

**TOWNSHIP OF ROCKAWAY  
MORRIS COUNTY, NEW JERSEY**

**RESOLUTION #R-21-43**

**RESOLUTION ADOPTING AN AFFIRMATIVE MARKETING PLAN  
FOR THE TOWNSHIP OF ROCKAWAY**

**WHEREAS**, pursuant to the Preliminary Judgment of Compliance and Repose filed on October 5, 2020, Superior Court of New Jersey, Law Division, Morris County, Docket No. MRS-L-3271-07, and pursuant to the Settlement Agreement between the Township and Fair Share Housing Center, dated March 18, 2020, and the terms of the Township's Affordable Housing Ordinance, Ordinance No. O-20-25, adopted on November 24, 2020, the Township is required to adopt, by Resolution, an Affirmative Marketing Plan to ensure that all affordable housing units created within the Township are affirmatively marketed to very-low, low-, and moderate-income households, particularly those living and/or working within Housing Region 2, the Housing Region encompassing the Township of Rockaway.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Township of Rockaway, County of Morris, State of New Jersey as follows:

1. The governing body hereby adopts the Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 2 in the form annexed hereto and made a part hereof.
2. All affordable units in the Township of Rockaway shall be marketed in accordance with the provision of this Resolution and the attached form of Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 2 unless otherwise provided by law or regulation of the State of New Jersey.
3. The attached Affirmative Fair Housing Marketing Plan shall apply to all developments in the jurisdiction of the Township that contain or will contain very low-, low- and moderate-income units, including those that are part of the Township's

Fair Share Plan and those that may be constructed in future developments not yet anticipated by the Fair Share Plan.

4. All developers/owners of existing affordable housing units and their respective Administrative Agents shall amend their Affirmative Marketing Plan and comply with the regional marketing strategies set forth in this Resolution and the attached Affirmative Fair Housing Marketing Plan adopted by the Township.
5. The Affirmative Fair Housing Marketing Plan shall be implemented by a qualified Administrative Agent under contract to the developer/owner of the affordable housing units, whose designation is approved by a resolution of the governing body. All of the costs associated with the services of the Administrative Agent, advertising and affirmative marketing of the affordable housing units shall be borne by the developer/owner of the affordable housing units.
6. In implementing the Affirmative Fair Housing Marketing Plan, all Administrative Agents shall undertake, at a minimum, the following strategies:
  - a. Publication of one advertisement in a newspaper of general circulation throughout the entire Housing Region 2.
  - b. Broadcast of one advertisement by a radio station broadcasting throughout the entire Housing Region 2.
  - c. At least one additional regional marketing strategy using one of the other sources listed on the attached Affirmative Marketing Plan.
  - d. Provide notice of available housing units to the following groups/organizations: Fair Share Housing Center, the New Jersey State Conference of the NAACP, The Latino Action Network, the Morris County Chapter of the NAACP, Newark NAACP, East Orange NAACP, Housing Partnership for Morris County, Community Access

Unlimited, Inc., Northwest New Jersey Community Action Program, Inc., (NORWESCAP), Homeless Solutions of Morristown, the Supportive Housing Association, and the New Jersey Housing Resource Center.

- e. Comply with all requirements set forth in N.J.S.A. 52:27D-321.3 et seq. with regard to the affirmative marketing of affordable housing units.
7. 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. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in the region. It is a continuing program that directs all marketing activities towards the Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Township of Rockaway is located in Housing Region 2, consisting of Essex, Morris, Union and Warren Counties.
  8. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following minimum requirements:
    - a. All newspaper articles, announcements, advertisements and requests for applications for very low-, low-, and moderate-income units shall appear in the Star Ledger.
    - b. The primary marketing shall take the form of at least one press release and a paid advertisement in the above newspapers at the start of the affirmative marketing process. Additional advertising and publicity shall be on an "as needed" basis. All press releases and

advertisements shall be approved in advance by the Administrative Agent designated for the affordable housing units. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of publication to the Administrative Agent designated for the affordable housing units.

- c. All advertisements shall include at a minimum a description which includes:
  - i. The location of the units;
  - ii. Directions to the units;
  - iii. Range of prices for the units;
  - iv. Size of units as measured in number of bedrooms
  - v. Maximum income permitted to qualify for the units;
  - vi. Location of applications;
  - vii. Business hours when interested households may obtain an application; and
  - viii. Application fees, if any.
- d. 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 weekly newspapers within the region, one of which shall be circulated primarily within Morris County and the other two of which shall be circulated primarily outside of Morris County but within Housing Region 2.

- e. Applications, brochures, signs and/or posters used as part of the affirmative marketing program shall be available/posted in the following locations:
  - i. Rockaway Township Municipal Building;
  - ii. Rockaway Township Public Library
  - iii. Hibernia Library
  - iv. Morris County Library
  - v. Morris County Administration Building
  - vi. Developer's Sales/Rental Office
- f. Applications shall be mailed by the Administrative Agent designated for the affordable housing units to prospective applicants upon request. Applications shall also be available at the developer's sales/rental office and shall be mailed to prospective applicants upon request.
- g. The Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organization(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 the groups/organizations and major regional employers identified on the Rockaway Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 2, attached hereto and made a part of this Resolution.
- h. A random selection method to select occupants of very low-, low- and moderate-income housing units will be used by the respective Administrative Agent designated for the affordable housing units in conformance with N.J.A.C. 5:80-26.16. The Affirmative Marketing Plan

shall provide a regional preference for all households that live and/or work in Housing Region 2 comprised of Essex, Morris, Union, and Warren Counties.

- i. The respective Administrative Agent for affordable housing units shall administer the Affirmative Marketing Plan. The respective 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, if applicable, as per N.J.A.C. 5:80-26.1 et seq.
- j. The respective Administrative Agent for affordable housing units 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.
- k. All developers/owners of very low-, low- and moderate-income housing units in the Township 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 their contracted Administrative Agent.
- l. 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

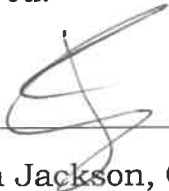
occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low-, low- and moderate-income housing units are initially occupied and for as long as affordable units exist that remain deed restricted and for which the occupancy or re-occupancy of units continues to be necessary.

- m. The respective Administrative Agent shall provide the Municipal Housing Liaison for the Township of Rockaway with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C. 5:80-26.1 et seq.
- n. A copy of this Resolution and the attached Rockaway Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 2 shall be provided to all designated Administrative Agents for existing affordable housing units in the Township and to all developers/owners of future affordable housing units.
- o. This Resolution shall take effect immediately.

**I hereby certify** the above to a true and accurate copy of a Resolution that was passed by the Township Council of the Township of Rockaway at a meeting that was duly held on February 23, 2021.

  
Christina Clipperton, Township Clerk

Approved:

  
Joseph Jackson, Council President