

**TOWNSHIP OF MOORESTOWN**  
**RESOLUTION NO. 65-2015**  
**A RESOLUTION CALLING UPON THE GOVERNOR AND LEGISLATURE**  
**TO ESTABLISH A FAIR AND REASONABLE STATE HOUSING POLICY**  
**FOR LOW AND MODERATE INCOME HOUSEHOLDS**

**WHEREAS**, on September 26, 2013, the New Jersey Supreme Court decision In re Adoption of N.J.A.C. 5:96 & 5:97 by the N.J. Council on Affordable Housing, 215 N.J. 578 (2013), invalidated the round three regulations adopted by the Council on Affordable Housing (COAH) in 2008 and charged COAH with the responsibility of adopting a third iteration of the Third Round regulations; and

**WHEREAS**, the Supreme Court specifically invited the Legislature and the Governor to devise a new legislative-based approach to affordable housing in our State and promised to show deference to any constitutional new legislative pronouncement; and

**WHEREAS**, the Supreme Court extended the five month deadline it established in In re Adoption of N.J.A.C. 5:96 and 5:97 and established May 1, 2014 as the deadline for COAH to propose new round three regulations, and October 22, 2014 as the deadline for COAH to adopt new Third Round regulations; and

**WHEREAS**, on October 20, 2014 the COAH Board met and were unable to adopt new regulations due to a 3-3 vote, thereby missing the Court imposed deadline and creating more uncertainty and turmoil for municipalities; and

**WHEREAS**, the confusion and uncertainty that has resulted from costly court actions, prolonged litigation and the lack of reasonable guidance demonstrates the need for a new State housing policy based on good planning, incentivizing participation and the provision of additional affordable housing; and

**WHEREAS**, the Legislature and Governor should seize this opportunity to reform the State's housing laws and implement a statewide housing plan predicated on good planning, providing incentives, assisting with funding for municipalities to plan and implement their affordable housing obligations under the Mt. Laurel doctrine, and consequently protect the interests of taxpayers; and

**WHEREAS**, the reform of the State's housing laws should include explicit language that ensures that municipalities receive credit for the production of all affordable housing eligible for such credit under the rules established at the time of the completion of such dwellings, including, but not limited to, credit for Regional Contribution Agreements and rental bonuses; and

**NOW THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Moorestown, Burlington County, urges the Governor and the State Legislature to implement a reasonable and balanced state affordable housing policy through legislation which promotes rational planning, seeks to achieve results with available housing funding and incentives, encourages partnerships among all levels of government and between the public and private sectors for the provision of affordable housing, and protects the interests of taxpayers; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, the Commissioner of the Department of Community Affairs, the President of the New Jersey State Senate, the Speaker of the New Jersey General Assembly, the Chair of the Senate Community and Urban Affairs Committee and the Chair of the General Assembly Housing and Community Development Committee.

VOTE:  
NEWCOMER  
GARWOOD  
DELGADO  
JORDAN  
NAPOLITANO

Certified to be a true and correct copy of a Resolution adopted by the Township Council at its meeting on February 9, 2015.

---

Patricia L. Hunt, RMC  
Township Clerk