

Affordable Housing Board Meeting
Thursday, January 22, 2015

The following are the minutes of the Affordable Housing Board meeting, which was held on Thursday, January 22, 2015 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.

Opening of Meeting/Roll Call:

Present: Peter Ferrone, Susan McCloskey, Kevin VanHise, Jean Washington

Absent: Murali Mallampati

Excused Absence: John Masso, James Kownacki, Council Liaison

Also Present: J. Andrew Link, Principal Planner and Susan Snook, Secretary

Election of Officers:

Mr. Link opened up the floor for nominations for Chairperson and Vice-Chairperson:

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

Susan McCloskey nominated John Masso and seconded by Peter Ferrone. Mr. Masso was unanimously elected Vice Chairperson.

Approval of Minutes:

The October 23, 2014 minutes were approved as submitted by unanimous vote.

Public Comment:

None

Housing Rehabilitation Program Update:

Mr. Link stated there are two units entering rehab and there a couple that have finished up. Advertising will be done for four more units. Chairperson VanHise asked how much money is set aside for this project. Mr. Link stated we took trust fund money out of the trust fund and put it into a grant fund. The initial amount was \$350,000.00; then \$50,000.00 was added and more recently another \$200,000.00 was added.

Township Actions (53 Joyner Court and 12 Mendrey Court):

Mr. Link stated that 53 Joyner Court is a unit that the Township purchased because of a foreclosure. The rehabilitation work is being completed and it will be sold to a income qualified applicant.

12 Mendrey Court is a unit where the owner is not living in it and is being rented. The homeowners were going to sell and now the owner wants to move back in. Mr. Link will be checking this evening.

Chairperson VanHise asked about the homeowners who needed a hardship and wanted to know the status. Mr. Link stated there was one person who was interested; however, he spoke with the son and everything was a go. Mr. Link called the son and he never returned the call.

Status of Changes at State Level:

Chairperson VanHise stated in October COAH did not adopt the rules. Fair Share Housing Center filed a motion with the Supreme Court to try to get something jump started. The Supreme Court heard arguments on January 6th, which went on for three hours. Mr. Walsh of Fair Share Housing Center requested the Court declare the COAH process unworkable.

Chairperson VanHise summarized all the remarks and arguments from the attorneys, builders and League of Municipality. One of the biggest things they are struggling with is the 300+ COAH towns and if they declare the COAH process is unworkable, the 300+ Towns will now be in the Courts.

The Judge asked COAH what they did and they did come up with rules and were published and were ordered to vote on them. However, the vote came to a tie. Since the last time, they have not met and nothing is scheduled.

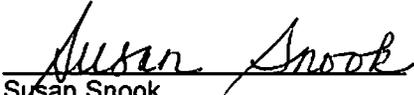
Judge stated to deny the motion, so what is proposed to happen and confirmed that nothing is scheduled and just should be denied. No one knows what the Supreme Court is going to do.

Mr. Link asked isn't part of the problem that COAH is dysfunctional because they do not have enough members on the Board. Chairperson VanHise stated the Board is twelve or fourteen members. A full COAH board is an even number; that the system is set up because you have special interests (represents different groups) which means they could tie.

Other Business:

None

The meeting was adjourned at 7:00 p.m. The next meeting will be held on February 26, 2015 p.m.



Susan Snook
Secretary

**Affordable Housing Board Meeting
Thursday, February 26, 2015**

The following are the minutes of the Affordable Housing Board meeting, which was held on Thursday, February 26, 2015 in the Community Development Conference Room, located in the Lawrence Township Municipal Building.

Statement of Proper Notice

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Opening of Meeting/Roll Call:

Present: Peter Ferrone, Susan McCloskey, Kevin VanHise, Murali Mallapati
Absent: James Kownacki, Council Liaison
Excused Absence: John Masso, Jean Washington, J. Andrew Link, Principal Planner
Also Present: Susan Snook, Secretary, Jessica Ann Clifford, Proxy for John Masso

Approval of Minutes:

The January 22, 2015 minutes were approved as submitted by unanimous vote.

