners – Health Insurance Fund
- 188. Authorization to Appoint Fund Commissioners – Joint Insurance Fund
- 189. Authorization to Sign Agreement for Governor's Council on Alcoholism and Drug Abuse Fiscal Grant
- 190. Authorization to Approve 2020 Schedule of Meetings
- 191. Authorization to Adopt Information Technology Practice Policy, Social Media Policy and Procedure Manual
- 192. Authorization to Approve Change Order No. 3 – 2019 Road Program
- 193. Authorization to Approve General Event Permit Application - Lululemon
- 194. Authorization To Endorse the Amended Housing Element and Fair Share Plan
- 195. Authorization To Adopt an Affirmative Marketing Plan
- 196. Authorization To Adopt an Affordable Housing Spending Plan
- 197. Authorization for Intent to Appropriate Funds or Bonds for Affordable Housing in the Event of a Funding Shortfall
- 198. Authorization to Appointing a Municipal Housing Liaison
- 199. Authorization to Enter into a Contract with an Administrative Agent for the Administration of Affordable Housing Units

## PUBLIC COMMENT

From time to time one or more Haddonfield Borough Commissioners may communicate by email or letter between or among themselves, which at times include employees, volunteers and/or members of the public. Non privileged/confidential emails are available for inspection by members of the public in Haddonfield Borough's Clerk's Office. Copies may be obtained at a modest cost and by written notice in compliance with the Open Public Meetings Act (OPRA).

2019-12-17-182

December 17, 2019

### **Authorization to Approve Appointments – Haddon Fire Company No. 1 Explorers Program**

**WHEREAS**, Joseph Poliafico has made application for membership in Haddon Fire Company No. 1's Explorer Program and has been accepted by the Company.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of Haddonfield, that the following appointments are approved:

1. Explorer Membership in Haddon Fire Company No. 1 – Joseph Poliafico

## SECOND READING

December 17, 2019

2019-16

### **AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF HADDONFIELD, IN THE COUNTY OF CAMDEN, STATE OF NEW JERSEY TO AMEND ORDINANCE 2019-13 ENTITLED LAND DEVELOPMENT**

**BE IT ORDAINED** by the Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey that Chapter 135 of the Haddonfield Land Development Ordinance be amended as follows:

#### **SECTION I**

1. Code Chapter 135, Article IX entitled Site Design Standards, Subsection 77 entitled General Development Design Standards is hereby amended to ADD the following and RE-LETTER the subsequent items:

- C. Prior to submitting an application for consideration of a Zoning Permit which involves construction of a structure below grade, the applicant shall complete a test pit to determine the seasonal high ground water table on said property within the area of improvement. Upon determining the seasonal high ground water table elevation, the lowest **portion of the proposed finished floor shall be set a minimum of 18 vertical inches** higher than the seasonal high ground water elevation. The test pit to determine the seasonal high ground water table elevation shall be conducted in the

presence of a Borough Representative to confirm the elevation of the seasonal high ground water demarcation.

## **SECTION II**

If any section, subsection, paragraph, sentence, clause or phrase of the Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, as to this end the provisions of the Ordinance are hereby declared to be severable.

## **SECTION III**

This ordinance shall take effect immediately upon passage and publication as required by law.

First Reading – November 26, 2019

**SECOND READING**

**December 17, 2019**

**2019-17**

### **AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF HADDONFIELD, IN THE COUNTY OF CAMDEN, STATE OF NEW JERSEY TO AMEND CODE CHAPTER 173 PROPERTY MAINTENANCE**

**BE IT ORDAINED** by the Board of Commissioners of the Borough of Haddonfield in the County of Camden, State of New Jersey as follows:

## **SECTION I**

1. §173 entitled Property Maintenance, Section 14 entitled Violations and Penalties is hereby amended to include the following:

§173-14 Violations and Penalties

- D. Anyone that is charged with a violation of §173-3, Nuisance, paragraph G, and/or §173-11(H) for a first offense is not required to appear in the municipal court to answer the charge, provided responsibility is accepted by the offender and the offender pays the assessed fine. A second or subsequent charge within a five (5) year period shall require a municipal court appearance by the one charged and upon conviction the fine shall be in the court's discretion.

## **SECTION II**

If any section, subsection, paragraph, sentence, clause or phrase of the Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and

effect, as to this end the provisions of the Ordinance are hereby declared to be severable.

**SECTION III**

This ordinance shall take effect immediately upon passage and publication as required by law.

First Reading – November 26, 2019

**SECOND READING**

**2019-18**

**December 17, 2019**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF HADDONFIELD, IN THE COUNTY OF CAMDEN, STATE OF NEW JERSEY TO REPEAL CHAPTER 39 ENTITLED NEIGHBORHOOD DISPUTES MEDIATION COMMISSION**

**BE IT ORDAINED** by the Board of Commissioners of the Borough of Haddonfield in the County of Camden, State of New Jersey as follows:

**SECTION I**

Chapter 39 entitled Neighborhood Disputes Mediation Commission of the Code of the Borough of Haddonfield in the County of Camden, State of New is hereby REPEALED and of no legal effect.

**SECTION II**

This ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

First Reading – November 26, 2019

**SECOND READING**

**2019-19**

**December 17, 2019**

**AN ORDINANCE OF THE BOROUGH OF HADDONFIELD, COUNTY OF CAMDEN AND STATE OF NEW JERSEY REPEALING AND REPLACING CHAPTER 63 "AFFORDABLE HOUSING" TO THE CODE OF THE BOROUGH OF HADDONFIELD TO ADDRESS THE REQUIREMENTS OF THE NEW JERSEY SUPERIOR COURT**

**BE IT ORDAINED** by the Borough Commissioners of the Borough of Haddonfield, County of Camden and State of New Jersey, that the Code of the Borough of Haddonfield ("Code") is hereby amended as follows:

**Section I. Chapter 63, "Affordable Housing", Repealed.** That Chapter 63, "Affordable Housing" is hereby repealed.

**Section II. Chapter 135, Section 25.1, "Affordable housing for any development producing five dwelling units or more", Repealed.** That Chapter 135-25.1, "Affordable housing for any development producing five dwelling units or more" is hereby repealed.

**Section III. Chapter 135, Section 25.2, "Affordable housing as share of all development or redevelopment of parcels of five or more acres", Repealed.** That Chapter 135-25.2, "Affordable housing as share of all development or redevelopment of parcels of five or more acres" is hereby repealed.

**Section IV. Chapter 63, "Affordable Housing" Created.** That Chapter 63, "Affordable Housing" is hereby added to the Code to read as follows:

**Chapter 63  
AFFORDABLE HOUSING**

ARTICLE I

**General Program Purposes, Procedures**

**§ 63-1. Affordable Housing Obligation**

- A. This section of the Borough Code sets forth regulations regarding the low- and moderate-income housing units in the Borough consistent with the provisions known as the "Substantive Rules of the New Jersey Council on Affordable Housing", N.J.A.C. 5:93 et seq., the Uniform Housing Affordability Controls ("UHAC"), N.J.A.C. 5:80-26.1 et seq., except where modified by the requirements for very low-income housing as established in P.L. 2008, c.46 (the "Roberts bill," codified at N.J.S.A. 52:27D-329.1) and as reflected in the terms of a Settlement Agreement between the Borough and Fair Share Housing Center ("FSHC") such that the statutory requirement to provide very low-income units equal to 13% of affordable units approved and constructed after July 17, 2008, to be affordable to households at 30% of the regional median income, overrides the UHAC requirement that 10% of all low- and moderate-income units must be affordable at 35% of the regional median income, and the Borough's constitutional obligation to provide a fair share of affordable housing for very low-, low- and moderate-income households.
  
- B. This Ordinance is intended to assure that very low-, low- and moderate-income units ("affordable units") are created with controls on affordability over time and that very low-, low- and moderate-income households shall occupy these units. This Ordinance shall apply to all inclusionary developments and 100% affordable developments (including those funded with Low-Income Housing Tax Credit financing) except where inconsistent with applicable law.

- C. The Haddonfield Borough Planning Board has adopted a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, *et seq.* The Plan has also been endorsed by the Borough Commissioners of the Borough of Haddonfield. The Fair Share Plan describes the ways the Borough shall address its fair share for low- and moderate-income housing as determined by the Superior Court and documented in the Housing Element.
- D. This Ordinance implements and incorporates the Fair Share Plan and addresses the requirements of N.J.A.C. 5:93, as may be amended and supplemented.

### **§ 63-2. Monitoring and Reporting Requirements**

The Borough of Haddonfield shall comply with the following monitoring and reporting requirements regarding the status of the implementation of its Court-approved Housing Element and Fair Share Plan:

- A. The Borough shall file monitoring and status reports with the Superior Court and place the reports on its municipal website pursuant to the Borough's Settlement Agreement with FSHC. Any plan evaluation report of the Housing Element and Fair Share Plan and monitoring evaluation report prepared by the Special Master in accordance with N.J.S.A. 52:27D-313 and 329.1 shall be available to the public at the Haddonfield Borough Hall, 242 Kings Highway East, Haddonfield, New Jersey 08033.
- B. Beginning on April 2, 2020, and on every anniversary of that date through April 2, 2025, the Borough agrees to provide annual reporting of its Affordable Housing Trust Fund activity to the New Jersey Department of community Affairs (NJDCA), the Council on Affordable Housing (COAH), or New Jersey Local Government Services (NJLGS), or other entity designated by the State of New Jersey, with a copy provided to FSHC and posted on the Borough's website, using forms developed for this purpose by NJDCA, COAH or NJLS. The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the sources and amounts of funds collected and the amounts and purposes for which any funds have been expended.
- C. Beginning on April 2, 2020, and on every anniversary of that date through April 2, 2025, the Borough agrees to provide annual reporting of the status of all affordable housing activity within the Borough through posting on the Borough website with a copy of such posting provided to all parties to the Borough's Court-approved Settlement Agreement with FSHC, using forms previously developed for this purpose by COAH or any other forms endorsed by the Special Master and/or FSHC.
- D. By July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the Borough must prepare and post on its website, with a copy provided to FSHC, a

status report as to its implementation of its Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity. Such posting shall invite any interested party to submit comments to the municipality, with a copy to FSHC, regarding whether any sites no longer present a realistic opportunity and should be replaced and whether any mechanisms to meet unmet need should be revised or supplemented. Any interested party may by motion request a hearing before the Court regarding these issues. In the event the Court determines that a site or mechanism no longer presents a realistic opportunity and should be replaced or supplemented, then the municipality shall have the opportunity to supplement or revise its plan to correct any deficiency.

- E. Within 30 days of April 2, 2022 and April 2, 2025, as required by N.J.S.A. 52:27D-329.1, the Borough will post on its website, with a copy provided to FSHC, a status report as to its satisfaction of its very low-income requirements, including its family very low-income requirements. Such posting shall invite any interested party to submit comments to the Borough and FSHC on the issue of whether the municipality has complied with its very low-income and family very low-income housing obligation.

### **§ 63-3. Definitions**

As used herein the following terms shall have the following meanings:

“Accessory apartment” means a self-contained residential dwelling unit with a kitchen, sanitary facilities, sleeping quarters and a private entrance, which is created within an existing home, or through the conversion of an existing accessory structure on the same site, or by an addition to an existing home or accessory building, or by the construction of a new accessory structure on the same site.

“Act” means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.).

“Adaptable” means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

“Administrative Agent” means the entity responsible for the administration of affordable units in accordance with this ordinance, N.J.A.C. 5:91, N.J.A.C. 5:93 and N.J.A.C. 5:80-26.1 et seq.

“Affirmative marketing” means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

“Affordability average” means the average percentage of median income at which restricted units in an affordable housing development are affordable to low- and moderate-income households.

“Affordable” means a sales price or rent level that is within the means of a low- or moderate-income household as defined in N.J.A.C. 5:93-7.4; in the case of an ownership

unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

"Affordable development" means a housing development all or a portion of which consists of restricted units.

"Affordable housing development" means a development included in or approved pursuant to the Housing Element and Fair Share Plan or otherwise intended to address the Borough's fair share obligation, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100% affordable development.

"Affordable housing program(s)" means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality's fair share obligation.

"Affordable unit" means a housing unit proposed or created pursuant to the Act, approved for crediting by the Court, and/or funded through an affordable housing trust fund.

"Agency" means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, *et seq.*).

"Age-restricted unit" means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62 years or older; or 2) at least 80% of the units are occupied by one person that is 55 years or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as "housing for older persons" as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

"Alternative living arrangement" means a structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to, transitional facilities for the homeless; Class A, B, C, D, and E boarding homes as regulated by the New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

"Assisted living residence" means a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.



"Certified household" means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

"COAH" or "the Council" means the Council on Affordable Housing, as established by the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) which is in, but not of, the Department of Community Affairs of the State of New Jersey.

"DCA" means the State of New Jersey Department of Community Affairs.

"Deficient housing unit" means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

"Developer" means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

"Development" means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

"Development fee" means money paid by a developer for the improvement of property as permitted in N.J.A.C. 5:93-8.8.

"Equalized assessed value" means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through c.54:1-35c).

"Fair Share Plan" means the plan that describes the mechanisms, strategies and the funding sources, if any, by which the Borough proposes to address its affordable housing obligation as established in the Housing Element, including the draft ordinances necessary to implement that plan, and addresses the requirements of N.J.A.C. 5:93-5.

"FSHC" means the Fair Share Housing Center.

"Green building strategies" means those strategies that minimize the impact of development on the environment, and enhance the health, safety, and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

"Housing Element" means the portion of the Borough's Master Plan, required by the Municipal Land Use Law (MLUL), N.J.S.A. 40:55D-28b(3) and the Act, that includes the

information required by N.J.A.C. 5:93-5.1 and establishes the Borough's fair share obligation.

"Inclusionary development" means a development containing both affordable units and market-rate units. This term includes, but is not necessarily limited to, new construction; the conversion of a non-residential structure to residential; and the creation of new affordable units through the reconstruction of a vacant residential structure.

