

~~Old Bridge~~ Old Bridge

1986

4/3/86

- Cover letter between Counsel re appointment of  
Affordable Housing Agency

Att.: Committee meeting minutes from

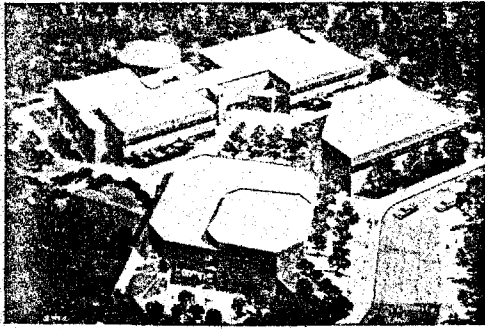
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# Township of Old Bridge

MIDDLESEX COUNTY, N.J.

ONE OLD BRIDGE PLAZA • OLD BRIDGE, N.J. 08857

*rec'd 4/17! - can't read postmark*  
April 3, 1986

JEROME J. CONVERY  
TOWNSHIP ATTORNEY  
151 ROUTE 516  
OLD BRIDGE, N.J. 08857  
(201) 679-0010

Eric Neisser, Esq.  
Constitutional Litigation Clinic  
Rutgers Law School  
15 Washington Street - Room 338  
Newark, NJ 07102

Re: Affordable Housing Agency


Dear Eric:

Please be advised that the Affordable Housing Agency has been appointed within the Township of Old Bridge, has held two meetings, and has made a recommendation concerning the position of Executive Director. The appointment of the Executive Director by the Mayor is imminent and hopefully will be confirmed by the Council at the next Council meeting.

Obviously, this Board is not in a position to issue a formal report at this time. However, the Board has directed me to provide you with copies of the Minutes of all meetings held by the Ad Hoc Committee on Affordable Housing, and the Minutes of the two meetings of the Affordable Housing Agency. It is my hope that your review of these meetings will satisfy your client that this Board is a functioning Board and will be providing the services necessary to the Town regarding Affordable Housing.

Thank you for your attention to this matter.

Very truly yours,

  
Jerome J. Convery,  
Township Attorney

JJC/jd

cc: Ray Ingram, Chairman, Affordable Housing Agency  
cc: Philomena Genatempo - Secretary, Affordable Housing Agency  
cc: Mayor Russell J. Azzarello

MINUTES OF AFFORDABLE HOUSING AGENCY ORGANIZATION MEETING - April 2, 1986

Meeting began at approximately 9 PM at the Old Bridge Municipal Complex.

Present: R. Ray Ingram, R. Donatelli, P. Concepcion, P. Genatempo, J. Convery, Esq.

Prior to start of meeting, members Ingram, Donatelli & Concepcion were sworn in by Acting Township Clerk. Member P. Genatempo having previously been sworn in by T. Norman, Esq.

Meeting Chaired by J. Convery, Esq. Motion made by R. Donatelli that R. Ray Ingram be elected to the position of Chairman of the Affordable Housing Agency. Second by P. Concepcion, all in favor.

Newly elected Chairman took over the meeting at this point.

Motion made by R. Donatelli and seconded by P. Genatempo, that Phyllis Concepcion be elected Vice-Chair of the Affordable Housing Agency. All in favor.

Motion made by P. Concepcion that Philomena E. Genatempo be elected Secretary of the Affordable Housing Agency. Second by R. Donatelli, all in favor.

Minutes of our Workshop Meeting of 3/24/86 were read and discussion followed on these points:

1. Regarding legal counsel for the Agency. All members in agreement that we need an attorney present at every meeting of the Agency. Discussion also followed on manner of payment. Jerome J. Convery, Esq. agreed to represent the Agency as legal counsel at the rate he is being paid as Township Attorney at the time the service to the Agency is performed. That rate is presently \$50. per hour.

Mr. Convery will research as to where monies are to come from, both for Agency staff and for his fees. Mr. Ingram suggested that we set up how we want to use Agency seed money from the Affordable Housing Fund - then let parties in question tell us if they are not in agreement. Mr. Ingram asked counsel if we have the jurisdiction to make this decision as to how funds are spent. Mr. Convery suggested that we first secure the seed money of \$10,000 from the two builders, O & Y & Woodhaven, while he is researching this issue, and that a bank account be opened so that the Agency can begin functioning as soon as possible.