Public Comment:

None

Housing Rehabilitation Program Update:

It was reported by Susan Snook, that 15 rehabilitation projects were completed. Bids were opened on February 12, 2015 for four (4) more projects and will be awarded at a future Council meeting.

Township Actions (53 Joyner Court and 12 Mendrey Court):

53 Joyner Court: The asking price is \$116,000.00; however, one (1) offer was received for \$106,000.00 and it is under consideration.

12 Mendrey Court: Owners claim to be moving back in; however, the unit appears to be vacant.

Status of Changes at State Level:

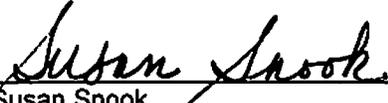
Chairperson VanHise stated there is absolutely nothing new and no changes have been made.

Other Business:

None

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The meeting was adjourned at 6:34 p.m. The next meeting will be held on March 26, 2015 at 6:30 p.m.


Susan Snook
Secretary

SJS

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Affordable Housing Board Meeting
Thursday, March 26, 2015

The following are the minutes of the Affordable Housing Board meeting, which was held on Thursday, March 26, 2015 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.

Opening of Meeting/Roll Call:

Present: Peter Ferrone, Susan McCloskey, Kevin VanHise, Jean Washington, Murali Mallapati, Jessica Ann Clifford

Absent: James Kownacki, Council Liaison

Excused Absence: John Masso, Susan Snook, Secretary

Also Present: J. Andrew Link, Principal Planner

Approval of Minutes:

The February 26, 2015 minutes were approved as submitted by unanimous vote.

Public Comment:

None

Housing Rehabilitation Program Update:

Mr. Link stated there are three (3) active rehabs that Council adopted resolutions to award contracts. A total of 15 have been done in the past 2 years and this, along with the three new rehabs, will be it until the Township has a better understanding of what our COAH obligations may be. The rehab program is on hold.

Township Actions (53 Joyner Court and 12 Mendrey Court):

53 Joyner Court: Mr. Link stated it is a for sale unit that the Township purchased in a foreclosure situation and it is under contract for \$110,000.00 which is a 2-bedroom moderate.

12 Mendrey Court: Mr. Link stated this unit was being illegally rented and the owner was going to sell it when we approached her and it has been awhile since we communicated with her; but spoke with her daughter and she stated her mom was going to move back it; but it still has been vacant for several months now. Mr. Link makes periodic stops to see if they moved in; however, it is still vacant.

Mr. Link stated there is another unit we purchased in Liberty Green, 217 Fountayne Lane, and was purchased at a sheriff's sale. When we get the deed from the sheriff's office it will be processed for rehab and will be put up for sale to a qualified household. The sheriff's sale was February 25, 2015.

Status of Changes at State Level:

Chairperson VanHise stated that on March 10, 2015 the Supreme Court dropped a bomb on everybody and they called COAH a non-functioning agency and invited them to participate, but you can't have a process without a process. So the entire affordable housing process has been stopped by COAH's inactions.

The Court has opened up all of the trial courts and created three classes which basically states they are not COAH and not taking over COAH's functions, we are an alternative process for those Towns who were in COAH. Basically nobody can do anything for 90-days because there is going to be a transition period; then there is a 30-day period should a Town elect to seek the protection of the court akin to what COAH was providing. Towns will have the ability to file for a judgement action.

There are three (3) classes of Towns (Lawrence is in the best class). The Court stated they know they have to be reviewing these plans; people will challenge these plans because the numbers may change and the plans may change. Most other Towns are in the second category where the Court calls it participating towns, there are two types, file plans, do ordinances but COAH never got around to actually granting sub-cert or kicking you out. The new Towns filed the judgement action and get a lot of assistance, but not a free pass. You need to show everything that was done and demonstrate how you are going to meet your obligation. If additional time is needed, you will get an additional five month period.

The other Towns sent a resolution to COAH that basically stated we will take part in your process but actually never did anything and did not have to do anything else because of the Court issues. Those Towns will be getting the least amount of protection because they will have a bigger burden to demonstrate that they have been doing things. If a Town is going to file, it needs to file. The other thing is to wait to get sued on a builders remedy, so if you have an airtight plan and are built out there is no sense spending the fees.

