

Master Plan Amendment Housing Plan Element and Fair Share Plan Round 4

**Borough of Caldwell
Essex County, New Jersey**

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Borough of Caldwell Planning Board

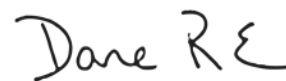
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The original of this document has been signed and sealed in accordance with Law.

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Housing Element

The Borough of Caldwell, Essex County, has prepared this Housing Element and Fair Share Plan as an amendment to the municipal master plan in accordance with the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the New Jersey Fair Housing Act 2 (N.J.S.A. 52:27D-310 et seq.).

The Municipal Land Use Law requires that a municipal master plan include a housing element to enable the municipality to exercise the power to zone and regulate land use. The housing element is adopted by the municipal planning board and endorsed by the municipal governing body, and is drawn to achieve the goal of meeting the municipal obligation to provide for a fair share of the regional need for affordable housing.

This Housing Element and Fair Share Plan amends the township's master plan to address affordable housing planning requirements for the time period known as Round 4, which includes the decade between July 2025 and July 2035. It addresses the township's cumulative fair share obligation for the period from 1987 through 2035. The Borough last adopted a Round 3 Housing Element on March 10, 2021. This plan will replace the 2021 Round 3 plan.

Affordable Housing in New Jersey

The Mt. Laurel II doctrine requires that all municipalities provide a realistic opportunity for their fair share of low and moderate income housing. The Caldwell Fair Share Plan is the Borough's proposal for satisfying its share of the regional affordable housing needs under applicable affordable housing regulations.

This Plan provides the Borough's fair share obligation and details its strategies for addressing its present, prior, and prospective housing needs. The New Jersey Fair Housing Act established the New Jersey Council on Affordable Housing (COAH). COAH was responsible for developing rules and regulations on affordable housing, as well as approving municipalities' submitted affordable housing plans. The COAH approval process was known as Substantive Certification.

COAH adopted its first set of rules, known as 'Round 1,' for the period of 1987 through 1993. COAH 'Round 2' covered the 1993 to 1999 time period. These rounds are now combined and collectively referred to as the 'Prior Round,' which covers the 1987 to 1999 time period.

COAH adopted its first Round 3 rules in 2005. The Round 3 rules included a new methodology for calculating affordable housing, known as Growth Share. These rules were challenged, and the Appellate Division invalidated the Round 3 rules in 2007.

COAH then adopted its second set of Round 3 rules in 2008; these rules also used the Growth Share methodology and were found invalid by the Appellate Division in 2010. COAH was directed to prepare new rules that used the Prior Round methodologies of assigning municipalities affordable housing obligations.

COAH prepared new rules in 2014, but failed to adopt them. In response, a motion was filed with the New Jersey Supreme Court to enforce litigant's rights in response to COAH's lack of action. On March 10, 2015 the Supreme Court issued its decision to enforce litigant's rights and established a procedure for municipalities to transition their COAH applications to the Courts.

The Supreme Court established a new procedure that requires participating towns, such as Caldwell, to submit a Declaratory Judgment action. Caldwell filed its action of Declaratory Judgment with the Court on or about July 7, 2015. The Fair Share Housing Center (FSHC), a nonprofit affordable housing advocacy group, was considered an "interested party" in all municipal Declaratory Actions. The Borough reached settlement with the FSHC as memorialized in a Settlement Agreement that the Borough executed on July 30, 2020.

Round 4 Affordable Housing

On March 20, 2024 Governor Murphy signed new legislation known as P.L.2024, c.2 that amended the state's Fair Housing Act and changed the affordable housing process in New Jersey.

The Fair Housing Act (FHA) Amendment eliminated the Council on Affordable Housing (COAH), changed certain aspects of the vacant land process, eliminated and revised available bonus credits, and imposed strict deadlines on municipalities.

Pursuant to the deadlines established in the FHA Amendment, Caldwell adopted a binding resolution on January 21, 2025 that established its Round 4 prospective need obligation as 79 affordable units and its present need obligation as 57 units. Caldwell's obligations were not challenged and, therefore, were established as the Borough's affordable housing obligations on March 1, 2025.

Pursuant to the FHA Amendment, municipalities must adopt a Housing Element and Fair Share Plan by June 30, 2025. This plan conforms to the requirements established in the legislation and FHA Amendment and addresses Caldwell's Prior Round, Round 3 and Round 4 affordable housing obligations.

Mandatory Contents of the Housing Element

Pursuant to the New Jersey Fair Housing Act (FHA) 2, “a municipality’s housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low-and moderate-income housing.” The essential plan components are:

- An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated;
- A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level, and age;
- An analysis of the existing and probable future employment characteristics of the municipality;
- A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1); and,
- A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing;
- An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c.273 (C.52:27D-329.20);
- For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands conforming municipalities. This analysis shall include consideration of the municipality’s most recent Highlands Municipal Build Out Report, consideration of opportunities for P.L. 2024, redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both, and opportunities for

- 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and
- An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

This Housing Element and Fair Share Plan Amendment addresses the above requirements.

Analysis of Demographic, Housing, and Employment Characteristics

As required by N.J.S.A. 52:27D-310, all housing elements must contain a discussion of the municipality's demographic, housing, and economic characteristics. The following subsections fulfill this requirement by providing a profile of the Borough of Caldwell information from the US Census Bureau, the New Jersey Department of Labor and Workforce Development, and the North Jersey Transportation Planning Authority.

Population Characteristics

Table 1 shows the population trends for the Borough of Caldwell and Essex County from 1930 to 2020. As shown, Caldwell's population increased by 3,883 residents during this period. The greatest increases occurred in the periods from: 1940 to 1950, when the Borough's population increased by approximately 27.1 percent; 1960 to 1970, when there was an increase of approximately 25.0 percent; and between 2010 and 2020, when population increased by approximately 15.4 percent. The only periods where there was a decrease in population were between 1970 and 1980, when the Borough's population decreased by about 12.1 percent; and between 1980 and 1990, when the Borough's population decreased by about 1.0 percent.

Essex County's population also increased over the period from 1930 to 2020. Indeed, the County's population increased by 30,215 residents over this period. As compared to the Borough, however, change in the County's population was never as great as in the Borough. Indeed, the maximum rate of change in the Borough's population was about 27.1 percent (between 1940 and 1950), but the change in the County's population never exceeded about 10.2 percent (between 2010 and 2020) in any ten-year period.

Table 1
POPULATION CHANGE, 1930 – 2020
Borough of Caldwell and Essex County

Borough

<u>Year</u>	<u>Population</u>	<u>Number</u>	<u>Change</u>	<u>Percent</u>
1930	5,144	-----		-----
1940	4,932	(212)		(4.1)
1950	6,270	1,338		27.1
1960	6,942	672		10.7
1970	8,677	1,735		25.0
1980	7,624	(1,053)		(12.1)
1990	7,549	(75)		(1.0)
2000	7,584	35		0.5
2010	7,822	238		3.1
2020	9,027	1,205		15.4

County

<u>Year</u>	<u>Population</u>	<u>Number</u>	<u>Change</u>	<u>Percent</u>
1930	833,513	-----		-----
1940	837,340	3,827		0.5
1950	905,949	68,609		8.2
1960	923,545	17,596		1.9
1970	932,526	8,981		1.0
1980	851,304	(81,222)		(8.7)
1990	778,206	(73,098)		(8.6)
2000	793,633	15,427		2.0
2010	783,969	(9,664)		(1.2)
2020	863,728	79,759		10.2

Sources:

1930 - 1950: "Number of Inhabitants, New Jersey."

<https://www2.Census.Gov/library/publications/decennial/1950/population-volume-2/23024255v2p30ch1.pdf>. U.S. Census Bureau, 1950;

1940 - 2000: "New Jersey Population Trends 1790 to 2000." Division of Labor Market and Demographic Research New Jersey State Data Center, August 2001.

<https://www.nj.gov/labor/labormarketinformation/assets/PDFs/census/2kpub/njsdcp3.pdf>;

2010: 2010 U.S. Census (Table P3); and,

2020: 2020 U.S. Census (Table DP1)

Population Composition by Age

Table 2 shows population by age cohort in the Borough of Caldwell during 2010 and 2020. As can be seen, the population increased by 1,205 residents or 15.4 percent between 2010 and 2020. The age cohorts with the largest increases were: 15-24, which increased by 699 residents or 61.0 percent; 65-74, which increased by 265 residents or 47.6 percent; 55-64, which increased by 223 residents or 24.9 percent; and Under 5, which increased by 54 residents or 14.9 percent. The age-cohort with the largest decrease was 35-44, which decreased by 122 residents or about 10.5 percent. The change in all other age cohorts was less than ± 7.1 percent.

Table 2

POPULATION BY AGE
Borough of Caldwell

Age Group	2010 Population		2020 Population		Change 2010-2020	
	Persons	Percent	Persons	Percent	Persons	Percent
Under 5	362	4.6	416	4.6	54	14.9
5-14	811	10.4	843	9.3	32	3.9
15-24	1,145	14.6	1,844	20.4	699	61.0
25-34	1,015	13.0	1,087	12.0	72	7.1
35-44	1,159	14.8	1,037	11.5	(122)	(10.5)
45-54	1,176	15.0	1,147	12.7	-29	(2.5)
55-64	897	11.5	1,120	12.4	223	24.9
65-74	557	7.1	822	9.1	265	47.6
75-84	457	5.8	484	5.4	27	5.9
85+	243	3.1	227	2.5	-16	(6.6)
TOTALS	7,822	100	9,027	100	1,205	15.4

Sources:

2010: 2010 U.S. Census (Table PCT12); and,
2020: U.S. Census (Table DP1)

Table 2 shows considerable growth in the Under 5, 15-24, 55-64, and 65-74 age cohorts. The effects of the change in the distribution of Caldwell's population among age cohorts can be summarized in the change in the median age of the Borough's population, which decreased by approximately 2.5 years, from 40.4 years to 37.9 years, from 2010 to 2020. This represents a significant decrease of about 6.2 percent. By comparison, the median age of Essex County's population increased by approximately 0.7 years, from 37.8 years to 38.5 years, which equates to an increase of about 1.9 percent. Table 3 summarizes the distribution of the Borough's and County's populations among age cohorts and the change in the median age of said populations.

Table 3
PERCENTAGE POPULATION DISTRIBUTION, 2010 & 2020
Borough of Caldwell and Essex County

<u>Age Group</u>	2010 Percentage of Population		2020 Percentage of Population	
	<u>Borough</u>	<u>County</u>	<u>Borough</u>	<u>County</u>
Under 5	4.6	6.9	4.6	6.0
5-14	10.4	13.7	9.3	13.4
15-24	14.6	13.7	20.4	13.6
25-34	13.0	13.7	12.0	13.9
35-44	14.8	14.8	11.5	14.2
45-54	15.0	14.7	12.7	13.6
55-64	11.5	10.9	12.4	12.1
65+	16.1	11.5	17.0	13.3
TOTALS	100	100	100	100
Median Age	40.4	36.4	37.9	37.1

Sources:
2010: 2010 U.S. Census (Tables PCT12, P13)
2020: 2020 U.S. Census (Tables DP1, P13)

Existing Housing Characteristics

Type of Household

A household is a group of people who occupy a housing unit as their usual place of residence. As shown in Table 4, there were 3,538 households in the Borough of Caldwell in 2020. The majority, or approximately 63.0 percent, of households consisted of two or more persons. The remaining 37.0 percent of households consisted of one person. Table 4 provides additional details on the types of households in Caldwell Borough during 2020.

Table 4
TYPES OF HOUSEHOLDS, 2020

Borough of Caldwell

<u>Type of Households</u>	<u>Total</u>	<u>Number in Subgroup</u>	<u>Percent of Total</u>
TOTAL HOUSEHOLDS	3,538		
One Person		1,308	36.97
Male Householder	548		15.49
65 years or older	164		4.64
Female Householder	760		21.48
65 years or older	402		11.36
Two or More Persons		2,230	63.03
<i>Married Couple Families</i>	1,496		42.28
With Own Children Under 18	655		18.51
<i>Cohabiting Couple</i>	179		5.06
With Own Children Under 18	37		1.05
<i>Male Householder Not living alone</i>	191		5.40
With Own Children Under 18	43		1.22
<i>Female Householder Not living alone</i>	364		10.29
With Own Children Under 18	143		4.04

Household Size

Table 5 provides further details on household size in the Borough of Caldwell during 2020. As shown, the most frequent household size was one person, which accounted for 37.0 percent of all households in Caldwell and 28.0 percent of all households in Essex County. The average household size in Caldwell was 2.26, which is 0.42 years less than the average household size of 2.68 in Essex County during 2020.

Table 5
HOUSEHOLD SIZE, 2020
Borough of Caldwell & Essex County

Household Size	<u>Borough of Caldwell</u>		<u>Essex County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
1 Person	1,308	37.0	87,487	28.0
2 Persons	984	27.8	82,024	26.2
3 Persons	475	13.4	55,575	17.8
4 Persons	483	13.7	49,034	15.7
5 Persons	179	5.1	23,166	7.4
6+ Persons	109	3.1	15,627	5.0
TOTALS	3,538	100.0	312,913	100.0
Average Household Size	2.26		2.68	

Source: 2020 U.S. Census (Table H12)

Per Capita and Household Income

Table 6 displays the per capita income, median household income, and population poverty status of Caldwell, Essex County and the State of New Jersey. This data is derived from the 2023 American Community Survey Five-Year Estimates and represents estimated average conditions over the five-year period ending in 2023.

As shown in Table 6, Caldwell had a higher per capita income at \$61,910 than in Essex County and New Jersey, where the per capita incomes were \$48,021 and \$53,118, respectively. Caldwell also had a higher median household income at \$101,196 than Essex County and New Jersey, where the median household incomes were \$76,712 and \$101,050, respectively. Additionally, the Borough had just 5.9 percent of its population living below poverty status, which is lower than the 15.0 percent and 9.8 percent exhibited by Essex County and New Jersey, respectively.

Table 6
PER CAPITA AND HOUSEHOLD INCOME; POVERTY STATUS 2023
Borough of Caldwell, Essex County & New Jersey

	<u>Per Capita Income</u>	<u>Median Household Income</u>	<u>Percentage of Population Below Poverty Status</u>
Borough of Caldwell	\$61,910	\$101,196	5.9
Essex County	\$48,021	\$76,712	15.0
New Jersey	\$53,118	\$101,050	9.8

Source: 2023 American Community Survey 5-Year Estimates (Tables BP19301, S1901 and S1701)

Family Income Distribution

Table 7 details family income for the Borough and County as represented by 2023 American Community Survey Five-Year Estimates. Well in excess of three-quarters (83.0 percent) of Caldwell's families earned \$75,000 or more. By comparison, just 61.2 percent of Essex County's families earned \$75,000 or more.