"Low-income household" means a household with a total gross annual household income equal to 50% or less of the regional median household income by household size, as defined below.

"Low-income unit" means a restricted unit that is affordable to a low-income household.

"Major system" means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building, which include, but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load-bearing structural systems.

"Market-rate units" means housing not restricted to low- and moderate-income households that may sell or rent at any price.

"Median income" means the median income by household size for the applicable housing region, as adopted annually by the Borough pursuant to this ordinance, by COAH or a successor entity approved by the New Jersey Superior Court.

"Moderate-income household" means a household with a total gross annual household income in excess of 50% but less than 80% of the regional median household income by household size.

"Moderate-income unit" means a restricted unit that is affordable to a moderate-income household.

"NJLGS" means New Jersey Local Government Services.

"Non-exempt sale" means any sale or transfer of ownership other than the transfer of ownership between spouses; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a class A beneficiary, and the transfer of ownership by court order.

"Random selection process" means 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).

“Regional asset limit” means the maximum housing value in each housing region affordable to a four-person household with an income at 80% of the regional median as defined by duly adopted regional income limits published annually by COAH or a successor entity.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as may be amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

“Special master” means an expert appointed by a judge to make sure that judicial orders are followed. A master’s function is essentially investigative, compiling evidence or documents to inform some future action by the Court.

“UHAC” means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq.

“Very low-income household” means a household with a total gross annual household income equal to 30% or less of the median household income by household size.

“Very low-income unit” means a restricted unit that is affordable to a very low-income household.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for rehabilitation.

#### **§ 63-4. Applicability**

- A. The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created within the Borough of Haddonfield pursuant to the Borough’s most recently adopted Housing Element and Fair Share Plan.
- B. Moreover, this Ordinance shall apply to all developments that contain very low-, low- and moderate-income housing units, including any current unanticipated future developments that will provide very low-, low- and moderate-income housing units.

- C. Projects receiving federal Low Income Housing Tax Credit financing shall comply with the income and bedroom distribution requirements of UHAC at N.J.A.C. 5:80-26.3 (with the exception that the UHAC requirement for 10% of the affordable units in rental projects being required to be at 35% of median income be modified as required by the statutory requirement at N.J.S.A. 52:27D-329.1 to 13% of affordable units in such projects shall be required to be at 30% of median income) and the length of the affordability controls applicable to such projects shall be not less than a 30-year compliance period plus a 15-year extended-use period.

#### **§ 63-5. Borough-wide Mandatory Set-Aside**

- A. A multi-family or single-family attached development providing a minimum of five new housing units created through any municipal rezoning or Zoning Board action, use or density variance, redevelopment plan, or rehabilitation plan that provides for densities at or above six units per acre, is required to include an affordable housing set-aside of 20%.
- B. At least 50% of the affordable units in each development shall be affordable to low-income housing. At least 13% of all affordable units in rental developments shall be affordable to very low-income households.
- C. All such affordable units, including bedroom distribution, shall be governed by the controls on affordability and affirmatively marketed in conformance with UHAC at N.J.A.C. 5:80-26.1 et seq., or any successor regulation, and all other applicable law.
- D. No subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement. Developers cannot, for example, subdivide a project into two lots and then make each of them a number of units just below the threshold.
- E. This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of the Borough of Haddonfield to grant such rezoning, variance or other relief.
- F. This Borough-wide mandatory set-aside requirement does not apply to any sites or specific zones otherwise identified in the Borough's Settlement Agreement with FSHC or its Housing Element and Fair Share Plan, for which density and set-aside requirements shall be governed by the specific standards as set forth therein. The Borough shall maintain this mandatory set-aside provision through at least July 1, 2025, at which time the Borough may determine to extend the applicability of the provision.
- G. In the event that the inclusionary set-aside of 20% of the total number of residential units does not result in a full integer, the developer may choose one of two options of addressing the fractional unit:

1. The developer shall round the set-aside upward to construct a whole additional affordable unit; or
2. If the set-aside includes a fractional unit equal to 0.49 or less, the developer may round the set-aside downward and construct the lesser whole number of affordable units, but must also make a payment in lieu of constructing the fractional additional unit ("fractional payment-in-lieu"). The fractional payment-in-lieu amount shall be calculated as the fractional unit multiplied by the base payment-in-lieu dollar amount established in §63-7.C.1 of the Borough Code.
3. For example, if seven total units are developed at an inclusionary site, a 20% set-aside would require 1.4 affordable units. Per the requirements above:
  - (a) The developer shall round up the 0.4 unit to one whole affordable unit so as to construct a total of two (2) affordable housing units, in accordance with §63-5.G.1; or
  - (b) In accordance with §63-5.G.2, the developer shall round the set-aside downward so as to construct only one affordable unit AND shall pay into the Borough's affordable housing trust fund a fractional-in-lieu payment equal to the dollar amount established in §63-7.C.1 multiplied by 0.4 units.

#### **§ 63-6. Alternate Living Arrangements**

- A. The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:93-5.8 and UHAC, with the following exceptions:
  1. Affirmative marketing (N.J.A.C. 5:80 26.15), provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the Court;
  2. Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).
- B. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, alternative living arrangements shall have at least 30-year controls on affordability in accordance with UHAC, unless an alternative commitment is approved by the Court.
- C. The service provider for the alternative living arrangement shall act as the Administrative Agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

#### **§ 63-7. New Construction**

The following requirements shall apply to all new or planned developments that contain low- and moderate-income housing units.

- A. Phasing. Final site plan or subdivision approval shall be contingent upon the affordable housing development meeting the following phasing schedule for low- and moderate-income units whether developed in a single-phase development, or in a multi-phase development:

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25	0
25+1	10
50	50
75	75
90	100

- B. Design. In inclusionary developments, to the extent possible, low- and moderate- income units shall be integrated with the market-rate units.

- C. Payments-in-lieu and off-site construction. The standards for the collection of payments in lieu of constructing affordable units or for constructing affordable units off-site shall be in accordance with the following requirements:

1. The base dollar amount of the payment-in-lieu of constructing an affordable unit at the time of adoption of this Ordinance shall be \$156,089.<sup>1</sup> This amount shall be adjusted periodically by the Borough to reflect the most current and accurate market conditions or better cover the cost to the Borough of subsidizing affordable housing construction. The payment shall be imposed as a condition of development approval by the Planning Board.
2. During the development approval process, a developer may demonstrate to the governing body that the actual construction cost of an affordable unit less estimated capitalized revenue at the development in question is lower than the imposed payment-in-lieu in §63-7.C.1. At its discretion, the governing body may impose a lower payment-in-lieu amount equal or proximate to the amount estimated by the developer.

- D. Utilities

1. Affordable units shall utilize the same type of heating source as market-rate units within the affordable development.

---

<sup>1</sup> As set forth in N.J.A.C. 5:97-6.4(c)3

2. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

E. Low/moderate split and bedroom distribution of affordable housing units:

1. The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit.
2. In each affordable development, at least 50% of the restricted units within each bedroom distribution shall be low-income units.
3. Within rental developments, of the total number of affordable rental units, at least 13% shall be affordable to very low-income households. The very low-income units shall be counted as part of the required number of low-income units within the development.
4. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
  - (a) The combined number of efficiency and one-bedroom units shall be no greater than 20% of the total low- and moderate-income units;
  - (b) At least 30% of all low- and moderate-income units shall be two-bedroom units;
  - (c) At least 20% of all low- and moderate-income units shall be three-bedroom units; and
  - (d) The remaining units may be allocated among two- and three-bedroom units at the discretion of the developer.
5. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

F. Accessibility requirements:

1. The first floor of all new restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7 and the following:

2. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
  - (a) An adaptable toilet and bathing facility on the first floor;
  - (b) An adaptable kitchen on the first floor;
  - (c) An interior accessible route of travel on the first floor;
  - (d) An adaptable room that can be used as a bedroom, with a door, or the casing for the installation of a door, on the first floor;
  - (e) If not all of the foregoing requirements in 2(a) through 2(d) can be satisfied, then an interior accessible route of travel must be provided between stories within an individual unit; but if all of the terms of 2(a) through 2(d) above have been satisfied, then an interior accessible route of travel shall not be required between stories within an individual unit; and
  - (f) An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-31 1a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that the Borough has collected funds from the developer sufficient to make 10% of the adaptable entrances in the development accessible:
    - (1) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
    - (2) To this end, the builder of restricted units shall deposit funds within the Borough of Haddonfield's Affordable Housing Trust Fund sufficient to install accessible entrances in 10% of the affordable units that have been constructed with adaptable entrances.
    - (3) The funds deposited under paragraph (2) herein shall be used by the Borough for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
    - (4) The developer of the restricted units shall submit to the Construction Official of the Borough of Haddonfield a design plan and cost estimate for the conversion from adaptable to accessible entrances.



(5) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meets the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Borough of Haddonfield's Affordable Housing Trust Fund in care of the Borough Treasurer, who shall ensure that the funds are deposited into the Affordable Housing Trust Fund and earmarked appropriately.

(g) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site-impracticable" to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, N.J.A.C. 5:23-7.

G. Maximum rents and sales prices:

1. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC and the calculation procedures as approved by the Court and detailed below:

(a) Regional income limits shall be established for the region in which the Borough is located (i.e. Region 5) based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial census in the Borough's housing region. This quotient represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80% of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50% of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very low-income unit for a household of four shall be 30% of the regional weighted average median income for a family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. The income limits calculated each year shall be the result of applying the percentages set forth above to HUD's determination of median income for the relevant fiscal year, and shall be utilized until the Borough updates the income limits after HUD has published revised determinations of median income for the next fiscal year. In

no event shall the income limits be less than those for the previous year.

(b) The regional asset limit used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3 shall be calculated by the Borough annually by taking the percentage increase of the income limits calculated pursuant to paragraph (a) above over the previous year's income limits, and applying the same percentage increase to the Regional Asset Limit from the prior year. In no event shall the regional asset limit be less than that for the previous year.

2. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60% of median income, and the average rent for restricted low- and moderate-income units shall be affordable to households earning no more than 52% of median income.
3. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 13% of all low- and moderate-income rental units shall be affordable to households earning no more than 30% of median income. These very low-income units shall be part of the low-income requirement.
4. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70% of median income, and each affordable development must achieve an affordability average of 55% for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.
5. For any affordable housing unit that is part of a condominium association and/or homeowner's association, the master deed shall reflect that the association fee assessed for each affordable housing unit shall be established at 100% of the market-rate fee.
6. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units other than assisted living facilities, the following standards shall be met:
  - (a) A studio or efficiency unit shall be affordable to a one-person household;
  - (b) A one-bedroom unit shall be affordable to a one and one-half person household;

- (c) A two-bedroom unit shall be affordable to a three-person household;
  - (d) A three-bedroom unit shall be affordable to a four and one-half person household; and
  - (e) A four-bedroom unit shall be affordable to a six-person household.
7. In determining the initial rents and sales prices for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be met:
- (a) A studio or efficiency unit shall be affordable to a one-person household;
  - (b) A one-bedroom unit shall be affordable to a one and one-half person household; and
  - (c) A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
8. 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% 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% 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.
9. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30% of the eligible monthly income, including an allowance for tenant-paid utilities, of the appropriate household size as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
10. 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.

11. The rent levels of very low-, low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the Northeast Urban Area, upon its publication for the prior calendar year. This increase shall not exceed 9% in any one year. Rent increases for units constructed pursuant to Low-Income Housing Tax Credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.

**§ 63-8. Occupancy Standards.**

- A. 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:
  - 1. Provide an occupant for each bedroom;
  - 2. Provide separate bedrooms for parents and children;
  - 3. Provide children of different sexes with separate bedrooms; and
  - 4. Prevent more than two persons from occupying a single bedroom.
- B. Additional provisions related to occupancy standards (if any) shall be provided in the municipal Operating Manual.

ARTICLE II

**Affordable Unit Controls and Requirements**

**§ 63-9. Purpose**

The requirements of this section apply to all developments that contain affordable housing units, including any currently unanticipated future developments that will provide low- and moderate- income housing units.

**§ 63-10. Affirmative Marketing**

- A. The Borough of Haddonfield shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Superior Court, compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- B. 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, sponsor or owner of affordable housing. The Affirmative Marketing Plan is 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 COAH Housing Region 5 and is required to be followed throughout the period of deed restriction.

- C. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in COAH Housing Region 5, comprising Burlington, Camden, and Gloucester counties.
- D. The Borough has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Program, including initial sales and rentals and resales and rerentals. The Administrative Agent designated by the Borough shall implement the Affirmative Marketing Plan to assure the affirmative marketing of all affordable units.
- E. The Affirmative Marketing Plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the Administrative Agent shall consider the use of language translations where appropriate.
- F. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and municipal library in the municipality in which the units are located; and the developer's rental office. Applications shall be mailed to prospective applicants upon request.
- G. In addition to other affirmative marketing strategies, the Administrative Agent shall provide specific notice of the availability of affordable housing units in the Borough of Haddonfield, and copies of the application forms, to the following entities: FSHC, 510 Park Blvd., Cherry Hill, NJ 08002; the Latino Action Network, PO Box 943, Freehold, NJ 07728; Willingboro NAACP, Attn.: Ms. Kyra Price, PO Box 207, Roebling, NJ 09854, Southern Burlington County NAACP, PO Box 3211, Cinnaminson, NJ 08077; the Supportive Housing Association, 15 Alden St # 14, Cranford, NJ 07016; and the New Jersey Housing Resource Center, and shall, as part of its regional affirmative marketing strategies during its implementation of the affirmative marketing plan, provide notice to those organizations of all available affordable housing units. The Borough also agrees to require any other entities, including developers or persons or companies retained to do affirmative marketing, to comply with this paragraph.
- H. In implementing the Affirmative Marketing Plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- I. The affirmative marketing process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy.

- J. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by the Borough of Haddonfield.

