

AMG

3-20-86

Letter re:

- Cert. of Coley w/ exhibits

• Warren Tur Affordable Housing Program

pgs. 30

Pi # 3322

AM000255V

5-7598

5-8492

KUNZMAN, COLEY, YOSPIN & BERNSTEIN

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

EDWIN D. KUNZMAN
JOHN E. COLEY, JR.
HARRY A. YOSPIN
STEPHEN J. BERNSTEIN
HAROLD J. LEVY*
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SIDNEY COHEN*
STEVEN A. KUNZMAN
HAROLD DRUSE
ANNE LORUSSO CAScone
MICHAEL J. McCAFFREY

MICHAEL A. PATICCHIO
OF COUNSEL

*NY BAR ONLY

REC'D. & FILED
SUPERIOR COURT
OF NEW JERSEY

MAR 21 1986

M.V. 9
JOHN M. MAYSON
CLERK

March 20, 1986

RECEIVED

APR 10 1986

JUDGE SERPENTELLI'S CHAMBERS

15 MOUNTAIN BOULEVARD
WARREN, NEW JERSEY 07060

(201) 757-7800

ASSOCIATED WITH:

LEVY, BIVONA & COHEN

PARTNERSHIP OF NEW YORK ATTORNEYS

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NEW YORK, NEW YORK 10016

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Superior Court of New Jersey
CN 971
Trenton, NJ 08625

Re: AMG Realty Company, et als. vs. Warren Township, et als.
Docket Nos. L-23277-80 P.W. and L-67820-80 P.W.

Dear Sir:

Please find enclosed for filing an original and one copy of a Memorandum of Law and Certification of John E. Coley, Jr., with copies of Certifications of John Chadwick, Stanley Kaltnecker and Ronald Willens.

Very truly yours,

KUNZMAN, COLEY, YOSPIN & BERNSTEIN

Steven A. Kunzman

SAK:eg
encs.

cc: Honorable Eugene D. Serpentelli
Clerk, Somerset County

MAR 27 12:55 PM
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 SUPERIOR COURT
 OF NEW JERSEY
 CLERK
 MAR 21 1988
 M.V. 9
 JOHN M. MAYSON
 CLERK

KUNZMAN, COLEY, YOSPIN & BERNSTEIN, P.A.
 15 Mountain Boulevard
 Warren, New Jersey 07060
 (201) 757-7800
 Attorneys for Defendant, Township of Warren

AMG REALTY COMPANY and SKYTOP LAND CORP.,)	SUPERIOR COURT OF NEW JERSEY
Plaintiff,)	LAW DIVISION: SOMERSET COUNTY
JOAN H. FACEY, et als.,)	DOCKET NO.: L-23277-80 P.W.
Intervenors,)	L-67820-80 P.W.
-vs.-)	Civil Action
THE TOWNSHIP OF WARREN,)	CERTIFICATION OF
Defendant,)	JOHN E. COLEY, JR.
CONSOLIDATED WITH)	
TIMBER PROPERTIES,)	
Plaintiff,)	
-vs.-)	
THE TOWNSHIP OF WARREN,)	
et als.,)	
Defendant.)	

JOHN E. COLEY, JR., hereby certifies as follows:

1. I am an attorney at law of the State of New Jersey and also represent the Township of Warren as its Municipal Attorney. The Township of Warren is one of the Defendants in the above entitled matter. I am personally familiar with the history of the instant case from its origination in 1980 to the present time.

2. This Affidavit is submitted to the Court along with the Affidavit of Ronald H. Willens, Stanley Kaltnecker, and John Chadwick. It is submitted with the aforesaid Affidavits in opposition to the Notice of Motion for Imposition of Conditions Upon Transfer which has been made by the Plaintiffs, AMG Realty Company and Skytop Land Corporation.

