

TOWNSHIP OF WALL
ORDINANCE NO. 24 - 1997

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT PROVIDING FOR THE CONSTRUCTION OF SCATTERED SITE LOW AND MODERATE INCOME HOUSING UNITS PURSUANT TO THE TOWNSHIP'S MT. LAUREL COMPLIANCE PROGRAM.

WHEREAS, the "Mt. Laurel I" and "Mt. Laurel II" decisions of the New Jersey Supreme Court, the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., and other applicable law require Wall Township as well as most other New Jersey municipalities to create a realistic opportunity for the provision of affordable housing; and

WHEREAS, in furtherance of that obligation and pursuant to the Township's Mt. Laurel Compliance Plan, the Township of Wall has satisfied a portion of its obligation by the institution of a scattered site housing program and the construction of housing for qualified persons of low and moderate income on various sites throughout the Township; and

WHEREAS, the owner of certain real property located in the Township known as Lot 2 in Block 31 on the Tax Assessment Map (hereinafter referred to as "the developer") has agreed to participate in the Township's Mt. Laurel Compliance Program; and

WHEREAS, there are located on the aforesaid property two (2) substandard dwelling units; and

WHEREAS, pursuant to a Developer's Agreement negotiated between the parties, the developer would be obligated to renovate the two (2) existing dwelling

units for deed restricted conveyance to qualified low income persons; would be further required to deed the property to the Township for the purpose of such conveyance; and would be required to construct two (2) modular housing units for deed restricted conveyance to qualifying persons of moderate income on contiguous property owned by the Township of Wall known and designated as Lots 1 & 4 in Block 31 on the Tax Assessment Map of the Township; and

WHEREAS, the aforesaid Developer's Agreement will result in the provision of housing for qualifying persons of low and moderate income; will satisfy a portion of the Township's obligation to provide such housing units pursuant to its Mt. Laurel Compliance Plan; and will further fulfill the public purpose of creating adequate housing for persons of low and moderate income; and

WHEREAS, the Township Committee finds that the execution of the aforesaid Developer's Agreement will, for the reasons aforesaid, be in the best interests of the Township of Wall; and

WHEREAS, the Chief Financial Officer of the Township has certified to the Township Committee that funds are available for the payment of any necessary reimbursable advances under the aforesaid Developer's Agreement and that said funds have been appropriated in the 1997 Local Municipal Budget under the line item entitled "Housing Trust Fund";

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wall in the County of Monmouth and State of New Jersey, that the Mayor and Township Clerk or Acting Township Clerk be and are hereby authorized and directed to execute on behalf of the Township a Developer's Agreement between the

Township and James Alburtus individually and t/a Alburtus Contracting and Management, for the renovation of housing units on Lot 2 in Block 31 and the construction of modular housing units on Lots 1 & 4 in Block 31 for inclusion in the Township's Scattered Site Housing Program, a copy of which agreement shall be maintained in the file of the Township Clerk.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on November 12, 1997 and will be further considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on December 10, 1997 at 8:00 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to, and up to and including, the date of such meeting, copies of said Ordinance will be made available at the Clerk's office in the Township of Wall Town Hall to the members of the general public who shall request the same.

Beatrice M. Gassner, C.M.C.
Township Clerk