

STATE OF NEW JERSEY
HACKENSACK HOUSING AUTHORITY
65 FIRST STREET
HACKENSACK, NEW JERSEY 07601

THURSDAY, MARCH 11, 2021

(This is a condensed version of the ZOOM virtual and taped minutes of the Regularly Scheduled Monthly Meeting of the Hackensack Housing Authority commencing at 2:00 P.M.)

Executive Director Anthony Feorenzo called the meeting to order.

ROLL CALL

Present: Chairman Anthony Stassi
Commissioner Marie Dukes
Commissioner Pico Sarquis
Commissioner Blanche Stuart
Commissioner Awad Khoury* (Joined at 2:10 PM)

Also Present:

Anthony Feorenzo, Executive Director
William F. Snyder, Consultant to the Board
Joseph Zisa, Esq., Counsel to the Authority

Absent: Commissioner May D'Arminio
Commissioner Gino Tessaro

OPEN PUBLIC MEETINGS ACT

Adequate notice of this meeting, as required by the Open Public Meetings Act, has been provided by the filing of an Annual Meeting Notice with the Municipal Clerk, the posting of said notice on the official bulletin board in the Municipal Government Building, and delivery of same to the Bergen Record & Star Ledger on 12/10/2020.

The Authority welcomes comments from the public, which will be addressed under "Remarks of Citizens" on the Agenda. Members of the public shall be free to speak on any subject on or off the Agenda. As is the case for in-person meetings,

all speakers will be limited to five (5) minutes. Members of the public shall be muted until public discussion, at which time they may ask to be recognized.

Please do not speak out of turn or disrupt the meeting. Disruptive conduct includes sustained inappropriate behaviors, such as, but not limited to shouting, interruption and use of profanity"

FLAG SALUTE – Chairman Stassi led Flag Salute.

APPROVAL OF PREVIOUS MEETING MINUTES – February 11, 2021

Motion to postpone approval of minutes of February 11, 2021 made by Commissioner Stuart; 2nd by Commissioner Sarquis.

VOTE: AYES: All Present Commissioners (4)
Absent: D'Arminio/Tessaro/Khoury*

RESOLUTIONS – None at this time

CORRESPONDENCE

ED Feorenzo asked Commissioners if they received copy of Police Report, which was emailed to them from Julissa. ED Feorenzo requested that he give Management Report prior to discussing 7.1 and 7.2 – Fair Share Settlement Agreement.

MANAGEMENT REPORT & UNFINISHED BUSINESS

Board of Health contacted HHA, asking HHA to do lottery for COVID-19. Every building had 30 tenants that were picked. Wednesday/Thursday last week HHA bus was used to bring residents from 60 Kansas Street, 65 First Street to Civic Center. This week Wednesday, 30 residents from 175 W. Railroad and 164 Beech – all got vaccinated. BOH will do it again with another lottery once BOH reaches out to us. It worked out very well.

There was an incident on March 4th, Wednesday. A tenant called Police Department to do welfare check on a tenant. Tenant was not responsive, police knocked on door, not responsive. When PD opened door, tenant said "get out or I will shoot you" and had some type of firearm pointed at them. ED Feorenzo notified at 5:45 PM by Carmine, when he got phone call. ED Feorenzo went down there; upon arriving found all streets blocked off. SWAT on their way, Hackensack PD and Sheriff's Department was there; tried talking gentleman out of hurting himself or anyone else. Put a drone in the air to look in his window. Drone showed man sitting in wheelchair by his door by window in studio apartment with firearm in his hand.

His son was contacted, who resides in Kansas City; interviewed Carmine and interviewed Tony (bus driver) who knows gentleman very well to see if they could get any information; what set him off; does he have mental issues. Going over the night, continued talking to man. At about 12:30/12:45 Police asked Carmine and ED Feorenzo to shut off lights in hallway on that floor, which was done. SWAT opened door, tazed him, no incident. Man was apprehended; paramedics came to check on him; brought him to Bergen Regional Hospital; checked rest of apartment for other firearms or anything dangerous to other tenants. It worked out fairly well, as there were no gun shots or problems for other tenants.

