### MONROE TOWNSHIP AFFORDABLE HOUSING BOARD MEETING

### **MINUTES**

## WEDNESDAY, JULY 8, 2020 @ 7:00PM

The Township of Monroe Affordable Housing Board met virtually via Zoom at the following link https://us02web.zoom.us/j/86715262680.

The meeting was called to order at 7:00 p.m. by Chairwoman, Miriam Cohen with a Salute to the Flag.

Chairwoman Miriam Cohen requested the Board Attorney to read the following SUNSHINE LAW:

In accordance with the Open Public Meeting Act, it is hereby announced and shall be entered into the Minutes of this meeting that adequate notice of this meeting has been provided by the following:

- 1. Posted on the Bulletin Board of the Office of the Township Clerk;
- 2. Posted on the Bulletin Boards within the Municipal Complex;
- 3. Printed in the Home News Tribune & Cranbury Press on July 4, 2020; and
- 4. Posted on the Monroe Township website

**UPON ROLL CALL** by the Board Secretary Alicia Gonzalez, the following members of the Board were present via Zoom: Vice-Chairman Randy Beverly, Board Member Richard Lans, Board Member Hemant Patel, Board Member Kenneth Hilyard and Alternate I Board Member Andrea Pellezzi

**ALSO PRESENT:** Board Attorney Jerome J. Convery, Board Planner Mark Remsa, and Board Engineer Mark Rasimowicz.

ABSENT: None

Chairwoman Miriam Cohen confirmed that there is a five (5) minute standing rule that applies for the public portion of the meeting.

(5) Members of the Public were in attendance via Zoom.

Approval of Minutes: MTAHB Meeting – January 15, 2020

**UPON MOTION** made by Vice-Chairman Randy Beverly and seconded by Board Member Hemant Patel, the **MINUTES** of the January 15, 2020 Monroe Township Affordable Housing Board Meeting were approved.

ROLL CALL:	Chairwoman, Miriam Cohen	Aye
	Vice-Chairman, Randy Beverly	Aye
	Board Member, Kenneth Hilyard	Aye
	Board Member, Richard Lans	Aye
	Board Member, Hemant Patel	Aye
	Board Member, Andrea Pellezzi	Aye

Board Attorney's Report, Jerome J. Convery, Esq.:

• RESOLUTION - AUTHORIZING ADDITIONAL FUNDS FOR PLANNING CONSULTANT IN REGARD TO THE REQUEST FOR QUALIFICATIONS (RFQ) FOR VETERANS HOUSING. (Not to Exceed \$5,000)

**UPON MOTION** made by Vice-Chairman Randy Beverly and seconded by Board Member Kenneth Hilyard, the Resolution authorizing the additional funds for Planning Consultant in regard to the Request for Qualifications (RFQ) for Veterans Housing (Not to Exceed \$5,000) was approved.

ROLL CALL:	Chairwoman, Miriam Cohen	Aye
	Vice-Chairman, Randy Beverly	Aye
	Board Member, Kenneth Hilyard	Aye
	Board Member, Richard Lans	Aye
	Board Member, Hemant Patel	Aye
	Board Member, Andrea Pellezzi	Aye

• RESOLUTION – APPOINTMENT OF SPECIAL MASTER IN REGARD TO THE MATTER KNOWN AS EL AT MONROE VS. THE TOWNSHIP OF MONROE - (Kyle McManus Associates, LLC - Not to Exceed \$3,000)

Board Member Richard Lans questioned what the Special Master does and why they were needed. Board Attorney Jerome Convery explained the Special Master oversees all aspects of Mt. Laurel obligation and gets involved with litigation or if there is a change in the plan after Planning Board approval. Board Planner Mark Remsa stated the particular property involved JSM on Mounts Mills Road Section 1 where the developer was building units but not the required Affordable Housing units to which the Construction Department pulled their permits and told them to stop building.

**UPON MOTION** made by Vice-Chairman Randy Beverly and seconded by Board Member Andrea Pellezzi, the Resolution authorizing the Appointment of Special Master in regard to the matter known as El at Monroe vs. The Township of Monroe (Kyle McManus Associates, LLC – Not to Exceed \$3,000) was approved.