**§ 63-11. Selection of Occupants of Affordable Housing Units.**

- A. The Administrative Agent shall use a random selection process to select occupants of low- and moderate- income housing.
- B. A waiting list of all eligible candidates will be maintained in accordance with the provisions of N.J.A.C. 5:80-26 et seq.

**§ 63-12. Control Periods for Restricted Ownership Units and Enforcement Mechanisms.**

- A. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the controls on affordability for a period of at least 30 years, until the Borough takes action to release the controls on affordability. Prior to such action, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.
- B. Rehabilitated owner-occupied housing units that are improved to code standards shall be subject to affordability controls for a period of 10 years.
- C. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- D. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.
- E. At the time of the initial sale of the unit, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obliging the purchaser, as well as the purchaser's heirs, successors, and assigns, to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
- F. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.

- G. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

### **§ 63-13. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices**

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

- A. The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
- B. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
- C. The master deeds of inclusionary developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market-price purchasers.
- D. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom.

### **§ 63-14. Buyer Income Eligibility**

- A. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50% of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80% of median income.
- B. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the Borough Commissioners, and subject to the Court's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low-income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income

household shall retain the required pricing and pricing restrictions for a low-income unit.

- C. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.
- D. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33% of the household's eligible monthly income.

#### **§ 63-15. Limitations on Indebtedness Secured by Ownership Unit; Subordination**

- A. **Prior** to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this Section, and the Administrative Agent issue such determination prior to the owner incurring such indebtedness.
- B. With the exception of original purchase money mortgages, neither an owner nor a lender shall at any time during the control period cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95% of the maximum allowable resale price of that unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C. 5:80-26.6(b).

#### **§ 63-16. Capital Improvements to Ownership Units**

- A. The owner of a restricted ownership unit may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.
- B. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has



been approved by the Administrative Agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price of the air conditioning equipment, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. 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. The owner and the purchase must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

### **§ 63-17. Control Periods for Restricted Rental Units**

- A. Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least 30 years, until the Borough of Haddonfield takes action to release the controls on affordability. Prior to such action, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.

Restricted rental units created as part of developments receiving 9% Low-Income Housing Tax Credits must comply with a control period of not less than a 30-year compliance period plus a 15-year extended use period.

- B. Rehabilitated renter-occupied housing units that are improved to code standards shall be subject to affordability controls for a period of 10 years.
- C. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Camden. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
- D. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:
1. Sublease or assignment of the lease of the unit;
  2. Sale or other voluntary transfer of the ownership of the unit; or
  3. The entry and enforcement of any judgment of foreclosure on the property containing the unit.

### **§ 63-18. Rent Restrictions for Rental Units; Leases**

- A. A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
- B. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
- C. Application fees (including the charge for any credit check) shall not exceed 5% of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.
- D. No rent control or other pricing restriction shall be applicable to either the market-rate units or the affordable units in any development in which at least 20% of the total number of dwelling units are restricted rental units in compliance with this Ordinance.

### **§ 63-19. Tenant Income Eligibility**

- A. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
  - 1. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30% of the regional median income by household size.
  - 2. Low-income rental units shall be reserved for households with a gross household income greater than 30% but less than or equal to 50% of the regional median income by household size.
  - 3. Moderate-income rental units shall be reserved for households with a gross household income greater than 50% but less than 80% of the regional median income by household size.
- B. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income or moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35% (40% for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided,

however, that this limit may be exceeded if one or more of the following circumstances exists:

1. The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
  2. The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
  3. The household is currently in substandard or overcrowded living conditions;
  4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
  5. The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
- C. The applicant shall file documentation sufficient to establish the existence of the circumstances in B1 through 5 above with the Administrative Agent, who shall counsel the household on budgeting.

### **§ 63-20. Conversions**

Each housing unit created through the conversion of a non-residential structure shall be considered a new housing unit and shall be subject to the affordability controls for a new housing unit.

## ARTICLE III **Administration**

### **§ 63-21. Municipal Housing Liaison**

- A. As approved by municipal resolution in 2006, the Borough Administrator will continue to hold the position of the Municipal Housing Liaison.
- B. The Municipal Housing Liaison has been approved by the Court, and meets the requirements for qualifications, including initial and periodic training, found in N.J.A.C. 5:93 and 5:96.
- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the Borough of Haddonfield, including the following responsibilities, which may not be contracted out to the Administrative Agent:

1. Serving as the Borough's primary point of contact for all inquiries from the State, affordable housing providers, administrative agents and interested households;
2. The implementation of the Affirmative Marketing Plan and affordability controls;
3. When applicable, supervising any contracting Administrative Agent;
4. Monitoring the status of all restricted units listed in the Borough of Haddonfield's Fair Share Plan;
5. Compiling, verifying and submitting annual reports as required by the Superior Court;
6. Coordinating meetings with affordable housing providers and administrative agents, as needed; and
7. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Superior Court.

**§ 63-22. Administrative Agent**

- A. The Borough shall designate by resolution of the Borough Commissioners, subject to the approval of the Superior Court, one or more Administrative Agents to administer newly constructed affordable units in accordance with N.J.A.C. 5:93, UHAC and this Ordinance.
- B. Each Administrative Agent shall be an independent entity serving under contract to and reporting to the Borough. The Municipal Housing Liaison shall supervise the work of the Administrative Agent(s).
- C. ***The fees of the Administrative Agent shall be paid by the owners of the affordable units for which the services of the Administrative Agent are required.***
- D. An Operating Manual for each affordable housing program shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of the Superior Court. The Operating Manual(s) shall be available for public inspection in the Office of the Borough Clerk and in the office(s) of the Administrative Agent(s).
- E. The Administrative Agent(s) shall perform the duties and responsibilities of an administrative agent as are set forth in UHAC and which are described in full detail in the Operating Manual, including those set forth in UHAC, including those set forth in N.J.A.C. 5:80-26.14, 16 and 18 thereof, which include:

1. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Superior Court;
2. Affirmative marketing:
  - (a) Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Borough of Haddonfield and the provisions of N.J.A.C. 5:80-26.15; and
  - (b) Providing counseling, or contracting to provide counseling services, to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements; and landlord/tenant law.
3. Household certification:
  - (a) Soliciting, scheduling, conducting and following up on interviews with interested households;
  - (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
  - (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
  - (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
  - (e) Creating and maintaining a referral list of eligible applicant households living in the housing region, and eligible applicant households with members working in the housing region, where the units are located;
  - (f) Employing a random selection process as provided in the Affirmative Marketing Plan of the Borough of Haddonfield when referring households for certification to affordable units; and
  - (g) Notifying the following entities of the availability of affordable housing units in the Borough of Haddonfield: Fair Share Housing Center; the Latino Action Network; Willingboro NAACP; Southern Burlington County NAACP; the Supportive Housing Association; and the New Jersey Housing Resource Center.

4. Affordability controls:
  - (a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for the recording at the time of conveyance of title of each restricted unit;
  - (b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
  - (c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and filed properly with the Camden County Register of Deeds or Camden County Clerk's office after the termination of the affordability controls for each restricted unit;
  - (d) Communicating with lenders regarding foreclosures; and
  - (e) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.
5. Records retention;
6. Resales and rentals
  - (a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental;
  - (b) Instituting and maintaining an effective means of communicating information to very low-, low-, or moderate-income households regarding the availability of restricted units for resale or rental.
7. Processing requests from unit owners
  - (a) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to refinance or take out home equity loans during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this ordinance;
  - (b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems;

(c) Notifying the Borough of an owner's intent to sell a restricted unit;  
and

(d) Making determinations on requests by owners of restricted units for  
hardship waivers.

8. Enforcement

(a) Securing annually from the municipality a list of all affordable  
ownership units for which tax bills are mailed to absentee owners,  
and notifying all such owners that they must either move back to  
their unit or sell it;

(b) Securing from all developers and sponsors of restricted units, at the  
earliest point of contact in the processing of the project or  
development, written acknowledgement of the requirement that no  
restricted unit can be offered, or in any other way committed, to any  
person, other than a household duly certified to the unit by the  
Administrative Agent;

(c) Posting annually in all rental properties, including two-family homes,  
a notice as to the maximum permitted rent together with the  
telephone number of the Administrative Agent where complaints of  
excess rent or other charges can be made;

(d) Sending annual mailings to all owners of affordable dwelling units  
reminding them of the notices and requirements outlined in N.J.A.C.  
5:80-26.18(d)4;

(e) Establishing a program for diverting unlawful rent payments to the  
Borough's Affordable Housing Trust Fund; and

(f) Creating and publishing a written operating manual for each  
affordable housing program administered by the Administrative  
Agent, to be approved by the Borough Commissioners and the  
Court, setting forth procedures for administering the affordability  
controls.

9. The Administrative Agent(s) shall, as delegated by the Borough  
Commissioners, have the authority to take all actions necessary and  
appropriate to carry out its/their responsibilities, herein.

**§ 63-23. Enforcement of Affordable Housing Regulations**

A. Upon the occurrence of a breach of any of the regulations governing the  
affordable unit by an owner, developer or tenant, the municipality shall  
have all remedies provided at law or equity, including but not limited to

foreclosure, tenant eviction, municipal fines, a requirement for household recertification, 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.

B. After providing written notice of a violation to an owner, developer or tenant of a low- or moderate-income unit and advising the owner, developer or tenant of the penalties for such violations, the municipality may take the following action against the owner, developer or tenant for any violation that remains uncured for a period of 60 days after service of the written notice:

1. The municipality may file a court action in pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the owner, developer or tenant is found by the Court to have violated any provision of the regulations governing affordable housing units the owner, developer or tenant shall be subject to one or more of the following penalties, at the discretion of the Court:

(a) A fine of not more than \$500.00 or imprisonment for a period not to exceed 90 days, or both, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;

(b) In the case of an owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Borough of Haddonfield Affordable Housing Trust Fund of the gross amount of rent illegally collected;

(c) In the case of an owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.

2. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the first purchase money mortgage and shall constitute a lien against the low- or moderate-income unit.

(a) Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- or moderate-income unit of the violating owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any first purchase money mortgage and



prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.

- (b) The proceeds of the Sheriff's sale shall first be applied to satisfy the first purchase money mortgage lien and any prior liens upon the low- or moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus shall be placed in escrow by the municipality for the owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the owner shall make a claim with the municipality for such. Failure of the owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the owner or forfeited to the municipality.
- (c) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as they apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- (d) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the first purchase money mortgage and any prior liens, the municipality may acquire title to the low- or moderate-income unit by satisfying the first purchase money mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the first purchase money mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- or moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall

be treated in the same manner as the excess that would have been realized from an actual sale as previously described.

- (e) Failure of the low- or moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the owner to accept an offer to purchase from any qualified purchaser that may be referred to the owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- or moderate-income unit as permitted by the regulations governing affordable housing units.
- (f) The owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the owner.

### **§ 63-24. Appeals**

Appeals from all decisions of an Administrative Agent designated pursuant to this Ordinance shall be filed in writing with the Borough.

## ARTICLE IV **Development Fees**

### **§ 63-25. Purpose**

This section establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with COAH's regulations developed in response to P.L. 2008, c. 46, Sections 8 and 32-38 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7). Fees collected pursuant to this Ordinance shall be used for the sole purpose of providing very low-, low- and moderate-income housing in accordance with a Court-approved Spending Plan.

### **§ 63-26. Basic Requirements**

- A. COAH had previously approved the Borough's development fee ordinance in 2005, which ordinance established the Borough's Affordable Housing Trust Fund. The Borough's development fee ordinance remains effective and is amended herein pursuant to the Superior Court's jurisdiction in accordance with N.J.A.C. 5:93-8.
- B. The Borough of Haddonfield shall not spend development fees until the Court has approved a plan for spending such fees in conformance with N.J.A.C. 5:93-8.

### **§ 63-27. Residential Development Fees**

- A. Imposed fees

1. Within the Borough of Haddonfield, residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted. Development fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.
2. When an increase in residential density is permitted pursuant to a "d" variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a "bonus" development fee of 6.0% of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal 1.5% of the equalized assessed value on the first two units; and the specified higher percentage of 6% of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

- B. Eligible exactions, ineligible exactions and exemptions for residential development
1. Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made a payment in lieu of on-site construction of affordable units, if permitted by ordinance or by agreement with the Borough of Haddonfield, shall be exempt from development fees.
  2. Developments that have received preliminary or final site plan approval prior to the adoption of this ordinance and any preceding ordinance permitting the collection of development fees shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where a site plan approval does not apply, the issuance of a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for the purpose of determining the right to an exemption. In all cases, the applicable fee percentage shall be determined based upon the development fee ordinance in effect on the date that the construction permit is issued.

3. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
4. No development fee shall be collected for a demolition and replacement of a residential building resulting from a natural disaster.

### **§ 63-28. Non-Residential Development Fees**

#### A. Imposition of fees

1. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to 2.5% of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
2. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
3. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvements and the equalized assessed value of the newly improved structure; i.e., land and improvements; and such calculation shall be made at the time a final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

#### B. Eligible exactions, ineligible exactions and exemptions for non-residential development

1. The non-residential portion of a mixed-use inclusionary or market-rate development shall be subject to a 2.5% development fee, unless otherwise exempted below.
2. The 2.5% fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.

3. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.
4. A developer of a non-residential development exempted from the non-residential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
5. If a property that was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the Borough of Haddonfield as a lien against the real property of the owner.

#### **§ 63-29. Collection Procedures**

- A. Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- B. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF, "State of New Jersey Non-Residential Development Certification/Exemption," to be completed by the developer as per the instructions provided in the Form N-RDF. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- C. The construction official responsible for the issuance of a building permit shall notify the Borough tax assessor of the issuance of the first construction permit for a development that is subject to a development fee.
- D. Within 90 days of receipt of that notice, the Borough tax assessor shall provide an estimate, based on the plans filed, of the equalized assessed value of the development.