Floors above and below this man – tenants were put in Community Room. Hackensack Police Department nice enough to call an emergency number in Teaneck. They brought food truck for tenants waiting in Community Room, which was very nice. Not only Hackensack Police Department, Sheriff's Department and SWAT Team, which is regional made up of officers in Bergen County, were very polite, accommodating to tenants, to Housing Authority. ED Feorenzo had not experienced anything like this, and hopes never again! Every official and every professional in his opinion did an outstanding job, not only with residents, but to extract tenant from apartment.

ED Feorenzo in contact with man's son. They will be coming from Kansas City at end of month to take his belongings out of apartment. He is still in Bergen Regional under evaluation. If he does get released, ED Feorenzo believes HHA has no reason to keep him out of apartment. Mr. Zisa speaking: He is showing an Order to Show Cause and Complaint, and has sent copy to ED Feorenzo, to restrict him from coming back into building. Our grounds for that are fear they will come back and hurt someone; in fear that if he got near someone, he would shoot them because he doesn't want to get Covid. Mr. Zisa wants to try and get a Court Order now, but cannot promise he'll get it. Commissioner Khoury understands it is not easy to get a Court Order or Order to Show Cause, but Mr. Zisa wants to file something to protect HHA. When Mr. Zisa spoke with Police, Police said they'd probably give him his guns back as they are his, and legal. Mr. Zisa was distressed upon knowing that. Mr. Zisa wants to file all papers possible, God forbid he should come in and shoot someone and on Channel 7 News, Mr. Zisa wants to say HHA did everything they could. The Order to Show Cause is prepared now and on ED Feorenzo's desk for review.

ED Feorenzo added he spoke with man's son. They do have a Social Worker working on getting him transferred into a Veteran's Home and then work on getting him into a home closer to them in Kansas City. Son admitted to Social Worker he cannot go back into his apartment by himself.

Mr. Zisa said he cannot trust that. Once man is gone, Mr. Zisa will dismiss all the paperwork, but he doesn't want to have a situation where he comes back in and hurts someone. Mr. Feorenzo said HHA has an obligation to protect not only him

but other tenants. Mr. Zisa said man threatened police; Mr. Zisa convinced police to charge him with aggravated assault against a police officer., which would give Mr. Zisa a lot of leverage, if they do that. He will file it ASAP; not knowing when HHA will get heard, but cares that paperwork is filed, so if man wants to come back in, Mr. Zisa can get hold of a Judge. Commissioner Khoury, an attorney also, thinks Mr. Zisa covered everything.

Mr. Zisa asked ED Feorenzo if someone from HHA could serve him in the hospital so he doesn't have to pay a Process Server to do it. ED Feorenzo answered he'd rather pay a Process Server. Mr. Zisa said okay, he'd do that.

ED Feorenzo added another tenant from Apartment 4E, who had cancer, living in a 2-bedroom – right before this incident happened – about half-hour prior to that, living with her handicapped son, passed away. So not only did Carmine deal with gentleman in his apartment, but also Coroner coming to pronounce woman dead and waiting for them to extract her from apartment. It was a tough evening. ED Feorenzo said son is capable of staying in apartment, but will be transferred to 1-bedroom when one becomes available.

Commissioners had no questions regarding Kansas Street incident.

WAITING LIST IN 2 PARTS:

65 First Street – 2 studios being shown
60 Kansas Street – 2 studios and a 2-bedroom when man is transferred
164 Beech – One 2-bedroom rented for April 1st

This is all there is for waiting list as far as open apartments. Commissioners had no questions.

WAITING LIST FOR ELDERLY & DISABLED BUILDINGS

Studio apartments – 711 people on waiting list – out of 711, 2 with 2 preferences; 2 means Hackensack residence and military. 80 with 1 preference.
1-bedroom unit – 1,100 applicants – 3 with 2 preferences; 289 with 1 preference.