Ray Ingram suggested that J. J. Convery, Esq. be appointed as legal counsel to the Old Bridge Affordable Housing Agency, to be paid at the going rate of the Township Attorney at the time the service to the Agency is performed. Motion made by P. Genatempo, second by P. Concepcion, all in favor.

Discussion followed as to whether this Agency will be operating autonomously. J. Convery stated it would depend on whose funds are used, if it is Township funds we will be responsible to the Council. If we operate separately, we can use Affordable Housing funds. Attorney will research this.

Discussion followed on position of Executive Director of Agency. We have been asked to recommend to Mayor, who makes appointment, confirmed by Council. A majority vote is needed to confirm.

Members asked for recommendations. R. Donatelli made nomination of Hyman Babchin, former Old Bridge Councilman. Second by P. Genatempo. All in favor.

Further discussion on term of Exec. Dir. J. Convery stated that to his knowledge, the Ordinance is silent on this point, and will probably have to be amended. He suggested that we recommend the length of term to the Mayor, and he will recommend to Council that they amend Ordinance regarding length of term and also procedure for removal from office, another point that is silent in the current Ordinance.

Motion regarding term of office was made by R. Donatelli, that term be for a period of three years, to end 12/31/88. Second by P. Genatempo, all in favor.

Discussion followed on salary of Executive Director. The ad hoc Committee had recommended \$6,000. per year. Jerry Convery asked us to consider and recommend three things: Salary, Minimum hours to be worked, and if benefits are included. The O.B. Benefit Package is now valued at approximately \$4,800.

After much discussion Ray Ingram suggested that we recommend a salary of \$6,000 per year for the Exec. Dir., with a minimum of twenty (20) hours of work a week and that the benefit package be included.

Moved by R. Donatelli that the Executive Director of the O.B. Affordable Housing Agency receive a salary of \$6,000. per year; that the minimum number of hours worked per week be twenty (20); and in addition, that it is recommended that the Executive Director be included in the Township Benefit Package. Second by P. Concepcion, all in favor.

J. Convery stated that the Urban League has written asking for a report from the Agency. He will write a letter stating that we have organized, recommended an Exec. Dir., and he will include copies of all minutes of the ad hoc Committee on Aff. Housing and minutes of our two meetings.

Jerry also was asked by the State for additional information on the proposed senior complex. He wrote to Lloyd Brown and asked him to send information directly to the State.

There was some discrepancy in understanding exactly which member of the Agency had been given which length of term. This will be verified with the Mayor and reported at the next meeting.

Next meeting will be Wednesday, April 16 at 4 PM at the Municipal Complex. No further business coming before the Agency, motion to adjourn at 10:05 PM. All in favor.

P. Genatempo

*P. Genatempo*

AFFORDABLE HOUSING AD HOC COMMITTEE MEETING - November 12, 1985

Attended by: Thomas Norman, Esq.  
Jerome Convery, Esq.  
Jake Perzely  
Dr. Joan George  
R. Ray Ingram  
Henry Bignell  
Philomena Genatempo

First order of business was to nominate and unanimously elect Jake Perzely as Chairman of this Ad Hoc Committee, with Phil Genatempo nominated and elected Secretary.

Discussions centered around the fact that applications are to be filed by mid-January, 1986 in order for us to be included in the first round of grants available. (\$5,000,000 from HMFA)

Jerry Convery has a draft of an Ordinance to put a permanent Affordable Housing Agency in place.

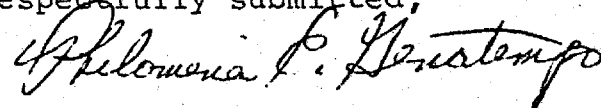
Tom Norman said that we should not miss the first round of funding, we qualify with 80% of the criteria.

Jerry suggested that we take the next step and have someone come down to our next Committee meeting and tell us about the application filing. We have the land, we can go to bonding, etc.

Jerry stated that O&Y & Woodhaven have no provisions yet for Senior Citizens. The Urban League wants 20% of Mt. Laurel housing for Senior Citizens. O&Y has been discussing a mid-rise, 150 units for seniors, one building on their property, to be built without profit. This was discussed by Carla Lehrman and Lloyd Brown. The building would then be turned over to an Agency who would run it. Woodhaven is discussing possibility of a 60 unit building for rentals, not necessarily for Senior Citizens (we decided we would want it to be only Seniors if built, no rental units).