Table 7
FAMILY INCOME DISTRIBUTION, 2023
Borough of Caldwell & Essex County

<u>Income Levels</u>	<u>Borough</u>		<u>County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Less than \$10,000	61	2.8	9,043	4.4
\$10,000 - \$14,999	0	0.0	4,661	2.3
\$15,000 - \$24,999	13	0.6	10,715	5.3
\$25,000 - \$34,999	31	1.4	10,373	5.1
\$35,000 - \$49,999	90	4.2	17,639	8.7
\$50,000 - \$74,999	173	8.0	26,707	13.1
\$75,000 - \$99,999	292	13.5	21,768	10.7
\$100,000 - \$149,999	458	21.1	32,917	16.1
\$150,000 - \$199,999	196	9.0	20,730	10.2
\$200,000 or more	853	39.4	49,312	24.2
TOTALS	2,167	100.0	203,865	100.0

Source: 2023 American Community Survey 5-Year Estimates (Table DP03)

Housing Affordability

Table 8 identifies the maximum income limits for low, very low- and moderate-income households in Housing Region 2. All of Essex, Morris, Union and Warren counties are in Housing Region 2.

Caldwell is in Housing Region 2. As of 2025, the median household income for a three-person household in Housing Region 2 was \$121,800. A three-person moderate income household, defined as a household with an income in excess of 50 percent but less than 80 percent of the median income, would have an income that does not exceed \$97,440. A four-person low-income household, defined as a household with income equal to or less than 50 percent but more than 30 percent of the median income, would have an income that does not exceed \$67,650. A two-person very low-income household, defined as a household with an income equal to 30 percent or less of the median income, would have an income that does not exceed \$32,490. Finally, the 1.5 person, three-person and 4.5-person columns are used for calculating the pricing for one-, two- and three-bedroom affordable units.

Table 8
2024 REGIONAL INCOME LIMITS
HOUSING REGION 2

<u>Household Size</u>	<u>Median Income</u>	<u>Moderate Income</u>	<u>Low Income</u>	<u>Very Low Income</u>
1 Person	\$94,800	\$75,840	\$47,400	\$28,440
1.5 Person	\$101,550	\$81,240	\$50,775	\$30,465
2 Person	\$108,300	\$86,640	\$54,150	\$32,490
2.5 Person	\$115,050	\$92,040	\$57,525	\$34,515
3 Person	\$121,800	\$97,440	\$60,900	\$36,540
4 Person	\$135,300	\$108,240	\$67,650	\$40,590
4.5 Person	\$140,750	\$112,600	\$70,375	\$42,225
5 Person	\$146,200	\$116,690	\$73,100	\$43,860
6 Person	\$157,000	\$125,600	\$78,500	\$47,100
7 Person	\$167,800	\$134,240	\$83,900	\$50,340
8 Person	\$178,600	\$142,880	\$89,300	\$53,580

Source: 2025 Affordable Housing Regional Income Limits by Household Size, Prepared by Affordable Housing Professionals of New Jersey (AHPNJ) – May 16, 2025

Housing Unit Data

In 2020, there were 3,669 housing units in Caldwell, of which 3,538 were occupied. By comparison, the County had 334,896 housing units, of which 312,913 were occupied.

As shown in Table 9, owner-occupied housing stock comprised a greater percentage of the Borough's housing stock than in the County's housing stock. In 2020, approximately 96.4 percent of the Borough's housing stock, versus 93.4 percent of the County's housing stock, was owner-occupied.

Table 9
HOUSING UNIT DATA, 2020
Borough of Caldwell & Essex County

	<u>Borough</u>		<u>County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Unit Type				
Occupied	3,538	96.4	312,913	93.4
Vacant, Seasonal & Migratory	131	3.6	21,983	6.6
TOTALS	3,669	100.0	334,896	100.0
Owner vs Renter Occupied Units				
Owner Occupied	1,703	48.1	127,092	40.6
Renter Occupied	1,835	51.9	185,821	59.4
TOTALS	3,538	100.0	312,913	100.0

Source: 2020 U.S. Census (Table DP1)

Year Householder Moved into Unit

Table 10 provides the year the current householders moved into the Caldwell and Essex County homes. As shown, 82.9 percent of the Borough's households moved into their current residences after 2000, compared to 81.1 percent countywide. Approximately 17.1 percent of the Borough's households and 18.9 percent of the County's households moved into their residences before 2000.

Table 10
YEAR HOUSEHOLDER MOVED INTO UNIT, 2023
Borough of Caldwell & Essex County

<u>Year Householder Moved into Unit</u>	<u>Borough</u>		<u>County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
2021 or later	417	11.0	28,371	8.9
2010 - 2020	2,132	56.1	174,402	54.9
2000 - 2009	600	15.8	54,666	17.2
1990 - 1999	335	8.8	29,240	9.2
1989 or earlier	313	8.2	30,794	9.7
TOTALS	3,797	100.0	317,473	100.0

Source: 2023 American Community Survey 5-Year Estimates (Table DP04)

Housing Unit Information

Table 11 includes a variety of information from the American Community Survey on the Borough of Caldwell and Essex County housing stocks, including when the housing unit was built, the number of units per structure, and the number of rooms and bedrooms per unit.

As shown, approximately 31.6 percent of the Borough's housing stock consists of single-family detached structures. In contrast, single-family detached homes comprise approximately 32.8 percent of the County's housing stock.

As shown in Table 11, the Borough's housing stock contains more rooms than the County's housing stock. In 2023, about 42.7 percent of Caldwell's housing units contained six (6) or more rooms, while approximately 40.4 percent of the County's housing stock recorded the same number of rooms. On the other hand, about 16.5 percent of the Borough's housing units contain four or more bedrooms, compared with approximately 17.9 percent of the County's housing stock.

Finally, approximately 76.0 percent of the Borough's housing stock was built before 1980. Similarly, about 75.0 percent of the County's housing stock was built before 1980.

Table 11

HOUSING UNIT INFORMATION, 2023
Borough of Caldwell & Essex County

	<u>Borough</u>		<u>County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Total Units	3,874	100.0	335,550	100.0
<u>Units in Structure</u>				
One (Single Family Detached)	1,226	31.6	109,985	32.8
One (Single Family Attached)	288	7.4	25,885	7.7
Two+ Units	2,344	60.5	198,964	59.3
Mobile Home, Trailer Other	16	0.4	716	0.2
<u>Number of Rooms</u>				
1 Room	157	4.1	21,140	6.3
2 or 3 Rooms	944	24.4	60,619	18.1
4 or 5 Rooms	1,117	28.8	118,302	35.3
6 or 7 Rooms	958	24.7	72,579	21.6
8+ Rooms	698	18.0	62,910	18.7
<u>Number of Bedrooms</u>				
No Bedroom	166	4.3	22,645	6.7
1 Bedroom	1,064	27.5	65,049	19.4
2 or 3 Bedrooms	2,003	51.7	187,959	56.0
4+ Bedrooms	641	16.5	59,897	17.9
<u>Year Structure Built</u>				
2020 - later	0	0.0	1,198	0.4
2010 - 2019	126	3.3	16,373	4.9
2000 - 2009	168	4.3	25,190	7.5
1990 - 1999	225	5.8	19,278	5.7
1980 - 1989	410	10.6	22,041	6.6
1960 - 1979	907	23.4	73,329	21.9
1940 - 1959	921	23.8	80,503	24.0
1939 or earlier	1,117	28.8	97,638	29.1

Source: 2023 American Community Survey 5-Year Estimates (Table DP04)

Housing Conditions

Housing conditions in Caldwell are good. As shown in Table 12, none of the Borough's housing units lack complete plumbing or kitchen facilities, compared to 0.3 and 1.0 percent countywide, as applicable. Additionally, just 0.3 percent of the Borough's housing units lack telephone service, compared to 1.1 percent of the County's housing units.

In addition to the above, only about 1.1 percent of the Borough's housing stock has more than one person per room, compared to about 5.5 percent of the County's housing stock. Having more than one person per room is an indicator of overcrowding.

Table 12
INDICATORS OF HOUSING CONDITIONS, 2023
Borough of Caldwell & Essex County

	<u>Borough</u>		<u>County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
<u>Total Occupied Units</u>	3,797		317,473	
Units Lacking Complete Plumbing	0	0.0	1,065	0.3
Units Lacking Kitchen Facilities	0	0.0	3,237	1.0
No telephone service	12	0.3	3,344	1.1
 <u>Persons per Room, Occupied Units</u>				
1.00 or less	3,749	98.7	300,072	94.5
1.01 to 1.50	13	0.3	8,930	2.8
1.51 or more	35	0.9	8,471	2.7
TOTALS	3,797	100.0	317,473	100.0

Source: 2023 American Community Survey 5-Year Estimates (Table DP04)

Housing Values

Table 13 shows 2023 housing values for the Borough of Caldwell and Essex County. As indicated, approximately 89.2 percent of the Borough's owner-occupied housing units are valued at over \$300,000. This is significantly than in the County, where only about 80.1 percent of the owner-occupied housing units are valued at over \$300,000. This higher percentage of units is reflected in the fact that the median value of owner-occupied units in Essex County is lower than in the Borough. Indeed, the median value of owner-occupied units is \$494,400 in Essex County, but \$563,000 in Caldwell Borough.

Table 13
OWNER-OCCUPIED HOUSING VALUES, 2023
Borough of Caldwell & Essex County

<u>Housing Value</u>	<u>Borough</u>		<u>County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Less than \$50,000	0	0.0	4,224	3.0
\$50,000 - \$99,999	0	0.0	1,211	0.9
\$100,000 - \$149,999	20	1.2	2,283	1.6
\$150,000 - \$199,999	60	3.5	3,726	2.6
\$200,000 - \$299,999	106	6.2	16,654	11.8
\$300,000 - \$499,999	469	27.2	43,938	31.1
\$500,000 - \$999,999	1,024	59.5	52,829	37.4
\$1,000,000 or more	43	2.5	16,512	11.7
TOTALS	1,722	100.0	141,377	100.0
Median Value	\$ 563,000		\$ 494,400	

Source: 2023 American Community Survey 5-Year Estimates (Table DP04)

Contract Rents

Table 14 details the gross rents for renter-occupied units in Caldwell and Essex County. As shown, the median monthly rent in Caldwell was \$1,937, which was higher than the median rent of \$1,459 in Essex County. In Caldwell, about 83.0 percent of all cash rents were more than \$1,500, whereas in Essex County only about 47.2 percent of all cash rents were more than \$1,500.

Table 14
GROSS RENTS, 2023
OCCUPIED UNITS PAYING RENT
Borough of Caldwell & Essex County

<u>Contract Rents</u>	<u>Borough</u>		<u>County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Less than \$500	66	3.3	17,560	10.2
\$500 - \$999	25	1.2	19,907	11.5
\$1,000 - \$1,499	249	12.4	53,634	31.1
\$1,500 - \$1,999	761	37.9	46,316	26.8
\$2,000 - \$2,499	364	18.1	21,870	12.7
\$2,500 - \$2,999	266	13.2	6,572	3.8
\$3,000 or more	278	13.8	6,778	3.9
TOTALS	2,009	100.0	172,637	100.0
Median Rent	\$ 1,937		\$ 1,459	

Source: 2023 American Community Survey 5-Year Estimates (Table DP04)

Employment Data

Data from the New Jersey Department of Labor indicates that there was an average total of 2,518 private sector jobs located in Caldwell during 2023. This represents jobs located in Caldwell, not the occupational characteristics of Caldwell's residents.

Table 15 details the occupational characteristics of Caldwell residents as indicated by 2023 American Community Survey Five-Year Estimates. As indicated, the largest occupational group among Caldwell residents aged 16 years and over engaged in the civilian labor force is "Management, Business Science & Arts" with about 57.4 percent. This was also the largest occupational group in Essex County with about 42.1 percent of County residents aged 16 years and over engaged in the civilian labor force. The second largest occupational group was "Sales & Office Occupations," which accounted for 20.8 percent and 18.9 percent of the Borough and County residents aged 16 years and over engaged in the civilian labor force, respectively. The third largest occupational group was "Service Occupations," which accounted for 10.8 percent of the Borough residents and 18.0 percent of the County residents aged 16 years and over engaged in the civilian labor force. In total, these three occupational groups accounted for 89.0 percent of the Borough residents and 79.0 percent of the County residents aged 16 years and over engaged in the civilian labor force.

With regard to the industry of employment, it is noted that the top-three industries of employment among Borough residents aged 16 years and over and engaged in the civilian labor force were "Educational Services, Health Care/Social Assist." with 21.1 percent; "Professional, Scientific, Management" with 20.4 percent; and "Manufacturing" with 8.5 percent. Among County residents, the top-three industries of employment were "Educational Services, Health Care/Social Assist." with 24.6 percent; "Professional, Scientific, Management" with 14.4 percent; and "Retail Trade" with 9.3 percent.

Table 15
OCCUPATIONAL CHARACTERISTICS, 2023
Borough of Caldwell & Essex County

<u>Occupation Group</u>	<u>Borough</u>		<u>County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Management, Business, Science & Arts	2,847	57.4	172,227	42.1
Service Occupations	535	10.8	73,791	18.0
Sales & Office Occupations	1,031	20.8	77,477	18.9
Natural Resources, Construction & Maintenance	261	5.3	32,634	8.9
Production, Transportation & Material	289	5.8	53,287	13.0
TOTALS	4,963	100.0	409,416	100.0

<u>Industry</u>	<u>Borough</u>		<u>County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Agriculture, Forestry, Fishing	0	0.0	350	0.1
Construction	283	5.7	29,016	7.1
Manufacturing	423	8.5	27,489	6.7
Wholesale Trade	205	4.1	9,512	2.3
Retail Trade	646	13.0	38,050	9.3
Transportation and Warehousing	167	3.4	35,378	8.6
Information	139	2.8	12,003	2.9
Finance, Insurance, Real Estate	280	5.6	32,453	7.9
Professional, Scientific, Management	1,010	20.4	59,149	14.4
Educational Services, Health Care/Social Assist.	1,049	21.1	100,911	24.6
Arts, Entertainment, Recreation, Food Services	354	7.1	27,158	6.6
Other Services, Except Public Administration	273	5.5	19,711	4.8
Public Administration	134	2.7	18,236	4.5
TOTALS	4,963	100.0	409,416	100.0

Source: 2023 American Community Survey 5-Year Estimates (Tables S2401, S2405)

Table 16 provides data on the sector of employment of 2,518 private jobs located within the Borough of Caldwell. Of these jobs, 540 or 21.4 percent were classified as “Health/Social.” An additional 465 jobs or 18.5 percent were classified as “Accommodations/Food,” and an additional 209 jobs or 8.3 percent were classified as “Other Services.” Finally, a total of 192 jobs or 7.6 percent were classified as “Retail Trade.” These four employment sectors account for about 55.8 percent of all jobs located within the Borough of Caldwell.