2-bedroom unit – 179 applicants – 1 with 2 preferences; 49 with 1 preference; very seldom get 2 bedrooms unless it's a transfer; same with 1 bedroom.

Please keep in mind, when we review what City is asking HHA to do, ED Feorenzo wanted Commissioners to have an idea of how many people are on waiting list; how many would be affected if this goes through.

Mr. Zisa, as he was once City Attorney and now HHA attorney elaborated on following: State of N.J. has COAH requirements – Council of Affordable Housing.

When he was City Attorney, he deal with COAH on a regular basis. City has to supply multiple housing for one out of every six units that gets built in Hackensack. A very difficult number to comply with. What City wants to do, and he's all in favor of, is to take 50 units from HHA and allow City to apply it towards that COAH requirement. City was sued; settlement came through and they must meet these requirements. It will not make Hackensack residents the priority; however, if total turnover in Hackensack is so slow, then it will have a negligible effect on HHA. Mr. Zisa thinks in all fairness, HHA has to step up and help City wherever they can. City has been good to HHA; do not interfere with anything HHA does; ED Feorenzo runs a great ship. City could give HHA a hard time, they don't. They need help and it's only 50 units. Of those 50 units, you might get one turnover a year, maybe two. He's hoping that Commissioners will approve it, because he sees absolutely no reason not to.

ED Feorenzo said at 164 Beech Street, there are maybe 1-3 a year as 164 Beech has 1-bedrooms and 2-bedrooms; 36 1-bedrooms and 14 2-bedrooms. No one leaves. Mr. Zisa said it would have very little impact on HHA, really right thing to do to help Hackensack.

Mr. Snyder noted it was discussed last month and one issue that came up was quid pro quo – we're going to do this for City; what are they going to do for us? Mr. Snyder went back and reviewed agreement between City and Fair Share Housing Center. It specifically states, and HHA had a communication and subsequent meeting with Housing Authority to tell them how annoyed HHA was that they were actually funding a project for CAP agency and were not coming to HHA. In this agreement with Fair Share Housing Center, it says: "Prior to compliance hearing on this matter, (meaning the agreement with Fair Share Housing Center) the City will enter into a Memorandum of Understanding with Hackensack Housing Authority supporting the Housing Authority's efforts to build a 60-unit 100 percent affordable housing project within the City. The agreement may be the same agreement that includes removal of the residency requirement for Dizenzo Court set forth in (inaudible) in the agreement that you're approving. The City will commit to purchasing land up to a specific dollar amount or donating suitable city-owned land, if any such site is available for the Housing Authority's project."

Mr. Snyder continued that City is going to help HHA fund a 60-unit project going forward. He was not clear on that last month; reread it and came up with that. That is what HHA would be getting back is commitment that they provide land and whatever HHA needs to actually get a 60-unit project. Commissioner Khoury: He did not see that in the agreement between City and HHA. Mr. Snyder did not see it either; not in there, but it's in agreement that would have to be approved by Court. Mr. Snyder is assuming when they have this Fairness hearing, that the Court's going to ask for it. They have not come back to HHA with a Memorandum of Understanding yet for execution by the Board. Commissioner Khoury: That

agreement that was included with materials makes no mention of that whatsoever. Mr. Snyder: It's strictly doing away with residency preference. Commissioner Dukes wants it in writing and Commissioner wants to see something in an agreement format between City and HHA saying that they're going to be – Mr. Zisa asked what if we approve this with stipulation that it's only approved without a happening with the Courts, as part of our agreement. It's contingent upon exactly what Mr. Snyder read. Mr. Snyder: That may be subject to incorporation in the agreement? Does that satisfy everyone? Commissioner Khoury asked if Mr. Snyder meant the draft agreement that was included – make that subject to – so long as HHA has something in writing to guarantee that they're going to uphold their part. Commissioner Dukes asked what future land, because most of the land is being encumbered already, so where? She would like it more definitive, land that they have available. ED Feorenzo: Land they're going to purchase. Mr. Zisa agreed: that has to be purchased. Commissioner Dukes: It could take 15 years. ED Feorenzo: It's up to HHA to find land to purchase, not them. Mr. Zisa: It is up to HHA to find the land; Mr. Snyder added it could be an existing warehouse that has to be torn down; doesn't have to be a vacant lot.