Once you file your action you have to notice everybody on the service list and builders, advocate groups can challenge your plan but the Court will not entertain any builders remedy actions. The builder can come in and say your plan is deficient but they do not get part two and part two of that is he has a piece of land I can satisfy that obligation. The court will not entertain that second set until after there is a declaration of municipality cannot meet its constitutional obligation.

The reality and difficulty is that no one knows what the obligation is because the Supreme did not specify a methodology in which Towns can ascertain what their obligation is. When a Town comes in on these actions, you need to show what the regional need is and how you are meeting your fair share of that regional need. The local obligation is dependent upon what the regional need is and the regional need is dependent upon on how many units are needed State wide and how that gets portioned out in the housing regions. This caused the tail spin because under the draft rules that were never adopted, the State wide need was about 80,000 units.

At that 80,000 need, COAH's rules had built in there that is a 25 year need and is going to have a 10 year build out period, so you can defer some of the obligation going forward. Fair Share Housing Center which has been the leading advocate group going in front of the Court, Mr. Kinsey's number is 200,728 for the State wide need which indicated the need is and that number is crippling to municipalities, the economy, if you have 10 years to build out 100,000 units and State wide built 50,000 in the last 30 years.

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Towns are in the position where they will have to go in with an expert and say we have calculated that the statewide need is and the regional need is therefore our share will be this and here is our plan to meet that need. However, it might be challenged that any need less than 200,000 is wrong and the judges will have 300 law suits and all the challenges.

The courts are trying to figure out a solution. The Courts Special Masters, which are the experts of the field, like Clarke Caton & Hintz met with Fair Share Housing Group, the municipal Attorneys and the builder's attorneys to see if they can figure out a way thru this mess. But the reality is the Supreme Court has not been able to figure it out, COAH was unable to figure it out in the last ten years, DCA was unable to figure it out for the last ten years, and not sure what they will be able to figure out. The Towns will be spending a lot of money. In 2008 when Lawrence went into COAH, the growth share obligation was 537 units and needed a plan to do 500 units, we had credits, we had all our activities and under COAH's rules that were never adopted that number increased to 645 and under Mr. Kinsey's number that is 954.

If Fair Share Housing decides to challenge the Township's plan, the Town should file a DJ action. Fair Share will come in and say you built the plan to 584 and that number should be doubled. There are 310 towns that have COAH units. A number is not required to file a dj action, it is just to get you into court and Chairperson VanHise gave an example using Hopewell Township and explained the procedures of what should be done.

Mr. Link was not aware that the second round rules were invalidated. Chairperson VanHise stated the second version of the third round rules were invalidated and explained how the first round rules were issued by COAH as well as round two by COAH using the same basic set of rules. The third round went to the growth share methodology and units will be owed as the Town grows, but was invalidated by the Court. The Supreme Court told COAH to make new rules and proposed the round three C rules and it was deadlocked.

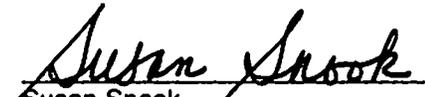
Mr. Link asked what he is doing to recommend to the Towns that he works with or in a similar situation with Lawrence. Chairperson VanHise stated he has no Towns that are in the position of Lawrence and explained what he is going to get from his Towns that he represents.

Other Business:

None

The meeting was adjourned at 7:50 p.m.

Digital audio file of this meeting is available upon request.


Susan Snook
Secretary

SJS

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Affordable Housing Board Meeting
Thursday, April 23, 2015

The following are the minutes of the Affordable Housing Board meeting, which was held on Thursday, April 23, 2015 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.

I. Opening of Meeting/Roll Call:

Present: Peter Ferrone, Susan McCloskey, Kevin VanHise, Jean Washington, Murali Mallapati, Jessica Ann Clifford

Absent: James Kownacki, Council Liaison

Excused Absence: John Masso

Also Present: J. Andrew Link, Principal Planner; Susan Snook, Secretary

II. Approval of Minutes:

The March 26, 2015 minutes were approved as submitted by unanimous vote.