Table 16
EMPLOYMENT BY SECTOR, 2023
Borough of Caldwell

<u>Employee Sector</u>	<u>Borough</u>	
	<u>Number</u>	<u>Percent</u>
Construction	131	5.2
Manufacturing	Undisclosed	Undisclosed
Wholesale Trade	6	0.2
Retail Trade	192	7.6
Transportation/Warehousing	Undisclosed	Undisclosed
Information	Undisclosed	Undisclosed
Finance/Insurance	63	2.5
Real Estate	38	1.5
Professional/Technical	114	4.5
Management	Undisclosed	Undisclosed
Admin/Waste Remediation	78	3.1
Education	Undisclosed	Undisclosed
Health/Social	540	21.4
Arts/Entertainment	Undisclosed	Undisclosed
Accommodations/Food	465	18.5
Other Services	209	8.3
Unclassified	16	0.6
TOTAL	2,518	100.0

Source: 2023 American Community Survey 5-Year Estimates (Tables S2401, S2405)

Residential Construction

Table 17 contains data on dwelling units authorized by building permit and demolished with a demolition permit from 2012 through 2023. This data has been obtained from the New Jersey Department of Community Affairs.

In the reported period, a total of 323 new units were created and 19 units were demolished, resulting in a net increase of 304 units. The average annual net change in the reported period was slightly more than 25.3 units.

Table 17

NEW DWELLING UNITS AUTHORIZED BY BUILDING PERMIT & HOUSING UNITS
DEMOLISHED: 2012 - 2023
Borough of Caldwell

<u>Year</u>	<u>New Units</u>	<u>Demolitions</u>	<u>Net Increase</u>
2012	1	0	1
2013	0	1	-1
2014	10	1	9
2015	11	0	11
2016	3	0	3
2017	0	5	-5
2018	3	1	2
2019	121	1	120
2020	3	0	3
2021	139	7	132
2022	31	1	30
2023	1	2	-1
TOTALS	323	19	304

Source: "Development Trends Viewer." State of New Jersey Department of Community Affairs, September 16, 2024. Accessed February 4, 2025.

https://www.nj.gov/dca/codes/reporter/Development_Trend_Viewer.xlsb.

Population and Household Projection

As has been previously mentioned, the Borough of Caldwell’s population was 9,027 at the time of the 2020 United States Census.

The North Jersey Transportation Planning Authority has released 2050 population and household projections for its constituent municipalities. The 2050 population projection for Caldwell is 9,005, which represents a slight decrease over the 2020 United States Census population of 9,027 residents. The 2050 household projection for Caldwell is 3,999, which represents an increase of 461 or 13.0 percent over the 2020 United States Census count of 3,538 households.

N.J.S.A. 52:27D-310.b require that Housing Elements and Fair Share Plans include a household projection for the next ten years. When the 2050 projections of the North Jersey Transportation Planning Authority are linearly adjusted to represent 2035 values, projections of 9,016 residents and 3,769 households result. This is summarized in Table 18.

Table 18
POPULATION AND HOUSEHOLD PROJECTION, 2015 - 2050
Borough of Caldwell

<u>2020 Census Population</u>	<u>2035 Population Projection (Adjusted from 2050)</u>	<u>2050 Population Projection</u>
9,027	9,016	9,005
<u>2020 Census Households</u>	<u>2035 Household Projection (Adjusted from 2050)</u>	<u>2050 Household Projection</u>
3,538	3,769	3,999

Sources:
2020: United States Census;
2035: Calculated by T&M based on 2050 values; and,
2050: North Jersey Transportation Planning Authority.

It is noted that the foregoing 2035 Household Projection of 3,769 is 149 households or approximately 3.8 percent less than would result if the average annual net change of slightly more than 25.3 units that is reflected data of Table 17 were used to prepare the 2035 Household Projection.

The foregoing information has been provided for informational purposes only and in response to N.J.S.A. 52:27D-310.b.

Employment Projection

The North Jersey Transportation Planning Authority (NJTPA) has released a 2050 employment projection for the Borough of Caldwell of 2,837, which represents an increase of 162 jobs or about 6.1 percent over the Borough’s 2023 average total of 2,675 public and private sector jobs (includes: 2,518 private sector jobs; 78 federal government jobs; and 79 local government jobs).

When the NJTPA’s 2050 employment projection is linearly adjusted to represent 2035 values, an adjusted 2035 employment projection of 2,747 jobs results. This is summarized in Table 19.

Table 19
EMPLOYMENT PROJECTION, 2023 - 2050
Borough of Caldwell

<u>2023</u> <u>Public and Private</u> <u>Employment</u>	<u>2035</u> <u>Adjusted Employment</u> <u>Projection</u>	<u>2050</u> <u>Employment</u> <u>Projection</u>
2,675	2,747	2,837

Sources:
2023: New Jersey Department of Labor and Workforce Development;
2035: Calculated by T&M; and,
2050: North Jersey Transportation Planning Authority.

Note: 2023 average of 2,675 public and private sector jobs + ((2050 Employment Projection of 2,837 jobs – 2023 average of 2,675 public and private sector jobs) ÷ (2050 – 2023)) × 12 years = 2,747 jobs in 2035.

Fair Share Plan

Affordable Housing Obligation

A municipality's affordable housing obligation is made up of both a present need (rehabilitation obligation) and a prospective need obligation. Obligations are calculated in time periods known as "rounds."

Previous Round obligations have either been determined by the New Jersey Council on Affordable Housing (COAH), or by Court decisions. However, pursuant to the FHA 2, for Round 4 and subsequent rounds, the Department of Community Affairs (DCA) was directed to provide a non-binding calculation of regional need and municipal present and prospective need obligations in accordance with the formula contained in the Act.

DCA calculated a Round 4 present need obligation of 57 units and a prospective need obligation of 79 for the Borough of Caldwell. The Borough analyzed the data that resulted in the obligation and decided to accept DCA's obligations. Borough of Caldwell Resolution 1-55, adopted on January 21, 2025, memorialized the Borough's decision to accept the DCA affordable housing calculations. As required by the Act, the resolution was adopted and submitted to the Affordable Housing Dispute Resolution Program prior to January 30, 2025. The Borough's affordable housing obligations were not challenged, and therefore were finalized on March 1, 2025.

Caldwell's Round 4 affordable housing obligations are as follows:

- Present Need (Rehabilitation Obligation): 57 units
- Prior Round (Rounds 1 & 2, from 1987-1999) Obligation: 0 units
- Round 3 (from 1999-2025) Obligation: 86 Units
- Round 4 (from 2025-2035) Obligation: 79 Units

The Borough's affordable housing obligation is described in the following subsections.

Present Need

The present need is a measure of overcrowded and deficient housing that is occupied by low- and moderate-income households. The present need has previously been called "rehabilitation share." Caldwell's present need obligation is 57 units.

The Borough will address the 57-unit present need obligation via participation in the Essex County Home Improvement Program. Essex County's Home Improvement Program is funded through the Community Development Block Grant program. It

provides deferred loans to low and moderate income homeowners occupying a one, two, or three family home. Caldwell is one of the municipalities that is eligible for participation in this program.

While prospective need obligations are cumulative, present need obligations are not cumulative. Regardless, the Borough participated in the Essex County Home Improvement Program in Round 3 and will continue to participate in the county's program during Round 4.

As was accepted in the Borough's 2021 Round 3 Housing Element & Fair Share Plan, the Borough was not required to implement a rental rehabilitation program. This was partially due to: the recognition that the affordable set-aside for rental units is 20%, rather than the accepted 15% for rental units and the redevelopment plan that exceeds the Borough's unmet need. The set-aside and redevelopment plan continue to exist presently, and it is the goal that they are recognized as compensating for the lack of a rental rehabilitation program. Should that not be acceptable, the Borough will establish a rental rehabilitation program for Round 4.

Prior Round Obligation

The Borough's prior round obligation covers the period from 1987 through 1999. The township's prior round obligation is zero (0) units. Per the Borough's Round 3 2021 Housing Element & Fair Share Plan, Caldwell was one of a group of non-urban aid municipalities that was determined to not have an affordable housing obligation under COAH Second Round regulations.

Round 3 Prospective Need

The Borough of Caldwell has fulfilled its 86 unit Round 3 prospective need obligation and exceeded the affordable housing commitments contained in its Settlement Agreement with the Fair Share Housing Center (FSHC).

Vacant Land Adjustment

The Borough reached settlement with the FSHC as memorialized in a settlement agreement dated July 28, 2020. The Borough then adopted a Housing Element and Fair Share Plan and related ordinances in 2021.

Due to the Borough being fully built-out and not containing any vacant land, the settlement agreement and Housing Element & Fair Share Plan both included a Vacant Land Adjustment (VLA). The Realistic Development Potential was calculated to be 25 units.

The VLA analysis revealed that the Borough did not contain any vacant, developable properties that would result in an RDP. In other words, there was no vacant land in Caldwell that was determined to be available for consideration in the VLA analysis.

Non-vacant parcels that had developed or were likely to develop or redevelop during the third round were then analyzed. The VLA resulted in a calculated Realistic Development Potential (RDP) of 25 units. It is important to note that the 25 unit RDP was fully attributable to approved and anticipated development, rather than to vacant land.

The 25 unit RDP resulted from non-vacant properties located on Lane Ave., Bloomfield, Roseland Ave., or Smull Ave. that were likely to develop or redevelop during the third round. In the Round 3 plan, the Borough not only addressed the 25 unit RDP, but exceeded it by 12 units. The affordable housing mechanisms included all of the units that contributed to the RDP, an existing age-restricted development known as Marian Manor (restricted to 6 units of credit due to the cap on credits from age-restricted units) and rental bonus credits. The 12-unit surplus was assigned to address the unmet need.

Round 3 – Actual Units Built

Caldwell Borough has been proactive with the approval and construction of affordable housing units. The Borough has been so responsive to the construction of affordable units that it not only exceeded its RDP of 25 units, it actually is able to fully address its Round 3 obligation of 86 units via affordable units approved, age-restricted affordable units existing at Marian Manor, and bonus credits. Table 20 provides a summary of the Borough's satisfaction of the Round 3 obligation.

Table 20

Round 3 Affordable Units and Credits
Borough of Caldwell, Essex County

<u>Project</u>	<u>Block</u>	<u>Lot</u>	<u>Status</u>	<u>Affordable Units</u>	<u>Bonus Credits</u>	<u>Total</u>
27 Central	36	15	Approved	1	0	1
80 Roseland	56	10.14 & 18.01	Approved	6	0	6
459 Bloomfield	36	5 & 6	Approved	6	0	6
Lane Ave.	41	2, 3.01, 4 & 7	Under Construction	34	21	55
30 Smull Ave.	22	7	Approved	1	0	1
Marian Manor (age- restricted)	65	1.3	Built and Occupied	21 (cap at 25% of obligation)	0	21
TOTALS				69	21	90

As shown in Table 20, the Borough actually exceeded its 86 unit Round 3 obligation by 4 units, which it will carry over as surplus credits to meet the Round 4 obligation. It is also noted that the above compliance table addresses the following in conformance with the Borough's Settlement Agreement with the Fair Share Housing Center:

- A maximum of 25% of the 86-unit obligation (21 units) is met with age-restricted affordable housing units.
- A maximum of 25% of the 86-unit obligation (21 units) is met with bonus credits.
- A minimum of 25% of the 86-unit obligation (22 units) is met with rental units, including at least half available to families.

The Borough's Round 3 Housing Element and Fair Share Plan provided the following information on Marian Manor, located at 7 Ashland Street (Block 65, Lot 1.30), which has been updated with the new compliance summary based on the current 2025 plan:

Marian Manor: Marian Manor is a 159-unit senior living development that is subsidized by the Federal Government through the project-based Section 8 housing program. The property is owned by the Caldwell Senior Citizen Housing Association. However, only 21 of the 159 units are counted in the current round due to the 25% cap on age-restricted units pursuant to COAH rules that are applicable to the third round. The remaining 138 units can be carried forward to future rounds.

Round 4 Prospective Need

Caldwell's Round 4 prospective need is 79 units. Although the Borough has fully addressed its Round 3 obligation, including a 4-unit surplus credit that will carry over into Round 4, the Borough does not have sufficient vacant land to zone for or build for its full Round 4 obligation.

Vacant Land Adjustment

Because the Borough does not have sufficient vacant land to zone for or build for its full Round 4 obligation, it is entitled to a Vacant Land Adjustment (VLA) for Round 4. The VLA table and associated mapping is included in Appendix A. The VLA was prepared pursuant to COAH Round 2 rules contained in N.J.A.C. 5:93-4.2 and the FHA 2.

The VLA analyzed vacant lots with a tax assessment classification of 1, vacant land or 15C, public property. Full lots, or portions thereof, that contain environmental constraints, were excluded from the analysis. Properties that are listed on the Borough's Recreation and Open Space Inventory (ROSI) were excluded, in addition to properties that are a Round 3 compliance mechanism or were identified as not buildable in Round 3. Finally, the Grover Cleveland Birth Site and the lots used as a

bird sanctuary, were also excluded. An six-unit per acre density was applied to the remaining lots or portions thereof, with a resulting calculation of a zero (0) unit RDP.

The current VLA demonstrates that the vacant lots in Caldwell do not result in an RDP. This conforms with the VLA that was calculated in Round 3, which showed that there was no vacant land that contributed to the RDP.

Unmet Need

The Borough needs to address its unmet need requirement. Due to the zero-unit RDP, the unmet need is 79 units.

The FHA 2 includes the following language (emphasis added):

*Any municipality that receives an adjustment of its prospective need obligations for the fourth round or subsequent rounds based on a lack of vacant land shall as part of the process of adopting and implementing its housing element and fair share plan identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25 percent of **the prospective need obligation that has been adjusted, and adopt realistic zoning that allows for such adjusted obligation**, or demonstrate why the municipality is unable to do so.*

Therefore, the Borough needs to address 25% of its 79-unit unmet need obligation with realistic zoning. With a 79-unit unmet need requirement, the Borough needs to provide realistic zoning for 20 affordable units.

We note that the Borough's current Redevelopment Plan fulfills the above requirement. The Redevelopment Plan was adopted in December 25, 2020 and last amended December 5, 2023. The Redevelopment Plan includes two subdistricts: Subdistrict 1, the Downtown Center and Subdistrict 2, the Downtown Feeder. A map of the Redevelopment Area, taken from the December 2023 Plan Amendment, is shown below.