- E. The construction official responsible for the issuance of a final certificate of occupancy shall notify the Borough tax assessor of any and all requests for the scheduling of a final inspection on property that is subject to a development fee.
- F. Within 10 business days of a request for the scheduling of a final inspection, the Borough tax assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- G. Should the Borough of Haddonfield fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).
- H. Except as provided in Section 63-28.A.(3) hereinabove, 50% of the development fee shall be collected at the time of issuance of the construction permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of the construction permit and that determined at the time of issuance of certificate of occupancy.
- I. Appeal of development fees
  - 1. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by that board, collected fees shall be placed in an interest-bearing escrow account by the Borough of Haddonfield. Appeals from a determination of the board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
  - 2. A developer may challenge non-residential development fees imposed by filing a challenge with the director of the Division of Taxation. Pending a review and determination by the director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the Borough of Haddonfield. Appeals from a determination of the director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

### § 63-30. Affordable Housing Trust Fund

- A. A separate, interest-bearing Affordable Housing Trust Fund was previously created and shall be maintained by the chief financial officer of the Borough of Haddonfield for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- B. The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
  - 1. Payments in lieu of on-site construction of an affordable unit, where permitted by ordinance or by agreement with the Borough of Haddonfield;
  - 2. Funds contributed by developers to make 10% of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
  - 3. Rental income from municipally operated units;
  - 4. Repayments from affordable housing program loans;
  - 5. Recapture funds;
  - 6. Proceeds from the sale of affordable units; and
  - 7. Any other funds collected in connection with the Borough of Haddonfield's affordable housing program.
- C. The Borough of Haddonfield has previously provided COAH with written authorization, in the form of escrow agreements between the Borough and Susquehanna Bank, between the Borough and TD Bank, and between the Borough and Republic Bank, to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:93-8. The Superior Court shall now have such jurisdiction to direct the disbursement of the Borough's trust funds per N.J.A.C. 5:93-8.
- D. In the event of a failure by the Borough of Haddonfield to comply with trust fund monitoring and reporting requirements or to submit accurate monitoring reports; or a failure to comply with the conditions of the Judgment of Compliance or a revocation of the Judgment of Compliance; or a failure to implement the approved Spending Plan and to expend funds within the applicable required time period as set forth in *In re Tp. of Monroe*, 442 NJ Super. 565 (Law Div. 2015) (aff'd 442 NJ Super. 563); or the expenditure of funds on activities not approved by the Court; or for other good cause demonstrating the unapproved use(s) of funds, the Court may authorize the State of New Jersey, Department of Community Affairs,

Division of Local Government Services (NJLGS), to direct the manner in which the funds in the Affordable Housing Trust Fund shall be expended, provided that all such funds shall, to the extent practicable, be utilized for affordable housing programs within the Borough of Haddonfield, or, if not practicable, then within the county or the housing region.

- E. Any party may bring a motion before the Superior Court presenting evidence of such condition(s), and the Court may, after considering the evidence and providing the Borough a reasonable opportunity to respond and/or to remedy the non-compliant condition(s), and upon a finding of continuing and deliberate non-compliance, determine to authorize NJLGS to direct the expenditure of funds in the trust fund or impose such other remedies as may be reasonable and appropriate to the circumstances.
- F. All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by the Court.

### **§ 63-31. Use of Funds**

- A. The expenditure of all funds shall conform to a Spending Plan approved by the Court. Funds deposited in the Affordable Housing Trust Fund may be used for any activity approved by the Court to address the Borough of Haddonfield's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market-to-affordable program; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost-saving and in accordance with accepted national or state standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by the Court and specified in the approved Spending Plan.
- B. Funds shall not be expended to reimburse the Borough of Haddonfield for past housing activities.
- C. At least 30% of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. At least one-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to very low-income households earning 30% or less of median income by household size for Housing Region 5, in which the Borough of Haddonfield is located.



1. Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, infrastructure assistance, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the Spending Plan.
  2. Affordability assistance to households earning 30% or less of the regional median household income by household size may include producing very low-income units or buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30% or less of median income.
  3. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement. The specific programs to be used for very low-income affordability assistance shall be identified and described within the Spending Plan.
- D. The Borough of Haddonfield may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:93-8.16.
- E. No more than 20% of all revenues collected from development fees, and interest, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare a Housing Element and Fair Share Plan, and/or administer an affirmative marketing program.
1. In the case of a rehabilitation program, the administrative costs of the rehabilitation program shall be included as part of the 20% of collected development fees that may be expended on administration.
  2. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with the monitoring requirements set forth in the Court-approved Settlement Agreement with the FSHC executed April 2, 2019. Legal or other fees related to litigation opposing affordable housing sites or related to appealing a judgement from the Court are not eligible uses of the Affordable Housing Trust Fund.

## **§ 63-32. Monitoring**

On or about April 2 of each year through 2025, the Borough of Haddonfield shall provide annual reporting of trust fund activity to the State of New Jersey, Department of Community Affairs, Council on Affordable Housing or Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to FSHC and posted on the Borough's website, using forms developed for this purpose by the DCA, COAH, or NJLGS. This reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the sources and amounts of all funds collected and the amounts and purposes for which any funds have been expended. Such reporting shall include an accounting of development fees collected from residential and non-residential developers, payments in lieu of constructing affordable units on site (if permitted by ordinance or by agreement with the Borough), funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income from Borough-owned affordable housing units, repayments from affordable housing program loans, and any other funds collected in connection with Haddonfield's housing programs, as well as an accounting of the expenditures of revenues and implementation of the Spending Plan approved by the Court.

### **§ 63-33. Ongoing Collection of Fees**

- A. The ability for the Borough of Haddonfield to impose, collect and expend development fees shall expire with the expiration of the repose period covered by its Judgment of Compliance unless the Borough of Haddonfield has first filed an adopted Housing Element and Fair Share Plan with the Court or with a designated state administrative agency, has petitioned for a Judgment of Compliance from the Court or for substantive certification or its equivalent from a state administrative agency authorized to approve and administer municipal affordable housing compliance, and has received approval of its development fee ordinance from the entity that will be reviewing and approving the Housing Element and Fair Share Plan.
- B. If the Borough of Haddonfield fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the New Jersey Affordable Housing Trust Fund established pursuant to section 20 of P.L.1985, c.222 (C. 52:27D-320).
- C. The Borough of Haddonfield shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its Judgment of Compliance, nor shall the Borough of Haddonfield retroactively impose a development fee on such a development. The Borough of Haddonfield also shall not expend any of its collected development fees after the expiration of its Judgment of Compliance.

**Section V. Repealer.** All ordinances or code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**Section VI. Severability.** If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

**Section VII. Effective Date.** This ordinance shall take effect upon its passage and publication, as required by law.

First Reading – November 26, 2019

**SECOND READING**

**2019-20**

**December 17, 2019**

**AN ORDINANCE OF THE BOROUGH OF HADDONFIELD AMENDING CHAPTER 135 ENTITLED, "LAND DEVELOPMENT", OF THE CODE OF THE BOROUGH OF HADDONFIELD BY REZONING SITES AND CREATING VARIOUS OVERLAY DISTRICTS IN FURTHERANCE OF THE FAIR HOUSING ACT**

**WHEREAS**, the Borough of Haddonfield entered into a Settlement Agreement with Fair Share Housing Center ("FSHC") on April 4, 2019, that determines the municipality's affordable housing obligation and the preliminary compliance plan for how the obligation will be addressed; and

**WHEREAS**, the Borough's preliminary compliance plan for affordable housing was the subject of a fairness hearing before the Hon. Nan S. Famular, P.J.Ch. on May 8, 2019. By Order dated July 1, 2019, the municipality's plan was deemed fair to the very low-, low- and moderate-income population of the housing region; and

**WHEREAS**, the Borough of Haddonfield, a municipality in the State of New Jersey, hereby declares that pursuant to the purposes of the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., and the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., the Ordinance promotes the public health, safety, morals, and general welfare, implements the preliminary compliance plan included in the Court-approved Settlement Agreement with FSHC, and advances the Borough's efforts to meet its constitutional obligation to provide its fair share of very low, low and moderate income housing; and

**WHEREAS**, the Board of Commissioners formally refers this Ordinance to the Planning Board for review, discussion, and recommendation in accordance with N.J.S.A. 40:55D-26; and

**WHEREAS**, the adoption of this Ordinance was appropriately noticed pursuant to Municipal Land Use Law at N.J.S.A. 40:55D-15 and N.J.S.A.40:55D-62.1.

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Commissioners of the Borough of Haddonfield, County of Camden, and State of New Jersey, as follows:

**Section 1.** § 135-10, Definitions, shall be modified by adding the following definition:

APARTMENT BUILDING – A building type consisting of one or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit in a building comprising three or more such units that may also contain commercial and accessory uses as permitted by the use regulations of this ordinance.

**Section 2.** § 135-11, Zoning Districts, shall be revised by adding the following overlay districts to the enumerated districts of the Borough of Haddonfield, in between the R-11, Residential High Density, and the RO, Residential Office, zoning districts:

- AHO-1 (Affordable Housing Overlay 1)
- AHO-2 (Affordable Housing Overlay 2)
- AHO-3 (Affordable Housing Overlay 3)
- AHO-4 (Affordable Housing Overlay 4)
- AHO-5 (Affordable Housing Overlay 5)
- AHO-6 (Affordable Housing Overlay 6)
- AHO-7 (Affordable Housing Overlay 7)
- AHO-8 (Affordable Housing Overlay 8)

**Section 3.** § 135-12, Zoning Map, is further modified to apply the following districts and affordable housing overlay districts to the following blocks and lots on the tax assessment maps of the Borough of Haddonfield to address unmet need as identified in the adopted Housing Element and Fair Share Plan:

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>	<u>Symbol and District</u>
Acme	39	6, 6.01, 9.01	D3, Downtown District 3
Haddon Ave. S.	11	2, 14, 24	D2, Downtown District 2
TD Bank	130	6 and 9	D2, Downtown District 2
PATCO East	118	14	AHO-1, Affordable Housing Overlay 1
PATCO West	134	9	AHO-1, Affordable Housing Overlay 1
Acme	39	6, 6.01, 9.01	AHO-2, Affordable Housing Overlay 2
PNC Bank	11.05	1	AHO-2, Affordable Housing Overlay 2
Archer Greiner	129	3	AHO-3, Affordable Housing Overlay 3
TD Bank	130	6 and 9	AHO-4, Affordable Housing Overlay 4
Haddon Ave. W.	131	2, 2.01, 3-5	AHO-5, Affordable Housing Overlay 5
	132	1, 3, 4, 4.01, 4.02, 5	AHO-5, Affordable Housing Overlay 5
<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>	<u>Symbol and District</u>
Wells Fargo Bank	11	1	AHO-6, Affordable Housing Overlay 6
Grove Street	11	7, 7.01, 7.02	AHO-7, Affordable Housing Overlay 7

	13.01	15.02, 16, 17, 19	AHO-7, Affordable Housing Overlay 7
Haddon Ave. S.	11	2, 14, 24	AHO-8, Affordable Housing Overlay 8

**Section 4.** There is hereby created an overlay zoning district entitled, AHO-1, Affordable Housing Overlay 1, as §135-36.1 of the Land Development Ordinance, as follows:

**§135-36.1 AHO-1, Affordable Housing Overlay 1**

- A. Statement of intent. The purpose of the AHO-1, Affordable Housing Overlay 1, district is to allow for high-density residential and mixed building development, as otherwise allowed by the underlying base zoning district, to provide opportunities for affordable housing in accordance with the Housing Element and Fair Share Plan.
- B. Required use. Any new residential development located in the Affordable Housing Overlay 1 district shall include at least 20% of the total number of dwelling units as affordable units as defined in Chapter 63 of the Code of the Borough of Haddonfield.
- C. Development within the AHO-1 district shall be as permitted by the regulations of the Downtown District 3, General Urban, zoning district with the following modifications:
  - (1) The building setback from Euclid Avenue, Allen Avenue, Wilkins Avenue, extension of Wilkins Avenue or any other new street with an east/west orientation: 5 feet.
  - (2) The maximum building height on the east side of the PATCO High Speed Line shall be as indicated:
    - (a) If within 100 feet of the right-of-way line of the railway: 5 stories, except if within 100 feet of Euclid Avenue.
    - (b) If within 200 feet of the right-of-way line of the railway: 4 stories, except if within 100 feet of Euclid Avenue.
    - (c) Any other location within the Affordable Housing Overlay 1 district: 3 stories.
  - (3) Parking. In addition to PATCO parking regulations, parking shall be provided equal to one space per dwelling unit.

**Section 5.** There is hereby created an overlay zoning district entitled, AHO-2, Affordable Housing Overlay 2, as §135-36.2 of the Land Development Ordinance, as follows:

**§135-36.2 AHO-2, Affordable Housing Overlay 2**

- A. Statement of intent. The purpose of the AHO-2, Affordable Housing Overlay 2, district is to allow for medium-density residential and mixed building development, as otherwise allowed by the underlying base zoning district, to provide opportunities for affordable housing in accordance with the Housing Element and Fair Share Plan.
- B. Required use. Any new residential development located in the Affordable Housing Overlay 2 district shall include at least 20% of the total number of dwelling units as affordable units as defined in Chapter 63 of the Code of the Borough of Haddonfield.

**Section 6.** There is hereby created an overlay zoning district entitled, AHO-3, Affordable Housing Overlay 3, as §135-36.3 of the Land Development Ordinance, as follows:

**§135-36.3 AHO-3, Affordable Housing Overlay 3**

- A. Statement of intent. The purpose of the AHO-3, Affordable Housing Overlay 3, district is to allow for high-density residential and mixed building development, as otherwise allowed by the underlying base zoning district, to provide opportunities for affordable housing in accordance with the Housing Element and Fair Share Plan.
- B. Required use. Any new residential development located in the Affordable Housing Overlay 3 district shall include at least 20% of the total number of dwelling units as affordable units as defined in Chapter 63 of the Code of the Borough of Haddonfield.
- C. Development within the AHO-3 district shall be as permitted by the regulations of the Downtown District 3, General Urban, zoning district with the following modifications:
  - (1) The maximum building height shall be as indicated:
    - (a) If within 100 feet of Euclid and Redman Avenues: 3 stories.
    - (b) If within 100 feet of Veterans Lane: 4 stories.
    - (c) Any other location within the Affordable Housing Overlay 3 district: 5 stories.

