

THE BOROUGH OF RIVERTON  
BURLINGTON COUNTY

ORDINANCE NO. 5-07

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AN ORDINANCE TO AMEND CHAPTER 128 TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING THE BOROUGH'S AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT

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*WHEREAS*, the Mayor and Council of the Borough of Riverton require an administrative mechanism for the execution of Riverton's responsibility to assist in the provision of affordable housing, pursuant to the Fair Housing Act of 1985; and

*WHEREAS*, the Planner of the Borough of Riverton has recommended that the position of Municipal Housing Liaison be created to administrate the affordable housing provisions pursuant to the Fair Housing Act.

*NOW THEREFORE*, be it ordained by the Mayor and Borough Council that Chapter 128 be amended as follows:

**ARTICLE XXIV - MUNICIPAL HOUSING LIAISON**

**§128-127 Purpose.**

The purpose of this article is to create the administrative mechanisms needed for the execution of Riverton's responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985.

**§128-128 Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**MUNICIPAL HOUSING LIAISON** - The employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for Riverton.

**ADMINISTRATIVE AGENT** - The entity or entities responsible for administering the affordability controls of some or all units in the affordable housing program for Riverton to ensure that the restricted units under administration are affirmatively marketed and sold or rented, as applicable, only to low - and moderate - income households.

**§128-129 Establishment of Municipal Housing Liaison position and compensation; powers and duties.**

- A. Establishment of position of Municipal Housing Liaison. There is hereby established the position of Municipal Housing Liaison for the Borough of Riverton.
- B. Subject to the approval of the Council on Affordable housing (COAH), the Municipal Housing Liaison shall be appointed by the Governing Body and may be a full or part time municipal employee.
- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Riverton, including the following responsibilities which may not be contracted out:
  - (1) Serving as Riverton's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents, and interested households;
  - (2) Monitoring the status of all restricted units in Riverton Fair Share Plan;
  - (3) Compiling, verifying, and submitting annual reports as required by COAH;
  - (4) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable;
  - (5) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;
  - (6) If applicable, serving as the Administrative Agent for some or all of the restricted units in Riverton as described in F. below.
- D. Subject to approval by COAH, Riverton may contract with or authorize a consultant, authority, government or any agency charged by the Governing Body, which entity shall have the responsibility of administering the affordable housing program of Riverton. If Riverton contracts with another entity or entities to administer all or any part of the affordable housing program, including the affordability controls and Affirmative Marketing Plan, the Municipal Housing Liaison shall supervise the contracting Administrative Agent(s).
- E. Compensation. Compensation shall be fixed by the Governing Body at the time of the appointment of the Municipal Housing Liaison.
- F. Administrative powers and duties assigned to the Municipal Housing Liaison.
  - (1) Affirmative Marketing
    - (a) Coordinate with the Administrative agent(s) to conduct an outreach process to insure affirmative marketing of affordable housing units in accordance with the Affirmative Marketing Plan of Riverton and the provisions of N.J.A.C. 5:80-26.15; and
    - (b) Providing counseling or contracting to provide counseling services

to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

- (2) Household Certification
  - (a) Soliciting, scheduling, conducting and following up on interviews with interested households and engage the services of the Administrative Agent(s) when appropriate for subsequent certification services; and
  - (b) Monitor a referral list created and maintained by the Borough's Administrative Agent(s) of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located.
- (3) Affordability Controls
  - (a) Monitor affordability control activities of the Borough's Administrative Agent(s).
- (4) Resale and rental
  - (a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental; and
  - (b) Instituting and maintaining an effective means of communicating information to low - and moderate - income households regarding the availability of restricted units for resale or re-rental.
- (5) Processing request from unit owners
  - (a) Coordinating requests from unit owners through the Borough's Administrative Agent(s).
- (6) Enforcement
  - (a) Securing annually lists of all affordable housing units for which tax bills are mailed to absentee owners and notifying all such owners that they must either move back to their unit or sell it;
  - (b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgment of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;

- (c) Monitoring enforcement activities of the Borough's Administrative Agent (s);
  - (d) Providing annual reports to COAH as required.
- (7) The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

**§128-130 Severability.**

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

**§128-131 Inconsistent Ordinances Repealed.**

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

**§128-132 Effective Date.**

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

**ATTEST:**

**BOROUGH OF RIVERTON**

By: \_\_\_\_\_  
 Mary Longbottom  
 Borough Clerk

By: \_\_\_\_\_  
 Robert Martin, Mayor

**CERTIFICATION OF CLERK**

I, Mary Longbottom, Municipal Clerk of the Borough of Riverton, County of Burlington and State of New Jersey, do hereby **CERTIFY** the foregoing to be a true and correct copy of an Ordinance introduced and passed by the Borough Council at a meeting of said Council held June 13, 2007 and said Ordinance was finally adopted at a regular meeting of the Borough Council held July 11, 2007 after a public hearing.

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Mary Longbottom, RMC  
Municipal Clerk

<b>RECORDED VOTE -</b>	<b><u>AYE</u></b>	<b><u>NAY</u></b>	<b><u>ABSTAIN</u></b>	<b><u>ABSENT</u></b>
DANIEL	_____	_____	_____	_____
BROWN	_____	_____	_____	_____
DR. SMYTH	_____	_____	_____	_____
MR. SMYTH	_____	_____	_____	_____
KINZLER	_____	_____	_____	_____
CESARETTI	_____	_____	_____	_____
MAYOR (TIE)	_____	_____	_____	_____