ED Feorenzo was looking at a building on Railroad Avenue right across from 175 W. Railroad might still be available. Commissioner Stuart has an issue with the location on W. Railroad; an issue with anything that's along railroad tracks. City has a lot of property all over town. She also doesn't like the fact that it's all low, low income – affordable, but not inclusionary. You're putting minorities and low-income families on other side of tracks, literally, and not including them in all of these projects being built; she also has an issue with losing Hackensack preference, even though it may be one now, who is to say what it will be in other years.

ED Feorenzo: He and Mr. Snyder saw a piece of property on Hudson Street about a year ago and City agreed to try to purchase it with HHA, but there was an environmental problem; HHA backed away from it and someone else bought the property. So they were going to approve one right on Hudson Street; change zone for HHA. Mr. Zisa: There are a lot of variables, but HHA wants to help City of Hackensack. It should not be them vs. us. It should be one group trying to move City forward; they really need to get some affordable housing. This will help them a little bit. They have to have about 200 units. This is only 50 units. They need a lot more. Commissioner Dukes: With all these developments, Hackensack has had this problem for a long time, present people in office for 8 years. Now it's coming to a dire need that HHA has to accept what City is giving HHA because their back is against the wall for the law suit. She doesn't think HHA has to go into a decision just because City waited too long to get something resolved and entire reason they have to get this is they opened City to build all of these units. Now you built all these units, but you didn't take into consideration low-income in those units that you allowed people to have tax abatement on. City should have told developers, if you want tax abatement, you have to include low-income in your development. ED Feorenzo: They made them pay into a fund for COAH. Mr. Zisa:

That's what HHA could use to purchase properties it finds. Commissioner Dukes: No money has been seen set aside in that calculation or cost or dollar value. What's comparison in dollar value to 10 years that it was supposed to be \$2-\$3 million when they did project over by Riverside Mall? City has been asked multiple times where is that \$2 million for Avalon. Commissioner Dukes has noticed your number of low-income is being required because they did all this development. She would prefer to tell HHA what amount they have in the fund, so HHA knows what they're working with. Re: tax abatements: City needs to go back with tax abatements; put in a certain percentage in each of those new developments. ED Feorenzo: HHA cannot go back and tell them that. Mr. Snyder: Fair Share Housing Center and how COAH rules work is: they look back to a prior round needs – this is third COAH round. You are right; they would try to do their redevelopment and not setting aside any hard units. New developers don't see that, but it doesn't mean that obligation doesn't exist. Look at the agreement – based upon that development, they have a prior round need of 200 or more units. They're going back and capturing saying you didn't do anything, now you owe these units. Going forward they attached a 10% set aside. Anybody that builds anything after this is approved, has to include 10%. If there are 100 units, there will be 10 units set aside. Reason they want these credits is how they're attacking in the prior round need. When you get into details of them forming Memorandum of Understanding with HHA, they say, okay, we need 200 units, how are we going to get them. Housing Authority said we can deliver 60 – okay, but they're committing also in Agreement that they need to make up gap of what we can finance.

If we go in based upon those low-income rents and find we have a \$2 million shortfall, they are supposed to come up with that money. The same thing with CAP project, (inaudible) and they have a listing of them that Fair Share Housing has agreed to to make up for that prior round gap. They are saying Arena Diner is 100% affordable. Commissioner Dukes asked affordable to what rate? Mr. Snyder answered COAH rate; actually in agreement they give you income limits that go in there. COAH when developing a project and say its 10 units, 50% of units have to be affordable to people at or below 50% of median income; 50% up to 80% -- average calculation cannot exceed 62-1/2%.

Commissioner Dukes requested a copy of COAH Rules. Mr. Snyder said it's Uniform Housing Affordability Controls. City will probably have an affordable housing administrator, who is supposed to be person that every developer goes to when at the stage of applying for their zoning or building permits and say at that time, I'm going to build X amount of units. Administrator says 10% of those units are this and do a calculation – COAH calculator – put in affordable housing units and tells you what their affordable to.

