

RESOLUTION NO. 2023-____
OF THE GOVERNING BODY OF
THE BOROUGH OF BLOOMINGDALE

RESOLUTION OF THE BOROUGH OF BLOOMINGDALE, COUNTY OF
PASSAIC AND STATE OF NEW JERSEY ADOPTING AN “AFFIRMATIVE
MARKETING PLAN” FOR THE BOROUGH OF BLOOMINGDALE

WHEREAS, in accordance with applicable Council on Affordable Housing (“COAH”) regulations, the New Jersey Uniform Housing Affordability Controls (“UHAC”)(N.J.A.C. 5:80-26., et seq.), the Borough of Bloomingdale’s Affirmative Marketing Plan shall ensure that all affordable housing units created are affirmatively marketed to low and moderate income households, particularly those living and/or working within Housing Region 1, the COAH Housing Region encompassing the Borough of Bloomingdale.

NOW, THEREFORE, BE IT RESOLVED, that Borough Council of the Borough of Bloomingdale, County of Passaic, State of New Jersey, does hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

- A. 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 that region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Borough of Bloomingdale is located in COAH Housing Region 1, consisting of Bergen, Hudson, Passaic, and Sussex Counties.
- B. The Borough of Bloomingdale has a plan to address both its Prior Round Obligation (1987-1999) and its Third Round Obligation (1999-2025). This Affirmative Marketing Plan shall apply to all developments that contain or will contain very low, low and moderate income units, including those that are part of the Borough’s Housing Element and Fair Share Plan, and those that may be constructed in future developments not yet anticipated by the Housing Element and Fair Share Plan.
- C. The Affirmative Marketing Plan shall be implemented by the Administrative Agent under contract to the Borough of Bloomingdale, or the Administrative Agent of any specific developer approved by the Borough.
- D. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of affordable unit(s), and all such advertising and affirmative marketing shall be subject to approval and oversight by the designated Borough Administrative Agent.
- E. 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 the affordable units remain deed restricted such that qualifying new tenants and/or purchasers continues to be necessary.

F. The Affirmative Marketing Plan is a continuing program that shall be followed throughout the entire period of affordability restrictions. In implementing the Affirmative Marketing Plan, the Administrative Agent, whether acting on behalf of the Borough of Bloomingdale or on behalf of a specific developer, shall meet the following requirements and shall undertake, at the minimum, all of the following strategies:

1. The primary marketing shall take the form of at least one press release and a paid display advertisement in the below newspapers the first week of the marketing program and each month thereafter until all units are leased or sold. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of all publications to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.
2. The advertisement shall, at a minimum, include a description of the:
 - a. Location of the units;
 - b. Directions to the units;
 - c. Range of prices for the units;
 - d. Size, as measured in bedrooms, of units;
 - e. Maximum income permitted to qualify for the units;
 - f. Location of applications;
 - g. Business hours when interested households may obtain an application;
 - h. Application fees.
3. All newspaper articles, announcements, and requests for applications for very low, low- and moderate-income units shall appear in the Herald News and Star Ledger.
4. Publication of the advertisement or application on the New Jersey Housing Resource Center's website (www.njhrc.gov).
5. One or more of the following regional cable television stations or regional radio stations shall be used. The developer must provide satisfactory proof of public dissemination on at least one of the station that covers entire region. Example stations are listed below:

<ol style="list-style-type: none">a. 2WCBS-TV Cbs Broadcasting Inc.b. 4 WNBC NBC Telemundo License Co. (General Electric)c. 5 WNYW Fox Television Stations, Inc. (News Corp)d. 7WABC-TV American Broadcasting Companies, Inc (Walt Disney)	<ol style="list-style-type: none">e. 11 WPIX Wpix, Inc. (Tribune)f. 13 Wpix, Inc. (Tribune) Educational Broadcasting Corporationg. 25 WNYE-TV New York City Dept. Of Info Technology & Telecommunicationsh. 31 WPXN-TV Paxson Communications
---	---

- | | | | |
|----|--|-----|---|
| | License Company,
Llc | o. | 68 WFUT-TV
Univision New York
Llc |
| i. | 41 WXTV
Wxtv License
Partnership, G.p.
(Univision
Communications Inc.) | p. | WFAN 660 |
| j. | 47 WNJU
NBC Telemundo
License Co. (General
Electric) | q. | WOR 710 |
| k. | 50 WNJN
New Jersey Public
Broadcasting
Authority | r. | WABC 770 |
| l. | 62 WRNN-TV
Wrnn License
Company, Llc | s. | WFNY-FM 92.3 |
| m. | 63 WMBC-TV
Mountain
Broadcasting
Corporation | t. | WPAT-FM 93.1 |
| n. | 66 WFME-TV
Family Stations Of
New Jersey, Inc. | u. | WNYC-FM 93.9 |
| | | v. | WFME 94.7 |
| | | w. | WPLJ 95.5 |
| | | x. | WQXR-FM 96.3 |
| | | y. | WQHT 97.1 |
| | | z. | WAWZ 99.1 |
| | | aa. | WHTZ 100.3 |
| | | bb. | WCBS-FM 101.1 |
| | | cc. | WQCD 101.9 |
| | | dd. | WNEW 102.7 |
| | | ee. | WKTU 103.5 |
| | | ff. | WAXQ 104.3 |
| | | gg. | WWPR-FM 105.1 |
| | | hh. | WLTW 106.7 |

6. Applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program shall provide for posting in the following locations:
 - a. Bloomingdale Municipal Building
 - b. Bloomingdale Borough Web Site
 - c. Bloomingdale Library
 - d. Developer's Sales/Rental Offices
 - e. Passaic County Administration Building
 - f. Bergen County Administration Building
 - g. Hudson County Administration Building
 - h. Sussex County Administration Building
 - i. Passaic County Library (all branches)
 - j. Bergen County Library (all branches)
 - k. Hudson County Library (all branches).
 - l. Sussex County Library (all branches)
7. The Borough's Administrative Agent, or the Administrative Agent of a specific developer, shall 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.

- G. Applications shall be mailed by the Borough's Administrative Agent and Municipal Housing Liaison, or by the Administrative Agent of any specific developer, to prospective applicants upon request. Also, applications shall be available at the developer's sales/rental office and application forms shall be mailed to Fair Share Housing Center (510 Park Boulevard, Cherry Hill, NJ 08002); the New Jersey State Conference of the NAACP, the Latino Action Network, , Patterson NAACP, Supportive Housing Association, Fair Housing Council of Norther New Jersey, and the Affordable Housing Professionals of New Jersey.

- H. The Borough's Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in Bergen, Hudson, Passaic, and Sussex 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 major regional employers.
- I. Quarterly informational circulars and applications shall be sent to the chief personnel administrators of not less than 10 major employers within the region, including not less than two from each County. Example major employers include the following:
1. Passaic County
 - a. BAE Systems
 - b. Xerox
 - c. St. Joseph's Hospital
 - d. William Paterson
 - e. Ashland Specialty Ingredients
 - f. CWA Local 1080
 - g. Bayer Health Care Pharmaceuticals
 - h. Giant Tire Service
 2. Sussex County
 - a. Selective Insurance Group, Inc.
 - b. Newton Medical Center
 - c. Thor Labs
 - d. Mountain Creek Resort
 - e. Raider Express
 - f. Ames Rubber Corp.
 - g. ShopRite
 3. Bergen County
 - a. Hackensack University Medical Center
 - b. Valley Health System
 - c. Bio-Reference Laboratories
 - d. Quest Diagnostics
 - e. KPMG LLP
 - f. Englewood Hospital and Medical Center
 - g. Englewood Hospital Home Health Care Services
 - h. Unilver Best Foods
 - i. Stryker
 4. Hudson County
 - a. United Postal Service
 - b. UBS Financial Services
 - c. John Wiley & Sons Inc.
 - d. Goldman Sachs & Co. Inc.
 - e. Hanover Direct
 - f. The Children's Place
 - g. Bayonne Hospital
 - h. New Jersey City University
 - i. JP Morgan Chase Bank
 - j. Hoboken University Medical Center
- L. A random selection method to select occupants of very low, low- and moderate-income housing will be used by the Borough's Administrative Agent, or the Administrative Agent of any specific developer, in conformance with N.J.A.C. 5:80-26.16 (I). This Affirmative Marketing Plan provides a regional preference for very low, low and moderate income households that live and/or work in COAH Housing Region 1, which is comprised of Bergen, Hudson, Passaic, and Sussex Counties. Pursuant to the New Jersey Fair Housing Act (C.52:27D-311), a preference for very low, low and moderate income veterans duly qualified under N.J.A.C. 54:4-8.10 may also be exercised, provided an

agreement to this effect has been executed between the developer or landlord and the Borough prior to the affirmative marketing of the units.

- M. The Borough's Administrative Agent, or the Administrative Agent of any specific developer, shall administer the Affirmative Marketing Plan. The 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 as per N.J.A.C. 5:80-26-1, et seq.
- N. The Borough's Administrative Agent, or the Administrative Agent of any specific developer, 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.
- O. All developers/owners of very low, low and moderate income housing units 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 the Borough's Administrative Agent.
- P. The Borough's Administrative Agent shall provide the Affordable Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C. 5:80-26-1, et seq.

BE IT FURTHER RESOLVED that the appropriate Borough officials and professionals are authorized to take all actions required to implement the terms of this Resolution.

This Resolution shall take effect immediately.

Theresa Sauer
Deputy Municipal Clerk, Borough of Bloomingdale