The next meeting was set up for 4 PM, Tuesday, November 26th at Town Hall. Jake Perzely will contact Susan Kimball, N.J. HMFA in Trenton to see if she can attend. Also will contact ~~James~~ Lynch of Lynch & Quale (Tom will contact) to come to that same meeting.

Respectfully submitted,



Philomena E. Genatempo, Secretar

minutes 12/17/85

MINUTES - AD HOC AFFORDABLE HOUSING COMMITTEE MEETING - November 26, 1985

Attended by: Jake Perzely, Chairman  
~~Jerome Convery, Esq.~~  
 Dr. Joan George  
 Hank Bignell, Planner  
 Philomena E. Genatempo, Secretary

Absent - Thomas Norman, Esq. (late arrival)  
 R. Ray Ingram

Guest Speaker - John J. Lynch

Meeting convened at approximately 4:15 PM. Jerry Convery moved for minutes of previous meeting to be accepted after being read by the Secretary. Second by Joan George, unanimously accepted with one change, Mr. Lynch's name is to be changed from James to John J.

Jake Perzely indicated that Susan Kimball was going on vacation to return Dec. 4, therefore her boss suggested that it would be better for us to go to their office and they can then tell us what we wish to know.

Jerry Convery has a draft of an Ordinance for first reading, probably would not go into effect until January, establishing an Affordable Housing Commission. He also picked up an application for us to file in January, but preferred to hold that until after we had heard from Mr. Lynch. He filled Mr. Lynch in on our proposed settlement with O&Y. When Mr. Lynch was told about the proposal of O&Y regarding building 150 senior citizen units, he told us he did not think that the deal was such a bargain - O&Y are only giving us the land if they sell the building to us for cost. Mr. Lynch stated that one of the problems with a Trust Fund for Affordable Housing that is made up of builders contributions is that we could conceivably run out, that he thought it might be not enough. Mr. Lynch discussed how costly it would be for us to build an 8 story building, even at cost, what with elevators, etc.

Mr. Lynch stated that we have "almost no chance of getting 202 money as we already have Section 8 money in Old Bridge (Rotary Housing) and they like to spread the money around. Also, N.J. has only gotten 300+ units a year for the last several years - no more."

Discussion followed by Jerry Convery and Mr. Lynch on the benefits of doing rehabs to add to our numbers of low and mod housing.

Discussion also followed on location of the 4 acre piece O&Y is thinking about building the 150 units on. Mr. Lynch stated that it will be helpful for us in being in litigation, and can we marry O&Y and HMFA in our application?

Mr. Lynch has great concerns about cost certification. HMFA requires it. He also discussed requirements such as who has veto power over what in the design, building specs, etc. HMFA would also need a very clear understanding of where all of the money is coming from. They would want

an assurance by January 31st that there is a realistic chance that this will be accomplished.

Jerry Convery stated that we must reach a compliance package or we will be in litigation for who knows how long. Mr. Lynch stated that he believed that if we don't have a compliance package then he assumes that we will not be putting in an application on January 31st. Jerry confirmed that we won't have time to put it through with a new Council, etc.

Regarding the application:

The municipality must be on the application, but cannot own the building, it usually owned by a limited access partnership.

Low and mod is usually kept at a ratio of 50-50. There is some small flexibility, may go to 60-40, but probably no more. Moderate is usually break even, but not in mid-rise; Low needs subsidizing. Jerry stated that on conventional construction low income unit usually loses \$20,000.00

Jerry asked if we must create a non-profit corporation to do general rental housing - Mr. Lynch answered yes, that is what we need.

Bonding and tax abatements were discussed. When Tom Norman asked about issuing tax exempt bonds through the Township, Mr. Lynch told him that it still won't be any less than HMFA.

Discussion went back to the O&Y prospective building. Mr. Lynch stated that we would need some preliminary budgets. According to Jerry, O&Y is supposed to be doing this already. Mr. Lynch stated that if O&Y is giving us the land for nothing - we would go to HMFA and tell them this and that we have an Agreement with someone to build this building. Mr. Lynch suggested that we start putting things together pretty quickly for the application. We need to know who the applicant is, who the architect is, who the attorney is, etc. Unless O&Y is applicant to HMFA, he suggests another attorney due to negotiations. You also need to know for the application the exact location of the site, lot number, block number, etc.

Jerry Convery stated that the bottom line seems to be that we have to go to O&Y tomorrow A, and tell them that they must build the 150 units of senior citizen housing at no cost to the Town.