**Section 7.** There is hereby created an overlay zoning district entitled, AHO-4, Affordable Housing Overlay 4, as §135-36.4 of the Land Development Ordinance, as follows:

**§135-36.4 AHO-4, Affordable Housing Overlay 4**

- A. Statement of intent. The purpose of the AHO-4, Affordable Housing Overlay 4, district is to allow for medium-density residential and mixed building development, as otherwise allowed by the underlying base zoning districts, to provide opportunities for affordable housing in accordance with the Housing Element and Fair Share Plan.
- B. Required use. Any new residential development located in the Affordable Housing Overlay 4 district shall include at least 20% of the total number of dwelling units as affordable units as defined in Chapter 63 of the Code of the Borough of Haddonfield.
- C. Development within the AHO-4 district shall be as permitted by the regulations of the Downtown District 2, Community Serving Blocks or Downtown District 3, General Urban, zoning district, as the case may be, except that the maximum building height shall be four stories within a 40-foot height. Rooftop mechanicals may exceed the 40-foot building height as long as the mechanicals are not within ten (10) feet of the front and side building views.

**Section 8.** There is hereby created an overlay zoning district entitled, AHO-5, Affordable Housing Overlay 5, as §135-36.5 of the Land Development Ordinance, as follows:

**§135-36.5 AHO-5, Affordable Housing Overlay 5**

- A. Statement of intent. The purpose of the AHO-5, Affordable Housing Overlay 5, district is to allow for medium-density residential and mixed building development, as otherwise allowed by the underlying base zoning districts, to provide opportunities for affordable housing in accordance with the Housing Element and Fair Share Plan.

- B. Required use. Any new residential development located in the Affordable Housing Overlay 5 district shall include at least 20% of the total number of dwelling units as affordable units as defined in Chapter 63 of the Code of the Borough of Haddonfield.
- C. Development within the AHO-5 district shall be as permitted by the regulations of the Downtown District 2, Community Serving Blocks, except that the maximum building width shall be 150 feet.

**Section 9.** There is hereby created an overlay zoning district entitled, AHO-6, Affordable Housing Overlay 6, as §135-36.6 of the Land Development Ordinance, as follows:

**§135-36.6 AHO-6, Affordable Housing Overlay 6**

- A. Statement of intent. The purpose of the AHO-6, Affordable Housing Overlay 6, district is to allow for medium-low density residential and mixed building development, as otherwise allowed by the underlying base zoning districts, to provide opportunities for affordable housing in accordance with the Housing Element and Fair Share Plan.
- B. Required use. Any new residential development located in the Affordable Housing Overlay 6 district shall include at least 20% of the total number of dwelling units as affordable units as defined in Chapter 63 of the Code of the Borough of Haddonfield.
- C. Development within the AHO-6 district shall be as permitted by the regulations of the Downtown District 2, Community Serving Blocks, except that the maximum building height shall be four stories.
- D. Building setbacks from streetlines (front property lines) shall be as calculated in Attachment 7, herein.

**Section 10.** There is hereby created an overlay zoning district entitled, AHO-7, Affordable Housing Overlay 7, as §135-36.7 of the Land Development Ordinance, and a modification to §135-39, Commercial District, as follows:

**§135-36.7 AHO-7, Affordable Housing Overlay 7**

- A. Statement of intent. The purpose of the AHO-7, Affordable Housing Overlay 7, district is to allow for mixed commercial and residential buildings to provide opportunities for affordable housing in accordance with the Housing Element and Fair Share Plan.
- B. Required use. Any new residential development located in the Affordable Housing Overlay 7 district shall include at least 20% of the total number of dwelling units as affordable units as defined in Chapter 63 of the Code of the Borough of Haddonfield.

**§135-39 Commercial District**

- A. Permitted principal uses:
  - (1) Permitted principal uses in the R-4 Zone district, in accordance with the area and yard regulations of that zone district.
  - (2) Retail and personal service uses.
  - (3) Professional and business offices.

- (4) In locations where the AHO-7 overlay district appears on the zoning map, apartment dwellings (limited to one- or two-bedroom units) shall be permitted on second and higher floors, in accordance with the regulations of this zone district, §135-36.7 B, and the Housing Element and Fair Share Plan.

[the remainder of §135-39 shall be unchanged]

**Section 11.** There is hereby created an overlay zoning district entitled, AHO-8, Affordable Housing Overlay 8, as §135-36.8 of the Land Development Ordinance, as follows:

**§135-36.8 AHO-8, Affordable Housing Overlay 8**

- A. Statement of intent. The purpose of the AHO-8, Affordable Housing Overlay 8, district is to allow for mixed commercial and residential buildings to provide opportunities for affordable housing in accordance with the Housing Element and Fair Share Plan.
- B. Required use. Any new residential development located in the Affordable Housing Overlay 8 district shall include at least 20% of the total number of dwelling units as affordable units as defined in Chapter 63 of the Code of the Borough of Haddonfield.
- C. Development within the AHO-8 district shall be as permitted by the regulations of the Downtown District 2.

**Section 12.** Continuation. In all other respects, the Land Development Ordinance of the Borough of Haddonfield shall remain unchanged.

**Section 13.** Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part there of directly involved in the controversy in which such judgment shall have been rendered.

**Section 14.** Interpretation. If the terms of this Ordinance shall be in conflict with those of another Ordinance of the Code of the Borough of Haddonfield, then the restriction which imposes the greater limitation shall be enforced.

**Section 15.** Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 16.** Enactment. This Ordinance shall take effect upon the filing thereof with the Camden County Planning Board after final passage, adoption, and publication by the Borough Commission of the Borough of Haddonfield in the manner prescribed by law.



2019-12-17-183

December 17, 2019

**Authorization to Approve Budget Transfers**

**RESOLVED**, by the Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey that the following transfers of 2019 Budget Appropriations be made:

**Current Fund:**

**TO:**

Streets S&W	9-01-26-290-000-100	\$ 1,000
Public Bldgs S&W	9-01-26-310-000-100	\$ 8,500
Vehicle Fuel & Gas OE	9-01-31-460-000-200	\$ 10,000
Administration S&W	9-01-20-100-000-100	\$ 6,000
Police Reg S&W	9-01-25-240-000-111	\$ 6,000
Tax Collection Reg S&W	9-01-20-145-000-111	\$ 1,900
Ambulance Reg S&W	9-01-25-267-000-111	\$ 4,000
Street Lighting	9-01-31-435-000-275	\$ 7,000
Telephone O&E	9-01-31-440-000-200	\$ 2,000

**TOTAL: \$ 46,400**

**FROM:**

**ACCOUNT NO.**

Garbage/Trash S&W	9-01-26-305-000-100	\$ 3,000
Vehicle Maintenance S&W	9-01-26-315-000-100	\$ 1,000
Streets O&E	9-01-26-290-000-200	\$ 10,500
Vehicle Maintenance O&E	9-01-26-315-000-200	\$ 5,000
Construction Official S&W	9-01-22-195-000-100	\$ 6,000
Parking Enforcement S&W	9-01-25-245-000-100	\$ 6,000
Fire O&E	9-01-25-265-000-200	\$ 4,000
Reserve for Compensated Absences	9-01-30-415-000-200	\$ 1,900
Postage	9-01-31-462-000-222	\$ 9,000

**TOTAL: \$ 46,400**

2019-12-17-184

December 17, 2019

**Authorization to Pay Vouchers**

**RESOLVED**, by the Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey, that the semi-monthly list of bills dated December 17, 2019 are approved for payment and are available for public inspection in the Borough Clerk's Office:

Checking Account	Check #	Check Date	Vendor	Vendor Name	PO #	Description	Net Amount	Ref Num
ANIMAL	2843	12/17/2019	INDEPEND	INDEPENDENT ANIMAL CARE SERV.	19-02514	November 2019 ACO Services	700.00	8857
ANIMAL	2844	12/17/2019	NJSTATE	NJ STATE DEPT. OF HEALTH	19-02519	November 2019 Dog Licensing	2.40	8857
CURRENT	37928	11/27/2019	JASON 66	JASON D CUTLER	19-02210	NCH SOFTWARE FOR CAMERAS	89.94	8832
CURRENT	37929	11/27/2019	MARIO A	MARIO A IAVICOLI, ESQUIRE	19-02479	nov 2019	5,833.00	8832
CURRENT	37930	12/17/2019	ACME MAR	ACME- ALBERTSONS / SAFEWAY	19-02528		86.54	8855
CURRENT	37930	12/17/2019	ACME MAR	ACME- ALBERTSONS / SAFEWAY	19-02588		94.40	8855
CURRENT	37931	12/17/2019	AIR GA	AIR & GAS TECHNOLOGIES,INC.	19-02245	Station Air Horn Maintenance	1,540.00	8855
CURRENT	37932	12/17/2019	ALLRISK	ALL RISK	19-02637	Insurance claim-library	20,535.31	8855
CURRENT	37933	12/17/2019	ALLST005	ALLSTATE INFORMATION MANAGEMNT	19-01688	July to December 2019 Costs	870.42	8855
CURRENT	37933	12/17/2019	ALLST005	ALLSTATE INFORMATION MANAGEMNT	19-02579	Nov-Dec 2019 Records Storage	278.81	8855
CURRENT	37934	12/17/2019	ATONI005	ATONAL ENTERPRISES INC	19-02590	MAH JONGG	320.00	8855
CURRENT	37935	12/17/2019	AUTOSHEE	NEW HAMPSHIRE MANAGEMENT LLC	19-02443	OIL CHANGES CAR #17-02/17-03	60.00	8855
CURRENT	37936	12/17/2019	BOROUG85	BOROUGH OF AUDUBON	19-02557	Nov & Dec 2019	9,263.46	8855
CURRENT	37937	12/17/2019	BOWMAN	BOWMAN & COMPANY	19-02592		37,300.00	8855
CURRENT	37938	12/17/2019	BROOK005	BROOKLYN PIZZA & GRILL	19-02550	pizza lunch	129.92	8855
CURRENT	37939	12/17/2019	CAMDEN64	COVANTA CAMDEN ENERGY RECOVERY	19-01572	trash tipping June - Nov	32,299.80	8855
CURRENT	37940	12/17/2019	CARLT005	CARLTON F LOUDON	19-02535	July-Dec.2019 reimbursement	813.00	8855
CURRENT	37940	12/17/2019	CARLT005	CARLTON F LOUDON	19-02594	JAN-JUNE 2019 MED. REIMB	813.00	8855
CURRENT	37941	12/17/2019	CHESTNUT	CHESTNUT HOUSE, LLC	19-02580	trash reimbursement 2019	1,125.00	8855
CURRENT	37942	12/17/2019	CIT TECH	CIT TECH.FIN.SERV.,INC.	19-01440	DPW copier lease July - Dec	125.00	8855
CURRENT	37943	12/17/2019	COUNTRYG	DiSanto Propane	19-02521	propane DPW	726.36	8855
CURRENT	37944	12/17/2019	COUNTY33	COUNTY CONSERVATION COMPANY	19-01661	Blanket PO - veg disposal	2,475.00	8855
CURRENT	37945	12/17/2019	DEANNA S	DEANNA BENNETT	19-02564	Nov. 2019 Gym Membership	30.00	8855
CURRENT	37946	12/17/2019	DOCVAULT	DOCVAULT SECURE SHREDDING LLC	19-02425	10/05/2019 SHREDDING EVENT	1,770.00	8855
CURRENT	37947	12/17/2019	ECHELON1	ECHELON FORD	19-02530	police vehicle parts	33.91	8855
CURRENT	37948	12/17/2019	EMELI005	EMELIA KANE	19-02591	CARDIO	473.00	8855
CURRENT	37949	12/17/2019	ENVIR005	ENVIRONMENTAL SYSTEMS RESEARCH	19-02223	ArcGIS software	684.00	8855
CURRENT	37950	12/17/2019	EXCEL005	EXCEL DOCUMENT SOLUTIONS, INC	19-01427	DPW Copier maint agreement	82.50	8855
CURRENT	37951	12/17/2019	EXPRESS	EXPRESS EMPLOYMENT PROF.	19-01605	temps - leaf collection	27,105.32	8855
CURRENT	37952	12/17/2019	GEORGECO	GEORGE R. & CAROL COX	19-02537	JULY-DEC 019 MED. REIMB.	1,626.00	8855
CURRENT	37953	12/17/2019	GREG LEY	Greg Ley	19-02416	uniform reimbursement	289.99	8855