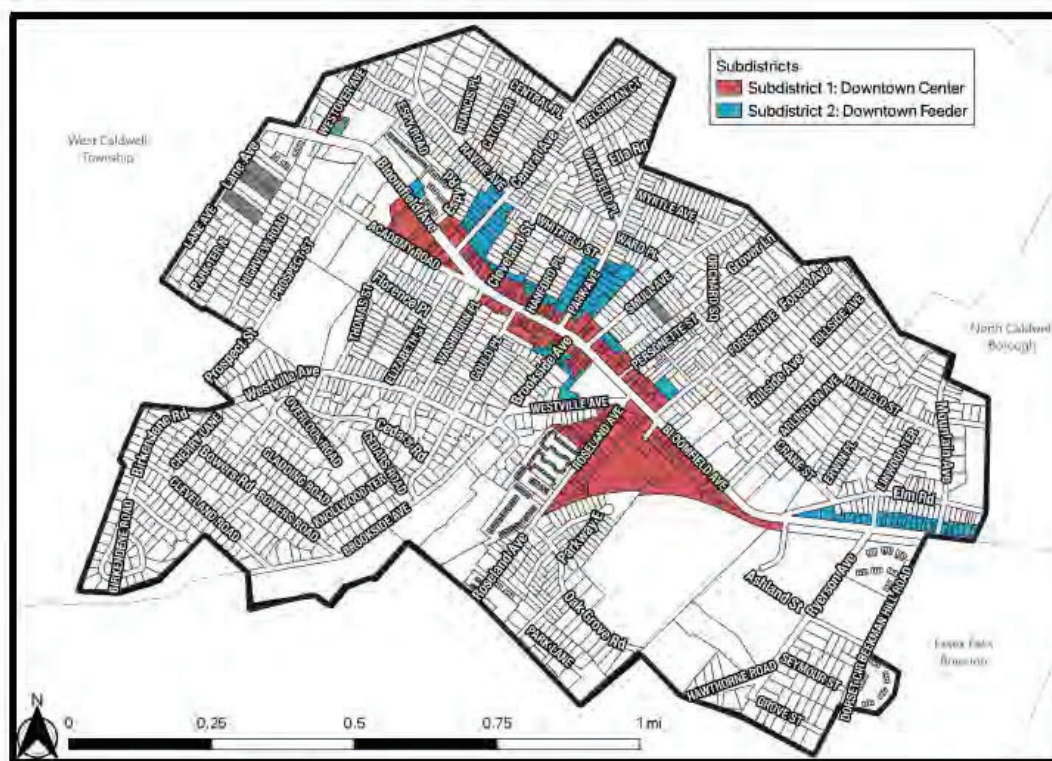


Figure 4: Redevelopment Area Subdistricts

Per the plan, within Subdistrict 1, multifamily residential development is permitted as follows:

- Lot area less than 0.5 acres: density of 25 units per acre
- Lot area greater than 0.5 acres: density of 30 units per acre

Subdistrict 1 contains more than 100 lots, with a combined acreage approximating 35 acres. Taking the conservative approach and using the lesser permitted density of 25 units per acre, the 35 acre Subdistrict 1 has the potential for 875 total residential units, of which 20 percent or 175 would be affordable units.

Subdistrict 2 also permits very limited multifamily development, but, for purposes of addressing unmet need, the conservative approach of considering only Subdistrict 1 is appropriate. As stated in the Redevelopment Plan, “Subdistrict 1 shall be redeveloped to create a mixed-use area serving the heart of Caldwell’s downtown.” Clearly, this is the location for Caldwell’s future growth and development. The area of the Redevelopment Plan meets the definitions of available, approvable, suitable and developable per affordable housing rules.

Subdistrict 1 of the Redevelopment Plan addresses the Borough’s unmet need number fully. However, it is noted that the following affordable housing mechanisms also can address the unmet need:

- The four (4) surplus units carried over from Round 3;
- Additional age-restricted units at Marian Manor.

Availability of Existing and Planned Infrastructure

The township is a fully developed community in State Planning Area 1 and has a developed infrastructure.

Consideration of Lands Appropriate for Affordable Housing

Caldwell is a developed community with no vacant land. The Borough anticipates that future development and growth will predominantly be limited to redevelopment activity as well as infill development and expansions as may be permitted under the township's zone plan and redevelopment plan. The anticipated land use pattern is expected to be consistent with the Borough's adopted redevelopment plan.

This plan recognizes that the lands most appropriate for affordable housing are located in the Borough's Redevelopment Plan.

One property owner has come forward to express a commitment to provide affordable housing. The attorney representing the owners of 423-433 Bloomfield Avenue (Block 28, Lots 13-15) has contacted the Borough regarding inclusion in this plan. It is noted that these properties are located in Subdistrict 1 of the Borough's Redevelopment Plan, and therefore, are included in this plan. The subject lots are presently able to be developed with multifamily housing at a density of 30 units per acre, based on their lot size, via the Redevelopment Plan.

Consistency with the State Development and Redevelopment Plan

The 2001 New Jersey State Development and Redevelopment Plan (SDRP) contains a series of smart growth goals and policies, and mapping that reflects desired growth patterns within a series of state planning areas.

As provided in the SDRP, the Borough is located within Planning Area 1, which is also known as the Metropolitan Planning Area. In the Metropolitan Planning Area, the SDRP's intention is to:

- Provide for much of the State's future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and
- Protect the character of existing stable communities.

Additionally, it is noted that the 2001 SDRP outlines several policy objectives for the Metropolitan Planning Area, including:

- Land Use: Promote redevelopment and development in cores and neighborhoods of centers and in nodes that have been identified through cooperative regional planning efforts. Promote diversification of land uses, including housing where appropriate, in single-use developments and enhance their linkages to the rest of the community. Ensure efficient and beneficial utilization of scarce land resources throughout the Planning Area to strengthen its existing diversified and compact nature.
- Housing: Provide a full range of housing choices through redevelopment, new construction, rehabilitation, adaptive reuse of nonresidential buildings, and the introduction of new housing into appropriate nonresidential settings. Preserve the existing housing stock through maintenance, rehabilitation and flexible regulation.

Execution of this Housing Element and Fair Share Plan and, therewith, promotion of affordable housing development in the Metropolitan Planning Area would be consistent with the intent and aforementioned policy objectives of said planning area.

SDRP Update

It is noted that as of the preparation of this Housing Element and Fair Share Plan, the State of New Jersey was in the process of updating the SDRP. While a draft of an updated SDRP was released for public review and comment in December 2024, its finalization and adoption are not anticipated to occur before late 2025 or early 2026. Thus, the 2001 SDRP remained in effect as of the preparation and adoption of this Housing Element and Fair Share Plan.

Notwithstanding the above, it is noted that the draft SDRP incorporates the same planning areas as the 2001 SDRP and associated mapping indicates that the Borough would remain in the Metropolitan Planning Area.

In addition to the above, it is noted that the draft SDRP includes several “State Planning Goals.” One of these goals relates to housing and includes the following core objectives:

- Increase the Construction of Diverse Housing Types and the Amount of Affordable Housing: Promote varied housing options for all income levels, including rentals, starter homes, senior housing, and market-rate units in transit-rich and mixed-income communities.
- Focus on Retaining Residents and Increasing Sustainability: Support inclusionary zoning, green building standards, and Transit-Oriented Development, while reinforcing fair housing practices and preventing the displacement of residents.

- Address Housing Needs of Diverse Demographics: Facilitate multi-generational households, senior housing, and adaptable options to ensure all residents can age in place and access affordable housing.
- Promote Regional Housing Balance: Encourage diverse housing development in areas with strong job markets, educational opportunities, and other amenities which support socio-economic mobility and integrate communities.

Based on its continuation of the same planning areas as outlined in the 2001 SDRP and its promotion of affordable housing, it is concluded that this Housing Element and Fair Share Plan is generally consistent the draft SDRP.

Multigenerational Housing Continuity

In 2021, the New Jersey Senate and General Assembly of the State of New Jersey enactment C.52:27D-329.20, which established the Multigenerational Family Housing Continuity Commission.

The commission's responsibilities include preparing and adopting recommendations on how to best advance the goal of "enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity, through the modification of State and local laws and policies in the areas of housing, land use planning, parking and streetscape planning, and other relevant areas." The commission members and associated staff shall conduct research, obtaining public input, and adopt recommendations on how to most effectively advance the goal of enhancing multigenerational family housing continuity.

We note that the Borough of Caldwell offers a diverse housing stock, which will continue through Round 4. The Borough's plan includes a variety of housing options, including age restricted units. Affordable units are also encouraged on or near Bloomfield Ave via the Borough's existing Redevelopment Plan, which covers much of the Borough's Bloomfield Ave. corridor. Finally, the Borough's Senior Center, known as the Irene Gibbons Health and Human Services Building, is located on Park Ave., within the Redevelopment Area that is referenced in this plan. Therefore, the Borough's ordinances advance the goals of preserving multifamily generational continuity.

Conclusion

Caldwell will provide for its fair share of affordable housing despite having a vacant land deficiency. As shown, the Borough fully meets, and actually exceeds, its Round 3 obligation of 86 units. The Borough also has a Redevelopment Plan that encourages multifamily development within the Bloomfield Avenue corridor. This area is located within Planning Area 1 of the State Plan, which is the location where such growth is encouraged. This plan addresses Caldwell's affordable housing obligation within the

confines of sound planning, and while respecting its built environment and development characteristics.

Appendices

This report contains the following appendices.

Appendix A: Vacant Land Adjustment Documentation

Appendix B: Affordable Housing Ordinance. The Borough's existing ordinance is included. Modifications will be made as needed to comply with any future Round 4 requirements.

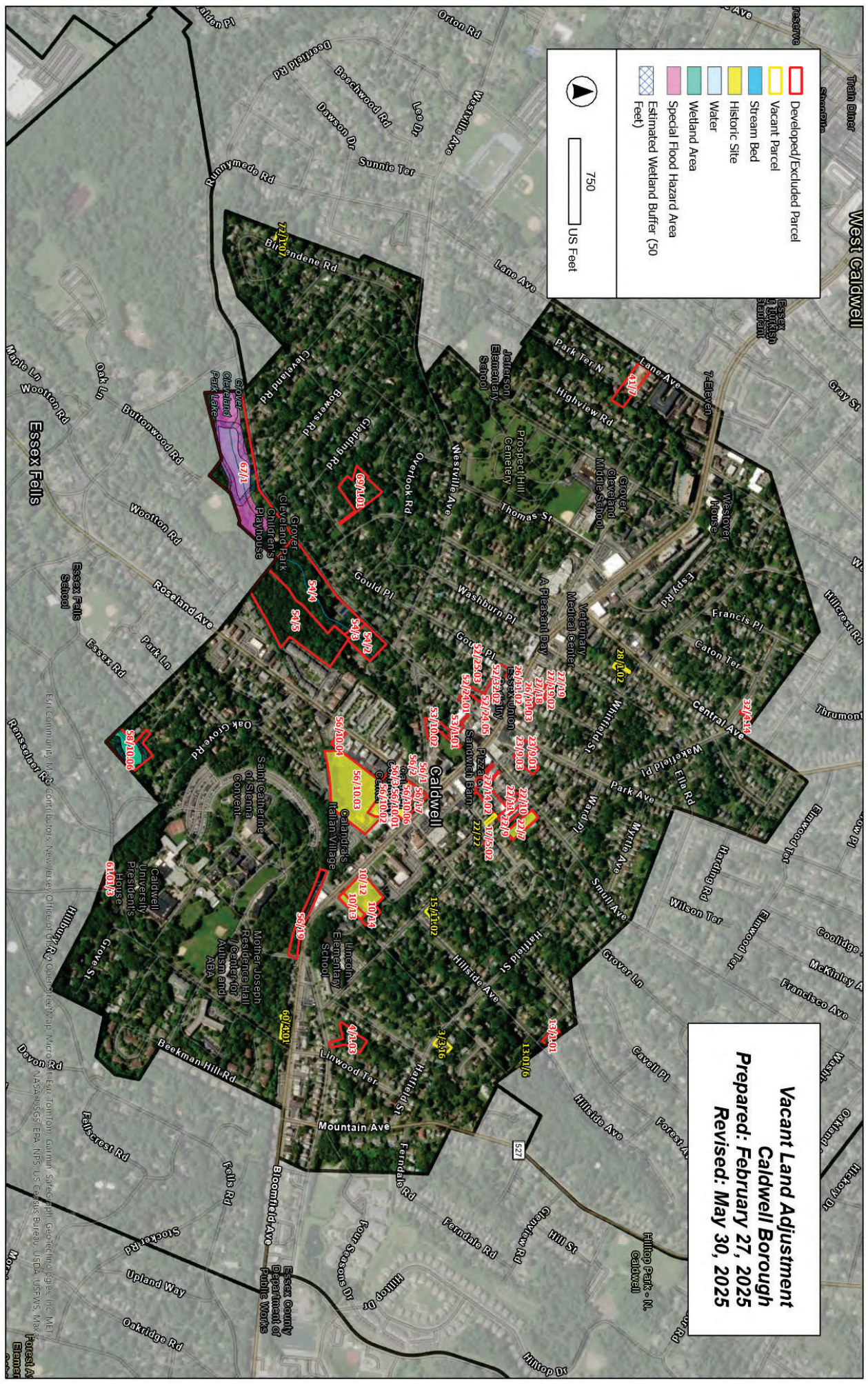
Appendix C: Development Fee Ordinance. The Borough's existing ordinance is included. Modifications will be made as needed to comply with any future Round 4 requirements.

