

**BOROUGH OF COLLINGSWOOD  
BOARD OF COMMISSIONERS**

**RESOLUTION NO. 2025-148**

**SUBJECT: ADOPTING AN AFFORDABLE HOUSING TRUST FUND  
SPENDING PLAN**

**WHEREAS**, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301 et seq.); and

**WHEREAS**, the Acting Director of the Administrative Office of the Courts issued Administrative Directive #14-24 on December 13, 2024, which provided in part that "[a] municipality seeking a certification of compliance with the New Jersey Fair Housing Act shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located"; and

**WHEREAS**, the Borough of Collingswood (the "Borough") adopted binding Resolution No. 25-48 on January 6, 2025 committing to a fair share number and, thereafter, filed a Complaint for Declaratory Judgment in the Superior Court of New Jersey, captioned In the Matter of the Application of the Borough of Collingswood, Docket No. CAM-L-000057-25 on January 8, 2025 and identifying therein its present and prospective fair share obligation for the Fourth Round and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan ("HEFSP") as required under the FHA; and

**WHEREAS**, the Borough had previously adopted a Development Fee Ordinance (see Borough Code §85-22) that establishes standards for the collection, maintenance, and expenditure of development fees to be used for providing low- and moderate-income housing in the Borough; and


**WHEREAS**, the Development Fee Ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of construction of affordable units on-site, barrier free escrow funds, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units; and

**WHEREAS**, N.J.A.C. 5:97-8.1(d) and N.J.S.A. 52:27D-329.2 require a municipality with an affordable housing trust fund to receive approval of a spending plan from a court of competent jurisdiction prior to spending any of the funds in its housing trust fund; and

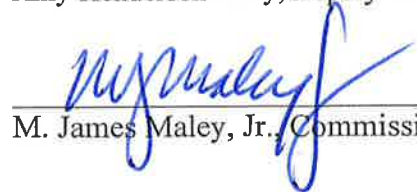
**WHEREAS**, the Borough Planner has prepared a spending plan consistent with N.J.A.C. 5:97-8.10, which is attached hereto; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**BOROUGH OF COLLINGSWOOD**

  
\_\_\_\_\_  
Daniela Solano Ward, Mayor

  
\_\_\_\_\_  
Amy Henderson Riley, Deputy Mayor

  
\_\_\_\_\_  
M. James Maley, Jr., Commissioner

Adopted: June 25, 2025

  
\_\_\_\_\_  
Joseph M. Nardi, III, Borough Solicitor

**Borough of Collingswood  
Camden County**

**Spending Plan  
June 24, 2025**

Approved by the Governing Body on June 25, 2025  
By Resolution No. 2025-148

Borough of Collingswood  
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**Borough of Collingswood  
Camden County**

**Spending Plan  
June 2025**

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***MAYOR AND COMMISSIONERS***

Daniela Solano-Ward, Mayor  
Amy Henderson Riley  
M. James Maley, Jr.

Cassandra Duffy, Borough Administrator

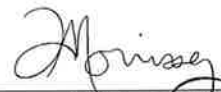
K. Holly Mannel, Borough Clerk

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Madalyn Deets, Board Secretary

Prepared By:



Tiffany A. Morrissey, AICP, PP#5533

The original of this document was signed and  
sealed in accordance with NJAC 13:41-1.3.b

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## INTRODUCTION

This 2025 spending plan addresses the Fourth-Round Housing Element and Fair Share Plan (HEFSP) mechanisms and components and accounts for the funds already deposited, and to be deposited through 2035, into the Borough's Mount Laurel Trust Fund; and (2) demonstrates the manner in which the Borough intends to expend the funds to advance the interests of the region's low- and moderate-income households.

In accordance with the 2024 amendments to the Fair Housing Act, municipalities are permitted to rely on the previously adopted rules and regulations for Spending Plans and Development Fees. This plan is prepared in accordance with the provisions of the amended Fair Housing Act under N.J.S.A. 52:27D-329.2 and the previously effective regulations at N.J.A.C. 5:93-1 et. Seq., Substantive Rules of the New Jersey Council on Affordable Housing.