Mr. Lynch - yes, and you should have control of unit mix, etc. He suggested one bedroom units, no efficiencies, 550 to 600 sq. ft. range. The one bedroom unit generates a better rental formula.

Jake Perzely will attend the Affordable Housing Meeting on December 18th at HMFA in Hamilton Twp. Tom Norman gave him a list of questions he could have answered for us at this meeting.

Meeting adjourned at 5:30 PM, with thanks to our guest for the valuable information he brought us.

Respectfully submitted,

  
Philomena E. Genatempo, Secreta

MINUTES - OLD BRIDGE AFFORDABLE HOUSING AD HOC  
COMMITTEE MEETING

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December 19, 1985

Meeting called to order at 4:15 PM. Present were:

Jake Perzely, Chairman  
Jerome C. Convery, Esq.  
Dr. Joan George  
Hank Bignell, Planner  
R. Ray Ingram  
Philomena E. Genatempo, Secretary  
Lee D. Quinn  
Thomas Norman, Esq.

Guest:  
Absent:


Jerry Convery: Affordable Housing Agency Ordinance is up for second reading at tonight's Council meeting. When Affordable Housing Agency is set up for Old Bridge, it will oversee the applications for Mt. Laurel housing. They will also monitor developers with the Building Department; they will collect quarterly reports from developers; they will prepare quarterly reports to all concerned parties, and on a yearly basis will give a report of their progress. This ad hoc Committee will go out of business when the new Agency is in place, this being February 1, 1986.

Jerry recommended that we end this meeting since the compliance package on Mt. Laurel was due to be voted on at tonight's Council meeting also. If it passes we will have a great deal of work to do to get our application in on time. He feels we should keep this Committee going until January 31, 1986 and then turn it over to the new Agency.

Jake Perzely gave a brief report on the Affordable Housing Committee meeting he attended yesterday. They showed other affordable housing and to him they only looked slightly smaller than regular housing in the towns. Jerry Convery read him the Mt. Laurel numbers for different sizes of the units they require, and they were even smaller. Also, the HFMA is no longer firm on \$7,000 per unit, they will go up to \$10,000 in some cases. His report in full will be given at a later date, depending on the outcome of the vote on the Compliance Package at tonight's Council meeting.

Meeting adjourned by unanimous vote. Next meeting set for January 7, 1986 at 4 PM, meeting room at Town Hall.

Respectfully submitted,

  
Philomena E. Genatempo, Secretary



MINUTES OF THE OLD BRIDGE AFFORDABLE HOUSING AD HOC COMMITTEE - January 7, 1986

Meeting called to order at 4:20 PM. Present were:

- Jake Perzely, Chairman
- ✓ Jerome C. Convery, Esq.
- Dr. Joan George
- Hank Bignell, Planner
- R. Ray Ingram
- Philomena E. Genatempo, secretary

Guests: Lloyd Brown and Bill Iaf, O & Y

Absent: Thomas Norman, Esq.

Jerry Convery: Compliance Package passed by Old Bridge and Affordable Housing Agency Ordinance passed at second reading. Last night Council passed a Resolution supporting Old Bridge's application under the Affordable Housing Act. Since the application is due on January 31st, we will need such specific information such as room size, exact location, etc., of the 150 unit Senior Citizen Project.

Lloyd Brown: O & Y has engaged an architect to proceed with the drawings. The idea is only in the early stages, but certain basic facts have been ascertained:

1. Surveyor has been commissioned;
2. Drawings will be at O & Y tomorrow from the architect;
3. The parcel is seven and three-quarter acres on Birch Street;
4. Lloyd Brown believes 150 one-bedroom units can be put on this site in a two-story Garden Apartment type building;
5. Mr. Brown believes the site will blend into the area without disturbing neighbors.

~~Jerry Convery: Spoke about mid-rise vs. garden apartment regarding costs, elevator, how long building will last, etc.~~

Lloyd Brown: By having two stories, O & Y can now go into frame construction. He feels the elevator should be in the building for various reasons, but it could be a totally different type than if the building was four stories. He has no actual costs right now, but made commitment because he knew that he could now put the building up in two stories.

Jake Perzely: These units will be for rent?

Lloyd Brown: Yes, it can be turned over to the Agency. O & Y will provide the property, build it, turn it over to the Town. It will be built within the range of the mortgage as set out to the Town last night. Then it will be the responsibility of the Town -- the building should last 100 years.