Commissioner Stuart: City does need affordable housing, but her issue is City also needs it to be exclusionary. 100% low-income, because City needs affordable

housing, but issue is with percentage. Developers building all over town but people can't go into; City taking money from developers to build just low-income housing. Commissioner Dukes has issue with having nothing in writing, approved by City in their Board meeting minutes, because she finds what's not in writing is not what you end up getting. Mr. Zisa understands Commissioner Dukes' concerns, but fear is that by time HHA gets something definitive the way you're looking at it, it could be months. Commissioner Dukes: If you prioritize it and want HHA to vote, we can always, if everyone agrees, always have an emergency meeting or individual call-in to vote once HHA gets that document. City has attorneys and people in place, if they want to focus on HHA to sign off on it, what is their deadline date? Two days before their submission, they need to get it to HHA and Commissioners can all do a vote.

Mr. Zisa is worried about time, thinking they have a deadline and what you want to do, make total sense, but will take way too long. As HHA attorney, he will do whatever Commissioners instruct him to do. Mr. Snyder added agreement Commissioners got with their agenda between Fair Share Housing Center and City of Hackensack settling this – you'll see that's all executed. Man who signed it – Adam Gordon of Fair Share Housing Center – Mr. Snyder can tell you that if City does not comply with what Mr. Snyder said earlier about Memorandum of Understanding with Housing Authority CAP Agency, you yourself could call Adam Gordon, they are pit bulls at this stuff. He would immediately go in and make it get an injunction; it could stop them from doing any development that they wanted until they show good faith that they were actually fulfilling this requirement. Mr. Snyder agrees with Commissioner Khoury, that's all well and good, but we have an agreement here we're approving when none of that stuff is actually memorialized. Mr. Snyder is comfortable with what Mr. Zisa said – approving agreement subject to that stipulation in (inaudible) in there. In terms of affordable housing in Hackensack, what Commissioner Dukes is saying is accurate and he's with her 100%. HHA doesn't make these decisions. This responsibility is City of Hackensack and perhaps they should have done it differently. HHA's communication regarding the 60-unit project, ED Feorenzo and Mr. Snyder offered over a year ago to sit down with them and offer their services trying to work it out.

When Commissioner Stuart speaks of sites, there is a certain control over those sites, which is ones listed here to make up that prior need, which is CAP Agency one, also Arena Diner. Even site you will have say over, which is 60-units HHA builds, if HHA comes forth with a site, Board has to approve it here, so HHA Board has jurisdiction over that. These things are time sensitive. CAP Agency is supposed to apply for tax credits through Housing Mortgage Finance Agency this year. If they don't receive approval within a year, whole site thing could expire and they can move onto next person. This is an agreement that's going between Fair Share Housing Center, City of Hackensack and before the Courts, because in 2015, COAH as we knew it as an administrative entity went away, it no longer exists and that was result of Fair Share Housing Center actually litigating things that COAH

was doing and have the Courts take it over. Courts are serious about this and will enforce it. Fair Share Housing Center is rough. If you made a complaint and said Hackensack didn't do anything you said. They'd be right back here in the City's face. Actual result of that is potentially – zoning powers of the City would be taken away and run by a Court Master; that's any city and particularly Hackensack with development, they're scared to death of that because things they're trying to do would be out of their hands.

Commissioner Dukes: HHA being hurried into agreeing to aid City and doesn't see what's on the table for HHA. She wants it in writing and to go through City Council; and all Council to sign off on it. Mr. Snyder: They did and it's in the agenda: Agreement Resolve Issues Between City of Hackensack and Fair Share Housing Center – signed by Mayor and approved by Mayor and Council and signed by Fair Share Housing Center. Part of the hearing is the Memorandums of Understanding between the entities: Housing Authority, CAP Agency, Bergen County Housing Authority, and Arena Diner have all got to be put in place. Following up on what you and Commissioner Khoury say: is to take that language and strengthen it by including it in the agreement, so what you're approving tonight is not only taking away that residence requirement for 50 units, it's also committing even further that you also told us you were going to do this and help us by being the stop gap; funding our 60-units to do those units.