3. The Township Committee has passed, pursuant to the Fair Housing Act (P.L. 1985 c. 222) Resolution No. 228, a copy of the same being attached hereto and made apart hereof. This Resolution authorized the Township to seek NJHMFA assistance for a Township Public Housing Project on property owned by the Township in the vicinity of Mountain Avenue and Stirling Road. This application for funding shows a total of 208 housing units which will be built by the Township for sale. All of said housing units to be for low and moderate wage earners. The 208 unit figure is a high figure and the Township is more comfortable building a project of approximately 180 units. As set forth in Mr. Kaltnecker's Affidavit filed herewith there is available a sewer expansion to accommodate the dwellings to be constructed. As stated above the Township owns this property, and the property has prime residential development attributes. The Township plans to build this project in satisfaction of a portion of its Mt. Laurel obligation. Attached hereto and made apart hereof is a copy of the application for assistance which has been filed to the NJHMFA by the Township Planning Firm.

4. Section 12.A. of the Fair Housing Act states:

A municipality may propose the transfer of up to 50 percent of its fair share housing to another municipality within its housing region by means of a contractual agreement into which two municipalities voluntarily enter.

The Warren Township Committee has determined that it will enter into the contractual agreement referred to above with another municipality in its housing region. Negotiations for that transfer will begin once Warren Township knows its fair share number and also what region it will be located within. As the Court is aware Warren Township's neighbor, the Borough of Watchung, is in the process of negotiating the sale of a percentage of its fair share allocation with another municipality in the immediate area of Watchung. Thus, this approach is a viable approach for municipalities of the type and substance of Warren Township.

5. It is obvious that all low and moderate development and the "market unit" construction which is apart thereof will not be built in the first year of the Mt. Laurel program. The construction will be phased in as a result of market conditions, labor conditions, phasing provisions in the Fair Housing Act and other "real world" conditions. Thus, all sewer capacity and other infrastructure requirements will not be instantaneous but will be developed over a period of years.

6. Having reference to the certification filed by Mr. Murray dated March 7, 1986, specifically Exhibit I which is a

copy of a newspaper article (I would believe that newspaper articles are of very limited evidential value) which purports to show development within Warren Township; I am personally aware of the residential development enumerated as Item No. 3 Blackpoint, 38 lots". I represent the contract Sellers of that property. Upon my personal knowledge there is no sewer capacity for the 38 lots in question nor have any of the lots passed a percolation test, although most of the lots have had percolation tests performed upon them. Thus, these 38 lots are not developable at this time or in the near future. I am aware of many other projects set forth on the aforesaid Exhibit which in reality are not buildable within the near future. Further evidence would be presented at a plenary hearing in this matter as to which proposed developments in Warren are actually buildable in the near future. If Mr. Murray's "622" number of residential building lots that have received approval by Warren Township includes the 38 lots I just referred to and also other lots on Exhibit I which have developmental problems, I would seriously question the accuracy of that number. Again, it is obvious that even if a substantial number of homes are on the drawing boards to be developed in Warren Township the same will be phased in over a period of years and will not be built instantaneously. Next in Mr. Murray's memorandum of law filed in this matter he states, at Page 10, that the existing moratorium in Warren Township which prohibits all development of properties within the

"Conformance Districts" which are proposed in the currently proposed Mt. Laurel ordinances is "set to expire, by Order of the Court, when this case is transferred to the Council." The Order of the Court is attached to the aforesaid memorandum of law and on Page 2(b) the Court has stated that there is no automatic expiration of the moratorium but rather "upon application of any party in this matter, the Court will rule upon the continuing validity of the aforesaid moratorium ordinance". All properties in the Conformance Districts are still vacant and able to be developed. I would believe that the Court would not allow the existing moratorium ordinance to expire in October of 1987.

7. The "Warren Formula" which was developed by the Court in this case established a fair share number for Warren of 946. Based upon my discussions with the Township Planner, John Chadwick, as set forth in his Affidavit which is filed simultaneously herewith, and also my discussion with innumerable other attorneys and planners involved in Mt. Laurel litigation, it is my belief that the existing fair share number assigned to the Township of Warren under the "Warren Formula" is high. Mr. Chadwick suggests a figure of 544 would be more appropriate. Other planning experts and Township attorneys believe the number will be in the area of 500 to 600. Utilizing Mr. Chadwick's number of 544 I see the Warren Township Fair Share Housing scenario as follows:

1. The Council on affordable housing assigning a fair share number to Warren Township of 544

2. Reducing the said fair share number in half as a result of Warren Township's transfer of 50 percent of its fair share housing number to another recipient municipality in the region, minus (-)272

3. Development of the Warren Township Public Housing Project which includes all low and moderate income housing, minus (-)180

Warren Township's low and moderate income housing number which remains to be built by private developers is

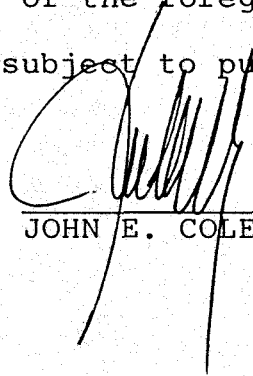
92

8. Of course Warren Township's Public Housing Project can be increased to compensate for a higher number assigned by the Council, if that case should develop. In any event, I view Warren Township's fair share number which is not to be satisfied by transfer to another municipality or a public housing project as being in the vicinity of 80 to 100.

9. Based upon a fair share number of 80 to 100 which is not satisfied by public means, it is obvious that the Township does not require a moratorium ordinance.

10. In the event the Court finds that some type of moratorium ordinance is required, Warren Township requests a plenary hearing be scheduled at a time which would enable the Township to reasonably prepare its case.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



JOHN E. COLEY, JR., ESQ.

DATED: March 20, 1986

E. Eugene Cross Associates

PLANNERS, LANDSCAPE ARCHITECTS AND ENGINEERS

235 LIVINGSTON AVE., P.O. BOX 1288, NEW BRUNSWICK, N.J. 08903
1-201-545-0018

470 MANTOLOKING ROAD, BRICK, N.J. 08723
1-201-477-7750

E. EUGENE CROSS, P.P., AICP
President

JOHN T. CHADWICK IV, P.P.
Director of Planning

PETER M. TOLISCHUS, P.P.
Professional Planner

MICHAEL A. CHASIN, P.E., P.P.
Traffic Engineer

THOMAS A. VIGNA, P.P.
Professional Planner
& Housing Specialist

HEATHER ROSBERGER
N.J. Certified
Landscape Architect

LAWRENCE SKELSON
Housing Rehabilitation
Specialist

Consultants in:
MUNICIPAL PLANNING
TRAFFIC STUDIES
ENVIRONMENTAL STUDIES
HOUSING STUDIES
ECONOMIC STUDIES
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Planners for:
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BRADLEY BEACH BOROUGH
BRICK TOWNSHIP
CHESTER BOROUGH
EDISON TOWNSHIP
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EGG HARBOR TOWNSHIP
FAIRFIELD TOWNSHIP
FRANKLIN TOWNSHIP
JAMESBURG BOROUGH
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LINDEN, CITY OF
MANALAPAN TOWNSHIP
MANCHESTER TOWNSHIP
MARLBORO TOWNSHIP
MIDDLESEX BOROUGH
MONROE TOWNSHIP
NEW BRUNSWICK, CITY OF
NORTH BRUNSWICK TOWNSHIP
PATERSON, CITY OF
PEAPACK & GLADSTONE BOROUGH
RUNNEVEDE BOROUGH
SAYREVILLE BOROUGH
SOUTH RIVER BOROUGH
WARREN TOWNSHIP
WATCHUNG BOROUGH

Housing & Community Development
Program Planners for:
EDISON TOWNSHIP
LAKEWOOD TOWNSHIP
OCEAN COUNTY

School Facilities Planners for:
EDISON BOARD OF EDUCATION
MIDDLESEX COUNTY VOCATIONAL
& TECHNICAL HIGH SCHOOLS
NEW BRUNSWICK BOARD OF EDUCATION
SAYREVILLE BOARD OF EDUCATION

January 30, 1986

New Jersey Housing &
Mortgage Finance Agency
Affordable Housing Program
3625 Quakerbridge Road
CN-18550
Trenton, NJ 08650-2085

PLEASE REPLY:

NEW BRUNSWICK OFFICE
 BRICK OFFICE

RE: Warren Township Application for
Assistance

Attn: Susan Kimball
Program Administrator

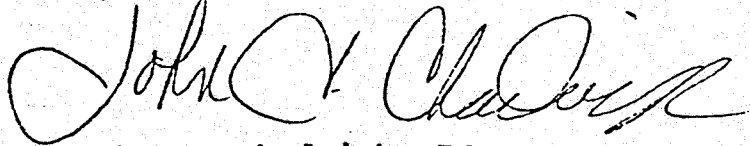
Dear Ms. Kimball:

I submit herewith at the request of and in behalf of Warren Township an application for New Jersey Housing and Mortgage Finance Agency assistance pursuant to the Fair Housing Act (PL 1985 c.222). The Township's application is for the construction of 208 pre-manufactured modular housing units on property owned by the Township. The site is identified within the Township's "conformance" report submitted to Honorable Judge Serpentelli in September of 1985.

I trust the application is complete.

Respectfully,

E. EUGENE CROSS ASSOCIATES



John T. Chadwick, IV
Planning Director

JTC/cp
encls.

cc: Morrison Schuster, Warren Township Administrator
John Coley, Esq., Warren Township
Doris Lortie, Warren Township Clerk
Warren Township Committee Members

WARREN TOWNSHIP
AFFORDABLE HOUSING PROGRAM

**NEW JERSEY HOUSING & MORTGAGE FINANCE AGENCY
AFFORDABLE HOUSING PROGRAM**

Application for Assistance Pursuant to the Fair Housing Act (P.L. 1985 c. 222)

I. GENERAL INFORMATION

A. Applicant Municipality: Warren Township County: Somerset

Name & Address of Contact Person: J. Chadwick
235 Livingston Avenue-PO Bx 1288-New Brunswick, NJ 08903 201-545-0018
(Address) (Telephone No.)

B. Designated Developer or Housing Sponsor

Please identify any designated developer(s) (and other members of the "development team") who will be involved with your housing program. If more than one firm (or individual) is being identified, please indicate for what portion or phase of the project they will be responsible. If a housing sponsor is named, list the name of the developer in section I.C. (4)

Warren Township Housing Agency
(Name of Firm)
Town Hall-46 Mountain Boulevard
(Address)
Warren, NJ 07060
(City, State, Zip Code)

J. Chadwick
(Contact Person)
201-545-0018
(Telephone No.)

List all officers, directors, partners and any persons having a 10% or greater interest in the company.
 Names: Not applicable Addresses:

C. Other Members of the "Development Team"

(1) Administrative Agency:
(if one is formed to assist in program implementation)
Morrison Schuster, Twp. Administrator
(Name)
Town Hall-46 Mountain Boulevard
(Address)
Warren, NJ 07060
201-757-7800
(Telephone No.)

(2) Architect:
(Name)
(Address)
(Telephone No.)

(3) Attorney:
John Coley, Esq.
(Name)
15 Mountain Boulevard
(Address)
Warren, NJ 07060
201-757-7800
(Telephone No.)

(4) Other:
John Lutsky, Twp. Engineer
(Name)
Town Hall-46 Mountain Boulevard
(Address)
Warren, NJ 07060
201-757-7800
(Telephone No.)

II. HOUSING PROGRAM

In the chart below, please describe the housing program intended to be undertaken in your municipality in furtherance of meeting all or part of the municipality's fair share housing obligation. You should describe, in an overall way, a comprehensive housing plan or program which you intend to implement, and then describe the specific request for funding you wish to make in Section III.

- A. Name of Project: Warren Township Affordable Housing Project
 B. Type of Housing: List the total number of units in your program in each category, as applicable. Please note that a single housing development may include both "for purchase" and rental housing units.

Type	Units for Purchase	Units for Rent	Total
New Construction	X		208
Substantial Rehabilitation			
Moderate Rehabilitation			

Street Address: Mountain Avenue & Stirling Road

Dimensions: irregular ft. by irregular ft. 27 acres Block multiple(see attachment) Lot

Information Concerning Land or Property: Present Owner of Property Township of Warren