Ray Ingram: Council took no action last night, however they did say that they wanted no cost to the town.

Jerry Convery: At the meeting on Compliance Package, Woodhaven did not agree to pick up shortfall up to \$500,000.00 on the 150 unit project. O & Y last night came forward and offered to pick up any shortfall.

Lloyd Brown: He discussed the fact that S. Halpern was "not going for the deal" so to avoid a problem, O & Y principals agreed to pick up any shortfall. It is guaranteed now by O & Y principals.

Jerry Convery - went over the application with Lloyd Brown and said that if we have a Compliance Package by January 24th, we should then go to Trenton and have our application gone over by the experts. Jake Perzely, Jerry and a Township Financial Officer and any of the O & Y people interested in attending should go along with any other Affordable Housing Committee members.

Lloyd Brown: Feather O'Connor asked that if we are going ahead with this project, we come down to her office as soon as possible even on a temporary basis to apply for funding, since very favorable rates are now available.

Jerry Convery: We should wait until Lloyd Brown reports back with results of this meeting before we do anything else on our application. If there is no other business, Lloyd Brown will have his meeting with Feather O'Connor and report back to him, and then we will meet again to supplement any information Mr. Brown may need so that the application gets in on time.

Hank Bignell: Will this Ad Hoc Committee be "out of business" on February 1st?

Jerry: Not realistically, it may be the middle of February before the Agency can be put into place.

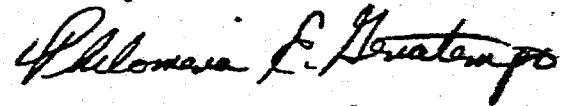
Jake Perzely: Stated that he was told that if we came in with a final project that they can see will work, they can put money aside for Old Bridge on a temporary basis.

Jerry: We will send Feather a copy of the Old Bridge Township Resolution.

Next meeting set for Monday, January 27th at 4 PM, Town Hall. By that date we will know if the Compliance Package has been approved by the Judge, and Lloyd Brown will have been to see Feather O'Connor.

Meeting unanimously adjourned at 5 PM.

Respectfully submitted,



Philomena E. Genatempo, Secretary

1/27/86

MINUTES OF THE OLD BRIDGE AFFORDABLE HOUSING AD HOC COMMITTEE - 1/27/86

Meeting called to order at 4:30 PM. Present were:

Jake Perzely, Chairman

~~Jerome J. Convery, Esq.~~

Dr. Joan George

Hank Bignell, Planner

R. Ray Ingram

Philomena E. Genatempo

Guests: Lloyd Brown & Bill Iaf, O & Y

Absent: Thomas Norman, Esq.

Jake Perzely: Announced that a meeting is set for this Thursday, January 30th at 2:30 PM with S. Kimball & K. Quince at HFA. Jake, Jerry Convery, and perhaps the Mayor will attend, along with representatives of O & Y and any members of this Committee who are available at that time.

He also stated that the N.J. Council on Affordable Housing is having the first of their Workshop Meetings on Wednesday, January 29th from 3-5 PM in New Brunswick, U.S. 1 and Ryders Lane. We will try to have someone cover that as well.

Jerry Convery: The Judgment and Settlement Agreement have been signed, so that the next phase is to move as quickly as possible on the senior citizen project. At the last Council meeting, Council passed two Resolutions: one to indicate that the Township would guarantee fees for maintenance that exceeded amount of rent available; and the other that the project would be a 100% Tax Abatement Project. Both of these were requested at Lloyd Brown's meeting with the HFA.

Lloyd Brown: From his meeting, he got the feeling that the deadline of January 31 is a firm one. They stated that additional money will be available at a later date, but that we "would be waiting on a different line". The Grant gives between \$7,000 and \$10,000 a unit. Anything between \$7,000 and \$10,000 is only available when you have more than one bedroom in each unit. The maximum for a one-bedroom unit is \$7,000. \$5,000,000 is available in Grant money, and he feels that we will be lucky to get any portion of the \$7,000 for each unit. We need a Resolution of Need for them. They might have one on file, but it will need updating. Current rate is 9.1%, but we should use 10% for budget purposes since this will be increasing. They also want something similar to a "Gentlemen's Agreement" that the Town will give assurances that the zoning will be permissive to enable the project to go through, plus assurance of expedited processing of the application. Jerry Convery will send a letter stating this. Lloyd Brown commented that it is his feeling that we are to be the guide for them with this project, and that we are one of only two projects that will be completely 100% Tax Abatement.

