

**RESOLUTION 2026-60
TOWNSHIP COMMITTEE - TOWNSHIP OF GREEN**

**A RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF GREEN,
IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY RESOLUTION ADOPTING FOURTH
ROUND AFFORDABLE HOUSING SPENDING PLAN**

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2 which amended various provisions of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq. (“Amended FHA”); and

WHEREAS, the Amended FHA sets forth that the Fourth Round period of affordable housing obligations shall run from July 1, 2025, through June 30, 2035, (“Fourth Round” or “Round Four”); and

WHEREAS, A municipality may not spend or commit to spend any affordable housing development fees, without first obtaining the approval of the expenditure as part of its compliance certification or by the New Jersey Department of Community Affairs (DCA); and

WHEREAS, the Governing Body of the Township of Green, County of Sussex, State of New Jersey, adopted a development fee ordinance on July 21, 2005; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units, and/or any other funds collected for affordable housing purposes; and

WHEREAS, the Township has prepared a 2026 Affordable Housing Trust Fund Spending Plan, dated January 2026; and

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Green, Sussex County, New Jersey, that the Township of Green hereby adopts the 2026 Affordable Housing Trust Fund Spending Plan for the Township of Green, dated January 2026, prepared by J. Caldwell & Associates, LLC, which is attached hereto and incorporated herein.

This Resolution shall take effect immediately.

DATED: February 2, 2026

I, Mark Zschack, Township Clerk of the Township of Green, County of Sussex, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Township Committee at a meeting held on February 2, 2026.



Mark Zschack, RMC, Township Clerk

Record of Vote:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
DeYoung						√
Phillips	√		√			
Qarmout			√			
Rose		√	√			
Mayor Raffay			√			

**AFFORDABLE HOUSING TRUST
FUND SPENDING PLAN**

**TOWNSHIP OF GREEN
SUSSEX COUNTY, NEW JERSEY**

January 2026

Prepared by: Jessica C. Caldwell, P.P., A.I.C.P.
NJPP License #5944

SPENDING PLAN

INTRODUCTION

The Township of Green, Sussex County, has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the present and prospective affordable housing need in accordance with the Municipal Land Use Law (MLUL), the Fair Housing Act (FHA), the regulations of the Council on Affordable Housing (COAH) and recent decisions by the Courts.

A development fee ordinance creating a dedicated revenue source for affordable housing following state guidelines was adopted in 2001 via Ordinance 04-01 and updated in 2002, 2006 and 2015. The ordinance established a fee of 1.5% of equalized assessed value for new residential construction and a 2.5% for new commercial construction. The ordinance established the need for a Township of Green Affordable Housing Trust Fund. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by affordable housing fees are deposited in a separate-interest-bearing affordable housing trust fund account for the purposes of affordable housing. This Spending Plan supersedes the spending plan adopted as part of its Third Round Superior Court approvals.

The Township of Green has prepared this Spending Plan (2026) to guide the allocation of funds within the Township of Green Affordable Housing Trust Fund. As of December 31, 2024, the Township of Green has \$423,159.97 in its Affordable Housing Trust Fund. The funds shall be spent in accordance N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of Fourth Round substantive certification, the Township of Green considered the following:

- (a) Development fees:
 - 1. Nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
 - 2. All nonresidential projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
 - 3. Future development that is likely to occur based on historical rates of development.

- (b) Payments in Lieu (PIL): Payments in Lieu of development into the Township's Housing Trust are permitted in some circumstances under the Township's Code.

- (c) Other funding sources: The Township reserves the option to pursue various public funding options to support its municipal rehabilitation program.

- (d) Projected interest: Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate is 0.5% based on prevailing interest rates for savings accounts.

**Projected Revenue Schedule, 2025-2035
Township of Green Affordable Housing Trust Fund**

Source of Funds	Up to 12/31/2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
Development Fees	\$423,160												
1. Approved Residential and Nonresidential Development Projects	NA	\$2,500	\$2,500	\$2,500									\$7,500
2. Projected Residential Development Projects Only	NA	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$82,500
3. Projected Non-Residential Development Projects (New construction only)	NA	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$33,000
(b) Payments in lieu of Construction	NA												
(c) Other Funds (specify source)	NA												
Subtotal	\$423,160	\$10,500	\$10,500	\$10,500	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$123,000
(d) Interest	NA	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$11,000
Total Revenue from Development Fees	\$423,160	\$10,500	\$10,500	\$10,500	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$557,160

The Township of Green projects a total of **\$134,000** to be collected between January 1, 2025 and December 31, 2035 for residential and non-residential new construction. There is an existing balance of \$423,160, resulting in a total of \$557,160 for use on affordable housing. Projections are based on projected development as it relates to permits issued within the Township over the last five years and revenues generated by the fund over the last ten years.

ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

Green will follow the process for the collection and distribution of development fee revenues detailed below.

- (a) Collection of development fee revenues: Green will collect development fee revenues in a manner that is consistent with the Township’s development fee ordinance for both residential and nonresidential development and in accordance with applicable regulations.
- (b) Distribution of development fee revenues: Green will distribute funds with the oversight of the Township Committee. The Committee will work with the Township Administration and the Municipal Housing Liaison to manage the projects outlined in this spending plan.

DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

The Township of Green proposes to use the monies in its Affordable Housing Trust Fund for the following purposes:

- (a) **Rehabilitation Projects** (N.J.A.C. 5:97-6.2): the Township of Green will dedicate the following funds to Rehabilitation projects in order to meet its fair share affordable unit obligation:
Township Rehabilitation Program: The Township proposed a minimum of \$12,500 to rehabilitate a minimum of four (4) units for a total budget of \$50,000.

- (b) **Administrative Expenses** (N.J.A.C. 5:97-8.9) the Township of Green will dedicate no more than 20 percent of revenue from the affordable housing trust fund to be used for administrative purposes. **The current budget for administrative expenses is \$50,000, with any additional funds subject to the 20 percent cap are as follows:**
 - Administration of affordable housing programs;
 - Legal fees associated with affordable housing administration;
 - Planning fees for any necessary updates and/or revision to the Housing Element and Fair Share Plan; and
 - Other expenses associated with the development and implementation of the Housing and Fair Share Plan and the monitoring of current and future affordable housing programs within the Township of Green.

- (c) **Affordability Assistance** (N.J.A.C. 5:97-8.8) Green will dedicate **\$168,000** from the affordable housing trust fund to render units more affordable, including at \$51,000 to render units more affordable to households earning 30% or less of median income by region. This will include the rehabilitation program and providing assistance to existing low-income and very low-income homeowners and renters in Green Township.

- (d) **Supportive Living and Special Needs** (N.J.A.C. 5:97-6.10): Green will dedicate **\$100,000+** in funds to assist in the development and renovation of supportive and special needs homes as the budget permits.

- (e) **100% Affordable/Market to Affordable** (N.J.A.C. 5:97-6.7 & 6.10): Green will dedicate **\$100,000+** to its 100% affordable, market to affordable program to assist non-profit developers in pursuing 100% affordable projects in Green Township. Green will also review its existing municipally owned properties to determine if land can be donated to a non-profit housing developer for 100% affordable projects.

- (f) **Accessory Apartment Program** (N.J.A.C. 5:97-6.8): Green will dedicate \$10,000 per unit for its accessory apartment program for up to ten (10) units as funding permits. A total of **\$89,160+** is budgeted currently.

- (g) **Excess Funds:** Any excess funds will be dedicated to emergent projects such as municipally sponsored 100% affordable housing/ market to affordable program, accessory apartments and other permitted affordable housing programs.

SUMMARY

Green intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the affordable housing programs outlined in the Township’s Housing Element and Fair Share Plan dated June 12, 2025.

**Spending Plan Summary
Green Affordable Housing Trust Fund**

Trust fund balance as of 12/31/2024	\$423,160
Projected Revenue (2025-2035)	
Development fees	\$123,000
Payments in lieu of construction	
Other funds	
Interest	\$11,000
Total Revenue (Rounded)	\$134,000
Expenditures	
Rehabilitation Program	\$50,000
Supportive Living/Transitional Living	\$100,000
100% Affordable/Market to Affordable	\$100,000
Administration	\$50,000
Affordability Assistance	\$168,000
Accessory Apartments	\$89,160
Total Projected Expenditures	\$557,160

*FUNDED WITH ANY EXCESS FUNDS COLLECTED.