Commissioner Stuart: If you're saying the City and Fair Share Housing made this agreement to something that City offered up, not necessarily the best property, not necessarily what's suitable for people of the City – that's her opinion. They could have offered up other property, but this is what they offered up.

Commissioner Khoury: Draft agreement between City and HHA that Commissioners have, that's not yet signed (Commissioners' copies), how difficult would it be to incorporate that language into agreement? It's a draft agreement for Board to review and approve? ED Feorenzo said yes. Commissioner Khoury asked can we mark it up and include that language that we're all looking for and put it back on their desk and say we're ready to approve this draft marked up. Mr. Snyder said that's what Mr. Zisa is saying, only difference is rather than wait a few months for policy, Mr. Snyder doesn't know their timelines, is to approve it subject to all of that draft language. Mr. Zisa agreed. Mr. Zisa: If HHA does that, it will put pressure on City that if they want HHA's 50 units, they're going to do it this way. Commissioner Khoury is fine with that; drop it on their desk: here it is subject to incorporation of this additional language, and then it puts ball in their court. If they want the units, they have to sign. ED Feorenzo said without it being signed, it's just a piece of paper.

Mr. Snyder: Agrees with Commissioner Stuart about the sites, any affordable housing location is important and why it's important to have inclusionary developments where units are right in the buildings. If they'd done that, they'd all

be downtown in these fancy high rise buildings. With that not being done, HHA has no control over them, what sites they pick, like the one you're talking about with CAP Agency. HHA will have control over, if they come forward and develop 60 of 200 units through HHA; you will have say as to where those units are located. Unfortunately, it's already been done with those other properties. Members each said City should have done it 3 years ago; most are built. ED Feorenzo: they still have to satisfy their obligation moving forward.

Mr. Snyder: Hackensack is in same boat as many other towns. A real balancing act when you're trying to get city redeveloped and one thing they offer for better or worse, which is wrong, not only do they give a tax abatement but we have no affordable housing requirement. So they give developer a pass and Fair Share Housing Center catches up and oh, you do have an obligation, but obligation isn't where it should be, it's going to be in other places in City. Like Commissioner Stuart said, a lot of times it's next to railroad tracks or where it's a concentration of low income people, which is all what this is meant not to be. Not to defend Hackensack, this is not only place this is being done, and to their credit, they were able to get downtown area redeveloped. Commissioner Dukes: Fancy buildings, but not redevelopment down there. Where are stores? Active abandonment, messy, messy in a fancy building. That's just throwing in extra buildings and giving people a tax rebate.

Discussion about infrastructure, sewerage and storm water management that was never done for 30 years and Newman Street flooding. Newman Street is below or at sea level and problem there, not storm system.

ED Feorenzo: Asked Commissioner Khoury and Mr. Zisa if additions to agreement would be binding. Mr. Zisa: If HHA makes it approval with that caveat or restriction, they're stuck with it – either they do or do not. He is comfortable with it. Commissioner Khoury: If Commissioners mark up draft and say Commissioners will approve it as it is **marked up** and send it back to them; this is what we have approved instead of wasting time going back and forth; HHA will revise it right now and approve it, send it to them and is what HHA approved. ED Feorenzo added if they say know, he will just rip it up. Mr. Snyder: Longer HHA delays this, until agreement is approved, he's not sure that 10% set aside is etched in stone. So developer comes through today, Mr. Snyder not sure they're applying 10%. Once this is approved, that is when that will become effective. Commissioner Khoury asked is 10% applied only to inclusionary overlay zone. Mr. Snyder thinks it applies to all new development. Commissioner Dukes asked why HHA is only getting 60 when more are needed. Mr. Snyder answered 201 are needed; they are giving rest to other sources – Bergen County CAP Agency for one. Entities that have expressed interesting in developing affordable housing. Housing Authority of Bergen County is involved.