Proposed Owner NA Relationship - (business, personal, or other)

between Seller and Buyer NA

Does the proposed Owner have an option to purchase? NA Expiration Date NA

Utilities	Yes	No	Distance from Site	Public or Private
Water	<u>X</u>	<u> </u>	<u>at site</u>	<u>private</u>
Sewer	<u>X</u>	<u> </u>	<u>at site</u>	<u>public</u>
Gas	<u>X</u>	<u> </u>	<u>at site</u>	<u>private</u>
Electrical	<u>X</u>	<u> </u>	<u>at site</u>	<u>private</u>
Other	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Is the site zoned to permit the proposed use? yes

Indicate status of site plan applications

Information Regarding Proposed Building(s):

Building Type

Building Type	No. of Stories	No. of Bldgs.	No. of Units/Bldg.
Hi-Rise	<u> </u>	<u> </u>	<u> </u>
Mid-Rise	<u> </u>	<u> </u>	<u> </u>
Garden Style	<u>X</u>	<u>28</u>	<u>4 to 8</u>
Townhouse Style	<u> </u>	<u> </u>	<u> </u>
Single Detached	<u> </u>	<u> </u>	<u> </u>
Semi-detached	<u> </u>	<u> </u>	<u> </u>

III. FORM OF ASSISTANCE

What kind of financial assistance are you seeking?

1) PERMANENT FINANCING FOR HOME PURCHASES? Yes X No
No. of Units 208 Anticipated Amount \$ 9,484,000

2) A CONSTRUCTION AND/OR PERMANENT MORTGAGE LOAN FOR A RENTAL PROJECT? Yes No X
No. of Units Anticipated Amount \$
(Indicate whether construction or permanent financing, or both, are sought.)

3) FAIR HOUSING ACT APPROPRIATION FUNDS? Yes X No
For what purpose? assistance to prospective homeowner for down payment and/or closing costs

Requested Amount \$ 1,456,000 (\$7,000/unit)

How many units will directly benefit from this assistance? 208

In the space provided, please indicate how the requested funding will be used to promote the affordable housing described in the above sections. The funding proposal will permit purchase of modular homes by low and moderate income families (3 and 4 person households). Further grant funds will permit range of affordability to households.

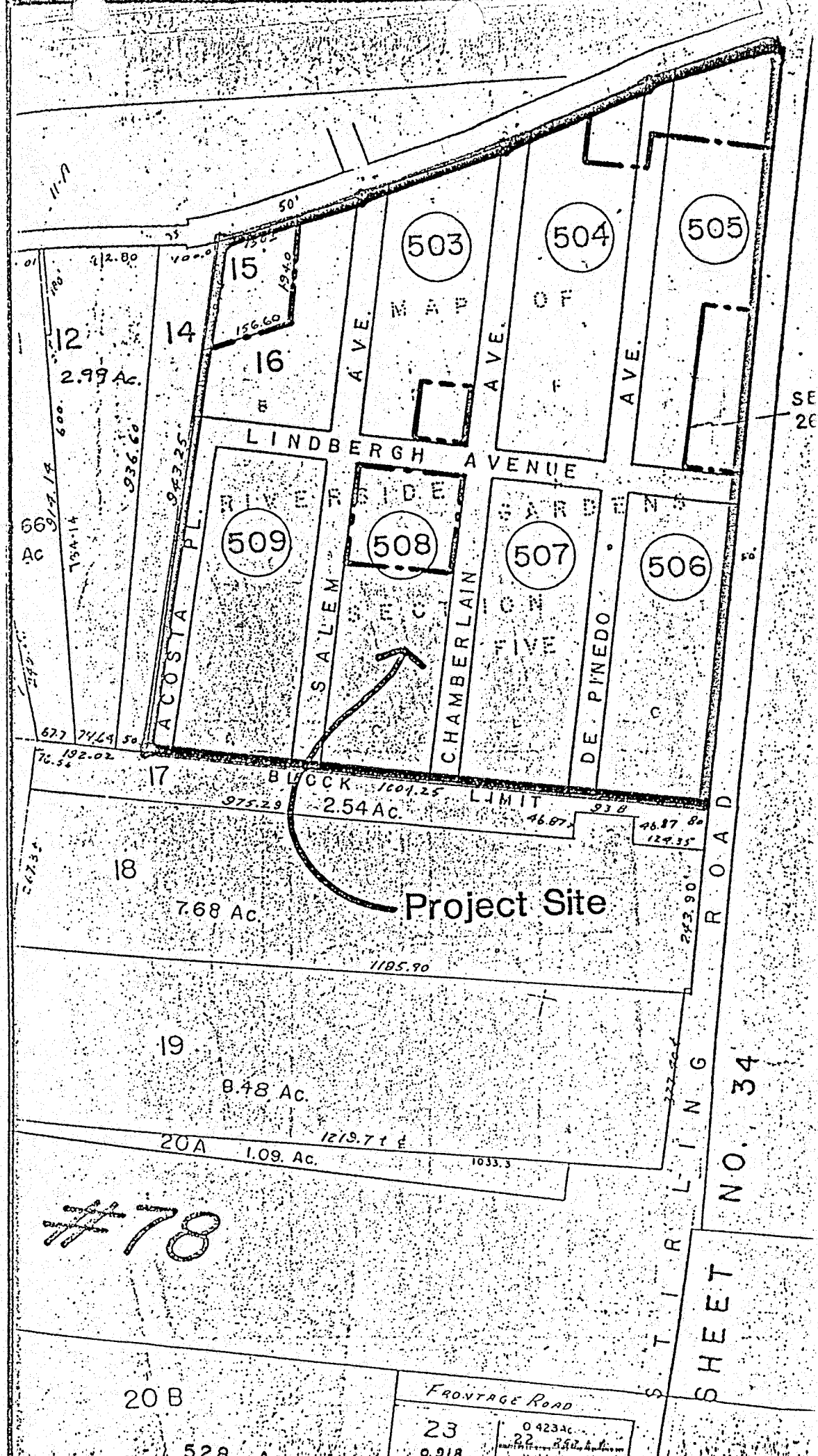
IV. FINANCIAL INFORMATION The median income for this community, located in Somerset County is \$ 29,172 for a family of four persons. (Source: Census 1980, family me