In 2016, the Borough of Collingswood prepared, adopted, and endorsed an Affordable Housing Plan ("2016 Plan") to address its Affordable Housing Obligation. The 2016 Affordable Housing Plan included the Mount Laurel compliance techniques through which the Borough will satisfy its Prior Round and Third-Round obligation. The Borough obtained a Judgment of Compliance and Repose, which approved the Borough's 2016 HEFSP, on July 18, 2016, after a duly noticed Compliance Hearing held on July 18, 2016. In accordance with the approved plan, the Borough was to prepare and adopt a spending plan once funds were collected into the AHTF under the existing Development Fee Ordinance from non-residential development. The Borough received their first deposit in 2024, therefore this plan is the Borough's first Spending Plan and provides for expenditures and projections through 2035.

## SPENDING PLAN

A development fee ordinance creating a dedicated revenue source for affordable housing was adopted by the municipality on May 4, 2009, under Ordinance #1456. This ordinance was repealed when Chapter 85 was amended to adopt the affordable housing ordinances under the Third-Round. On June 3, 2024, the Borough adopted Ordinance #1784 providing for the collection of development fees. The ordinance establishes the Borough of Collingswood's affordable housing trust fund for which this Spending Plan is prepared.

Pursuant to N.J.S.A. 52:27D-329.2 and N.J.A.C. 5:93-5.1(c), if a municipality intends to collect development fees, it shall prepare a plan to spend development fees that includes the following:

- A projection of revenues anticipated from imposing fees on development, based on historic development activity;
- A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
- A description of the anticipated use of all development fees;
- A schedule for the creation or rehabilitation of housing units (if required);
- If the municipality envisions being responsible for public sector or non-profit construction of housing, a pro-forma statement of the anticipated costs and revenues associated with the development; and
- The manner through which the municipality will address any expected or unexpected shortfall if the anticipated.

### Revenues for Certification Period

To calculate a projection of revenue anticipated during the period relevant to the Borough's Fourth Round HEFSP (2025-2035), the Borough of Collingswood considered the following:

(a) Development fees:

1. Projects which have had development fees imposed upon them at the time of development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development and/or projected development in accordance with projections.
4. Revenues from the 2.5 non-residential, for all commercial development

(b) Other funding sources: No other funds have been or are anticipated to be collected.

(c) Projected interest: Interest on the projected revenue in the municipal affordable housing trust fund based upon the average amount earned on prior years. This is subject to change as interest rates change and the account balance will fluctuate with approved spending. The current interest rate is 0.5%.



SOURCE OF FUNDS	<b>PROJECTED REVENUES-HOUSING TRUST FUND</b> <b>2025 THROUGH 2035</b> <b>\$143,880.63</b> <b>Starting Balance</b> <b>(June, 2025)</b>										
	7/2025 12/2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
(a) Projected Development fees:	0	5,000		50,000		50,000					
(b) Payments in Lieu of Construction	0	0	0	0	0	0	0	0	0	0	0
(c) Other Funds	0	0	0	0	0	0	0	0	0	0	0
(d) Interest – estimated	225	450	450	450	450	450	450	450	450	450	450
<b>Totals</b>	225	5,450	450	50,450	450	50,450	450	450	450	450	450
<b>TOTAL PROJECTED REVENUES AND INTEREST 2025-2035</b>					<b>\$104,275.00</b>						
<b>TOTAL PROJECTION STARTING BALANCE AND PROJECTIONS</b>					<b>\$248,155.63</b>						

The above projected revenues are based upon projected non-residential development growth rates from prior years. All funds deposited into the AHTF were from non-residential developments. The Borough does not collect funds from residential developments.

Non-Residential Development Fees in the Borough have been generated from one specific development; the Borough does not have vacant land and has not seen any new commercial development which would generate a non-residential development fee since 2018. In 2024 the Borough collected its first Development Fee from a new self-storage facility. Based on recent Planning Board approvals and expected new applications of mixed-use redevelopment the Borough is projecting new deposits of \$105,000 from non-residential development fees spread across the next ten-year period through 2035. These fees are estimates and it may be more or less, depending on the rate of development and reuse of former residential properties as either mixed-use or commercial.

All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing. The projected interest through 2035 is \$4,275, when added to the estimated deposits the Borough will realize an estimated \$104,275 in additional deposits (including interest).

### **Administrative Mechanism To Collect And Distribute Funds**

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the Borough of Collingswood:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with the Borough's development fee ordinance for residential developments in accordance with the rules and regulations at N.J.A.C. 5:93-8.1 et. seq. and for non-residential development consistent with N.J.S.A. 52:27D-329 et. seq. and N.J.S.A. 40:55D-8.1 through 8.7.