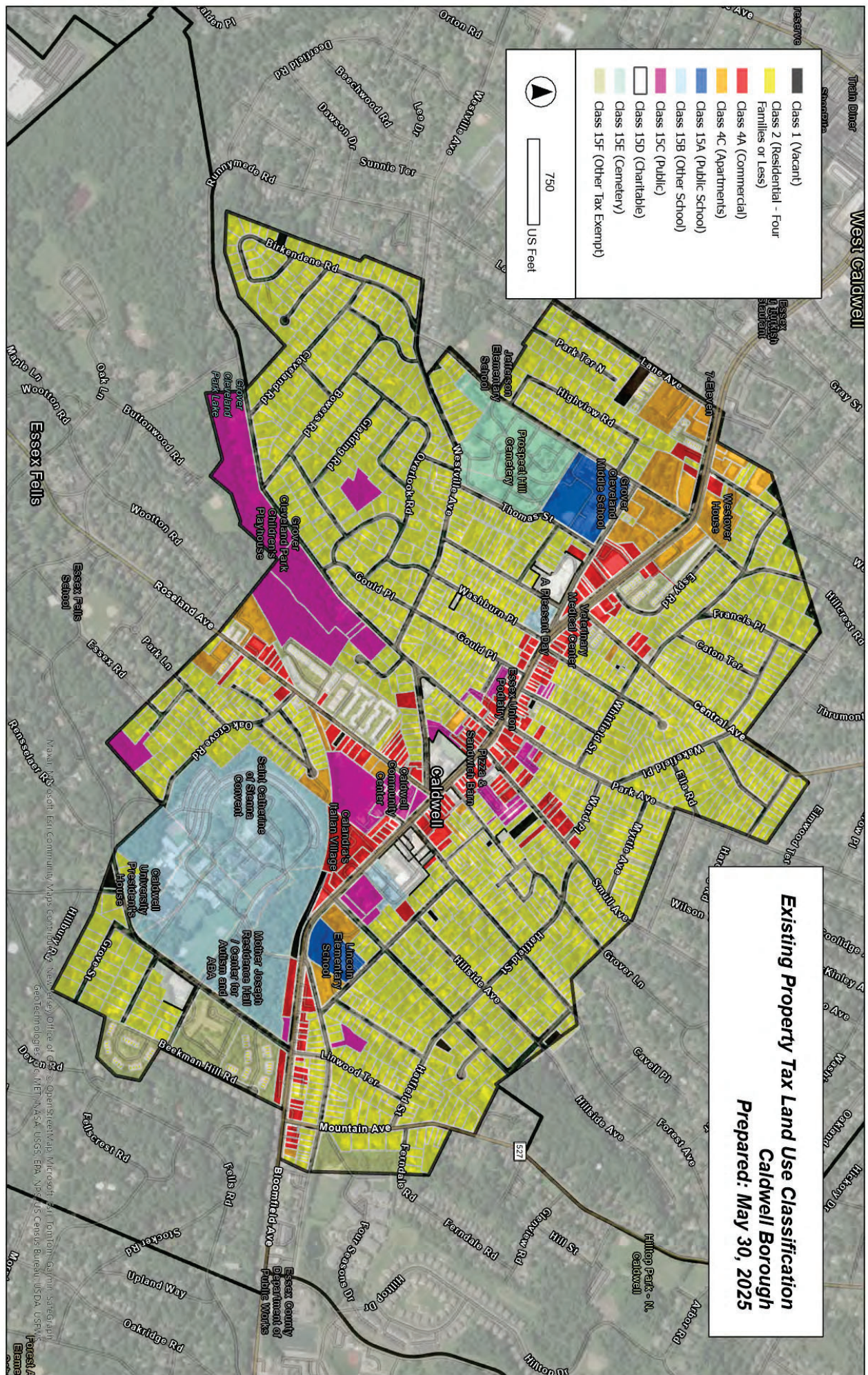
Appendix D: Affirmative Marketing Plan. The Borough's existing plan is included. Modifications will be made as needed to comply with any future Round 4 requirements.

Appendix E: Resolutions Appointing the Municipal Housing Liaison and Administrative Agent.

Appendix A: Vacant Land Adjustment Documentation

[illegible]





Appendix B: Affordable Housing Ordinance



**BOROUGH OF CALDWELL
NEW JERSEY**

ORDINANCE NO. 1399-21

AN ORDINANCE ADDING SECTION 31 TO CHAPTER 250 (ZONING), BOROUGH OF CALDWELL CODE, WHICH WILL BE ENTITLED "AFFORDABLE HOUSING MANDATORY SET-ASIDE"

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

BE IT ORDAINED by the Borough Council of the Borough of Caldwell, County of Essex, State of New Jersey, as follows:

Section 1. Section 31 of Chapter 250 (Zoning) of the Code of the Borough of Caldwell shall add and include a new article entitled "Affordable Housing Requirements," which is hereby created and established to read as follows:

Section 31: Affordable Housing Requirements

_____ Affordable Housing Mandatory Set-Aside

§ _____ Purpose and Scope

A. Purpose

This section is intended to ensure that any site that benefits from a rezoning, variance or redevelopment plan approved by the Borough or the Borough Planning/Zoning Board that results in multi-family residential development of five (5) dwelling units or more produces affordable housing at a set-aside rate of twenty percent (20%). This section shall apply except where inconsistent with applicable law.

§ _____ Affordable Housing Mandatory Set-Aside

a. If the Borough or the Borough's Planning Board or Zoning Board of Adjustment permits the construction of multi-family or single-family attached residential development that is "approvable" and "developable," as defined at N.J.A.C. 5:93-1.3, the Borough or the Borough's Planning Board or Zoning Board shall require that an appropriate percentage of the residential units be set aside for low and moderate income households.

b. This requirement shall apply beginning with the effective date the Ordinance creating this section was adopted to any multi-family or single-family attached residential development, including the residential portion of a mixed-use project, which consists of five (5) or more new residential units, whether permitted by a zoning amendment, a variance granted by the Borough's Planning Board or Zoning Board, or adoption of a Redevelopment Plan or amended Redevelopment Plan in areas in need of redevelopment or rehabilitation.

c. For any such development for which the Borough's land use ordinances (e.g. zoning or an adopted Redevelopment Plan) already permitted residential development as of the effective date the Ordinance creating this section was adopted, this requirement shall only apply if the Borough, the Borough's Planning Board, or the Borough's Zoning Board permits an increase in approvable and developable gross residential density to at least twice the permitted approvable and developable gross residential density as of the effective date the Ordinance creating this section was adopted.

d. Nothing in this section precludes the Borough, the Borough's Planning Board, or the Borough's Zoning Board from imposing an affordable housing set-aside in a development not required to have a set-aside pursuant to this paragraph consistent with N.J.S.A. 52:27D-311(h) and other applicable law.

e. For all inclusionary projects, the appropriate set-aside percentage will be twenty percent (20%) for all for-sale projects and fifteen percent (15%) for all rental projects.

f. This requirement does not create any entitlement for a property owner or applicant for a zoning amendment, variance, or adoption of a Redevelopment Plan or amended Redevelopment Plan in areas in need of redevelopment or rehabilitation, or for approval of any particular proposed project.

g. This requirement does not apply to any sites or specific zones otherwise identified in the Borough's Settlement Agreement with FSHC, which was executed by the Borough on July 28, 2020, or in the Borough's 2020 Housing Element and Fair Share Plan, for which density and set-aside standards shall be governed by the specific standards set forth therein. h. Furthermore, this section shall not apply to developments containing four (4) or less dwelling units.

i. All subdivision and site plan approvals of qualifying residential developments shall be conditioned upon compliance with the provisions of this section.

j. Where a developer demolishes existing dwelling units and builds new dwelling units on the same site, the provisions of this section shall apply only if the net number of dwelling units is five (5) or more.

k. All inclusionary projects created under this section must comply with the affordable housing requirements in the Borough's Affordable Housing Ordinance at Chapter __ of the Borough Code and the Uniform Housing Affordability Controls rules (N.J.A.C. 5:80-26.1 et. seq.), as may be amended from time to time.

Section 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Caldwell, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Municipal Code of the Borough of Caldwell are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 4. The Borough Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Essex County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

Section 5. After introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Borough of Caldwell for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance that are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 6. This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7; (3) publication in accordance with the laws of the State of New Jersey; and (4) filing of the final form of adopted ordinance by the Clerk with (a) the Essex County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Borough Tax Assessor as required by N.J.S.A. 40:49-2.1.

Section 7. The Borough's unmet need mechanisms provide opportunities for significantly more affordable housing than its Round 3 unmet need obligation. It is anticipated that the unmet need mechanisms could yield sufficient affordable housing to allow the Borough to meet or exceed its entire Round 3 fair share allocation of need prior to the expiration of Round 3 (July 2025). In the event that the Township meets its full fair share prior to the expiration of Round 3, or meets or exceeds its obligation for new construction in any subsequent Round, the Borough reserves the right, at its sole discretion, to remove the requirement that any new development described in this ordinance capture an affordable housing set aside.

DATE OF INTRODUCTION: **January 26, 2021**

DATE OF ADOPTION: **February 23, 2021**

FIRST: Councilman Lace

FIRST: *Councilman Lace*

SECOND: Councilman Rodgers

SECOND: *Councilman Rodgers*

RECORD OF COUNCIL VOTE

Councilman Lace presented the following ordinance - Seconded by: *Councilman Rodgers*

COUNCIL MEMBER Yes No Absent Abstain **COUNCIL MEMBER** Yes No Absent Abstain

Schmidt	✓				Lace	✓			
Rodgers	✓				DePalma-Iozzi	✓			
Cole	✓				Gates	✓			

Brittany Heun
Brittany Heun, Deputy Clerk

John Kelley
John Kelley, Mayor

This ordinance, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.

Appendix C: Development Fee Ordinance



**BOROUGH OF CALDWELL
NEW JERSEY**

ORDINANCE NO. 1430-22

AN ORDINANCE AUTHORIZING THE ADJUSTMENT OF NUMBERING IN THE BOROUGH CODE, FOR CHAPTER 252 ALSO KNOWN AS "DEVELOPMENT FEES" TO CHAPTER 85, TO MAINTAIN PROPER ORDER

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

WHEREAS, on February 23, 2021, the Mayor and Council adopted Ordinance 1400-21, an ordinance adding Chapter 252 "Development Fees" of the Borough of Caldwell to provide for the collection of development fees in support of affordable housing as permitted by the New Jersey Fair Housing Act; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, pursuant to the foregoing statutory authority, the Borough deems it necessary to adjust the numbering of the Code, so that Chapter 252 "Development Fees" is renumbered to Chapter 85, in order to maintain alphabetical uniformity throughout the Code and its Table of Contents; and

BE IT ORDAINED by the Mayor and Council of the Borough of Caldwell, Essex County, New Jersey, that the Code of the Borough of Caldwell is hereby amended as follows:

SECTION 1. Chapter 252, Development Fees of the Revised General Ordinances of the Borough of Caldwell is hereby repealed in its entirety and here is hereby established a new Chapter 85 (Development Fees) to read as follows:

85-1. Purpose

This Ordinance establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with COAH's regulations developed in response to P.L. 2008, c. 46, Sections 8 and 32-38 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7). Fees collected pursuant to this Ordinance shall be used for the sole purpose of providing very low, low- and moderate-income housing in accordance with a Court-approved Spending Plan.

85-2. Basic Requirements

- A. This Ordinance shall not be effective until approved by the Court.
- B. The Borough of Caldwell shall not spend development fees until the Court has approved a plan for spending such fees (i.e., a Spending Plan).

85-3. Definitions

The following terms, as used in this Ordinance, shall have the following meanings:

"Affordable housing development" means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable housing development.

"COAH" or the "Council" means the New Jersey Council on Affordable Housing established under the Fair Housing Act.

"Development fee" means money paid by a developer for the improvement of property as authorized by Holmdel Builder's Association v. Holmdel Township, 121 N.J. 550 (1990) and the Fair Housing Act of 1985, N.J.S.A. 52:27d-301, *et seq.*, and regulated by applicable COAH Rules.

"Developer" means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

"Equalized assessed value" means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with Sections 1, 5, and 6 of P.L. 1973, c.123 (C.54:1-35a through C.54:1-35c).

"Green building strategies" means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

85-4. Residential Development Fees

A. Imposition of Fees

- 1) Within the Borough of Caldwell, all residential developers, except for developers of the types of developments specifically exempted below and developers of developments that include affordable housing, shall pay a fee of one and a half percent (1.5%) of the equalized assessed value for all new residential development provided no increased density is permitted. Development fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.
- 2) When an increase in residential density is permitted pursuant to a "d" variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a "bonus" development fee of six percent (6%) percent of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

B. Eligible Exactions, Ineligible Exactions and Exemptions for Residential Developments

- 1) Affordable housing developments and/or developments where the developer has made a payment in lieu of on-site construction of affordable units, if permitted by Ordinance or by Agreement with the Borough of Caldwell, shall be exempt from the payment of development fees.
- 2) Developments that have received preliminary or final site plan approval prior to the adoption of this Ordinance and any preceding Ordinance permitting the collection of development fees shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where site plan approval is not applicable, the issuance of a Zoning Permit and/or Construction Permit shall be synonymous with preliminary or final site plan approval for the purpose of determining the right to an exemption. In all cases, the applicable fee percentage shall be determined based upon the Development Fee Ordinance in effect on the date that the Construction Permit is issued.

3) Any repair, reconstruction or improvement of a structure, the cost of which is less than 50% of the market value of the structure before the improvement or repair is started. For purpose of this section, "market value" shall mean the equalized assessed value of the existing improvement as established by the Borough Tax Assessor. The cost of the repair, reconstruction or improvements shall be determined by an itemized construction cost estimate prepared and submitted to the Construction Official. The estimate shall be signed and sealed by an architect or professional engineer licensed by the State of New Jersey, or where no such professionals are retained, signed by the contractor or the homeowner. Where prepared by the homeowner or contractor, the Borough Engineer may review such estimates for accuracy. "Substantial improvement" is considered to commence when the first alteration of any wall, floor or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include either:

(a) Any project for improvement of a structure to comply with existing state or local building, fire, health, sanitary or safety code specifications which are only necessary to assure safe living conditions; or

(b) Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places but a development fee shall be charged for any new dwelling constructed as a replacement for a previously existing dwelling on the same lot that was or will be demolished, unless the owner resided in the previous dwelling for a period of one year or more prior to obtaining a demolition permit. Where a development fee is charged for a replacement dwelling, the development fee shall be calculated on the increase in the equalized assessed value of the new structure as compared to the previous structure.

4) Structural alterations that do not increase gross floor area of a building or structure or increase the equalized assessed value of a property shall be exempted from paying a development fee.

5) Nonprofit organizations constructing residential projects which have received tax-exempt status pursuant to Section 501(c)(3) of the Internal Revenue Code, providing current evidence of that status is submitted to the Municipal Clerk, together with a certification that services of the organization are provided at reduced rates to those who establish an inability to pay existing charges, shall be exempted from paying a development fee.

6) Federal, state, county and local governments shall be exempted from paying a development fee.

7) Homes replaced as a result of a natural disaster, fire or flood shall be exempt from the payment of a development fee. (This exemption applies only for the owner of record at the time of the fire, flood, or natural disaster.)

8) Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.

85-5. Non-Residential Development Fees

A. Imposition of Fees

1) Within all zoning districts, non-residential developers, except for developers of the types of developments specifically exempted below, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.

2) Within all zoning districts, non-residential developers, except for developers of the types of developments specifically exempted below, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.

3) Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvements and the equalized assessed value of the newly improved structure, i.e. land and

improvements, and such calculation shall be made at the time a final Certificate of Occupancy is issued. If the calculation required under this Section results in a negative number, the non-residential development fee shall be zero.

B. Eligible Exactions, Ineligible Exactions and Exemptions for Non-residential Development

1) The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to a two and a half percent (2.5%) development fee, unless otherwise exempted below.

2) The two and a half percent (2.5%) development fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within the existing footprint, reconstruction, renovations and repairs.

3) Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption". Any exemption claimed by a developer shall be substantiated by that developer.

4) A developer of a non-residential development exempted from the non-residential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final Certificate of Occupancy for the non-residential development, whichever is later.

5) If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this Section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the Borough of Caldwell as a lien against the real property of the owner.

6) Federal, state, county and local governments constructing nonresidential housing shall be exempted from paying a development fee.

85-6. Collection Procedures

A. Upon the granting of a preliminary, final or other applicable approval for a development, the approving authority or entity shall notify or direct its staff to notify the Construction Official responsible for the issuance of a Construction Permit.

B. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/ Exemption" to be completed as per the instructions provided. The developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The Construction Official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax Assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

C. The Construction Official responsible for the issuance of a Construction Permit shall notify the Borough Tax Assessor of the issuance of the first Construction Permit for a development which is subject to a development fee.

D. Within 90 days of receipt of such notification, the Borough Tax Assessor shall prepare an estimate of the equalized assessed value of the development based on the plans filed.

E. The Construction Official responsible for the issuance of a final Certificate of Occupancy shall notify the Borough Tax Assessor of any and all requests for the scheduling of a final inspection on a property which is subject to a development fee.

F. Within 10 business days of a request for the scheduling of a final inspection, the Borough Tax Assessor shall confirm or modify the previously estimated equalized assessed value of

the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.

G. Should the Borough of Caldwell fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of Section 37 of P.L. 2008, c.46 (C.40:55D-8.6).

H. Except as provided in Section 5.A.3) hereinabove, fifty percent (50%) of the initially calculated development fee shall be collected at the time of issuance of the Construction Permit. The remaining portion shall be collected at the time of issuance of the Certificate of Occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of the Construction Permit and that determined at the time of issuance of the Certificate of Occupancy.

I. Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and the fee determined upon issuance of certificate of occupancy.

J. Appeal of Development Fees

1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest-bearing escrow account by the Borough of Caldwell. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1, *et seq.*, within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the Borough of Caldwell. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1, *et seq.*, within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

85-7. Affordable Housing Trust Fund

A. There is hereby created a separate, interest-bearing Affordable Housing Trust Fund to be maintained by the Chief Financial Officer of the Borough of Caldwell for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.

B. The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:

1) Payments in lieu of on-site construction of a fraction of an affordable unit, where permitted by Ordinance or by Agreement with the Borough of Caldwell;

2) Funds contributed by developers to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;

3) Rental income from municipally operated units;

4) Repayments from affordable housing program loans;

5) Recapture funds;

6) Proceeds from the sale of affordable units; and

7) Any other funds collected in connection with Caldwell's affordable housing program.

C. In the event of a failure by the Borough of Caldwell to comply with trust fund monitoring and reporting requirements or to submit accurate monitoring reports; or a failure to comply with the conditions of the judgment of compliance or a revocation of the judgment of compliance; or a failure to implement the approved Spending Plan and to expend funds within the applicable required time period as set forth in In re Tp. of Monroe Housing Element, 442 N.J. Super. 565 (Law Div.), aff'd, 442 N.J. Super. 563 (App. Div. 2015); or the expenditure of funds on activities not approved by the Court; or for other good cause demonstrating the unapproved use(s) of funds, the Court may authorize the State of New Jersey, Department of Community Affairs, Division of Local Government Services (LGS), to direct the manner in which the funds in the Affordable Housing Trust Fund shall be expended, provided that all such funds shall, to the extent practicable, be utilized for affordable housing programs within the Borough of Caldwell, or, if not practicable, then within the County or the Housing Region.

Any party may bring a motion before the Superior Court presenting evidence of such condition(s), and the Court may, after considering the evidence and providing the municipality a reasonable opportunity to respond and/or to remedy the non-compliant condition(s), and upon a finding of continuing and deliberate non-compliance, determine to authorize LGS to direct the expenditure of funds in the Trust Fund or impose such other remedies as may be reasonable and appropriate to the circumstances.

D. Interest accrued in the Affordable Housing Trust Fund shall only be used to fund eligible affordable housing activities approved by the Court.

85-8. Use of Funds

A. The expenditure of all funds shall conform to a Spending Plan approved by the Court. Funds deposited in the Affordable Housing Trust Fund may be used for any activity approved by the Court to address the Borough of Caldwell's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market to affordable program; Regional Housing Partnership programs; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost saving and in accordance with accepted national or State standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by the Court and specified in the approved Spending Plan.

B. Funds shall not be expended to reimburse the Borough of Caldwell for past housing activities.

C. At least 30 percent of all development fees collected and interest earned on such fees shall be used to provide affordability assistance to very low-, low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to very low-income households earning 30 percent or less of the regional median household income by household size for Housing Region 2, in which Caldwell is located.

1) Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the Spending Plan.

2) Affordability assistance to households earning 30 percent or less of the regional median household income by household size may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income. The specific programs to be used for very low income affordability assistance shall be identified and described within the Spending Plan.

3) Payments in lieu of constructing affordable housing units on site, if permitted by Ordinance or by Agreement with the Borough of Caldwell, and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.

D. The Borough of Caldwell may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including its programs for affordability assistance.

E. No more than 20 percent of all revenues collected from development fees may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare a Housing Element and Fair Share Plan, and/or administer an affirmative marketing program or a rehabilitation program.

1) In the case of a rehabilitation program, the administrative costs of the rehabilitation program shall be included as part of the 20 percent of collected development fees that may be expended on administration.

2) Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with the Court's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or related to securing or appealing a judgment from the Court are not eligible uses of the Affordable Housing Trust Fund.

85- 9. Monitoring

The Borough of Caldwell shall provide annual reporting of Affordable Housing Trust Fund activity to the State of New Jersey, Department of Community Affairs, Council on Affordable Housing or Local Government Services or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, Council on Affordable Housing or Local Government Services. The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the sources and amounts of funds collected and the amounts and purposes for which any funds have been expended. Such reporting shall include an accounting of development fees collected from residential and non-residential developers, payments in lieu of constructing affordable units on site (if permitted by Ordinance or by Agreement with the Borough), funds from the sale of units with extinguished controls, barrier free escrow funds, rental income from Borough owned affordable housing units, repayments from affordable housing program loans, and any other funds collected in connection with Caldwell's affordable housing programs, as well as an accounting of the expenditures of revenues and implementation of the Spending Plan approved by the Court.

85-10. Ongoing Collection of Fees

A. The ability for the Borough of Caldwell to impose, collect and expend development fees shall expire with the expiration of the repose period covered by its Judgment of Compliance unless the Borough of Caldwell has first filed an adopted Housing Element and Fair Share Plan with the Court or with a designated State administrative agency, has petitioned for a Judgment of Compliance from the Court or for Substantive Certification or its equivalent from a State administrative agency authorized to approve and administer municipal affordable housing compliance and has received approval of its Development Fee Ordinance from the entity that will be reviewing and approving the Housing Element and Fair Share Plan.

B. If the Borough of Caldwell fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to Section 20 of P.L. 1985, c. 222 (C. 52:27D-320).

C. The Borough of Caldwell shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its Judgment of Compliance, nor shall the Borough of Caldwell retroactively impose a development fee on such a development. The Borough of Caldwell also shall not expend any of its collected development fees after the expiration of its Judgment of Compliance.

SECTION 2. All ordinances or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 3. This Ordinance shall be a part of the Code of the Borough of Caldwell as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Borough Clerk and the Borough Administrator are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Borough of Caldwell in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

DATE OF INTRODUCTION: **July 19, 2022**

DATE OF ADOPTION: **August 16, 2022**

FIRST: Councilwoman Buechner

FIRST: *Councilman Alonso*

SECOND: Council President Gates

SECOND: *Councilwoman Buechner*

RECORD OF COUNCIL VOTE

Councilman Alonso presented the following ordinance – Seconded by *Councilwoman Buechner*

COUNCIL MEMBER Yes No Absent Abstain COUNCIL MEMBER Yes No Absent Abstain

DePalma-Iozzi	✓					Lace	✓				
Gates	✓					Buechner	✓				
Cole	✓					Alonso	✓				

Brittany Heun
Brittany Heun, Deputy Clerk

John Kelley
John Kelley, Mayor

This ordinance, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.

Appendix D: Affirmative Marketing Plan



**BOROUGH OF CALDWELL
NEW JERSEY**

Resolution No: 11-242
Date of Adoption: November 9, 2021

TITLE:

RESOLUTION BOROUGH OF CALDWELL, COUNTY OF ESSEX, STATE OF NEW JERSEY
ADOPTING THE 'AFFIRMATIVE MARKETING PLAN' FOR THE BOROUGH OF CALDWELL

Recommended for approval by:

Approved as to form and legality by:

Thomas Banker, Administrator

Title:

WHEREAS, in accordance with the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26-1, et seq., the Borough of Caldwell is required to adopt an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by the rehabilitation of rental housing units within the Borough of Caldwell, are affirmatively marketed to very-low, low- and moderate-income households within Housing Region 2, the COAH Housing Region encompassing the Borough of Caldwell.

BE IT RESOLVED, that the Borough Council of the Borough of Caldwell in the County of Essex, and the State of New Jersey does hereby adopt the following Affirmative Marketing Plan, which is attached hereto as **Exhibit A**:

Affirmative Marketing Plan

- A. All affordable housing units in the Borough of Caldwell shall be marketed in accordance with the provisions herein.
- B. This Affirmative Marketing Plan shall apply to all developments that contain or will contain very low-, low-, and moderate-income units, including those that are part of the Borough's prior round Fair Share Plan and its current Fair Share Plan and those that may be constructed in future developments not yet anticipated by the Fair Share Plan. This Affirmative Marketing Plan shall also apply to any rehabilitated rental units that are vacated and re-rented during the applicable period of controls for rehabilitated rental units.
- C. The Affirmative Marketing Plan shall be implemented by one or more Administrative Agent(s) designated by and/or under contract to the Borough of Caldwell. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of affordable unit(s), and all such advertising and affirmative marketing shall be subject to approval and oversight by the designated Administrative Agent.
- D. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Borough of Caldwell, shall undertake, at the minimum, all of the following strategies:
 1. Publication of an advertisement in one or more newspapers of general circulation within the housing region.

2. Broadcasting of an advertisement by a radio or television station broadcasting throughout the housing region.
 3. At least one additional regional marketing strategy using one of the other sources listed below.
- E. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. Pursuant to N.J.S.A. 40:37A-114.1, preference for affordable housing within a housing project may be provided to homeless veterans, disabled veterans, and family members who are the primary residential caregivers to disabled veterans residing with them. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Borough of Caldwell is located in COAH Housing Region 2, consisting of Essex, Morris, Union and Warren Counties.
- F. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:
1. All newspaper articles, announcements and requests for applications for very low, low- and moderate-income units shall appear in the Star-Ledger and/or New York Times.
 2. The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspapers once during the first week of marketing and each month thereafter until all units have been leased or sold. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of all publications to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.
 3. All affordable units to be affirmatively marketed shall also be posted to the New Jersey Housing Resource Center's website (www.njhrc.gov).
 4. The advertisement shall include a description of the:
 - a. Location of the units;
 - b. Directions to the units;
 - c. Range of prices for the units;
 - d. Size, as measured in bedrooms, of units;
 - e. Maximum income permitted to qualify for the units;
 - f. Location of applications;
 - g. Business hours when interested households may obtain an application;

- h. Name and contact information of sales agent or rental manager;
 - i. Description of random selection method that will be used to select occupants; and,
 - j. Application fees.
- 5. Newspaper articles, announcements and information on where to request applications for very low-, low- and moderate-income housing shall appear at least once a week for four consecutive weeks in at least three locally oriented newspapers serving the housing region, one of which shall be circulated primarily in Essex County and the other two of which shall be circulated primarily outside of Essex County but within the housing region.
- 6. The developer must provide satisfactory proof of public dissemination. See "Attachment A" COAH's ***Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 2*** (attached to and hereby made part of this Resolution).
- G. Applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program shall be available/posted in the following locations:
 - 1. Borough Hall of Caldwell
 - 2. Caldwell Public Library
 - 3. Caldwell Borough Municipal Website
 - 4. Developer's Sales/Rental Offices
 - 5. Essex County Administration Building
 - 6. All Branches of the Essex County Library System
 - 7. Morris County Administration Building
 - 8. Morris County Library Headquarters
 - 9. Union County Administration Building
 - 10. At least one member library of the Union County Library Consortium
 - 11. Warren County Administration Building
 - 12. Warren County Library Headquarters

Applications shall be mailed by the Administrative Agent and Municipal Housing Liaison to prospective applicants upon request. Also, applications shall be available at the developer's sales/rental office and multiple copies of application forms shall be mailed to Supportive Housing Association of New Jersey, Fair Share Housing Center, NAACP Essex County Branch, Latino Action Network, and Jewish Family Services for dissemination to their respective constituents.

- H. The Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in Essex, Morris, Union and Warren Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers identified in Attachment A,

Part III, Marketing, Section 3d of COAH's ***Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 2*** (attached to and hereby made part of this Resolution) as well as the following entities: *Supportive Housing Association of New Jersey, Fair Share Housing Center, NAACP Essex County Branch, Latino Action Network, and Jewish Family Services.*

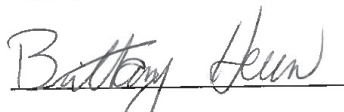
1. Quarterly informational flyers and applications shall be sent to each of the following agencies for publication in their journals and for circulation among their members:
 - a. Essex County Board of Realtors
 - b. Morris County Board of Realtors
 - c. Union County Board of Realtors
 - d. Warren County Board of Realtors
2. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies within the counties of Essex, Morris, Union and Warren:
 - a. Welfare or Social Service Board (via the Director)
 - b. Rental Assistance Office (local office of DCA)
 - c. Office on Aging
 - d. Housing Authority (municipal or county)
 - e. Community Action Agencies
 - f. Community Development Departments
4. Quarterly informational circulars and applications shall be sent to the chief personnel administrators of all of the major employers within the region, as listed on Attachment A, Part III, Marketing, Section 3d.
5. In addition, specific notification of the availability of affordable housing units in Caldwell Borough (along with copies of the application form) shall be provided to the following entities: *Supportive Housing Association of New Jersey, Fair Share Housing Center, NAACP Essex County Branch, Latino Action Network, and Jewish Family Services.*
- I. A random selection method to select occupants of very low, low- and moderate-income housing will be used by the Administrative Agent, in conformance with N.J.A.C. 5:80-26.16 (l). The Affirmative Marketing Plan shall provide a regional preference for very low, low- and moderate-income households that live and/or work in COAH Housing Region 2, comprised of Essex, Morris, Union and Warren Counties. Pursuant to the New Jersey Fair Housing Act (N.J.S.A. 52:27D-311), a preference for very low, low- and moderate-income veterans duly qualified under N.J.A.C. 54:4-8.10 may also be exercised, provided an agreement to this effect has been executed between the developer or landlord and the Borough prior to the affirmative marketing of the units.
- J. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify very-low, low- and

moderate-income households; to place income eligible households in very-low, low- and moderate-income units upon initial occupancy; to provide for the initial occupancy of very-low, low- and moderate-income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to very low, low and moderate income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26-1, et seq. The Administrative Agent shall also review and approve a separate Affirmative Marketing Plan for every new affordable development in Caldwell that is subject to N.J.A.C. 5:80-26-1, et seq. The document shall be completed by the owner/developer and will be compliance with the Borough's Affirmative Marketing Plan as presented herein, and incorporate development-specific details and permitted options, all subject to the Administrative Agent's review and approval. The development-specific affirmative marketing plans will use the standard form for Region 2, included as Attachment A.