III. Public Comment:

None

IV. Housing Rehabilitation Program Update:

Mr. Link stated that the rehab program is on hold.

V. Township Actions (53 Joyner Court and 12 Mendrey Court):

Mr. Link stated that 53 Joyner Court is for sale unit; 12 Mendrey Court is still vacant and 217 Fountayne Lane was purchased in February; however, we are still waiting for the deeds from the Mercer County Clerk's Office.

VI. Status of Changes at State Level:

Chairperson VanHise stated the revised number for Lawrence increased from 954 to 1,000 units to be built.

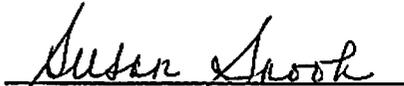
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Other Business:

None

The meeting was adjourned at 6:37 p.m.

Digital audio file of this meeting is available upon request.



Susan Snook
Secretary

SJS

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Affordable Housing Board Meeting
Thursday, May 28, 2015

The following are the minutes of the Affordable Housing Board meeting, which was held on Thursday, May 28, 2015 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.

I. Opening of Meeting/Roll Call:

Present: Peter Ferrone, Susan McCloskey, Kevin VanHise, Jean Washington, Murali Mallapati, Jessica Ann Clifford

Absent: James Kownacki, Council Liaison

Excused Absence: John Masso

Also Present: J. Andrew Link, Principal Planner; Susan Snook, Secretary

II. Approval of Minutes:

The April 23, 2015 minutes were approved as submitted by unanimous vote.

III. Public Comment:

None

IV. Housing Rehabilitation Program Update:

Mr. Link stated that everything is in limbo because of COAH and the courts; more specifically where we will be getting credits and we do not want to spend our resources on doing rehab if we are not going to get credits for what we do. So the program will be on hold. The rehabs that have been started will continue but there will be no new rehabs.

V. Township Actions (53 Joyner Court and 12 Mendrey Court):

Mr. Link stated:

53 Joyner Court is Township owned and someone is interested in purchasing it; there is a hold up with her mortgage company; the mortgage company is the hold up because the investors balk at the restrictions, being an affordable housing unit; has restrictions on resale and other things and they backed out; so looking for another investor.

217 Fountayne Lane is another unit the Township owns. It will be fixed up, including a contract for administration of rehab of units and will include this home under the rehab program. Electric and gas on; someone will come in to remove all the debris left in the unit. The deed is the Township name and the Township is responsible for the Homeowner Association fees. The amount will be given at a later date and it will be sold to an eligible income family.

12 Mendrey Court stated it is still vacant and Mr. Link checks it often.

Mr. Ferrone asked Mr. Link about the Sheriff's sale for 301 Talon Court and it has not been scheduled yet.

VI. Status of Changes at State Level:

Chairperson VanHise stated the biggest change that has occurred is that COAH's expert who has formulated all of the obligations for the municipalities was finally released to actually do calculations of the obligations for all of the municipalities and the letters went out and asking if their Towns are interested in using Dr. Bershell for a calculation on their affordable housing needs.

There have been no changes and the green light for filing is June 8th, which starts the 30-day period. Chairperson VanHise was discussing Dr. Bershell if the Township hires him about not using the same formula that he used for the State. Mr. Link wanted to know once a number was given to that Township was it subject to challenge. Chairperson VanHise stated from the Fair Share and the Builder's Association.

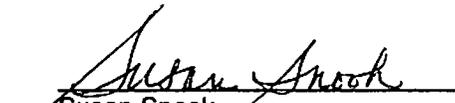
Mr. Mallampati asked a question about Dr. Bershell not being able to use the same numbers as he used for the State. Chairperson VanHise stated he could come up with different numbers, which could be the same numbers, but the work he did for COAH was done under a litigation privilege according to the agreement that came out of the Supreme Court challenges, so that work is attorney client privilege and/or privilege to the agency that hired him. Mr. Mallampati asked if it is a conflict and Chairperson VanHise stated there is no conflict because COAH did not exist.

