

Affordable Housing Board Meeting  
Lawrence Township, Municipal building

January 19, 2012

The following are the minutes of the Affordable Housing Board meeting, which was held on Thursday, January 19, 2012 in the Community Development Conference Room, located in the Lawrence Township Municipal Building.

**Statement of Proper Notice**

Adequate notice of the regular meeting of the Lawrence Township Affordable Housing Board has been provided by filing an annual meeting schedule with the Municipal Clerk, and by filing the agenda with the Municipal Clerk, posting prominently in the Municipal Building, and mailing to the Trenton Times, the Trentonian and the Lawrence Ledger.

Present: Kevin Van Hise, Chairperson; Peter Ferrone, John Masso, Susan McCloskey, Jean Washington

Absent: None

Excused Absence: William John Capell, James Kownacki, Council Liaison, Susan Snook

Also Present: J. Andrew Link, Principal Planner,

Minutes were approved before elections of Officers.

**Approval of Minutes:**

The December 15, 2011 minutes were approved as submitted by unanimous vote.

**Public Comment:**

None

**Election of Officers:**

Mr. Link opened up the floor for nominations for Chairperson.

Susan McCloskey nominated Kevin VanHise as chairperson, seconded by Jean Washington. No other nominations, Kevin VanHise was unanimously elected Chairperson.

Chairperson VanHise opened the floor for nominations for Vice-Chairperson:

Susan McCloskey nominated John Masso. Mr. Masso was unanimously elected Vice Chairperson.

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**Discuss Change of Board to Five Members:**

Mr. Link stated that the Board currently consists of seven (7) members with two (2) alternates and everyone knows with the exception of Peter that we have been having trouble making quorums. In a way to address that, the idea came up that we could ask Council to change the ordinance with regard to the makeup of the Board from seven (7) members to five (5) members and then the quorum would be three (3) members. So it would be easier for the Board to achieve quorum.

Mr. Link stated that is the thought and he asked the Board how they felt about that, if there is an interest in approaching that and letting Council know that the Board would like to change the membership to five (5) members instead of seven (7).

Chairperson VanHise stated about changing the membership to five (5) members because the biggest issues the Board was having a quorum and a lot of the time we could not make that. Chairperson VanHise stated part of it is the last several years, the Affordable Housing rules are on challenge currently in court and there has not be a lot for the Board to do. So one of the things we were thinking about was asking Council to reduce our membership to five members, and we could still have other citizens if they want to serve, we can have alternates, but having the membership reduced to five and having only three members we could have a quorum to still have a meeting.

So if we want to proceed, we need to make a motion and then recommendation to Council considering reducing our membership to five members. Chairperson VanHise suggested reducing the membership by the number of seats that are vacant; however, the ordinance did state there were certain seats reserved for designated Affordable Housing resident. So this would be one of the things Council could look at. Jean Washington made a motion to ask Council to reduce the membership to five (5) and was seconded by Susan McCloskey. It was a unanimous vote to move forward to ask Council. Mr. Ferrone asked in the past year, how many times did we fail to reach the quorum? There were several months when the Board did not have meetings.

**Allocation of Trust Funds:**

Mr. Link and Chairperson VanHise had a meeting with Richard Krawczun, Municipal Manager; Township Attorney and the Township Planner's office and the Affordable Housing Consultant. One of the things that is facing the Municipalities state wide in 2008 the legislature adopted a statute. It basically made changes to how the Township's collect Affordable Housing development fees; so when a builder comes in and wants to build a new project, the Township has an ordinance and it must satisfy an affordable housing obligation or payment and those monies get deposited in the Township's Affordable Housing Trust Fund.

The Township had four (4) years to commit to expend those funds or they will go to the State. That law was passed in July of 2008 and now it will be 4 years in July. Three months ago, the Department of Community Affairs, which is the new Council on Affordable Housing, started recognizing that there is millions and millions of dollars sitting in the State's Affordable Housing Trust fund in municipalities around the State.

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Lawrence Township has a million and one-half in a trust fund. The Department of Community Affairs, starting in July of 2012, can take the money. So one of the things that Lawrence is facing, we have money in the trust fund and those monies are at risk. So how do we expend this?

The third round rules and their obligations are under challenge. So no one knows what the third round obligation is and now we are being told to spend the money to build units for some obligation. Maybe we should buy a site or maybe buy some units or a group home. That is one of the reasons the money is sitting there is not because the people just have not been doing anything, the most efficient way to use these monies is unknown because we don't know what our obligation is.

This was a Statute that was adopted that would trump COAH's administrative rules all the time, so we are forced to do it. The Township is starting to look at options that are available and would like this Board's input on what we can do. There is a million and one-half in the trust fund. Lawrence Township is in a very good position, we actually have an approved spending plan and COAH stopped approving the spending plans when everything went up to DCA (we were the first to get approved under the new rules to get our certification). How do we do it most efficiently and the fastest way possible? Some of the things we are looking at new Affordable Housing opportunities are there developments that would fit into along the Alt. Route 1 Corridor stretch.

Looking at extending expiring controls; there are a lot of 1 and 2 bedroom units; there are deed restrictions; 20 year or 30 year restrictions and are subject to the affordability controls and keeping them low and moderate units. If a unit was built in the late 80's or early 90's, their restrictions are coming up. Is there an opportunity for the Township to use some of those monies to help project owners extend those controls by rental assistance, if they have a renter that is failing behind; help with security deposit.

So the meeting of today is they would like the Board's input on some of these opportunities, if you like them, don't like them; what do you see as positives, the negatives on those types of things, are there any other opportunities that Mr. Link can take back to the administration to start exploring.

