

Township of West Milford

Passaic County, New Jersey

~ Resolution No. 2012 – 212 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE CONVEYANCE TO MORRIS HABITAT FOR HUMANITY OF TAX LOT 11, BLOCK 10508 TOGETHER WITH A CONTRIBUTION FROM THE TOWNSHIP'S AFFORDABLE HOUSING TRUST FUND FOR THE CONSTRUCTION OF AN AFFORDABLE 'COAH' UNIT

WHEREAS, the Township of West Milford received substantive certification on October 6, 1999 for its Second Round petition and adopted an affordable housing trust fund ordinance on May 7, 2008; and

WHEREAS, the Township Council of the Township of West Milford, Passaic County petitioned the Council on Affordable Housing (COAH) for substantive certification on June 8, 2010 for its Third Round Housing Element and Fair Share Plan (HE/FSP) dated May 27, 2010 prepared in accordance with N.J.A.C. 5:96 and 5:97; and

WHEREAS, the Township of West Milford did also submit a Spending Plan dated June 2, 2010 to COAH prepared in accordance with N.J.A.C. 5:96 and 5:97; and

WHEREAS, the Township of West Milford has prepared an amended Spending Plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46 in order to specify a municipally-owned property known as Tax Lot 11 in Block 10508, which is one of the municipally-owned properties identified in the Township's Third Round HE/FSP, for the purpose of committing funds from the Township's Affordable Housing Trust Fund to Morris Habitat for Humanity to develop the site in question for a single-family home.

WHEREAS, Morris Habitat for Humanity has agreed to accept conveyance from the Township of a vacant, municipally-owned parcel known as Tax Lot 11 in Block 10508 for the purpose of constructing a single-family dwelling which will qualify as an affordable housing unit pursuant to the Township's HE/FSP and for which the Township will also make a contribution in the amount up to \$50,639 from the Township's Affordable Housing Trust Fund.

NOW THEREFORE BE IT RESOLVED by the Township Council, Township of West Milford, Passaic County, that it does hereby authorize the Mayor and the Township Clerk to execute the appropriate Deed of Conveyance and Affidavit of Title prepared by the Township attorneys for the conveyance to Morris Habitat for Humanity for the property known as Tax Lot 11 in Block 10508, which Deed shall specify that it is solely being conveyed for the purposes of the construction of a residential unit which complies with the provisions set forth in N.J.A.C. 5:96 and 5:97 for a period of thirty (30) years or the property shall revert to the Township, and that the Township in addition to conveying the property in question, will contribute an amount up to \$50,639 to Morris Habitat for Humanity for said COAH compliant residential dwelling to be constructed by Morris Habitat for Humanity.

BE IT FURTHER RESOLVED that the Mayor, the Township Administrator, Township Clerk, Township Attorney and the Township's CFO are hereby authorized to take any and all necessary steps, including but not limited to the execution of a developers agreement consistent with this resolution, to effectuate the conveyance of Lot 11, Block 10508 to Morris Habitat for Humanity as well as the payment to Morris Habitat for Humanity for an amount up to \$50,639 for the construction of an affordable housing unit in compliance with N.J.A.C. 5:96 and 5:97 and the Township's HE/FSP.

Adopted: June 27, 2012

Adopted this 27th day of June, 2012
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk