

**TOWNSHIP OF CRANFORD  
CRANFORD, NEW JERSEY**

**ORDINANCE NO. 2022-05**

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP  
OF CRANFORD DESIGNATING THE ASSISTANT ZONING  
OFFICER, AS THE MUNICIPAL HOUSING LIAISON**

**WHEREAS**, in December 2018, the Township of Cranford adopted a Housing Element and Fair Share Plan, including a Master Plan Housing Element and Fair Share Plan to address the Township's Third Round Affordable Housing Obligations; and

**WHEREAS**, in December 2018, the Township filed a declaratory judgment action, captioned *In re Application of Township of Cranford*, No. UNN-L-3976-18, seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan (hereinafter "Fair Share Plan"), satisfies its "fair share" of the regional need for low- and moderate-income housing pursuant to the Mount Laurel doctrine; and

**WHEREAS**, the Fair Share Housing Center ("FSHC") and the Township agreed to compromise certain positions regarding the Fair Share Plan such that each party agreed the Fair Share plan satisfies Cranford's "fair share" of the regional need for low- and moderate-income housing subject to certain amendments to the Fair Share Plan; and

**WHEREAS**, on November 12, 2019, the Township of Cranford ("Township") signed a settlement agreement with Fair Share Housing Center ("FSHC") which established the Township's fair share obligation and preliminarily approved the Township's compliance mechanisms in accordance with the March 10, 2015 decision of the Supreme Court, which transferred responsibility to review and approve housing elements and fair share plans from the Council on Affordable Housing ("COAH") to designated Mount Laurel trial judges within the Superior Court; and

**WHEREAS**, pursuant to Resolution 2019-383, the Township Committee of the Township of Cranford approved a settlement with Fair Share Housing Center on November 12, 2019, wherein Cranford and Fair Share Housing Center agreed on various substantive provisions, terms and conditions, of a revised Affordable Housing Plan that both parties agreed satisfied the Township's "fair share" of the regional need for low and moderate income housing pursuant to the Mount Laurel doctrine (the "FSHC Settlement"); and

**WHEREAS**, The Township of Cranford's Housing Element and Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.), applicable Council on Affordable Housing ("COAH") regulations and Uniform Housing Affordability Controls ("UHAC") regulations; and

**WHEREAS**, in accordance with applicable Committee on Affordable Housing ("COAH") regulations and the New Jersey Uniform Housing Affordability Controls ("UHAC") N.J.A.C. 5:80-26, et seq., the Township of Cranford is required to adopt by resolution an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by

**EXPLANATION – Matter struck through ~~this~~ in the above ordinance is not enacted and is intended to be omitted in the law. Matter underlined this is a new matter.**

rehabilitation 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 Cranford; and

**WHEREAS**, the Township of Cranford's Municipal Code provides for the establishment of a Municipal Housing Liaison to administer the Township's affordable housing program and enforce the requirements of applicable COAH and UHAC regulations; and

**WHEREAS**, the Township of Cranford seeks to amend its Municipal Code, Chapter 6, Article XL, Section 169 to designate the Assistant Zoning Officer to assume the functions, duties, and responsibilities of the Municipal Housing Liaison for the Township.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Cranford, in the County of Union, and the State of New Jersey that the Township Code be amended as follows:

**SECTION 1.** Chapter 6, Article XXXIX, is hereby amended as follows:

**§ 6-165. Functions, duties, and responsibilities.**

The Zoning Officer shall have the following functions, duties and responsibilities:

- A. Review and determine the completeness of all land development applications.
- B. Review and approve all construction permit applications as they relate to zoning.
- C. Act as an advisor to the Planning Board and Zoning Board of Adjustment.
- D. Make recommendations for enactment or revisions of ordinances pertaining to land development.
- E. Prepare the annual report of the Zoning Board of Adjustment.
- F. Attend meetings of the Planning Board and Board of Adjustment.
- G. Maintain records of all land development applications and approvals.
- H. Perform such other functions, duties and responsibilities as are provided elsewhere in this Code and particularly in Chapter 255, Land Development.
- I. Perform such other additional functions, duties and responsibilities as may be assigned by the Township Committee.
- J. Perform the role of Municipal Housing Liaison when the position of Assistant Zoning Officer is vacant.

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**SECTION 2.** Chapter 6, Article XL is amended as follows:

**§ 6-169. Functions, duties, and responsibilities.**

The Assistant Zoning Officer shall:

- A. Assist the Zoning Officer in the performance of the Zoning Officer's functions, duties and responsibilities.
- B. Exercise the functions, duties and responsibilities of the Zoning Officer when so delegated by the Zoning Officer in the Zoning Officer's absence.
- C. Exercise the functions, duties and responsibilities of the Municipal Housing Liaison (MHL), as set forth in § 255-83, and as supplemented by court order, ordinance, rule or regulation.
- D. Perform such other additional functions, duties and responsibilities as may be assigned by the Township Committee.

**SECTION 3.** Chapter 255 Land Development, Article VIII Affordable Housing Regulations is amended as follows:

**§ 255-83. Municipal Housing Liaison.**

- A. The ~~role position~~ of Municipal Housing Liaison (MHL) for the Township of Cranford is established by this section, which role shall be filled by the Assistant Zoning Office and, in the absence of an Assistant Zoning Officer, the Zoning Officer. The Township shall make the actual appointment of the MHL by means of a resolution.
  - (1) The MHL must be either a full-time or part-time employee of Cranford.
  - (2) The person appointed as the MHL must be reported to the Superior Court and thereafter posted on the Township's website.
  - (3) The MHL must meet all the requirements for qualifications, including initial and periodic training, if such training is made available by COAH or the DCA.
  - (4) The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the Township of Cranford, including the following responsibilities which may not be contracted out to the Administrative Agent, or the Administrative Agent appointed by a specific developer:
    - (a) Serving as the municipality's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and

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interested households;

- (b) The implementation of the Affirmative Marketing Plan and affordability controls;
- (c) When applicable, supervising any contracting Administrative Agent;
- (d) Monitoring the status of all restricted units in the Township's Fair Share Plan;
- (e) Compiling, verifying and submitting annual reports as required;
- (f) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable; and
- (g) Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by the Affordable Housing Professionals of New Jersey (AHPNJ), if such continuing education opportunities are made available by COAH or the DCA.

B. Subject to the approval of the Superior Court, the Township of Cranford shall designate one or more Administrative Agent(s) to administer and to affirmatively market the affordable units constructed in the Township in accordance with UHAC and this section.

**SECTION 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 5.** Upon final passage and publication according to law, this ordinance shall become effective immediately.

Introduced: February 8, 2022

Adopted: March 8, 2022

APPROVED:

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Kathleen Miller Prunty  
Chairperson, Township Committee

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ATTEST:

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Patricia Donahue, RMC  
Municipal Clerk

Recorded Vote	Introduced	Adopted
Kathleen Miller Prunty	Aye	Aye
Brian Andrews	Aye	Aye
Jason Gareis	Aye	Aye
Gina Black	Aye	Aye
Mary O'Connor	Aye	Aye

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