(b) Distribution of development fee revenues:

The Borough of Collingswood's Municipal Housing Liaison shall recommend to the governing body the expenditure of development fee revenues as set forth in this Spending Plan. The governing body shall then review the request and, assuming for consistency with the Spending Plan, shall authorize the expenditure by resolution.

The release of funds requires the adoption of the governing body resolution in accordance with the Borough's approved amended spending plan. Once a request is approved by resolution, the Chief Financial Officer shall release the requested revenue from the Affordable Housing Trust Fund for the specific use approved in the governing body's resolution referenced immediately above.

### Anticipated Use Of Affordable Housing Funds

Regulations permit the use of revenues generated by a Development Fee Ordinance for activities that address the municipal fair share obligation including, but not limited to, rehabilitation, new construction, improvement to land, roads, and infrastructure for affordable housing, assistance to render units more affordable, and administrative costs of housing plan implementation.

(a) **New construction programs and projects (N.J.A.C. 5:93-8.16)**

The Borough of Collingswood will dedicate an estimated \$124,077 to assist in any identified affordable housing site towards the creation of new housing units as provided for in the 2025 HEFSP, or in addressing their rehabilitation requirements. This can also include the assistance to provide for family three-bedroom units in developments that are proposed. This is consistent with the 2016 HEFSP as submitted in accordance with the Borough's 2016 Final JOR.

<b>New Construction Expenditure Estimates through 2035</b>		
Development fees collected through June 2025		\$143,880.63
Less Required Affordability Assistance	-	\$43,164.19
Less Administrative Expenditures	-	\$28,776.13
<b>Available New Construction Funds June 2025</b>	<b>=</b>	<b>\$71,940.31</b>
Development fees projected 7/2025-2035		\$104,275.00
Less Estimated Required Affordability Assistance		\$31,282.50
Less Estimated Administrative Expenditures		\$20,855.00
<b>Estimated Available Additional New Construction Funds 7/2025-2035</b>		<b>\$52,137.50</b>
<b>Total Existing and Estimated New Construction Funds Available</b>	<b>=</b>	<b>\$124,077.81</b>

(b) **Affordability Assistance N.J.S.A. 52:27D-392.2.c.(3) and N.J.A.C. 5:93-8.16**

The Borough shall provide affordability assistance in accordance with the rules and requirements of the Fair Housing Act. In accordance with the projections for new development the Borough of Collingswood has prepared a table projecting the minimum affordability assistance requirement. The following table includes current funds and estimates of future funds with the required expenditures:

<b>June 2025 – Current Fund Estimates for Expenditures</b>		
Development fees collected through June 2025		\$143,880.63
<b>MINIMUM Affordability Assistance Requirement through 6/31/2025</b>	x 0.30=	\$43,164.19
<b>PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement through 6/31/2025</b>	1/3 <sup>rd</sup> of Requirement	\$14,388.06

<b>Estimates through 2035</b>		
Development fees collected through June 2025		\$143,880.63
Development fees projected 7/2025-2035		\$104,275.00
Subtotal	=	\$248,155.63
<b>PROJECTED MINIMUM Affordability Assistance Requirement through 12/31/2035</b>	x 0.30=	<b>\$74,446.69</b>
<b>PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement through 12/31/2035</b>	1/3 <sup>rd</sup> of Requirement	<b>\$24,815.56</b>

The Borough of Collingswood will dedicate a minimum of 30% of the total collected fees from the Affordable Housing Trust Fund to render units more affordable, including a minimum of 1/3<sup>rd</sup> of the required 30% to render units more affordable to households earning 30 percent or less of median income by region. Affordability assistance programs will include down-payment assistance, rental assistance, and the conversion of low-income units to very low-income units and other programs. These funds will go to existing affordable housing units and future affordable housing units. Specifically, the funds can assist families in any future affordable housing units created and to buy-down units to very low-income units pursuant to the Borough's Fair Share Plan.