Other Business:

None

The meeting was adjourned at 6:42 p.m.

Digital audio file of this meeting is available upon request.


Susan Snook
Secretary

SJS

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Affordable Housing Board Meeting
Thursday, June 25, 2015

The following are the minutes of the Affordable Housing Board meeting, which was held on Thursday, June 25, 2015 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.

1. Opening of Meeting/Roll Call:

Present: Peter Ferrone, Susan McCloskey, Jean Washington, Murali Mallapati

Absent: James Kownacki, Council Liaison; Jessica Ann Clifford

Excused Absence: Kevin VanHise

Also Present: J. Andrew Link, Principal Planner; Susan Snook, Secretary

2. Approval of Minutes:

The May 28, 2015 minutes were approved as submitted by unanimous vote.

3. Public Comment:

None

4. Election of Vice Chairperson:

Susan McCloskey nominated Peter Ferrone as Vice Chairperson and seconded by Jean Washington. The vote was unanimous.

5. Housing Rehabilitation Program Update:

Mr. Link stated that we are still finishing the units we have and there are no new units; however, we will be doing the rehabilitation of 217 Fountayne Lane sometime in the future. In addition, we have about \$80,000 left in one of the Affordable Housing Trust Grant accounts that is earmarked for rehabilitation and Mr. Krawczun authorized us to go ahead and spend it.

We were holding back because of the uncertainty of what the COAH obligation might be and what our obligation for housing rehabilitation might be. This money should account for three rehabilitation projects.

Vice Chairperson Ferrone asked how much is put aside for rehabilitations. Mr. Link stated it started up again in 2012 and \$350,000 was put in the Affordable Housing Trust fund into that Grant Fund for that purpose and then \$50,000 and then \$200,000 was put into the grant fund. All of the money was spent except for \$80,000.00.

Mr. Mallampati asked that the money is to be used for the units that are not in a livable condition. Mr. Link stated it is to be used for correcting health and safety violations and you have to be income eligible in order to apply.

6. Township Actions:

Mr. Link stated:

53 Joyner Court is one that we own and we had an interested buyer but was unable to get a mortgage so she dropped out. Letters were sent out again to the people on our referral list and one person took a look at it and will hopefully get a good offer.

12 Mendrey Court is a unit that was being illegally rented and has been vacant for a while and reminded our Attorney that we need to move forward with taking some action. Mr. Link was asked to find the address of the owner is currently living.

217 Fountayne Lane is a part of the rehabilitation program and we own. The Township had it cleaned out and the utilities turned on and in the process of having the construction work items written up and then will go out to bid. Once complete it will be offered to an eligible household.

Mr. Mallampati asked who writes them up. Mr. Link stated we have a consultant that manages the rehabilitation program and have people who deal with specifications and defining the work items and then put out to bid.

Vice Chairperson Ferrone asked what classification are they and have we been through the entire low list. Mr. Link stated 53 Joyner Court is a moderate unit; 217 Fountayne Lane is a low unit and 12 Mendrey Court is a low unit. 53 Joyner Court has been rehabilitated and has gone through the moderate list without any responses and tried the low list and the response was a person from that list who was interested. There are a few extra names on the moderate list and sent letters out to everyone on the moderate list with one response.

Vice Chairperson Ferrone asked how many applications come in a month. Mr. Link stated 3 to 4 a week.

7. Status of Changes at State Level:

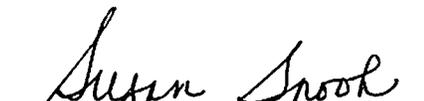
Mr. Link stated he has not heard any new news; however, we are proceeding with the filing of the Declaratory Judgement in a couple of weeks and this will give us temporary immunity from law suits. Then we have to prepare a new plan.

8. Other Business:

Mr. Link proposed to the Board members since we had a quorum to consider cancelling the August meeting. Murali Mallampati made the motion to cancel the August meeting and Susan McCloskey seconded the motion. The vote was unanimous.

The meeting was adjourned at 6:49 p.m.

Digital audio file of this meeting is available upon request.


Susan Snook, Secretary