Chairwoman, Miriam Cohen	Aye
Vice-Chairman, Randy Beverly	Aye
Board Member, Kenneth Hilyard	Aye
Board Member, Richard Lans	Aye
Board Member, Hemant Patel	Aye
Board Member, Andrea Pellezzi	Aye
	Vice-Chairman, Randy Beverly Board Member, Kenneth Hilyard Board Member, Richard Lans Board Member, Hemant Patel

Board Attorney Jerome Convery stated the following Resolution would allow an Affordable Housing Unit to be sold to a non-income qualified buyer. The unit would stay as an Affordable Housing unit with the same lien and deed restrictions. Board Member Kenneth Hilyard asked what would happen when the new buyer goes to sell. Board Attorney stated the unit will remain an Affordable Housing unit and the new buyer would have to sell to income-qualified buyer. Board Member Hemant Patel questioned if the new buyer would have to sign the same Affordable Housing documents to which the Board Attorney stated the new buyer would have to sign the same documents that pertain to Affordable Housing.

# • RESOLUTION – RECOMMENDING A WAIVER TO SELL MODERATE INCOME UNIT TO NON-INCOME QUALIFIED HOUSEHOLD (1082 Morning Glory Drive)

**UPON MOTION** made by Vice-Chairman Randy Beverly and seconded by Board Member Hemant Patel, the Resolution authorizing the waiver to sell Moderate Income unit to a non-income qualified household (1082 Morning Glory Drive) was approved.

ROLL CALL:	Chairwoman, Miriam Cohen	Aye
	Vice-Chairman, Randy Beverly	Aye
	Board Member, Kenneth Hilyard	Aye
	Board Member, Richard Lans	Aye
	Board Member, Hemant Patel	Aye
	Board Member, Andrea Pellezzi	Aye

## Board Planner's Report, Mark Remsa, PP:

Board Planner Mark Remsa discussed the Midpoint Monitoring Report that was required by the Third-Round settlement and would be compiled again for 2025. The Midpoint Monitoring Report was submitted to the Superior Court on June 30, 2020.

## Board Engineer's Report, Mark Rasimowicz, Centerstate Engineering:

Board Engineer Mark Rasimowicz stated the following Resolution Change Order was for a reduction of \$3,564.39.

# • RESOLUTION - AUTHORIZING PAYMENT #1, CHANGE ORDER #1 FINAL TO CONTRACT MT-343-19

**UPON MOTION** made by Board Member Hemant Patel and seconded by Board Member Richard Lans, the Resolution Authorizing Payment #1, Change Order #1 and Final Payment to Contract MT-343-19 was approved.

ROLL CALL:	Chairwoman, Miriam Cohen	Aye
	Vice-Chairman, Randy Beverly	Aye
	Board Member, Kenneth Hilyard	Aye
	Board Member, Richard Lans	Aye
	Board Member, Hemant Patel	Aye
	Board Member, Andrea Pellezzi	Aye

Board Engineer Mark Rasimowicz stated the following Resolution Change Order was for a reduction of \$5,587.00.

• RESOLUTION - AUTHORIZING PAYMENT #2, CHANGE ORDER #1 FINAL TO CONTRACT MT-344-19

**UPON MOTION** made by Vice-Chairman Randy Beverly and seconded by Board Member Hemant Patel, the Resolution Authorizing Payment #2, Change Order #1 and Final Payment to Contract MT-344-19 was approved.

ROLL CALL:	Chairwoman, Miriam Cohen	Aye
	Vice-Chairman, Randy Beverly	Aye
	Board Member, Kenneth Hilyard	Aye
	Board Member, Richard Lans	Aye
	Board Member, Hemant Patel	Aye
	Board Member, Andrea Pellezzi	Aye

Board Engineer Mark Rasimowicz stated the following Resolution Change Order was for a reduction of \$5,587.00.

## • RESOLUTION - AUTHORIZING PAYMENT #2, CHANGE ORDER #1 FINAL TO CONTRACT MT-345-19

**UPON MOTION** made by Board Member Hemant Patel and seconded by Board Member Kenneth Hilyard, the Resolution Authorizing Payment #2, Change Order #1 and Final Payment to Contract MT-345-19 was approved.

ROLL CALL:	Chairwoman, Miriam Cohen	Aye
	Vice-Chairman, Randy Beverly	Aye
	Board Member, Kenneth Hilyard	Aye
	Board Member, Richard Lans	Aye
	Board Member, Hemant Patel	Aye
	Board Member, Andrea Pellezzi	Aye

## RESOLUTION – AUTHORIZING AWARD OF REHABILITATION CONTRACT FOR MT-346-20

Board Member Kenneth Hilyard expressed concern about Bogue Custom Builders, LLC being awarded two previous Rehabilitation contracts in January and wanted to make sure the contractor was able to finish both within the sixty-day timeframe. Board Engineer Mark Rasimowicz stated that both previous Rehabilitation projects awarded to Bogue Custom Builders, LLC were completed.