Discussion followed regarding the application and certain particulars on it. Jerry Convery will remain as attorney for the time being. Lloyd Brown will put the package together. Jake Perzely will get additional information tomorrow and phone it to Mr. Brown. We will list as the Administrative Agency, "Affordable Housing Agency, Township of Old Bridge" with Town Hall address.

The Authorized Representative will be the Mayor. To further gather information for this application, Jerry Convery asked Jake to write a letter giving a synopsis of the shuttle bus services that are and will be available for the senior citizen project. (We will probably have 5 in service by the time this is built.) Mr. Brown asked John Morse (through Jake Perzely) to get certain costs from the Rotary Housing if possible, such as cost of heat, maintenance, snow removal, etc., all costs that are needed to be factored in this project. Also, from discussions with Rotary Housing, the Township has been given some of their concerns that we passed on to O & Y for consideration in this new senior project. Discussion followed on inclusion of such items as a coin-operated laundry room; recreation room with kitchen facilities; Mr. Brown suggested the possibility of a coffeeshop type operation and perhaps a game room. Ray Ingram suggested a large lobby type area where people can sit to talk and be with other people. Dr. George and Ray also suggested a pleasant area outside in a high-visibility area in front of the building for congregating.

Ray Ingram asked when we would be dissolving this Committee. Jerry Convery has already placed this item on the agenda for discussion with Council, that members be appointed and an Executive Director be chosen for the Affordable Housing Agency.

Ran Ingram voiced concern about legal services available to this Agency. He feels we should make some recommendation to the Mayor about this, especially when the Agency is setting up their guidelines and will need legal advice.

Jerry Convery stated that he believes that he and Tom Norman will probably provide legal services for the time being. When the Agency is in full swing it will be time to go to such things as arranging legal services especially for them, etc.

Hank Bignell discussed position of Executive Director and made several suggestions. He stated that in his opinion the position will probably only require part time until low and moderate housing is actually being built and for sale in Old Bridge. Lloyd Brown was asked for a time frame on completion of the senior citizen project and estimated that to be approximately 18 months, with six months before the project begins, and a one-year construction time.

Discussion followed on the need for the Agency to have an office, some secretarial/ clerical help also on a part time basis, a budget for supplies, etc. Hank Bignell made a motion that we make the following recommendations to the Mayor & Council: Two Resolutions from us; one to state our position on the Executive Director of the Affordable Housing Agency, that it be a part time position in the beginning in view of the fact that there will be no affordable housing available for at least a year. We also recommend a part time secretary working for the Director, and that the Members of the Agency be appointed as soon as possible, and that the positions on this Board be non-paying, with one member from the governing body in a one year appointment, as well as one member from the Planning Board also for one year. The other three members are from the Township at large, with the Urban League asking that one of these three should qualify as a Mt. Laurel resident. It is our feeling that the position of Executive Director should receive a salary annually of \$6,000 to start, and that an additional \$4,000 should be set aside to provide for Administrative costs, including part time clerical/secretarial help.

This motion seconded by Ray Ingram, with all voting in favor of it.

Second Motion made by Ray Ingram as follows:

That our recommendation for the position of Executive Director be Hy Babchin. The reasons advanced by various Committee members are as follows: his experience as a Council Member for the past two years, including being part of all of the negotiations regarding the current 150 unit senior citizen housing project; his past Presidency of the Cheesequake Village Association and his obvious expertise in dealing with fellow senior citizens; his name recognition; etc. This Motion was seconded by Joan George and Jerry Convery, with all voting in favor of it.

As a reminder, Jake Perzely read us the meeting notice from the N.J. Council of Affordable Housing, stating their aims, etc. and asking any interested parties to put their views in writing for possible inclusion in their criteria. Jerry suggested that we merely monitor these meetings, but that since we have a Court-imposed settlement, this really does not involve Old Bridge at this time.

Motion made to adjourn meeting at 5:50 PM - seconded by all in attendance.

Respectfully submitted,

1/28/86

Philomena E. Genatempo



One Old Bridge Plaza  
Old Bridge, NJ 08857

Eric Neisser, Esq.  
Constitutional Litigation Clinic  
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15 Washington Street - Room 338  
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