- K. The Administrative Agent shall provide or direct qualified very low-, low- and moderate-income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain, and update a list of entities and lenders willing and able to perform such services.
- L. All developers/owners of very low, low- and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent.
- M. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low, low- and moderate-income housing units are initially occupied and for as long as the affordable units remain deed restricted such that qualifying new tenants and/or purchasers continues to be necessary.
- N. The Administrative Agent shall provide the Municipal Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C. 5:80-26-1, et seq.
- O. The Township's professionals and officials are authorized to take all actions required to implement the terms of this Resolution.

I hereby certify that this is a true copy of a resolution duly adopted by the Borough Council of the Borough of Caldwell at a Council meeting on November 9, 2021.

DATED:



Brittany Heun, Deputy Clerk

RECORD OF COUNCIL VOTE

Councilman Lace presented the following resolution - Seconded by: Councilman Cole

COUNCIL MEMBER	Yes	No	Absent	Abstain	COUNCIL MEMBER	Yes	No	Absent	Abstain
Schmidt			✓		Lace	✓			
Rodgers	✓				DePalma-Iozzi	✓			
Cole	✓				Gates	✓			

Brittany Heen
Brittany Heen, Deputy Clerk

John Kelley
John Kelley, Mayor

This resolution, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.

2. Describe the random selection process that will be used once applications are received.

III. MARKETING

3a. Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors)

☐ White (non-Hispanic) ☐ Black (non-Hispanic) ☒ Hispanic ☐ American Indian or Alaskan Native

☒ Asian or Pacific Islander

☐ Other group:

3b. HOUSING RESOURCE CENTER (www.njhousing.gov) A free, online listing of affordable housing ☐

3c. Commercial Media (required) (Check all that applies)

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA
TARGETS ENTIRE HOUSING REGION 2			
Daily Newspaper			
<input type="checkbox"/>		Star-Ledger	
<input type="checkbox"/>		New York Times	
TARGETS PARTIAL HOUSING REGION 2			
Daily Newspaper			
<input type="checkbox"/>		Daily Record	Morris
<input type="checkbox"/>		Express Times	Warren
Weekly Newspaper			
<input type="checkbox"/>		Belleville Post	Essex
<input type="checkbox"/>		Belleville Times	Essex
<input type="checkbox"/>		Bloomfield Life	Essex
<input type="checkbox"/>		East Orange Record	Essex
<input type="checkbox"/>		Glen Ridge Paper	Essex
<input type="checkbox"/>		Glen Ridge Voice	Essex
<input type="checkbox"/>		Independent Press	Essex
<input type="checkbox"/>		Irvington Herald	Essex
<input type="checkbox"/>		Item of Millburn and Short Hills	Essex
<input type="checkbox"/>		Montclair Times	Essex
<input type="checkbox"/>		News-Record	Essex
<input type="checkbox"/>		Nutley Journal	Essex
<input type="checkbox"/>		Nutley Sun	Essex
<input type="checkbox"/>		Observer	Essex
<input type="checkbox"/>		Orange Transcript	Essex

<input type="checkbox"/>		Progress	Essex
<input type="checkbox"/>		Vailsburg Leader	Essex
<input type="checkbox"/>		Verona-Cedar Grove Times	Essex
<input type="checkbox"/>		West Essex Tribune	Essex
<input type="checkbox"/>		West Orange Chronicle	Essex
<input type="checkbox"/>		Atom Tabloid & Citizen Gazette	Middlesex, Union
<input type="checkbox"/>		Chatham Courier	Morris
<input type="checkbox"/>		Chatham Independent Press	Morris
<input type="checkbox"/>		Citizen of Morris County	Morris
<input type="checkbox"/>		Florham Park Eagle	Morris
<input type="checkbox"/>		Hanover Eagle	Morris
<input type="checkbox"/>		Madison Eagle	Morris
<input type="checkbox"/>		Morris News Bee	Morris
<input type="checkbox"/>		Mt. Olive Chronicle	Morris
<input type="checkbox"/>		Neighbor News	Morris
<input type="checkbox"/>		Randolph Reporter	Morris
<input type="checkbox"/>		Roxbury Register	Morris
<input type="checkbox"/>		Parsippany Life	Morris
<input type="checkbox"/>		Clark Patriot	Union
<input type="checkbox"/>		Cranford Chronicle	Union
<input type="checkbox"/>		Echo Leader	Union
<input type="checkbox"/>		Elizabeth Reporter	Union
<input type="checkbox"/>		Hillside Leader	Union
<input type="checkbox"/>		Leader of Kenilworth & Roselle Park	Union
<input type="checkbox"/>		Madison Independent Press, The	Union
<input type="checkbox"/>		Millburn and Short Hills Independent Press	Union
<input type="checkbox"/>		News Record	Union
<input type="checkbox"/>		Record-Press	Union
<input type="checkbox"/>		Scotch Plains Times (Fanwood Times)	Union
<input type="checkbox"/>		Spectator Leader	Union

<input type="checkbox"/>		Union Leader	Union
<input type="checkbox"/>		Warren Reporter	Warren
	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL TV STATION(S)	CIRCULATION AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 2			
<input type="checkbox"/>		2 WCBS-TV CBS Broadcasting Inc.	
		3 KYW-TV CBS Broadcasting Inc.	
<input type="checkbox"/>		4 WNBC NBC Telemundo License Co. (General Electric)	
<input type="checkbox"/>		5 WNYW Fox Television Stations, Inc. (News Corp.)	
<input type="checkbox"/>		7 WABC-TV American Broadcasting Companies, Inc (Walt Disney)	
<input type="checkbox"/>		9 WWOR-TV Fox Television Stations, Inc. (News Corp.)	
<input type="checkbox"/>		11 WPIX WPIX, Inc. (Tribune)	
<input type="checkbox"/>		13 WNET Educational Broadcasting Corporation	
<input type="checkbox"/>		25 WNYE-TV New York City Dept. Of Info Technology & Telecommunications	
<input type="checkbox"/>		31 WPXN-TV Paxson Communications License Company, LLC	
<input type="checkbox"/>		41 WXTV WXTV License Partnership, G.P. (Univision Communications Inc.)	
<input type="checkbox"/>		47 WNJU NBC Telemundo License Co. (General Electric)	
<input type="checkbox"/>		50 WNJN New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		52 WNJT New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		54 WTBY-TV Trinity Broadcasting Of New York, Inc.	
<input type="checkbox"/>		58 WNJB New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		62 WRNN-TV WRNN License Company, LLC	
<input type="checkbox"/>		63 WMBC-TV Mountain Broadcasting Corporation	
<input type="checkbox"/>		68 WFUT-TV Univision New York LLC	Spanish

TARGETS PARTIAL HOUSING REGION 2			
<input type="checkbox"/>		42 WKOB-LP Nave Communications, LLC	Essex
<input type="checkbox"/>		22 WMBQ-CA Renard Communications Corp.	Essex, Morris, Union
<input type="checkbox"/>		66 WFME-TV Family Stations Of New Jersey, Inc.	Essex, Morris, Union
<input type="checkbox"/>		21 WLIW Educational Broadcasting Corporation	Essex, Union
<input type="checkbox"/>		60 W60AI Ventana Television, Inc	Essex, Union
<input type="checkbox"/>		36 W36AZ New Jersey Public Broadcasting Authority	Morris
<input type="checkbox"/>		6 WPVI-TV American Broadcasting Companies, Inc (Walt Disney)	Morris, Union, Warren
<input type="checkbox"/>		65 WUVP-TV Univision Communications, Inc.	Morris, Union, Warren
<input type="checkbox"/>		23 W23AZ Centenary College	Morris, Warren
<input type="checkbox"/>		28 WBRE-TV Nexstar Broadcasting, Inc.	Morris, Warren
<input type="checkbox"/>		35 WYBE Independence Public Media Of Philadelphia, Inc.	Morris, Warren
<input type="checkbox"/>		39 WLV-TV Lehigh Valley Public Telecommunications Corp.	Morris, Warren
<input type="checkbox"/>		44 WVIA-TV Ne Pa Ed Tv Association	Morris, Warren
<input type="checkbox"/>		56 WOLF-TV Wolf License Corp	Morris, Warren
<input type="checkbox"/>		60 WBPH-TV Sonshine Family Television Corp	Morris, Warren
<input type="checkbox"/>		69 WFMZ-TV Maranatha Broadcasting Company, Inc.	Morris, Warren
<input type="checkbox"/>		10 WCAU NBC Telemundo License Co. (General Electric)	Warren
<input type="checkbox"/>		16 WNEP-TV New York Times Co.	Warren
<input type="checkbox"/>		17 WPHL-TV Tribune Company	Warren
<input type="checkbox"/>		22 WYOU Nexstar Broadcasting, Inc.	Warren
<input type="checkbox"/>		29 WTXF-TV Fox Television Stations, Inc. (News Corp.)	Warren
<input type="checkbox"/>		38 WSWB Mystic Television of Scranton LLC	Warren
<input type="checkbox"/>		48 WGTW-TV Trinity Broadcasting Network	Warren
<input type="checkbox"/>		49 W49BE New Jersey Public Broadcasting Authority	Warren

<input type="checkbox"/>		55 W55BS New Jersey Public Broadcasting Authority	Warren
<input type="checkbox"/>		57 WPSG CBS Broadcasting Inc.	Warren
<input type="checkbox"/>		61 WPPX Paxson Communications License Company, LLC	Warren
	DURATION & FREQUENCY OF OUTREACH	NAMES OF CABLE PROVIDER(S)	BROADCAST AREA
TARGETS PARTIAL HOUSING REGION 2			
<input type="checkbox"/>		Cablevision of Newark	Partial Essex
<input type="checkbox"/>		Comcast of NJ (Union System)	Partial Essex, Union
<input type="checkbox"/>		Cablevision of Oakland	Partial Essex, Morris
<input type="checkbox"/>		Cable Vision of Morris	Partial Morris
<input type="checkbox"/>		Comcast of Northwest NJ	Partial Morris, Warren
<input type="checkbox"/>		Patriot Media & Communications	Partial Morris
<input type="checkbox"/>		Service Electric Broadband Cable	Partial Morris, Warren
<input type="checkbox"/>		Cablevision of Elizabeth	Partial Union
<input type="checkbox"/>		Comcast of Plainfield	Partial Union
<input type="checkbox"/>		Cable Vision of Morris	Partial Warren
<input type="checkbox"/>		Service Electric Cable TV of Hunterdon	Partial Warren
	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL RADIO STATION(S)	BROADCAST AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 2			
AM			
<input type="checkbox"/>		WFAN 660	
<input type="checkbox"/>		WOR 710	
<input type="checkbox"/>		WABC 770	
FM			
<input type="checkbox"/>		WFNY-FM 92.3	
<input type="checkbox"/>		WPAT-FM 93.1	Spanish
<input type="checkbox"/>		WNYC-FM 93.9	
<input type="checkbox"/>		WFME 94.7	Christian
<input type="checkbox"/>		WPLJ 95.5	
<input type="checkbox"/>		WQXR-FM 96.3	

<input type="checkbox"/>		WQHT 97.1	
<input type="checkbox"/>		WRKS 98.7	
<input type="checkbox"/>		WAWZ 99.1	Christian
<input type="checkbox"/>		WHTZ 100.3	
<input type="checkbox"/>		WCBS-FM 101.1	
<input type="checkbox"/>		WKXW-FM 101.5	
<input type="checkbox"/>		WQCD 101.9	
<input type="checkbox"/>		WNEW 102.7	
<input type="checkbox"/>		WKTU 103.5	
<input type="checkbox"/>		WAXQ 104.3	
<input type="checkbox"/>		WWPR-FM 105.1	
<input type="checkbox"/>		WLTW 106.7	
TARGETS PARTIAL HOUSING REGION 2			
AM			
<input type="checkbox"/>		WWRL 1600	Essex
<input type="checkbox"/>		WXMC 1310	Essex, Morris
<input type="checkbox"/>		WWRV 1330	Essex, Morris (Spanish)
<input type="checkbox"/>		WZRC 1480	Essex, Morris (Chinese/Cantonese)
<input type="checkbox"/>		WMCA 570	Essex, Morris, Union (Christian)
<input type="checkbox"/>		WNYC 820	Essex, Morris, Union
<input type="checkbox"/>		WCBS 880	Essex, Morris, Union
<input type="checkbox"/>		WPAT 930	Essex, Morris, Union (Caribbean, Mexican, Mandarin)
<input type="checkbox"/>		WWDJ 970	Essex, Morris, Union (Christian)
<input type="checkbox"/>		WINS 1010	Essex, Morris, Union
<input type="checkbox"/>		WEPN 1050	Essex, Morris, Union
<input type="checkbox"/>		WKMB 1070	Essex, Morris, Union (Christian)
<input type="checkbox"/>		WBBR 1130	Essex, Morris, Union
<input type="checkbox"/>		WLIB 1190	Essex, Morris, Union (Christian)
<input type="checkbox"/>		WMTR 1250	Essex, Morris, Union
<input type="checkbox"/>		WADO 1280	Essex, Morris, Union (Spanish)
<input type="checkbox"/>		WNSW 1430	Essex, Morris, Union (Portuguese)

<input type="checkbox"/>		WJDM 1530	Essex, Morris, Union (Spanish)
<input type="checkbox"/>		WQEW 1560	Essex, Morris, Union
<input type="checkbox"/>		WWRU 1660	Essex, Morris, Union (Korean)
<input type="checkbox"/>		WCTC 1450	Union
<input type="checkbox"/>		WCHR 1040	Warren
<input type="checkbox"/>		WEEX 1230	Warren
<input type="checkbox"/>		WNNJ 1360	Warren
<input type="checkbox"/>		WRNJ 1510	Warren
FM			
<input type="checkbox"/>		WMSC 90.3	Essex
<input type="checkbox"/>		WFUV 90.7	Essex
<input type="checkbox"/>		WBGO 88.3	Essex, Morris, Union
<input type="checkbox"/>		WSOU 89.5	Essex, Morris, Union
<input type="checkbox"/>		WKCR-FM 89.9	Essex, Morris, Union
<input type="checkbox"/>		WFMU 91.1	Essex, Morris, Union
<input type="checkbox"/>		WNYE 91.5	Essex, Morris, Union
<input type="checkbox"/>		WSKQ-FM 97.9	Essex, Morris, Union (Spanish)
<input type="checkbox"/>		WBAI 99.5	Essex, Morris, Union
<input type="checkbox"/>		WDHA -FM 105.5	Essex, Morris, Union
<input type="checkbox"/>		WCAA 105.9	Essex, Morris, Union (Latino)
<input type="checkbox"/>		WBLS 107.5	Essex, Morris, Union
<input type="checkbox"/>		WHUD 100.7	Essex, Morris, Warren
<input type="checkbox"/>		WPRB 103.3	Essex, Union, Warren
<input type="checkbox"/>		WMNJ 88.9	Morris
<input type="checkbox"/>		WJSV 90.5	Morris
<input type="checkbox"/>		WNNJ-FM 103.7	Morris, Warren
<input type="checkbox"/>		WMGQ 98.3	Union
<input type="checkbox"/>		WCTO 96.1	Union, Warren
<input type="checkbox"/>		WNTI 91.9	Warren
<input type="checkbox"/>		WSBG 93.5	Warren