CURRENT	37953	12/17/2019	GREG LEY	Greg Ley	19-02524	bulbs - LED for wreathes	119.36	8855
CURRENT	37954	12/17/2019	HADDON02	HADDON FIRE CO.NO 1	19-02638		15,000.00	8855
CURRENT	37955	12/17/2019	HADDON24	HADDONFIELD BOARD OF EDUCATION	19-02565	Munic.Alliance Coord. - 2019	4,500.00	8855
CURRENT	37956	12/17/2019	HADDON72	HADDONFIELD UNITED METHODIST	19-02512	2019 Polling Place Payments	200.00	8855
CURRENT	37957	12/17/2019	HADDOSUN	NEWSPAPER MEDIA GROUP, LLC	19-02549	12/4/2019 Municipal Matters	307.20	8855
CURRENT	37958	12/17/2019	HOME D33	HOME DEPOT	19-01875	hardware	71.96	8855
CURRENT	37958	12/17/2019	HOME D33	HOME DEPOT	19-02457	Hardware	360.26	8855
CURRENT	37959	12/17/2019	HOOVER	HOOVER TRUCK CENTERS	19-02417	truck parts	282.95	8855
CURRENT	37960	12/17/2019	JOSEPH07	JOSEPH & MARY LAPHAN	19-02543	JULY-DEC 2019 MED. REIMB	813.00	8855
CURRENT	37961	12/17/2019	KINGS CO	KINGS COURT RETAIL, LLC	19-02450	DEC 2019 RENT	700.00	8855
CURRENT	37962	12/17/2019	LAUREL33	LAUREL LAWNMOWER SERVICE,INC.	19-02522	leaf blower parts	71.61	8855
CURRENT	37963	12/17/2019	LETHA005	LETHAL PEST SOLUTIONS	19-02593		82.50	8855
CURRENT	37964	12/17/2019	LINDAHAR	LINDA HARRINGTON	19-02583		373.77	8855
CURRENT	37965	12/17/2019	LISA S66	LISA SODERBERG	19-02597		1,209.60	8855
CURRENT	37966	12/17/2019	LUTHERAN	LUTHERAN CHURCH OF OUR SAVIOR	19-02513	2019 POLLING PLACE PAYMENT	200.00	8855
CURRENT	37967	12/17/2019	MAJESTIC	MAJESTIC OIL	19-02516	fuel	14,411.40	8855
CURRENT	37967	12/17/2019	MAJESTIC	MAJESTIC OIL	19-02603	fuel	5,694.75	8855
CURRENT	37968	12/17/2019	MALL CHE	MALL CHEVROLET	19-02418	truck 62 parts	412.14	8855
CURRENT	37969	12/17/2019	MARIO A	MARIO A IAVICOLI, ESQUIRE	19-02542	DEC 2019	5,833.00	8855
CURRENT	37970	12/17/2019	MARTIN B	MARTIN BURNISKY	19-02541	JULY-DEC 2019 MED. REIMB.	1,554.00	8855
CURRENT	37971	12/17/2019	MARY MOR	MARY MORAHAN	19-02540	JULY-DEC. 2019 MED. REIMB	813.00	8855
CURRENT	37972	12/17/2019	MASON GR	MASON, GRIFFIN & PIERSON	19-02531		1,998.00	8855
CURRENT	37973	12/17/2019	MAVIS A	MAVIS A DOLBROW	19-02589	LINE DANCING	200.00	8855
CURRENT	37974	12/17/2019	MCCAR005	Mc Carthy Tire & Auto	19-02552	tires	1,485.18	8855
CURRENT	37975	12/17/2019	MICHE010	MICHELLE DONAWAY	19-02595	JULY-DEC2019 MED. REIMB	813.00	8855
CURRENT	37976	12/17/2019	MOTOR	MOTOR PARTS OF AUDUBON	19-01609	vehicle parts - shop supply	558.44	8855
CURRENT	37976	12/17/2019	MOTOR	MOTOR PARTS OF AUDUBON	19-01611	vehicle parts - DPW	1,181.37	8855
CURRENT	37976	12/17/2019	MOTOR	MOTOR PARTS OF AUDUBON	19-02238	antifreeze and washer fluid	737.33	8855
CURRENT	37977	12/17/2019	MR MR	MR. & MRS. CARL CASSEL	19-02539	JULY-DEC 2019 MED. REIMB	1,626.00	8855
CURRENT	37978	12/17/2019	NEOPO005	NEOPOST	19-02274		136.80	8855
CURRENT	37979	12/17/2019	NEW JE88	NEW JERSEY-AMERICAN WATER CO.	19-02587		210.74	8855
CURRENT	37980	12/17/2019	NEWJE015	New Jersey Business Systems	19-01325	installation of equipment	5,597.12	8855

CURRENT	37981	12/17/2019	OFFICE12	OFFICE BASICS,INC.	19-02451		149.55	8855
CURRENT	37981	12/17/2019	OFFICE12	OFFICE BASICS,INC.	19-02458	office supply	118.57	8855
CURRENT	37981	12/17/2019	OFFICE12	OFFICE BASICS,INC.	19-02547	office supplies	150.41	8855
CURRENT	37982	12/17/2019	OTIS	OTIS ELEVATOR COMPANY	19-02585		1,501.68	8855
CURRENT	37983	12/17/2019	PINNA005	PINNACLE IRRIGATION	19-02523	Centennial Field - winterize	85.00	8855
CURRENT	37984	12/17/2019	PRINC005	PRINCETON HOSTED SERVICES	19-02527		1,800.00	8855
CURRENT	37985	12/17/2019	PUBLIC56	PUBLIC SERVICE ELECTRIC & GAS	19-02526		60.07	8855
CURRENT	37985	12/17/2019	PUBLIC56	PUBLIC SERVICE ELECTRIC & GAS	19-02529		141.29	8855
CURRENT	37986	12/17/2019	RADAR SE	B SAFE, INC.	19-02586		223.43	8855
CURRENT	37987	12/17/2019	ROGER 33	EVELYN SAMARTINO	19-02596	JULY-DEC2019 MED.REIMBURSEMENT	813.00	8855
CURRENT	37988	12/17/2019	SANTO005	SANTOS GONZALEZ	19-02536	JULY-DEC. 2019 MED. REIMB.	813.00	8855
CURRENT	37989	12/17/2019	SUSTAINA	SUSTAINABLE JERSEY, INC	19-02400	ERIN PURCELL LUNCHEON	35.00	8855
CURRENT	37989	12/17/2019	SUSTAINA	SUSTAINABLE JERSEY, INC	19-02430	NEAL ROCHFORD LUNCHEON 2019	50.00	8855
CURRENT	37990	12/17/2019	THE RETR	THE RETROSPECT, INC.	19-02518	11/29/19 Legal Notices	1,743.96	8855
CURRENT	37990	12/17/2019	THE RETR	THE RETROSPECT, INC.	19-02545	TAX SALE AD	373.20	8855
CURRENT	37991	12/17/2019	URBANO E	URBANO ELECTRIC, INC.	19-02525		1,940.60	8855
CURRENT	37992	12/17/2019	VALENTES	VALENTE'S ITALIAN SPECIALTIES	19-02609	Comm.Work Session Dinner 12/12	63.00	8855
CURRENT	37993	12/17/2019	VEHICLET	VEHICLE TRACKING SOLUTIONS	19-02270		150.00	8855
CURRENT	37993	12/17/2019	VEHICLET	VEHICLE TRACKING SOLUTIONS	19-02280	invoice 373768	150.00	8855
CURRENT	37994	12/17/2019	VERIZO99	VERIZON WIRELESS	19-02422	MDT CHARGES 11/5 - 12/4/2019	228.06	8855
CURRENT	37995	12/17/2019	WASTEMAN	WASTE MANAGEMENT INC	19-01664	tipping charges Aug - Dec '19	30,776.00	8855
CURRENT	37996	12/17/2019	WELLS005	WELLS FARGO VENDOR FIN SERV.	19-02533		424.49	8855
CURRENT	37997	12/17/2019	WEST INF	THOMSON WEST	19-02414	CLEAR CHARGES FOR OCTOBER/19	473.17	8855
CURRENT	37998	12/17/2019	WILSON75	WILSON WEBB SERVICES	19-02546	OFFICE SUPPLIES	42.60	8855
CURRENT	37999	12/17/2019	WINSLO05	WINSLOW RENTAL	19-02333	DPW uniforms	2,852.35	8855
CURRENT	38000	12/17/2019	WIRELES1	WIRELESS COMM. & ELECTRONICS	19-02262	Motorola CM200D	445.00	8855
CURRENT	38001	12/17/2019	WMOSTRAN	WILLIAM J. OSTRANDER	19-02624	july-dec 2019 med. reimb	681.00	8855
CURRENT	38002	12/17/2019	WORK N	WORK 'N GEAR	19-02236	uniforms - pino	357.50	8855
CURRENT	38002	12/17/2019	WORK N	WORK 'N GEAR	19-02548	uniforms - DPW	818.76	8855
CURRENT	38002	12/17/2019	WORK N	WORK 'N GEAR	19-02559	DPW uniforms	489.48	8855
CURRENT-MANUAL	7092	11/27/2019	BOROUG65	BOROUGH OF HADDONFIELD	19-02469	payroll week 48	115,549.04	8824
CURRENT-MANUAL	7093	12/6/2019	BOROUG65	BOROUGH OF HADDONFIELD	19-02500	payroll week 49 12/6/19	113,705.84	8839

CURRENT-MANUAL	7094	12/13/2019	BOROUG65	BOROUGH OF HADDONFIELD	19-02613	payroll week 50 12/13/19	166,913.23	8844
CURRENT-MANUAL	7095	12/20/2019	BOROUG65	BOROUGH OF HADDONFIELD	19-02627	payroll week 51 12/20/19	109,878.76	8851
GENERAL CAPITAL GRANT	4057	11/27/2019	REMINGTO	REMYNGTON & VERNICK ENGINEERS	16-00505	Professional Services	290.00	8833
PAYROLL AGENCY	3239	12/17/2019	DOCVAULT	DOCVAULT SECURE SHREDDING LLC	19-02566	11/9/2019 Shredding Event	885.00	8856
PAYROLL AGENCY	7616	11/27/2019	METRO	METROPOLITAN LIFE	19-02474	payroll week 48 11/27/19	1,160.00	8828
PAYROLL AGENCY	7617	11/27/2019	NATION84	NATIONWIDE RETIREMNT SOLUTIONS	19-02475	payroll week 48 11/27/19	2,518.00	8828
PAYROLL AGENCY	7618	11/27/2019	NJ FAM12	N.J. FAMILY SUPPORT PAY.CENTER	19-02477	payroll week 48 11/27/19	233.69	8828
PAYROLL AGENCY	7619	11/27/2019	NJ SUB	N.J. COMMUNITY FEDERAL CREDIT	19-02478	payroll week 48 11/27/19	30.00	8828
PAYROLL AGENCY	7620	12/6/2019	AFLAC	AFLAC	19-02486	PAYROLL AGENCY NOVEMBER 2019	662.85	8838
PAYROLL AGENCY	7621	12/6/2019	AMERIO11	AMERICAN FIDELITY ASSURANCE CO	19-02487	PAYROLL AGENCY NOVEMBER 2019	674.76	8838
PAYROLL AGENCY	7622	12/6/2019	COLO1	COLONIAL SUPPLEMENTAL INSURANC	19-02489	PAYROLL AGENCY NOVEMBER 2019	702.78	8838
PAYROLL AGENCY	7623	12/6/2019	HADDON52	HADDONFIELD PUBLIC LIBRARY	19-02499	NOV. 2019 HEALTH CARE REIMB.	384.22	8838
PAYROLL AGENCY	7624	12/6/2019	METRO005	METROPOLITAN LIFE INSURANCE	19-02490	PAYROLL AGENCY NOVEMBER 2019	142.20	8838
PAYROLL AGENCY	7625	12/6/2019	PBA 328	PBA #328	19-02492	PAYROLL AGENCY NOVEMBER 2019	2,100.00	8838
PAYROLL AGENCY	7626	12/6/2019	S U I	S U I	19-02495	PAYROLL AGENCY NOVEMBER 2019	674.15	8838
PAYROLL AGENCY	7627	12/6/2019	SO NJ RE	SO NJ REG EMP BENFTS FUND	19-02496	PAYROLL AGENCY NOVEMBER 2019	25,653.14	8838
PAYROLL AGENCY	7628	12/6/2019	TEAMSTER	TEAMSTERS LOCAL UNION #676	19-02497	PAYROLL AGENCY NOVEMBER 2019	867.25	8838
PAYROLL AGENCY	7629	12/6/2019	WAGEW005	WAGE WORKS	19-02498	PAYROLL AGENCY NOVEMBER 2019	575.00	8838
PAYROLL AGENCY	7630	12/6/2019	METRO	METROPOLITAN LIFE	19-02505	payroll week 49 12/6/19	775.00	8843
PAYROLL AGENCY	7631	12/6/2019	NATION84	NATIONWIDE RETIREMNT SOLUTIONS	19-02506	payroll week 49 12/6/19	1,858.00	8843
PAYROLL AGENCY	7632	12/6/2019	NJ FAM12	N.J. FAMILY SUPPORT PAY.CENTER	19-02508	payroll week 49 12/6/19	233.69	8843
PAYROLL AGENCY	7633	12/6/2019	NJ SUB	N.J. COMMUNITY FEDERAL CREDIT	19-02509	payroll week 49 12/6/19	30.00	8843
PAYROLL AGENCY	7634	12/13/2019	METRO	METROPOLITAN LIFE	19-02618	payroll week 50 12/13/19	1,160.00	8848
PAYROLL AGENCY	7635	12/13/2019	NATION84	NATIONWIDE RETIREMNT SOLUTIONS	19-02619	payroll week 50 12/13/19	2,493.00	8848
PAYROLL AGENCY	7636	12/13/2019	NJ FAM12	N.J. FAMILY SUPPORT PAY.CENTER	19-02621	payroll week 50 12/13/19	233.69	8848
PAYROLL AGENCY	7637	12/13/2019	NJ SUB	N.J. COMMUNITY FEDERAL CREDIT	19-02622	payroll week 50 12/13/19	30.00	8848
PAYROLL AGENCY	7638	12/20/2019	METRO	METROPOLITAN LIFE	19-02632	payroll agency wk 51 12/20/19	775.00	8854
PAYROLL AGENCY	7639	12/20/2019	NATION84	NATIONWIDE RETIREMNT SOLUTIONS	19-02633	payroll agency wk 51 12/20/19	1,833.00	8854
PAYROLL AGENCY	7640	12/20/2019	NJ FAM12	N.J. FAMILY SUPPORT PAY.CENTER	19-02635	payroll agency wk 51 12/20/19	233.69	8854
PAYROLL AGENCY	7641	12/20/2019	NJ SUB	N.J. COMMUNITY FEDERAL CREDIT	19-02636	payroll agency wk 51 12/20/19	30.00	8854
PAYROLL MANUAL	400221	11/27/2019	BOROUG65	BOROUGH OF HADDONFIELD	19-02470	netpayroll week 48 11/27/19	81,692.06	8826
PAYROLL MANUAL	400222	11/27/2019	FED	FEDERAL TAXES	19-02471	payroll week 48 11/27/19	14,325.24	8827