The Statute states a municipality must commit to expend those funds and nobody has defined what the commitments are, is it merely that you have a spending plan and has it been approved by a governmental agency that its sole task is the administration of affordable housing. If you put a plan, they say yes, this is perfect and indication that this is not going to be enough. If we come to an agreement with a developer, for instance, COAH is probably going to want to see some paperwork. How much money, what are the payment terms, what are the repayment terms, is the developer going to go along with it, those kinds of things. This of course all takes time so you want to have all this in place. Mr. Ferrone asked how much time?

Mr. Link stated regarding Stewart's Crossing that the controls are in perpetuity. Mr. Masso asked could the money be used to upgrade units bring them up to better or higher standards? Chairperson VanHise stated rehabilitation could, the Township used to have a rehabilitation program and that has not been active for at least for 3 years. If the Board thinks it is a good idea, it might be something we could ask the Township to look into because it would allow the Township to expend funds, upgrade units and help out the complex and the residents of those units.

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Mr. Masso stated that they are about to start remodeling of the units. Mr. Link asked what does he mean by upgrade? Mr. Masso stated they are replacing counter tops, refacing cabinetry, all appliances. Ms. Washington asked if that is an upgrade or a rehab? Mr. Masso stated that it is more like a rehab, he is taking the same countertop, but a different look. It is the same cabinetry, just a different look. Ms. Washington asked about the appliances? Mr. Masso stated the same appliances but they are black versus white. Mr. Masso stated it is all the same stuff, not taking it from laminate counter top to granite. It is replaced and a different look, it is all white to all black.

Ms. Washington asked how one would upgrade? Mr. Masso stated if this was an upgrade, we would take those cabinets and put up new cabinets, instead of painting them. We are putting in blinds that are wood faux.

Ms. McCloskey stated does that qualify? Mr. Masso stated that a lot of his COAH units have original tenants because the rent is so cheap that they just stayed; so a lot of those tenants have a lot of the older appliances, so bringing in energy efficient appliances would make them more energy efficient.

Chairperson VanHise asked if they are doing an HVAC upgrade? Mr. Masso stated there is no need for that. Mr. Link asked Mr. Masso if the units have washers and dryers in the units? Mr. Masso stated yes and they are provided. Mr. Ferrone asked if the heaters are originals? Mr. Masso stated they replace them as they go and they are probably not the originals.

Mr. Masso stated that windows could be replaced. Chairperson VanHise stated it might be a good thing to mention there is an opportunity and pass this along to the Mr. Krawczun and let them take a look at it. We would have to check the rules and see what it permits.

Ms. McCloskey asked if Chairperson VanHise had an opinion if this would be the way to go or a good way to go? Chairperson VanHise stated it is tough for him. The Township has a plan and the plan stated has an obligation for COAH's rules. Townships do not have the right to tell people what to do with their property, unless they are authorized. The first zoning law came into place because Mt. Laurel zoned for minimum lot sizes because the developments we have are they had were generating school children and using municipal resources. If a municipality does have zoning ordinances, all citizens must be treated equally, you cannot zone out classes of people. Chairperson VanHise talked about the rules and regulations.

Ms. Washington asked if there are group homes and there are quite a few of them. There was a brief discussion about homeless people and if our Affordable Housing program can help. Our Affordable Housing does not address very low income households. There are places such as Homefront and they have various places they can send to them to. Chairperson VanHise said that shelters for the homeless, battered woman shelters and these types of places qualify as housing opportunities. COAH's rules do not allow for this type of housing.

Since the State is closing institutions down because lack of money, they would like to have the municipalities start using the money from the Affordable Housing Trust Fund to help places like ARC and the Township's will get credits (a credit for each bedroom as opposed to one credit).

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Ms. McCloskey brought up short sales and the clerk's office has a list of all the houses that are under foreclosures. Mr. Link already keeps an eye on the affordable ones. There was a brief discussion on foreclosures, how it works and sometimes not a great idea to purchase. So if a person who purchased their home 15 years ago and loses their job, and goes into foreclosure, they lose their house and the Township loses an affordable unit.

Mr. Link asked about bankruptcies and using the Affordable Housing Trust Fund and purchasing units and to keep them in our program. There are a couple of spots in the Township that they are looking to build affordable housing such as Craft Cleaners site and the corner of Brunswick Pike (Alternate Route 1) and Whitehead Road. There was also a brief discussion on the Pit Stop site.

Mr. Ferrone stated there are going to be changes but we can't tell you what they are going to be. Chairperson VanHise gave a brief discussion on how do we meet our obligation.

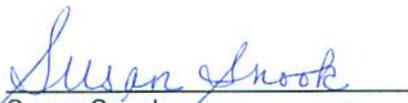
**Welcome New Members:**

Mr. Link introduced new member Peter Ferrone. Mr. Ferrone stated he has been the President of the Eagles Chase Homeowners Association for the past 1 ½ yrs. He stated he was the Treasurer of the Board where he lived before for seven years before moving to Eagles Chase. He has been working for Hearst Corporation as Chief Information Officer for the past 26 years. The Board members introduced themselves to Mr. Ferrone.

**Other Business:**

Mr. Link stated that Council has changed their meeting time, as well as the Planning Board; so it was asked if there was interest in changing to an earlier meeting time. The Board agreed to change their meeting time to 6:30 p.m.

The meeting was adjourned at 9:00 p.m. The next meeting will be held on February 16, 2011 at 6:30 p.m.

  
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Susan Snook  
Secretary

SJS

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