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**TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY**

**RESOLUTION #18-176**

**A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE: A) AN AGREEMENT FOR WASTEWATER TREATMENT CAPACITY FOR THE PROVISION OF AFFORDABLE HOUSING WITH THE RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AND B) AN ASSIGNMENT AND ASSUMPTION AGREEMENT FOR WASTEWATER TREATMENT CAPACITY FOR THE PROVISION OF AFFORDABLE HOUSING WITH RARITAN TOWN SQUARE, LLC**

**WHEREAS**, the Township of Raritan (“Township”) has an obligation to meet certain affordable housing requirements as set forth in the Fair Housing Act, N.J.S.A. 52:27D-301, and by the New Jersey Supreme Court pursuant to Southern Burlington County N.A.A.C.P. v. Twp. of Mount Laurel, 67 N.J. 151 (1975) (“Mount Laurel I”) and its progeny; and

**WHEREAS**, the Township has filed a declaratory judgement action pursuant to the New Jersey Supreme Court’s decision in IMO the Adoption of N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015); and

**WHEREAS**, the Township is attempting to settle this matter on favorable terms, the result of which will be that affordable units will be developed within the sewer service area and will need to be served by the Raritan Township Municipal Utilities Authority (“RTMUA”); and

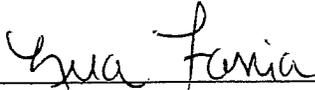
**WHEREAS**, in order to obtain such necessary wastewater treatment capacity, the Township must enter into an Agreement for Wastewater Treatment Capacity for the Provision of Affordable Housing with the RTMUA; and

**WHEREAS**, to ensure that said capacity is used for affordable housing purposes, the Township must also enter into an Assignment and Assumption Agreement for Wastewater Treatment Capacity for the Provision of Affordable Housing with Raritan Town Square, LLC, a developer of affordable housing in the Township.

**NOW, THEREFORE BE IT RESOLVED**, on this 21<sup>st</sup> day of August, 2018, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that:

1. The Mayor and Township Clerk are authorized to execute the Agreement for Wastewater Treatment Capacity for the Provision of Affordable Housing with the RTMUA, attached hereto as Exhibit “A.”
2. The Mayor and Township Clerk are authorized to execute the Assignment and Assumption Agreement for Wastewater Treatment Capacity for the Provision of Affordable Housing attached hereto as Exhibit “B.”

ATTEST:



Lisa Fania, RMC  
Township Clerk

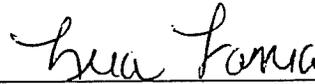
TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN



Michael Mangin  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by vote by the Township Committee of the Township of Raritan at a meeting held on August 21, 2018.



Lisa Fania, RMC  
Township Clerk