PAYROLL MANUAL	400223	11/27/2019	FICA	FICA PAYMENTS	19-02472	payroll week 48 11/27/19	11,597.22	8827
PAYROLL MANUAL	400224	11/27/2019	MEDICARE	medicare	19-02473	payroll week 48 11/27/19	3,885.96	8827
PAYROLL MANUAL	400225	11/27/2019	NJ DEP42	N.J. DEPARTMENT OF TREASURY	19-02476	payroll week 48 11/27/19	4,388.96	8827
PAYROLL MANUAL	400226	12/6/2019	PA DEPT	PA DEPT OF REVENUE	19-02491	PAYROLL AGENCY NOVEMBER 2019	293.05	8837
PAYROLL MANUAL	400227	12/6/2019	PERS 33	P.E.R.S.	19-02493	PAYROLL AGENCY NOVEMBER 2019	24,573.03	8837
PAYROLL MANUAL	400228	12/6/2019	PFRS	P.F.R.S	19-02494	PAYROLL AGENCY NOVEMBER 2019	22,090.63	8837
PAYROLL MANUAL	400229	12/6/2019	BOROUG65	BOROUGH OF HADDONFIELD	19-02501	netpayroll week 49 12/6/19	72,327.52	8841
PAYROLL MANUAL	400230	12/6/2019	FED	FEDERAL TAXES	19-02502	payroll week 49 12/6/19	11,270.65	8842
PAYROLL MANUAL	400231	12/6/2019	FICA	FICA PAYMENTS	19-02503	payroll week 49 12/6/19	8,447.08	8842
PAYROLL MANUAL	400232	12/6/2019	MEDICARE	medicare	19-02504	payroll week 49 12/6/19	3,227.64	8842
PAYROLL MANUAL	400233	12/6/2019	NJ DEP42	N.J. DEPARTMENT OF TREASURY	19-02507	payroll week 49 12/6/19	3,998.12	8842
PAYROLL MANUAL	400234	12/13/2019	BOROUG65	BOROUGH OF HADDONFIELD	19-02614	netpayroll week 50 12/13/19	105,527.95	8846
PAYROLL MANUAL	400235	12/13/2019	FED	FEDERAL TAXES	19-02615	payroll week 50 12/13/19	20,876.16	8847
PAYROLL MANUAL	400236	12/13/2019	FICA	FICA PAYMENTS	19-02616	payroll week 50 12/13/19	16,473.48	8847
PAYROLL MANUAL	400237	12/13/2019	MEDICARE	medicare	19-02617	payroll week 50 12/13/19	5,245.66	8847
PAYROLL MANUAL	400238	12/13/2019	NJ DEP42	N.J. DEPARTMENT OF TREASURY	19-02620	payroll week 50 12/13/19	6,637.67	8847
PAYROLL MANUAL	400239	12/20/2019	BOROUG65	BOROUGH OF HADDONFIELD	19-02628	netpayroll week 51 12/20/19	65,488.84	8852
PAYROLL MANUAL	400240	12/20/2019	FED	FEDERAL TAXES	19-02629	payroll agency wk 51 12/20/19	10,258.20	8853
PAYROLL MANUAL	400241	12/20/2019	FICA	FICA PAYMENTS	19-02630	payroll agency wk 51 12/20/19	7,850.22	8853
PAYROLL MANUAL	400242	12/20/2019	MEDICARE	medicare	19-02631	payroll agency wk 51 12/20/19	2,978.70	8853
PAYROLL MANUAL	400243	12/20/2019	NJ DEP42	N.J. DEPARTMENT OF TREASURY	19-02634	payroll agency wk 51 12/20/19	3,715.87	8853
TRUST MANUAL	17046	11/27/2019	BOROUG65	BOROUGH OF HADDONFIELD	19-02469	payroll week 48	3,102.50	8825
TRUST MANUAL	17047	12/6/2019	BOROUG65	BOROUGH OF HADDONFIELD	19-02500	payroll week 49 12/6/19	5,015.00	8840
TRUST MANUAL	17048	12/13/2019	BOROUG65	BOROUGH OF HADDONFIELD	19-02613	payroll week 50 12/13/19	1,317.50	8845
TTL	3163	12/2/2019	CAM CO66	CAM COUNTY MUN UTILITIES AUTH.	19-02482	CCMUA COLLECTED FROM TAX SALE	14,121.95	8834
TTL	3164	12/2/2019	BOROUG65	BOROUGH OF HADDONFIELD	19-02483	TAXES PAID AT TAX SALE	82,350.56	8835
TTL	3165	12/2/2019	BOROUG65	BOROUGH OF HADDONFIELD	19-02484	ADV COST FROM TAX SALE	966.83	8836
TTL	3166	12/13/2019	LH-106	US BANK CUST/PRO CAP 8/PRO CAP	19-02625	REDEEMED LIEN #19-00015	5,046.96	8849
TTL	3167	12/13/2019	LH-106	US BANK CUST/PRO CAP 8/PRO CAP	19-02625	REDEEMED LIEN #19-00015	46,600.00	8849
TTL	3168	12/13/2019	LH-102	US BANK CUST FOR TOWER DBVIII	19-02626	REDEEMED LIEN #18-00009	27,348.02	8850
TTL	3169	12/13/2019	LH-102	US BANK CUST FOR TOWER DBVIII	19-02626	REDEEMED LIEN #18-00009	10,100.00	8850

**1,519,504.94**

2019-12-17-185

December 17, 2019

**Authorization to Issue Checks – Fair Share Housing Estimate Refunds**

**WHEREAS**, that the following amounts represent overpayments of the Fair Share Housing estimates made when actual assessments were set:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Address</u>	<u>Amount</u>
8	8.01	Surety Title Company, LLC 11 Eves Drive, Suite 150 Marlton, NJ 08053	311 Windsor Ave	\$ 1,005.54
33	56	Barrila, Michele	71 Ellis St	\$ 1,189.02
47	27	Barone, Gregory & Alaina	211 Chestnut St	\$ 74.01
64.22	16	Surety Title Agency of Haddonfield, LLC 89 N Haddon Avenue, Suite C-2 Haddonfield, NJ 08033	1157 Concord Dr	\$ 544.73
91.10	9	Borkowski, Susan	128 North Dr	\$ 73.13
91.10	10	Williams, Matthew & Erin	134 North Dr	\$ 165.91
97	5.01	Surety Title Company, LLC 11 Eves Drive, Suite 150 Marlton, NJ 08053	501 Mt Vernon Ave	\$ 385.18
110	3	Surety Title Company, LLC 11 Eves Drive, Suite 150 Marlton, NJ 08053	523 West End Ave	\$ 847.43
130	2	New Life Developments, LLC	134 Haddon Ave	\$ 1,675.80
<b>TOTAL:</b>				<u>\$ 5,960.75</u>

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners, Borough of Haddonfield, County of Camden, State of New Jersey that the amounts listed above are hereby authorized for payment against the Fair Share Housing Escrow Account of the Borough of Haddonfield.

2019-12-17-186

December 17, 2019

**Authorization to Approve Appointments – Various**

**RESOLVED**, by the Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey that the following appointment is made for the Borough of Haddonfield:

NAME	BOARD/COMMISSION/POSITION	EXPIRES
Dennis Kelleher	Library Board of Trustees	12/31/2024
Louise Senopoulos	Library Board of Trustees	12/31/2024
Ralph Ciallella	Shade Tree Commission	12/31/2024
Scott McElhone, Alt. I	Shade Tree Commission	12/31/2024

**2019-12-17-187**

**December 17, 2019**

**Authorization to Appoint Fund Commissioners – HIF**

**WHEREAS**, the Borough of Haddonfield is a member in the Southern New Jersey Regional Employee Benefits Fund for the purpose of establishing health insurance coverage in accordance with N.J.S.A. 17B:17-4; and

**WHEREAS**, it is necessary that a Fund Commissioner and Alternate Fund Commissioner be appointed to the Southern New Jersey Regional Employee Benefits Fund to represent the Borough of Haddonfield.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey that the following named individuals are appointed to serve as Fund Commissioner and Alternate Fund Commissioner for the Borough of Haddonfield from January 1, 2020 to December 31, 2020.

Fund Commissioner	Neal P. Rochford
Alternate Fund Commissioner	Sharon McCullough

**2019-12-17-188**

**December 17, 2019**

**Authorization to Make Joint Insurance Fund Appointments**

**WHEREAS**, the Borough of Haddonfield has joined the Camden County Municipal Joint Insurance Fund, a self/excess insured fund, following a detailed analysis; and

**WHEREAS**, by the bylaws of said Fund require that each Municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the bylaws; and



**WHEREAS**, the bylaws indicate a minimum fee equal to six percent (6%) reasonable compensation for the services required and was included in the cost considered by the Borough Commissioners; and

**WHEREAS**, the nature of Risk Management Consultant's duties renders competitive bidding impractical.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Haddonfield does hereby appoint Henry D. Bean and Sons, Inc. as its Risk Management Consultant for the Calendar Year 2019 in accordance with N.J.S.A. 40A:11-5.

**BE IT FURTHER RESOLVED** that the Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey, does hereby appoint Neal P. Rochford as its Fund Commissioner and Sharon McCullough for Alternate Fund Commissioner for the Camden County Municipal Joint Insurance Fund for the Year 2020.

**2019-12-17-189**

**December 17, 2019**

**Authorization to Sign Agreement for Governor's Council on Alcoholism  
and Drug Abuse Fiscal Grant Cycle FY21**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, non-profit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, the Board of Commissioners of the Borough of Haddonfield, Camden County, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

**WHEREAS**, the Board of Commissioners further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Board of Commissioners has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Camden.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey hereby recognizes the following:

1. The Board of Commissioners does hereby authorize submission of a strategic plan for the Haddonfield Municipal Alliance grant for fiscal year 20 in the amount of:

DEDR 13,314.22  
 Cash Match 3,328.56  
 In-Kind 9,985.67

- The Board of Commissioners acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

**2019-12-17-190**

**December 17, 2019**

**Authorization to Approve 2020 Schedule of Meetings**

**WHEREAS**, P.L. 1975, Chapter 231 of the laws of the State of New Jersey, approved October 21, 1975, and known as "Open Public Meetings Act", provides in paragraph 13 thereof that at least once each year, within seven days following the annual organization meeting of a public body, or if there be no such organization meeting in the year, then not later than January 10<sup>th</sup> of each year, every public body shall adopt a schedule of its regular meetings for such year and take such action with respect to such schedule, as is set forth in such statute.

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of Haddonfield, County of Camden, and State of New Jersey, that the schedule attached hereto be and hereby is adopted as a schedule of the regular meetings of the Board of Commissioners during the year 2020, and

**BE IT FURTHER RESOLVED**, that a copy of such schedule shall be posted and maintained on the public bulletin Board in the Borough Hall, 242 Kings Highway East, Haddonfield, New Jersey, that a copy be filed with the clerk and that one copy shall be mailed to the Retrospect and the Courier-Post newspapers.

**BOROUGH OF HADDONFIELD  
 SCHEDULE OF MEETINGS  
 2020 CALENDAR YEAR**

**COMMISSIONERS WORK SESSIONS/BUSINESS MEETINGS**

2020					
DATE	DAY	WORKSESSION TIME	ROOM	MEETING TIME	ROOM
January 6	Tuesday	6:40 p.m.	201	6:35 p.m.	201
January 14 (3 <sup>rd</sup> Week)	Tuesday	7:00 p.m.	101	7:30 p.m.	102
February 3	Monday	6:30 p.m.	201		
February 11	Tuesday	7:00 p.m.	101	7:30 p.m.	102
February 18 (Holiday 02/17/2020)	Tuesday	6:30 p.m.	201		
February 25	Tuesday	7:00 p.m.	101	7:30 p.m.	102

March 2	Monday	6:30 p.m.	201	
March 10	Tuesday	7:00 p.m.	101	7:30 p.m. 102
March 16	Monday	6:30 p.m.	201	
March 24	Tuesday	7:00 p.m.	101	7:30 p.m. 102
April 6 (Planning Bd. 4/7)	Monday	6:30 p.m.	201	
April 20	Monday	6:30 p.m.	201	
April 28	Tuesday	7:00 p.m.	101	7:30 p.m. 102
May 4	Monday	6:30 p.m.	201	
May 12	Tuesday	7:00 p.m.	101	7:30 p.m. 102
May 18	Monday	6:30 p.m.	201	
May 26	Tuesday	7:00 p.m.	101	7:30 p.m. 102
June 1 (Primary Election 6/2)	Monday	6:30 p.m.	201	
June 9	Tuesday	7:00 p.m.	101	7:30 p.m. 102
June 15	Monday	6:30 p.m.	201	
June 23	Tuesday	7:00 p.m.	101	7:30 p.m. 102
July 20 (3 <sup>rd</sup> Week)	Monday	4:00 p.m.	201	7:00 p.m. 102
August 17 (3 <sup>rd</sup> Week)	Monday	4:00 p.m.	201	7:00 p.m. 102
September 8	Tuesday	7:00 p.m.	101	7:30 p.m. 102
September 14	Monday	6:30 p.m.	201	
September 22	Tuesday	7:00 p.m.	101	7:30 p.m. 102
October 5	Monday	6:30 p.m.	201	
October 13	Tuesday	7:00 p.m.	101	7:30 p.m. 102
October 19	Monday	6:30 p.m.	201	
October 27	Tuesday	7:00 p.m.	101	7:30 p.m. 102
November 16 (3 <sup>rd</sup> week)	Monday	6:30 p.m.	201	
November 24 (4 <sup>th</sup> Week)	Tuesday	7:00 p.m.	101	7:30 p.m. 102
December 7 (2 <sup>nd</sup> week)	Monday	6:30 p.m.	201	
December 14 (3 <sup>rd</sup> Week)	Monday	7:00 p.m.	101	7:30 p.m. 102

**2020 BOARD OF HEALTH**

Prior to the First Commissioners Meeting of each Year  
January 6 – 6:30 p.m.

