



RESOLUTION 20-255

Resolution Approving A Memorandum of Agreement for the Development of Affordable Housing on the Franklin Avenue Properties (Lots 2, 26 And 27 In Block 21.04 On The Tax Map of Princeton)

WHEREAS, on July 7, 2015, pursuant to the New Jersey Supreme Court's decision in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the NJ Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV"), Princeton filed a declaratory judgment action in the Superior Court of New Jersey, entitled In the Matter of the Application of the Municipality of Princeton in Mercer County, bearing Docket No. MER-L-1550-15, seeking a judgment of immunity and repose pursuant to the Fair Housing Act, N.J.S.A. 52:27D-301 *et seq.*, and a judicial declaration that Princeton's housing plan is presumptively valid because it presents a realistic opportunity for providing its fair share of the regional need for low- and moderate-income housing (the "DJ Action"); and

WHEREAS, Princeton and interested party, Fair Share Housing Center ("FSHC"), engaged in good faith negotiations and participated in mediation and were able to successfully reach and enter into a settlement agreement, dated December 18, 2019 (the "Settlement Agreement") that resolved the issues and claims brought by FSHC over Princeton's compliance with its third round affordable housing obligations, with said Settlement Agreement approved by the Court at a Fairness Hearing held on February 7, 2020; and

WHEREAS, as part of the Settlement Agreement, Princeton proposed the redevelopment of certain real property located on Franklin Avenue, designated as Lots 26 and 27 in Block 21.04 on the Princeton Tax Map, with eighty new affordable housing family rental units that would assist Princeton in fulfilling its Mount Laurel affordable housing obligation; and

WHEREAS, since entering into the Settlement Agreement, and in response to community comments regarding the proposed development set forth therein, Princeton has been in discussions with the Princeton Housing Authority ("PHA") and its operations and development consultant / partner, Community Investment Strategies, Inc. ("CIS"), to cooperatively develop Lots 2, 26 and 27 in Block 21.04 (the "Property") on the Princeton Tax Map, for affordable housing rental units; and

WHEREAS, PHA, CIS and Princeton seek to enter into a Memorandum of Agreement to provide for the development of the Property.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Princeton, on this 10th day of August, 2020, as follows:

1. The preamble to this resolution is hereby incorporated as if fully restated herein.

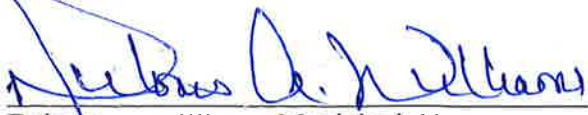
2. Princeton is hereby authorized to enter into a Memorandum of Agreement (“MOA”) with the Princeton Housing Authority and Community Investment Strategies, Inc., as set forth and authorized by this Resolution. The Mayor and Clerk are authorized and directed to sign the MOA on behalf of Princeton, a copy of which is on file in the Municipal Clerk’s Office, or such other substantially similar agreement, the terms and form of which shall have been reviewed and approved by the Municipal Attorney in consultation with the Mayor and Administrator.

3. The Princeton Mayor, Administrator, Clerk, Finance Officer, Attorney, and other appropriate officers, employees and professionals are hereby authorized and directed to prepare and execute any and all documents regarding the agreement authorized above and undertake any and all further acts necessary to accomplish the purposes hereof.

4. This resolution shall take effect immediately.

Councilperson	Absent	Present	1 st	2 nd	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X	X		X			
Ms. Fraga		X			X			
Ms. Niedergang		X			X			
Ms. Pirone Lambros		X		X	X			
Ms. Sacks		X			X			
Mr. Williamson		X			X			
Mayor Lempert		X						

I, Delores A. Williams, Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held on August 10, 2020.


 Delores A. Williams, Municipal Clerk

ATTACHMENTS:

- MOU - Franklin Maple Project (Draft 2020-08-07b Redline) - revised scheduleMD (DOCX)