Discussion about number of units needed and allotted followed. 42 units for CAP Agency; 60 for HHA equals 102; Bergen County Housing Authority would take up balance. Mr. Snyder indicated to them he didn't like BCHA getting balance; Commissioner Dukes added it should be HHA that gets balance. Mr. Snyder: Other reason is that to develop these projects, it's very expensive – short of them saying there's a \$10 million deficit, we will give it to you. HHA had a feasible plan of developing 60. There are also time constraints on this as to when you can come forward to get your approvals. CAP Agency says applications for 2021-22, if project doesn't receive it, then City will remove its support for project – same thing for HHA. 140 units for HHA is a lot of units to fund. ED Feorenzo: If City gives HHA property, HHA still has to come up with financing for project. HHA has \$4.5-\$5 million in reserves. He doesn't want to use that money to build 60 or 100 unit building somewhere else. Not fair to us or residents as to how our buildings are maintained. HHA can afford to finance 60 units and come up with money to get it built. Commissioner Dukes isn't pleased BCHA getting so much; their buildings in Hackensack aren't great compared to HHA, difference is drastic. Mr. Snyder: He and ED Feorenzo read riot act to them and made it clear that HHA is an autonomous authority that was promulgated by City of Hackensack, City agency just like parking authority. We are part of the City, coming to us to satisfy a City obligation. It is wrong to give projects to County or to CAP Agency without HHA being at least #1 on list. They were apologetic, agreement is the agreement.

Commissioner Dukes asked if HHA could stipulate a certain amount of money that comes to HHA from City. Mr. Snyder answered HHA will come up with language that "not only will they provide land or purchase of land, that if there is a deficit in development cost that they will help fund that." ED Feorenzo and Mr. Snyder have looked all over for land, where warehouses are even. Difficult to find land where 80 units could fit in answer to suggestion by Commissioner Dukes. One piece of land they found and architect looked at it: he was condensing as many units as possible – 60 was it. Commissioner Dukes asked what if it was 2 sites of 40.

Mr. Snyder: If HHA comes to County with 2 projects before County does, he's sure they'd look at HHA. Fair Share Housing Center doesn't care who does units, as long as they get built this time. Mr. Zisa said he's working with ED Feorenzo and Mr. Snyder next week on contingency language, but he doesn't believe number of units should be changed. ED Feorenzo added it's not if we're comfortable going to 80, it's being able to finance it. HHA has X amount of dollars they're putting in; told City they have to put in rest. It comes down to purchasing property; building costs, operation of building. It has to be publicly bid, he thinks. HHA could do a non-profit though. If publicly bid, it's union prices: Agreement with Fair Housing says a 60-unit building or project. Can HHA change that number and wouldn't it alter this agreement, which has already been signed? Commissioner Khoury and Mr. Zisa both agreed it probably cannot be changed. Mr. Snyder: Right, they would have to redraft agreement, go before Fair Share Housing Center; Court Master Mary Beth Lonigan – go before her; have to renegotiate it; re-execute the

agreement and come back to HHA. Commissioner Dukes worried that other municipalities in Bergen County that are short in public housing will start sending applicants from their list into Hackensack, whereas other municipalities should be counting their own in their area. She doesn't want Hackensack to become low-income city. Mr. Snyder said BCHA just acting as a developer for 50 units. It will be like rules for DiZenzo Court; COAH rules are there is no residency preference. Only residence preference is people living and working in CORE region: Bergen, Hudson, Passaic and Sussex County. When we market these units, it's a process called Affirmative Marketing under Uniform Housing Affordability Controls, and it tells you specifically it has to be advertised in newspapers, libraries in those counties; have to send notices to network news, to different radio stations. Consensus by all is there is no way around it. ED Feorenzo said if that's what Commissioners want to do, then HHA should not agree to it. Mr. Snyder: If we tell them HHA not going to do this as we don't want to remove residence restriction; that will force them to go back to Fair Share Housing Center, restructuring agreement and when it's restructured, they'll find someone else to put in instead of us; increase prior need by 50 units they were getting credit for. Essentially instead of building that prior need 201 units – it will be 256 units and make them very annoyed at HHA, but it's not like you're going to stop them from doing anything. They are still going to move ahead and get this approved, just take a bit longer and we wouldn't get 60-unit project out of it.