**2020 ENVIRONMENTAL COMMISSION & 2020 SUSTAINABLE HADDONFIELD**

7:30 p.m. Fourth Wednesday of the Month in the Room 201

January 22  
February 26  
March 25  
April 22  
May 27  
June 24

July 22  
August 26  
September 23  
October 28  
November 25  
December 16

(3<sup>rd</sup> week)

**2020 HISTORIC PRESERVATION COMMISSION**

7:30 p.m. Third Wednesday of the month in the Auditorium

January 15	July 15	
February 19	August 19	
March 18	September 16	
April 15	October 21	
May 20	November 11	(2 <sup>nd</sup> week)
June 17	December 16	(3 <sup>rd</sup> week)

**2020 HUMAN RELATIONS COMMISSION**

7:30 p.m. Third Thursday of the month (except July & August) in Room 102

January 16	June 18	
February 20	September 17	
March 19	October 15	
April 16	November 12	(Room 201 - 2 <sup>nd</sup> week)
May 21	December 17	(Room 201 - 3 <sup>rd</sup> week)

**2020 LIBRARY BOARD OF TRUSTEES**

8:00 a.m. Fourth Tuesday of Month at Library (except August)

January 28	June 23	
February 25	July 28	
March 24	September 22	
April 28	October 27	
May 26	November 24	
	December 15	(3 <sup>rd</sup> week)

**2020 MUNICIPAL ALLIANCE COMMITTEE**

7:00 p.m. Third Wednesday of each month in Room 102

January 15	July 15
February 19	August 19
March 18	September 16
April 15	October 21
May 20	November 18
June 17	December 16

**2020 PARTNERSHIP FOR HADDONFIELD**

8:30 a.m. Fourth Wednesday of the month in the Room 102  
(January, February, April, May, September and November)

January 22	May 27
February 26	September 23
April 22	November 25

**2020 RECREATION COUNCIL**

8:00 p.m. Fourth Thursday of Month in Room 102  
(except May, June, July, August and December)

January 23	September 24	
February 27	October 22	
March 26	November 19	(3 <sup>rd</sup> week)
April 23		

**2020 SENIOR CITIZENS COMMISSION**

9:15 a.m. Third Monday\* of Month at the Mabel Kay House  
(No meetings during July and December)  
(\*Jan. and Feb. only on the Tuesday after the holiday)

January 21	(Holiday 1/20/2020)	June 15
February 18	(Holliday 2/17/2020)	August 17
March 16		September 21
April 20		October 19
May 18		November 16

**2020 SHADE TREE COMMISSION**

8:00 a.m. Third Tuesday of Month (except July & August) in Room 102

January 21	June 16
February 18	September 15
March 17	October 20
April 21	November 17
May 19	December 15

**2020 SITE PLAN REVIEW COMMITTEE**

7:00 p.m. Wednesday (two weeks prior to Planning Board Meeting) in Room 201

January 22	July 22	
February 19	August 19	
March 25	September 23	
April 22	October 21	
May 20	November 11	(3 weeks Prior)
June 24	December 16	(3 weeks Prior)

(if scheduled MUST be different date)

## 2020 PLANNING BOARD

7:30 p.m. First Tuesday of Month in the Auditorium

January 7	July 7
February 4	August 4
March 3	September 1
April 7	October 6 (Jewish Holiday 10/2/2020)
May 5	November 4 (move to day after General Election when falls on same date)
June 2 (primary Election Day)	December 1

## 2020 ZONING BOARD OF ADJUSTMENT

7:30 p.m. Third Tuesday of Month in the Auditorium

January 15	July 16
February 19	August 20
March 19	September 17
April 16	October 15
May 21	November 19
June 18	December 17

**2019-12-17-191**

**December 17, 2019**

### **Authorization to Adopt Information Technology Practice Policy, Social Media Policy and Procedure Manual**

**RESOLVED** by the Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey that the attached the policy entitled Information Technology Practice Policy, Social Media Policy and Procedure Manual shall become effective upon the approval of this resolution and are available in the Clerk's Office at Borough Hall, Room 101, 242 Kings Highway East, Haddonfield, New Jersey 08033.

**2019-12-17-192**

**December 17, 2019**

### **Authorization to Approve Change Order No. 3 2019 Road Program / NJDOT Lincoln Avenue & Chestnut Street Reconstruction**

**RESOLVED**, by the Board of Commissioners, Borough of Haddonfield, County of Camden, State of New Jersey, that the contract between Asphalt Paving Systems, Inc., P.O. Box 530, Hammonton, New Jersey 08037 and the Borough of Haddonfield for the 2019 Road Program / NJDOT Lincoln Avenue & Chestnut Street Reconstruction project be amended as follows:

<b>Item</b>	<b>Quantity</b>	<b>Amount</b>	<b>Balance</b>
<b><u>No.</u>    <u>Description</u></b>	<b><u>(+/-)</u></b>		
Original Contract Amount			\$1,882,440.00
Contract Amount Based on Change Order No. 1			\$1,878,000.00
Contract Amount Based on Change Order No. 2			\$1,899,115.00
<b><u>SUPPLEMENTALS</u></b>			
S3    STORM DRAINAGE WORK ON ESTAUGH AVE. MT. VERNON AVE.	1 LS		
A) Inlet Type "A"	1 UN	\$ 4,250.00	
B) Inlet Type "E"	1 UN	\$ 4,850.00	
C) Inlet Type "B"	1 UN	\$ 4,850.00	
D) Connect to Existing Storm Work	3 UN	\$ 1,800.00	
E) 9"x 8"x 18" Concrete Curb	85 LF	\$ 2,295.00	
F) Concrete Sidewalk, 4" Thick	48 SY	\$ 3,360.00	
G) HMA Patching	50 CY	\$ 6,250.00	
H) Traffic Control	1 LS	\$ 700.00	
		Sub-Total:	\$ 28,355.00
<b><u>EXTRAS</u></b>			
		\$ 0.00	
		Sub-Total:	\$ 0.00
<b><u>REDUCTIONS</u></b>			
		(\$ 0.00)	
		Sub-Total:	(\$ 0.00)
Adjustment Amount Based on Changed Order No. 3			\$1,927,470.00

**2019-12-17-193**

**December 17, 2019**

**Authorization to Approve General Event Permit Application – Lululemon**

**WHEREAS**, the Board of Commissioners of the Borough of Haddonfield deems it in the best interest of its citizens to encourage organized events and festivals for the benefit of the community; and

**WHEREAS**, the following organizations wish to sponsor events within the Borough:

Lululemon	Sunday, December 15, 2019	Magical Moments
	10am to 12pm	Hat & Glove Drive

**WHEREAS**, both the Police Department and the Public Works Department have reviewed the application for potential costs to the Borough that will be charged to the organization.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey, that the permits applied for by the above groups are hereby approved.

**2019-12-17-194**

**December 17, 2019**

**Authorization To Endorse the Amended Housing Element and Fair Share Plan**

**WHEREAS**, the Planning Board of the Borough of Haddonfield, County of Camden, State of New Jersey, adopted the amended Housing Plan Element of the Master Plan on November 13, 2019; and

**WHEREAS**, a true copy of the resolution of the Planning Board adopting the Housing Plan Element is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey hereby endorse the Housing Plan Element and Fair Share Plan as adopted by the Haddonfield Planning Board; and

**BE IT FURTHER RESOLVED** that the Borough of Haddonfield hereby requests that the Special Master and/or the Court review and approve the Housing Element and Fair Share Plan.

**2019-12-17-195**

**December 17, 2019**

**Authorization To Adopt an Affirmative Marketing Plan**

**WHEREAS**, the Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey, have reviewed and approved the 2019 Housing Element and Fair Share Plan; and

**WHEREAS**, the Plan contains, as required, an Affirmative Fair Share Housing Marketing Plan; and

**WHEREAS**, the Borough has reviewed the Affirmative Fair Share Housing Marketing Plan and finds it to be acceptable and in accordance with statutory requirements and the terms of its Court-approved Settlement Agreement with Fair Share Housing Center.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey adopt the Affirmative Fair Share Housing Marketing Plan, which is part of the Housing Element and Fair Share Plan adopted December 17, 2019, a true copy of which is on file with the Borough Clerk and can be reviewed during normal business hours; and

**BE IT FURTHER RESOLVED** that the Borough authorizes and directs the Mayor, Borough Clerk, and Borough Administrator to execute any and all necessary documents in order to implement the intent of this Resolution.



2019-12-17-196

December 17, 2019

**Authorization To Adopt an Affordable Housing Spending Plan**

**WHEREAS**, regulations adopted by the New Jersey Council on Affordable Housing (COAH) have consistently required a municipality with an Affordable Housing Trust Fund to receive approval of a Spending Plan by COAH prior to spending any of the funds in its trust fund; and

**WHEREAS**, these regulations required a Spending Plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing trust funds;
5. A schedule for the expenditure of all affordable housing trust funds;
6. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public-sector or nonprofit construction of housing;
7. A plan to spend the trust fund balance in accordance with the implementation schedule within the Spending Plan and approved by a settlement agreement;
8. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues are not sufficient to implement the plan; and
9. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and

**WHEREAS**, the Borough of Haddonfield has prepared a Spending Plan consistent with the Borough's Settlement Agreement; and

**WHEREAS**, because COAH is no longer a functioning administrative agency, it will not approve any spending plan, including the Borough's; and

**WHEREAS**, the Borough of Haddonfield shall therefore seek review and approval of its adopted and endorsed Spending Plan as part of its obligations under the terms of the Court-approved Settlement Agreement between the Borough of Haddonfield and Fair Share Housing Center.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey hereby adopt and endorse the Spending Plan attached hereto; and

**BE IT FURTHER RESOLVED** that the Borough of Haddonfield hereby requests that the Special Master and/or the Court review and approve its Spending Plan.

2019-12-17-197

December 17, 2019

**Authorization for Intent to Appropriate Funds or Bonds for Affordable Housing  
in the Event of a Funding Shortfall**

**WHEREAS**, the Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey, have reviewed and approved the 2019 Amended Housing Element and Fair Share Plan and 2019 Spending Plan; and

**WHEREAS**, the Borough anticipates that the funding for the anticipated expenditures detailed in the Borough's Spending Plan will come from developer contributions paid into the Borough's Affordable Housing Trust Fund; and

**WHEREAS**, the anticipated expenditures detailed in the Borough's Spending Plan constitute a "commitment" pursuant to N.J.S.A. 52:27D-329.2 and -329.3 to expend those amounts on the affordable housing programs included in the Borough's Housing Element and Fair Share Plan and Spending Plan, according to the timetable laid out in the Spending Plan; and

**WHEREAS**, in the event that the above funding sources prove inadequate to complete the affordable housing programs included in the Borough's Housing Element and Fair Share Plan and Spending Plan, the Borough shall provide sufficient funding to address any shortfalls.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Haddonfield, County of Camden, State of New Jersey that the Borough does hereby agree to appropriate funds or authorize the issuance of debt to fund any shortfall in its affordable housing program that may arise whether due to inadequate funding from other sources or for any other reason; and

**BE IT FURTHER RESOLVED** that the Borough may repay debt through future collections of development fees, as such funds become available; and

**BE IT FURTHER RESOLVED** that the Mayor, Borough Administrator, and Borough Clerk are authorized and designated to execute any and all necessary documents in order to implement the intent of this Resolution.

2019-12-17-198

December 17, 2019

**Authorization to Appointing a Municipal Housing Liaison**

**WHEREAS**, the Borough of Haddonfield's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:93-1 et seq.); and

**WHEREAS**, pursuant to N.J.A.C. 5:93 and N.J.A.C. 5:80-26.1 et seq., the Borough of Haddonfield is required to appoint a Municipal Housing Liaison for the administration of

Haddonfield Borough's affordable housing program to enforce the requirements of N.J.A.C. 5:93 and N.J.A.C. 5:80-26.1 et seq; and

**WHEREAS**, the Borough of Haddonfield has amended the Borough Code to provide for the appointment of a Municipal Housing Liaison to administer Haddonfield Borough's affordable housing program.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Borough of Haddonfield in the County of Camden, State of New Jersey, that the Borough Administrator, Sharon McCullough, is hereby appointed by the Commissioners of the Borough of Haddonfield as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Haddonfield's Borough Code.

**2019-12-17-199**

**December 17, 2019**

**Authorization to Enter into a Contract with an Administrative Agent for the Administration of Affordable Housing Units**

**WHEREAS**, the Planning Board of the Borough of Haddonfield adopted a Housing Element and Fair Share Plan at a public hearing on November 13, 2019, which was endorsed by the Borough Commissioners on December 17, 2019; and

**WHEREAS**, the Borough adopted an Affordable Housing Ordinance on December 17, 2019 that created the position of Administrative Agent; and

**WHEREAS**, the Mayor and Commissioners of the Borough of Haddonfield wish to enter into a contract with Piazza & Associates, which is attached hereto as Exhibit A, to become the Borough's Administrative Agent for the purpose of administering and enforcing the affordability controls and the Affirmative Marketing Plan of the Borough of Haddonfield, in accordance with acceptable COAH regulations and the New Jersey Uniform Housing Affordability Controls (N.J.A.C. 5:80-26 et seq.).

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Borough of Haddonfield in the County of Camden, State of New Jersey that Piazza & Associates is hereby designated as the Borough's Administrative Agent; and

**BE IT FURTHER RESOLVED** that the Mayor and the Borough Clerk are hereby authorized to sign the contract between the Borough of Haddonfield and Piazza & Associates which is attached hereto as Exhibit A; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect pursuant to law.