(c) **Administrative Expenses N.J.S.A. 52:27D-392.2.c.(5) and N.J.A.C. 5:97-8.9**

The Borough of Collingswood is permitted to expend a maximum of 20% of the collected revenues from the Affordable Housing Trust Fund to be used for administrative purposes. The amount will be utilized for administrative purposes such as salaries and benefits for municipal employees or consultant fees necessary to develop or implement municipal housing programs such as rehabilitation, accessory apartments, new construction, housing elements and/or affirmative marketing programs. Administrative funds may be used to income qualify households and monitor implementation. Development fees may be used to defray the costs of staff or consultants that are preparing or implementing a Fair Share Plan.

<b>June 2025 – Current Fund Estimates for Expenditures</b>		
Development fees collected through June 2025		\$143,880.63
<b>Available for Administrative Expense through 6/30/2025</b>	<b>x 0.20 =</b>	<b>\$28,776.13</b>

<b>Estimates through 2035</b>		
Development fees collected through June 2025		\$143,880.63
Development fees projected 7/2025-2035		\$104,275.00
Subtotal	=	\$248,155.63
<b>Available for Administrative Expense through 12/31/2035</b>	<b>x 0.20 =</b>	<b>\$49,631.13</b>

### Expenditure Schedule

The Borough of Collingswood intends to use Affordable Housing Trust Fund revenues for the creation of new affordable housing units in accordance with the 2025 HEFSP, or to assist with the creation of three-bedroom family units, and/or to address the Borough's rehabilitation requirement if necessary. The following summarizes the use of the funds as required:

<b>June 2025– Current Fund Expenditures</b>		
Development fees collected through June 2025		\$143,880.63
<b>Expenditures</b>		
New Construction Projects	-	\$0
Affordability Assistance	-	\$0
Administrative Expense	-	\$0
<b>Total Expenditures</b>	=	<b>\$0</b>
Remaining Balance May 2025	=	\$143,880.63

<b>Estimates through 2035</b>		
Account Balance June 2025		\$143,880.63
Projected Revenue		\$104,275.00
<b>Subtotal</b>		<b>\$248,155.63</b>
<b>Expenditures</b>		
<i>New Construction Projects</i>		
	-	\$124,077.81
<i>Affordability Assistance</i>		
Unit Assistance	-	\$49,631.13
Very Low Income Assistance		\$24,815.56
<i>Administrative Expense</i>	-	\$49,631.13
<b>Total Projected Expenditures</b>	=	<b>\$248,155.63</b>
<b>Remaining Balance</b>	=	<b>\$0</b>



**Administrative Expenses:** The Borough of Collingswood will expend funds for administrative expenses through December 31, 2035, for the purposes of salaries and benefits of the municipal employees involved in the implementation and administration of the Borough's Affordable Housing program, Housing Element and Fair Share Plan, and affirmative marketing program. Funds will also be used for consultants and any other permitted program under N.J.A.C. 5:93-8.16(e).

**Affordability Assistance:** The Borough of Collingswood intends to spend funds for affordability assistance in accordance with N.J.A.C. 5:93-8.16(c). One-third of the balance will be utilized for the affordability assistance to very low-income households.

**Housing Programs:** The Borough of Collingswood intends to utilize \$124,077.81 of the projected Housing Trust Fund balance for the creation of new affordable housing units as provided for in the 2025 HEFSP, to assist with the creation of three-bedroom family units, and/or to address the Borough's rehabilitation requirement if necessary.

## **FOUR YEAR SPENDING PLAN:**

In accordance with N.J.S.A. 52:27D-329.2.d development fees collected are required to be committed for expenditure within four years of the date of collection. As of June 2025, the Affordable Housing Trust Fund had a balance of \$143,880.63. This money must be committed for use within four years of collection. The Borough commits to utilize funds as follows:

<b>AHTF Balance June, 2025</b>		<b>\$143,880.63</b>
Less Estimated Allowable Administrative Expenses	-	\$28,776.13
Less Required Affordability Assistance	-	\$43,164.19
<b>AHTF Balance</b>	<b>=</b>	<b>\$71,940.32</b>
New Unit Assistance Three-Bedroom Assistance Rehabilitation Programs	-	\$71,940.32
<b>AVAILABLE BALANCE</b>	<b>=</b>	<b>\$0</b>

## SUMMARY

The Borough of Collingswood intends to spend affordable housing trust fund revenues as approved by the court pursuant to the Fair Housing Act and consistent with the housing programs outlined in the Housing Element and Fair Share Plan.