Mr. Zisa: It is being over-thought; doesn't see why if HHA gets 60-units, doesn't see why HHA wouldn't do it to help City; makes sense to help City. He doesn't want to be adversarial with City, and have been very cooperative with HHA as long as he's been attorney for HHA through numerous administrations. They need the help from HHA. Commissioner Dukes understands that about 60 units, but HHA has no committal for where location is no committal as to when project can start. Commissioner Khoury suggested some of this language be inserted in there: "a suitable location to Housing Authority within next 2-3 years", whatever time frame is good. Commissioner Dukes thinks one year, as discussions have been ongoing; City has to give us suitable locations that we can agree upon.

Discussion about available properties City owns and give list to ED Feorenzo and Mr. Snyder. Mr. Snyder added actual site HHA will develop will come before Housing Authority Board; HHA's property. 60 units will be controlled by Commissioners; where it goes and what it is; perhaps develop 30 on 2 sites; strictly up to HHA. Balance of units not controlled by HHA. This is 3rd COAH round ending in 2025. Maybe let Council know right before that saying some HHA Board members serve as a committee to assist them. Because it was held up in Courts, it ends in 2025.

Commissioner Dukes requested that draft agreement be drawn up, let Board members review it, vote on it by next week, adding language of having a definitive date and provide HHA with list of all City-owned land available for

building a 60 or 40/20 units; wants a ground-breaking ceremony by September 2021. Mr. Snyder said wording is very possible, but not with a date, and at least 60 units; HHA will apply for major funding source – low-income housing tax credit program, which is difficult to get. There are 2 programs: 9% program, 4% program – HHA would move to 4% and if there's a deficit, City will make up for that deficit, which will almost guarantee that building gets build. Big problem is finding a site. HHA can handle pro forma and financing, finding a suitable site is hard to do here in Hackensack.

Mr. Snyder added because of HUMC in this area the price of land is very high. He and ED Feorenzo were looking for something in set dollar amount: \$900,000 to \$1 million and is difficult to find. City agreed to give HHA money. Commissioner Dukes said look at property from \$1 to \$5 million. Mr. Snyder: Here's what we can finance. Trust fund you're saying wasn't properly funded, they are projecting trust fund will bring in X amount of dollars over so many years. HHA said no problem; if you know money's coming in; you're forecasting and telling Fair Share Housing Center – borrow against it and give HHA the money; pay back annually for money coming in.

ED Feorenzo said Mr. Snyder and Mr. Zisa will work on draft and next week distribute it to all Commissioners to review. Commissioner Dukes asked if other Commissioners could vote then or vote now for draft. ED Feorenzo answered you can't vote until draft is done and Commissioners like wording. Mr. Snyder: Could you approve it subject to draft being approved by everyone? Meaning no public meeting, everyone is given copy; and polled; otherwise with public notice, it has to be noticed. Mr. Zisa: I was involved with City 8 years ago and there's not a lot of City land that is not being used.

ED Feorenzo said draft will be done, circulated to all Commissioners next week. Mr. Zisa noted changes in agreement are so drastic and changing whole face of agreement, he doesn't want to vote on it that way. ED Feorenzo said they'll set up an emergency public meeting. He wants to understand exactly about wording, basically, a paragraph.

PAYMENT OF CLAIMS FOR MARCH 2021

Motion to approve made by Commissioner Stuart; 2nd by Commissioner Dukes.
VOTE: AYES/All Present Commissioners (5) Absent: D'Arminio/Tessaro

MOTION TO ADJOURN

Motion to adjourn made by Commissioner Dukes; 2nd by Commissioner Stuart.
VOTE: AYES/All Present Commissioners (5) Absent: D'Arminio/Tessaro