**UPON MOTION** made by Board Member Kenneth Hilyard and seconded by Board Member Hemant Patel the Resolution Authorizing Award of Rehabilitation Contract to Bogue Custom Builders, LLC for MT-346-20 was approved.

ROLL CALL:	Chairwoman, Miriam Cohen	Aye
	Vice-Chairman, Randy Beverly	Aye
	Board Member, Kenneth Hilyard	Aye
	Board Member, Richard Lans	Aye
	Board Member, Hemant Patel	Aye
	Board Member, Andrea Pellezzi	Aye

Board Engineer Mark Rasimowicz had stated there was lower bidder for Rehabilitation Contract MT-348-20 that backed out prior to the award of contract because of a larger project that would not allow them to finish the Rehabilitation Contract within the contracted sixty days. Bogue Custom Builders LLC was the second lowest bidder by \$1,600.00. Board Member Richard Lans questioned why it is difficult to get contractors to bid on these Rehabilitation Contracts. Board Engineer Mark Rasimowicz stated they have solicited contractors from other areas and have tried to make the process more appealing which is how they were able to get KJ Sessa from Clifton, NJ bid on some projects but that all Affordable Housing Rehabilitation programs are having the same difficulty getting more contractors to bid.

## RESOLUTION – AUTHORIZING AWARD OF REHABILITATION CONTRACT FOR MT-348-20

**UPON MOTION** made by Board Member Kenneth Hilyard and seconded by Board Member Andrea Pellezzi the Resolution Authorizing Award of Rehabilitation Contract to Bogue Custom Builders, LLC for MT-348-20 was approved.

ROLL CALL:	Chairwoman, Miriam Cohen	Aye
	Vice-Chairman, Randy Beverly	Aye
	Board Member, Kenneth Hilyard	Aye
	Board Member, Richard Lans	Aye
	Board Member, Hemant Patel	Aye
	Board Member, Andrea Pellezzi	Aye

### **New Business:**

• No New Business

#### **Old Business:**

No Old Business

### **Public Comment:**

• (5) members of the Public were present via Zoom.

Michelle Arminio – 9 Nathaniel Street -- Regarding Resolution recommending a waiver to sell moderate income unit to non-income qualified household – How does buyer qualify; Will the buyer pay market rate and how has the seller been marking the home?

Board Attorney Jerome Convery and Board Planner Mark Remsa stated the Affordable Housing controls will remain in place. This will only open up the market to non-income qualified buyers but will stay an affordable housing unit with the same selling limitations. The home will still be sold at an affordable housing rate not market rate and the current seller has had the home on the market since July 22, 2019 with two price reductions since listing the home. The seller has been unable to sell within that timeframe and needs to move for occupational reasons which is why Piazza & Associates has recommended the waiver to sell to a non-income qualified buyer. The seller has the home listed with Weichert Realty, New Jersey Housing Resource Center and Piazza & Associates website.

Sue Reiser – 19 Jurgelsky Road – When are people entered into the lottery for purchasing Affordable Housing units; Regarding the Resolution recommending waiver to sell moderate income unit to non-income qualified household – would the next purchaser have to be income qualified; What is the update on homes/units being built; and expressed frustration as she feels Monroe Township residents should be at the top of the Affordable Housing list rather than three counties (Middlesex, Hunterdon, Somerset).

Board Planner Mark Remsa stated the lottery system only pertains to affordable housing rentals and that when purchasing an affordable housing unit there is a separate application process. Regarding the Resolution recommending waiver to sell a moderate income unit to a non-income qualified household the next purchase would need to be income qualified, as the unit still is and will remain, an affordable housing unit. Mr. Remsa provided an update of affordable housing homes as follows: 26 For-Sale units Built and 78 Rental units Built. Mr. Remsa explained the rate at which these units are built is directly in the control of the Developer that is driven by the market and how quickly they can build them. The only control the Township has over affordable housing development is the obligation to zone for affordable housing and the Veteran's Housing Project. Currently, the Veteran's Housing Project has entered into an Agreement and construction should begin by the end of 2020 and is for Veteran's and Veteran's family members.

**UPON MOTION** made by Vice-Chairman Randy Beverly and seconded by Board Member Richard Lans the meeting was adjourned at 7:52 p.m.

ROLL CALL:	Chairwoman, Miriam Cohen	Aye
	Vice-Chairman, Randy Beverly	Aye
	Board Member, Kenneth Hilyard	Aye
	Board Member, Richard Lans	Aye
	Board Member, Hemant Patel	Aye
	Board Member, Andrea Pellezzi	Aye

Alicia Gonzalez

**Affordable Housing Board Secretary** 

**NEXT MEETING: WEDNESDAY, OCTOBER 14, 2020**