

**RESOLUTION AMENDING SUBSTANTIVE CERTIFICATION OF
FREEHOLD TOWNSHIP, MONMOUTH COUNTY NO: 196-99(a)**

COAH 04-1610

WHEREAS, on April 2, 1997, the Council on Affordable Housing (COAH) granted second round substantive certification to Freehold Township, Monmouth County; and

WHEREAS, COAH approved the Township's development fee ordinance on December 9, 1992, and approved the Township's development fee retention on March 14, 1994; and

WHEREAS, on December 6, 1995, COAH approved the Township's spending plan; and

WHEREAS, Freehold Township's 1987-1999 precredited need is 1,092, including a 56-unit rehabilitation obligation and a 1,036-unit new construction obligation; and

WHEREAS, after applying 798 credits (81 prior cycle credits, 17 rehabilitation credits, 150 RCA credits, 264 built unit credits, 41 reductions for approved sites, 149 reductions for a proposed municipal construction site and 96 rental bonuses), the Township's remaining obligation was 294 units, consisting of a 255-unit new construction obligation and a 39-unit rehabilitation obligation; and

WHEREAS, the Township proposed a rehabilitation program and a regional contribution agreement (RCA) for 255 units; and

WHEREAS, Freehold Township filed a motion, dated October 4, 2004, to COAH requesting 16 credits and any applicable rental bonuses for 16 affordable assisted living units at Monmouth Crossing and that the credits be carried forward to address its third round obligation; and

WHEREAS, no briefs in opposition to Freehold Township's motion to amend were received by COAH from any of the parties on the service list which included all objectors, interested parties and owners of sites contained in the certified fair share plan; and

WHEREAS, the Township's certified Housing Element and Fair Share Plan included a 76 bedroom assisted living facility, known as Monmouth Crossing and owned/operated by Centrastate, of which 16 bedrooms are reserved for low- and moderate-income individuals; and

WHEREAS, the Township was unable to receive credit because the Borough did not designate the NJ Housing and Mortgage Finance Agency (HMFA) as the experienced entity to administer and monitor the low- and moderate-income apartments in the assisted living residence in accordance with N.J.A.C. 5:93-5.16(h); and

WHEREAS, the Township was granted substantive certification with the understanding that, if HMFA was contracted to administer the units, the Township could reduce its RCA with Freehold Borough with possibility of receiving 16 credits from the Monmouth Crossing assisted living development for Freehold's second round obligation, if the Township executed an agreement with HMFA within one year of receiving substantive certification; and

WHEREAS, the Township would have had to reduce its RCA with the Borough because the maximum number of age-restricted units eligible for COAH credit in the second round was based on a formula that included proposed and transferred RCAs; and

WHEREAS, the Township received a waiver that allowed more age-restricted units than is permitted based on a 255-unit RCA with the Borough; and

WHEREAS, the Township is not seeking to reduce the RCA with Freehold Borough; and

WHEREAS, on May 7, 2004, the Township, Centrastate and HMFA executed an agreement; and

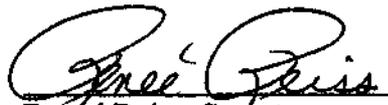
WHEREAS, with said agreement, the Township has complied with N.J.A.C. 5:93-5.16(h) and proposed N.J.A.C. 5:94-4.11(a)6.

NOW THEREFORE BE IT RESOLVED that COAH approves Freehold Township's motion request to obtain 16 excess credits for 16 affordable assisted living units at Monmouth Crossing in excess of the age-restricted units eligible for credit; and

BE IT FURTHER RESOLVED that these excess age-restricted credits may only be applied to the Township's third round obligation provided they comply with COAH's third round regulations and the Township includes them in a third round petition before COAH; and

BE IT FURTHER RESOLVED that all other conditions and approvals of COAH's original grant of substantive certification shall remain in place.

I hereby certify that this resolution was duly adopted by the Council on Affordable Housing at its public meeting on 12/15/04



Renee Reiss, Secretary
Council on Affordable Housing