

U.L.v. Carteret, South Brunswick

~~Jan 21~~ 1986

● - Ordinance Amending and Supplementing the Revised General Ordinances of S. Brunswick, 1975

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● CA000580T

ORDINANCE NO. 3-86

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF SOUTH BRUNSWICK, 1975, SPECIFICALLY, CHAPTER XVI, LAND USE, §16-62.13

BE IT ORDAINED by the Township Committee of the Township of South Brunswick, County of Middlesex, State of New Jersey, that the Revised General Ordinances of the Township of South Brunswick, 1975, specifically Chapter XVI, Land Use, §16-62.13, be and are hereby amended and supplemented as follows:

1. The existing §16-62.13 be and is hereby delted in its entirety.

2. §16-62.13 Subsections a through h are reserved.

3. The following is added as §16-62.13i Affordable Housing Agency:

i. Affordable Housing Agency.

1. Creation. There is hereby created an Affordable Housing Agency ("Agency") of the Township of South Brunswick.

2. Composition. The Agency shall consist of five (5) members, all of whom shall be appointed by the Township Committee. The membership of the Agency shall consist of the following:

(a) One member shall be a member of the Township Committee.

(b) The remaining four members shall be residents of the Township.

3. Terms of Office.

(a) The Township Committee member shall serve for a term of one year.

(b) The initial terms of office of the remaining Agency members shall be one (1) for one year, one (1) for two years, and two (2) for three years, to be designated by the Township Committee in making the appointment. Their terms shall thereafter be three (3) years.

4. Chairperson. The Mayor shall designate one member, other than the Township Committee member, to serve as

chairperson for a term of two (2) years.

5. Quorum. Attendance by three (3) members shall constitute a quorum. Passage of any motion requires an affirmative vote by a majority of members present.

6. Ex Officio Members; Executive Director.

(a) The Administrator or his designee and a person recommended by the Civic League and appointed by the Township Committee shall serve as ex officio members of the Agency.

(b) The Planning Director or his designee shall serve as Executive Director of the Agency and shall be responsible for its administrative functioning.

7. Vacancies; Removal for Cause. The Township Committee may remove any member of the Agency for cause. Written charges served upon the member shall be followed by a hearing thereon, at which time the member shall be entitled to be heard either in person or by counsel. A vacancy in the membership of the Agency occurring otherwise than by expiration of the term shall be filled for the unexpired term in the same manner as an original appointment.

8. Powers and Duties.

(a) To prepare and forward to the Township Committee such rules and regulations as may be necessary to implement the policies and goals of this Section; specifically, to ensure that housing units designated as low, moderate or intermediate moderate income units, once constructed, shall remain affordable to, and occupied by, low, moderate or intermediate moderate income households. Such rules shall be subject to review and modification by the Township Committee and must be adopted by the Township Committee to be effective.

(b) To determine maximum sale, resale and rental charges for low, moderate or intermediate moderate income units, and to provide the Planning Board and developers with such calculations.

(c) To pre-qualify prospective owners and renters based upon income and family size, and to issue a certificate as to income eligibility status.

(d) To require that a covenant be recorded with each deed restricting the resale of low, moderate or intermediate moderate income units to low, moderate or intermediate moderate income households.

(e) To develop a formula for use in calculating

the maximum resale price of low, moderate and intermediate moderate income units consistent with the provisions of Section 16-62.13 d.l.(d) of this ordinance.

(f) To determine whether the cost or value of the installation of improvements or amenities within or as a part of a low, moderate or intermediate moderate income unit should be included in the calculation of the resale price or rental charge of such unit, and to establish a procedure whereby homeowners can obtain a determination in this regard prior to installing the improvement or amenity.

(g) To review and to approve or disapprove the Affirmative Marketing Plan required of all developers of low, moderate and intermediate moderate income housing.

(h) To require developers to submit proofs of publication in accordance with approve affirmative marketing plans, and to monitor the marketing practices of developers of low, moderate and intermediate moderate income units to ensure that they comply with the affirmative marketing requirements of this Chapter.

(i) To report quarterly to the Township Committee on the status of low, moderate and intermediate moderate income units.

9. Appropriation and Accountability. The Township Committee shall appropriate adequate monies for the operation of the Agency. The Agency may employ or contract for professional services required to carry out its duties and responsibilities, subject to the amount appropriated by the Township Committee for its use. The Agency shall report to the Township Committee through the Township Administrator.

The above ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of South Brunswick held on January 21, 1986, and will be considered on second and final reading and final passage at a regular meeting of the Township Committee of the Township of South Brunswick to be held at the Municipal Building, Monmouth Junction, South Brunswick, New Jersey, at 8:00 P.M. on February 18, 1986, at which time and place any person having an interest therein will be given an opportunity to be heard.

KATHLEEN A. THORPE, TOWNSHIP CLERK