

**RESOLUTION APPROVING AMENDED AFFORDABILITY ASSISTANCE PROGRAM POLICIES
AND PROCEDURES MANUAL**

WHEREAS, the Borough of Tinton Falls (“Borough”) filed a Mt. Laurel declaratory judgment action in the Superior Court of New Jersey, Law-Division bearing the caption In the Matter of the Borough of Application of the Borough of Tinton Falls, Docket No. MON-L-2475-15 following the New Jersey Supreme Court’s decision in Mt. Laurel IV; and

WHEREAS, the Borough entered into a Settlement Agreement with Fair Share Housing Center on or about April 20, 2018 establishing the Borough’s Third Round affordable housing obligation for the period 1999-2025 and the compliance mechanisms by which the Borough will meet its constitutional obligation to provide for its fair share of affordable housing; and

WHEREAS, as a condition of Court approval of the Borough’s Settlement Agreement with Fair Share Housing Center, the Borough adopted Resolution 019-057 approving a Spending Plan for the Borough’s Affordable Housing Trust Fund, which includes monies set aside for affordability assistance as required by COAH regulations; and

WHEREAS, the Court entered a Final Third Round Judgment of Compliance and Repose on July 17, 2019 providing the Borough with immunity from builder’s remedy litigation through July 1, 2025 and approving the Borough’s Spending Plan; and

WHEREAS, the Borough wants to set the standards and procedures by which it will make available affordability assistance available to low-and-moderate income households from the Borough’s affordable housing trust fund monies; and

WHEREAS, the Borough Municipal Housing Liaison and the Borough’s professional planning consultant has recommended that the Borough amend its Affordability Assistance Program Policies and Procedures to amongst other changes, clarify the program applies to owner-occupied and rental qualified low and moderate income households within the Borough and to ensure that if affordability assistance is provided, the applicant will be able to pay all outstanding liens to ensure that the applicant will regain a position of financial stability for the foreseeable future.

WHEREAS, the Borough Council of the Borough of Tinton Falls believes it is in the best interest of its residents to approve the Amended Affordability Assistance Program Policies and Procedures Manual prepared by to effectuate its obligation to provide affordability assistance to qualified households within the Borough of Tinton Falls.

NOW THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Tinton Falls, County of Monmouth, that it hereby approves the Amended Affordability Assistance Program Policies and Procedures Manual prepared by BJJ Planning dated September 2023.

John Manginelli, Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Ms. Buckley						
Mrs. Clay						
Dr. Dobrin						
Mr. Nesci						
Mr. Manginelli						

CERTIFICATION

I, Michelle Hutchinson, Borough Clerk of the Borough of Tinton Falls, hereby certify the foregoing to be a true copy of a resolution adopted by the Tinton Falls Borough Council at their meeting held September 5, 2023.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 5th day of September 2023.

Michelle Hutchinson
Borough Clerk