<input type="checkbox"/>		WZZO 95.1	Warren
<input type="checkbox"/>		WAEB-FM 104.1	Warren
<input type="checkbox"/>		WHCY 106.3	Warren

3d. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters) (Check all that applies)

	NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 2			
Monthly			
<input type="checkbox"/>	Sino Monthly	North Jersey/NYC area	Chinese-American
TARGETS PARTIAL HOUSING REGION 2			
Daily			
<input type="checkbox"/>	24 Horas	Bergen, Essex, Hudson, Middlesex, Passaic, Union Counties	Portuguese-Language
Weekly			
<input type="checkbox"/>	Arab Voice Newspaper	North Jersey/NYC area	Arab-American
<input type="checkbox"/>	Brazilian Voice, The	Newark	Brazilian-American
<input type="checkbox"/>	Catholic Advocate, The	Essex County area	Catholic
<input type="checkbox"/>	La Voz	Hudson, Union, Middlesex Counties	Cuban community
<input type="checkbox"/>	Italian Tribune	North Jersey/NYC area	Italian community
<input type="checkbox"/>	New Jersey Jewish News	Northern and Central New Jersey	Jewish
<input type="checkbox"/>	El Nuevo Coqui	Newark	Puerto Rican community
<input type="checkbox"/>	Banda Oriental Latinoamérica	North Jersey/NYC area	South American community
<input type="checkbox"/>	El Especialito	Union City	Spanish-Language
<input type="checkbox"/>	La Tribuna Hispana	Basking Ridge, Bound Brook, Clifton, East Rutherford, Elizabeth, Fort Lee, Greebrook, Linden, Lydenhurst, Newark, North Plainfield, Orange, Passaic, Paterson, Plainfield, Roselle, Scotch Plains, Union, Union City, West NY	Spanish-Language
<input type="checkbox"/>	Ukrainian Weekly	New Jersey	Ukrainian community

3e. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)

DURATION & FREQUENCY OF OUTREACH	NAME OF EMPLOYER/COMPANY	LOCATION
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Essex County			
<input type="checkbox"/>		Newark Liberty International Airport	Newark Airport, Newark, NJ
<input type="checkbox"/>		Verizon Communications	540 Broad St Newark, NJ 07102
<input type="checkbox"/>		Prudential Financial, Inc.	751 Broad St Newark, NJ 07102
<input type="checkbox"/>		Continental Airlines	1 Newark Airport, Newark, NJ
<input type="checkbox"/>		University of Medicine/Dentistry	Office of Marketing & Media Relations 150 Bergen Street Room D347 Newark, NJ 07103
<input type="checkbox"/>		Public Service Enterprise Group	80 Park Plz Newark, NJ 07102
<input type="checkbox"/>		Prudential Insurance	751 Broad Street, Newark, NJ 07102-3777
<input type="checkbox"/>		Horizon Blue Cross & Blue Shield of NJ	3 Raymond Plz W Newark, NJ 07102
<input type="checkbox"/>		Newark Liberty International Airport	Newark Airport, Newark, NJ
<input type="checkbox"/>		Horizon Blue Cross & Blue Shield of NJ	540 Broad St Newark, NJ 07102
Morris County			
<input type="checkbox"/>		Atlantic Health System- Morristown Memorial Hospital	100 Madison Avenue Morristown, NJ 07962
<input type="checkbox"/>		AT&T	295 N Maple Ave, Basking Ridge, NJ and 180 Park Ave, Florham Park, NJ
<input type="checkbox"/>		US Army Armament R&D	21 Picatinny Arsenal, Picatinny Arsnl, NJ
<input type="checkbox"/>		Lucent Technologies	67 Whippany Rd, Whippany, NJ and 475 South St, Morristown, NJ and 5 Wood Hollow Rd, Parsippany, NJ and 24 Mountain Ave, Mendham, NJ
<input type="checkbox"/>		Pfizer	Morris Plains/Parsippany
<input type="checkbox"/>		Novartis Pharmaceutical	59 State Route 10, East Hanover, NJ
<input type="checkbox"/>		Kraft foods	200 Deforest Ave, East Hanover, NJ and 7 Campus Dr, Parsippany, NJ
<input type="checkbox"/>		Mennen Sports Arena	161 E Hanover Ave, Morristown, NJ
<input type="checkbox"/>		Honeywell	101 Columbia Rd Morristown, NJ 07960
<input type="checkbox"/>		Pfizer	5 Woodhollow Rd, Parsippany and 175 Tabor Rd, Morris Plains
<input type="checkbox"/>		St. Clare's Hospital	130 Powerville Road Boonton Township, NJ 07005 and 25 Pocono Road Denville, NJ 07834 and 400 West Blackwell Street Dover, NJ 07801 and 3219 Route 46 East, Suite 110 Parsippany, NJ 07054

Union County			
<input type="checkbox"/>		A&M Industrial Supply Co	1414 Campbell St Rahway
<input type="checkbox"/>		A.J. Seabra Inc,	574 Ferry St Newark
<input type="checkbox"/>		Bristol-myers Products Research & Dev	1350 Liverty Ave Hillside
<input type="checkbox"/>		Cede Candy Inc	1091 Lousons Road PO Box 271 Union, NJ
<input type="checkbox"/>		Comcast Network	800 Rahway Ave Union, NJ
<input type="checkbox"/>		HoneyWell Inc.	1515 West Blancke Street Bldgs 1501 and 1525 Linden, NJ
<input type="checkbox"/>		IBM Corporation	27 Commerce Drive Cranford, nj
<input type="checkbox"/>		Howard Press	450 West First Ave Roselle,nj
<input type="checkbox"/>		Lucent Technologies	600 Mountain Ave Murray Hill,NJ
<input type="checkbox"/>		Merck & Co. Inc	1 Merck Drive PO Box 2000 (RY60-200E) Rahway, NJ
<input type="checkbox"/>		Rahway Hospital	865 Stone Street Rahway, NJ
<input type="checkbox"/>		Rotuba Extruders, Inc	1401 Park Ave South Linden
<input type="checkbox"/>		Union County College	1033 Springfield Ave Cranford,NJ

Warren County			
<input type="checkbox"/>		Masterfoods USA	800 High Street Hackettstown, NJ
<input type="checkbox"/>		Warren Hospital	185 Roseberry St Phillipsburg, NJ
<input type="checkbox"/>		Roche Vitamins	206 Roche Drive Belvidere, NJ
<input type="checkbox"/>		Hackettstown Hospital	651 Willow Grove St. Hackettstown, NJ
<input type="checkbox"/>		Pechiney	191 Route 31 North Washington, NJ
<input type="checkbox"/>		Lopatcong Care Center	390 Red School Lane Phillipsburg, NJ
<input type="checkbox"/>		Mallinckrodt/Baker, Inc	222 Red School Lane Phillipsburg, NJ

3f. Community Contacts (names of community groups/organizations throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing)			
NAME OF GROUP/ORGANIZATION	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE	DURATION & FREQUENCY OF OUTREACH
Supportive Housing Association of New Jersey	185 Valley St, South Orange NJ 07079	Underserved communities statewide	Once at the start of marketing & as needed.
Fair Share Housing Center	1 Ethel Lawrence Blvd, Mt Laurel Township NJ 08054	Underserved communities statewide	Once at the start of marketing & as needed.

NAACP Essex County Branch	454 Washington St, Newark NJ 07102	Black / African- American communities	One at the start of marketing & as needed.
Latino Action Network	2560 US Highway 22 Suite 322, Scotch Plains NJ 07076	Latino / Latinx communities	Once at the start of marketing & as needed.
Jewish Family Services	250 Mt Vernon Pl, Newark NJ 07106	Jewish communities	Once at the start of marketing & as needed.

IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:											
4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)											
	<table border="1"> <thead> <tr> <th>BUILDING</th> <th>LOCATION</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> Essex County/Hall of Records</td> <td>465 Dr. Martin Luther King, Jr. Blvd, Newark, NJ 07102 (973) 621-4400</td> </tr> <tr> <td><input type="checkbox"/> Morris County Library</td> <td>30 East Hanover Avenue, Whippany, NJ 07981</td> </tr> <tr> <td><input type="checkbox"/> Warren County Library Headquarters</td> <td>199 Hardwick Street, Belvidere, NJ 07823</td> </tr> <tr> <td><input type="checkbox"/> Union County/Administration Building</td> <td>Elizabethtown Plaza, Elizabeth, NJ 07207 (908)527-4100</td> </tr> </tbody> </table>	BUILDING	LOCATION	<input type="checkbox"/> Essex County/Hall of Records	465 Dr. Martin Luther King, Jr. Blvd, Newark, NJ 07102 (973) 621-4400	<input type="checkbox"/> Morris County Library	30 East Hanover Avenue, Whippany, NJ 07981	<input type="checkbox"/> Warren County Library Headquarters	199 Hardwick Street, Belvidere, NJ 07823	<input type="checkbox"/> Union County/Administration Building	Elizabethtown Plaza, Elizabeth, NJ 07207 (908)527-4100
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4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)											
Borough of Caldwell Administration Building 1 Provost Square Caldwell, NJ 07006											
Borough of Caldwell Free Public Library 268 Bloomfield Avenue Caldwell, NJ 07006											
4c. Sales/Rental Office for units (if applicable)											

V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the Borough's substantive certification.	
<hr/> Name (Type or Print)	
<hr/> Title/Municipality	
<hr/> Signature	<hr/> Date

**Appendix E: Resolutions Appointing the Municipal Housing Liaison and
Administrative Agent**



**BOROUGH OF CALDWELL
NEW JERSEY**

Resolution No: 5-184

Date of Adoption: May 6, 2025

TITLE:

**RESOLUTION TO APPOINT ANAKAREN MILLAN AS THE MUNICIPAL AFFORDABLE HOUSING
LIAISON FOR THE BOROUGH OF CALDWELL FOR THE YEAR 2025**

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., the Borough of Caldwell is required to appoint a Municipal Housing Liaison for the administration of Caldwell's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the Borough of Caldwell has established the Municipal Housing Liaison position under Ordinance 49-19 to provide for the appointment of a Municipal Housing Liaison to administer Caldwell's affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Caldwell in the County of Essex, and the State of New Jersey that Ms. Anakaren Millan is hereby appointed by the Governing Body of the Borough of Caldwell as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Sections 49-19 of the Borough's Code; and

BE IT FURTHER RESOLVED, that Ms. Millan, upon receipt of her Municipal Affordable Housing Liaison Certificate, shall be entitled to a \$12,000 annual stipend that is paid quarterly.

RECORD OF COUNCIL VOTE

Caralwman Rodeffer presented the following resolution - Seconded by: Caralwman Hunkele

COUNCIL MEMBER Yes No Absent Abstain COUNCIL MEMBER Yes No Absent Abstain

Daniolowicz	✓				Rodeffer	✓			
Brown	✓				Buechner			✓	
Jurgensen			✓		Hunkele	✓			

Brittany Hott
Brittany Hott, Borough Clerk

Garrett Jones
Garrett Jones, Mayor

This resolution, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.



BOROUGH OF CALDWELL NEW JERSEY

Resolution No: 1-36

Date of Adoption: January 7, 2025

TITLE:

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH HEYER, GRUEL & ASSOCIATES FOR PROFESSIONAL SERVICES AS ADMINISTRATIVE AGENT FOR ALL COAH PROJECTS FOR THE BOROUGH OF CALDWELL FOR THE 2025 CALENDAR YEAR

WHEREAS, the Local Public Contracts Law (N.J.S.A.11-1 et seq.) provides that contracts for professional services may be negotiated and awarded by the governing body without public advertising for bids; and

WHEREAS, the Borough of Caldwell (the "Borough") wishes to engage the services of Heyer, Gruel & Associates ("HGA") for the provision of professional services related as the Administrative Agent on behalf of the Borough in regards to all regulated affordable housing projects within the Borough; and

WHEREAS, those services include the responsibilities of an "Administrative Agent" as such are set forth in the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.) ("UHAC"), which include without limitation: Affirmative Marketing; Household Certification; Affordability Controls; Resale and Rental; Processing Requests of Unit Owners; and Enforcement (the "Services"); and

WHEREAS, the Borough Administrator has solicited a proposal from HGA for such Services and has negotiated with HGA terms and conditions that are appropriate to the needs of the Borough;

NOW, THEREFORE BE IT RESOLVED By The Mayor And Council Of The Borough Of Caldwell New Jersey That:

1. The proposal of HGA as set forth in the attached Exhibit A, which is attached to and made part of this resolution, is hereby accepted by the Borough as the basis of a contract for the provision of those services by HGA; and
2. The Borough Administrator is hereby authorized and directed to enter into a contract with HGA for the provision of the Services described in this resolution; and
3. The maximum amount authorized to be paid to HGA pursuant to such contract is twenty thousand dollars (\$20,000); and
4. The Borough Attorney is hereby authorized and directed to prepare an appropriate form of contract to allow HGA to perform the Services and receive the compensation set forth in the attached proposal; and
5. The award of this contract is subject to and conditioned upon the provision by the Chief Financial Officer of the Borough of a certification of the availability of funds sufficient to provide for payment of the contract; and
6. The Borough Clerk is hereby authorized and directed to cause such notices as are required by statute to be provided in the form as required by such statutes for the award of contracts of this

CERTIFICATION OF AVAILABLE FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq. and any other applicable requirement, I, Chris Battaglia, Chief Financial Officer of the Borough of Caldwell, have ascertained that there are available sufficient uncommitted funds in the line item specified below to award the contract specified in the above resolution, in the amount specified below. I further certify that I will encumber these funds upon the passage of this resolution.

Line Item	Description	Amount
	Chris Battaglia, Chief Financial Officer	Date

RECORD OF COUNCIL VOTE

Councilwoman Buechner presented the following resolution - Seconded by: Council President Daniolowicz

COUNCILMEMBER Yes No Absent Abstain COUNCILMEMBER Yes No Absent Abstain

Daniolowicz	✓				Rodeffer	✓			
Brown	✓				Buechner	✓			
Jurgensen	✓				Hunkele	✓			

Brittany Heun
Brittany Heun, Borough Clerk

Garrett Jones
Garrett Jones, Mayor

This resolution, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.