

## RESOLUTION

### RESOLUTION OF NEED FOR AFFORDABLE HOUSING PROJECT (BLOCK 70, LOTS 6 AND 6.01; 1726 and 1730 ROUTE 31)

**WHEREAS**, in accordance with the New Jersey Supreme Court's "Mount Laurel I" decision (*South Burlington County NAACP v. Mount Laurel*, 67 N.J. 151 (1975)), the Township has a constitutional obligation to provide for its fair share of the region's affordable housing needs; and

**WHEREAS**, the Township entered into a settlement agreement with Fair Share Housing Center, Inc. ("Fair Share Housing Center" or "FSHC") on December 13, 2017 and an amended settlement agreement with FSHC on February 7, 2018 (collectively, the "settlement agreement"), setting forth the Township's third round affordable housing obligation covering the period 1999 to 2025, including the various plan mechanisms to satisfy its obligation in full, which agreement was further amended in 2020; and

**WHEREAS**, on May 7, 2021, the Township and Fair Share Housing Center entered into a third amendment to the settlement agreement (the "Third Amendment to Settlement Agreement"), which amendment among other things includes the hereinbelow described Project as one of the mechanisms to be employed in satisfying the Township's affordable housing obligations; and

**WHEREAS**, Ingerman Development Company, LLC (hereinafter referred to as the "Sponsor") proposes to develop a multi-family housing development consisting of 146 units, of which 80 are affordable units, (hereinafter referred to as the "Project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (*N.J.S.A. 55:14K-1 et seq.*), the rules promulgated thereunder at *N.J.A.C. 5:80-1.1 et seq.*, and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the "HMFA Requirements") within the Township on a site designated as Block 70, Lots 6, 6.01, on the official tax map of the Township, an 11.7 acre property with a physical address of 1726 and 1730 Route 31, Clinton Township; and

**WHEREAS**, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

**WHEREAS**, pursuant to the HMFA Requirements, the Clinton Township Mayor and Council hereby determine that there is a need for the Project in the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Clinton, in Hunterdon County, New Jersey, as follows:

1. The preamble to this resolution is hereby incorporated as if more fully set forth herein.

2. The Mayor and Council find and determine that the Project proposed by the Sponsor will meet an existing affordable housing need as established in that certain Third Amendment to Settlement Agreement dated May 7, 2021 by and between the Township and Fair Share Housing Center, Inc.
3. The Mayor and Council hereby adopt the within resolution and make the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Requirements to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.
4. This resolution shall take effect immediately.

ATTEST:

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Carla Conner, Township Clerk

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Brian Mullay, Mayor

Adopted: May 26, 2021