

Affordable Housing Board Meeting  
Thursday, May 16, 2013

The following are the minutes of the Affordable Housing Board meeting, which was held on Thursday, May 16, 2013 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 (6:31 p.m.):**

Present: Peter Ferrone, John Masso, Susan McCloskey, Kevin VanHise, Walker Ristau, Jean Washington

Absent: William Capell

Excused Absence: None

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

**II. Approval of Minutes:**

The April 18, 2013 minutes were approved as submitted by unanimous vote.

**III. General Public Comment:**

None

**IV. Hardship Waiver Procedure Discussion:**

Mr. VanHise stated he has been busy with the changes that have been going on with COAH and will be working on the procedures.

**V. Status of Changes at State Level:**

Chairperson VanHise stated there has been some development at the State level. On April 26, 2013 at 4:08 pm, he received an e-mail from COAH there will be a gathering next Wednesday and having a meeting. The house was packed at the meeting and COAH could not understand why. There was a debate if there was even a quorum. The COAH board consists of 12 members and in the Statute it sets forth which consist of 4 municipal members, 4 public interest advocacy (head of DCA, head of NJ Mortgage Financing Agency, Represent of a Non-profit Housing Corporation, representative of the building association) and now only has six (6) seated members. Only 5 members were participating four by telephone and one by a call-in). The Statutes are silent on COAH quorums but the by-laws say it is a majority of the seated members and vacancies should not prevent COAH from acting. They went into an executive session and re-organized and adopted new income limits and the letter that went out last July about seizing the COAH monies, it was ratified from what they done eight months ago.

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A new letter will be sent out to get the new information and start the process to seize State wide affordable housing trust funds. A lot of debates on what constitutes a commitment. In 2008 when the fair housing act was changed, they basically said that towns had four years to spend funds or commit to spend funds. Any contract can be changed, modified or broken so we are not counting it as a binding agreement, it is not a contract. COAH is going to take a very hard line that if you did not spend it you were going to lose it. The Township's were receiving e-mail letters about the letter sent in July, we received approval to send that letter out today, so we ratified that letter and we want you to update it and here is a form resolution that the Mayor has to sign and send a check and the deadline is May 22, 2013 to file a submission.

The problem with COAH's blanket real hard line is if you do not have a contract it is not a commitment. The State budget has to be adopted by next month and can deny everyone's commitment and take the 140 million dollars (which is the budget short fall). COAH is in a briefing schedule and basically is looking to go into a narrow challenge to COAH's authority to this and the State will have an opportunity to respond and will hear arguments on June 5, 2013. The State may take an appeal of that decision or direct challenge to the Supreme Court. 1.4 million is up for grabs and the State will take those monies and tell the Court don't worry about it if they dispute it we have a process and we could always refund it.

**VI. Other Business:**

None

**VII. Adjournment:**

The meeting was adjourned at 6:45 p.m. The next meeting will be held on June 20, 2013 at 6:30 p.m.

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Susan Snook  
Secretary

SJS  
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