A. HOME-OWNERSHIP PROPOSALS

Please list the costs associated with the housing proposed for HMFA assistance.

1. Development Costs

Land Acquisition Costs	\$ <u>0</u>	Carrying, Financing and Other Charges	<u>1,000,000</u>
Construction Costs	<u>8,484,000</u>		<u>9,984,000</u>
Professional Fees	<u>500,000</u>	Total Project Cost	\$ <u> </u>



#78

SHEET NO. 34

FRONTAGE ROAD	
23	0.423 Ac.
0.918	2.262 Ac.

NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY
AFFORDABLE HOUSING PROGRAM
OWNERSHIP HOUSING AFFORDABILITY ANALYSIS

(1.) NO. OF BEDROOMS	(2.) # UNITS	(3.) PROJECTED SALES PRICE	(4.) MINIMUM DOWN-PAYMENT		(5.) MORTGAGE AMOUNT
			(a.) %	(b.) \$	
2	208	\$48,000	5%	\$2400	\$45,600

(6.) MONTHLY MORTGAGE PAYMENT	(7.) ESTIMATED TAXES AND INSURANCE	(8.) TOTAL P.I.T.I.**	(9.) NECESSARY INCOME	(10.) NO. PERSONS PER HOUSEHOLD	(11.) MEDIAN INCOME FOR HSHLD. SIZE	(12.) RANGE OF AFFORD.
\$437	\$98	\$535	\$22,929	3 per.	\$34,740	66%

Monthly mortgage payments will include principal, interest, and mortgage insurance.

* Principal, interest, property taxes and hazard insurance.

2. Sales Prices (Fill out Schedule "A" before completing this section.)

Unit Characteristics			Sales Information					
(1)	(2)	(3)	(4a)	(4b)	(4c)	(4d)	(4e)	(4f)
# of Units	Sq. Ft. of Unit	# of BR's	Selling Price	Selling Price Less Approp. Funds	Monthly P.I.T.I. (Mortgage Rate <u>12</u> %)	Afford. Range	Monthly P.I.T.I. (Mortgage Rate <u>9.59</u> %)	Afford. Range
208	800	2	48,000	41,000	542	67	442.22	55

(Add additional sheets as needed to describe all units which will meet all or a part of the local fair share requirements.)

B. RENTAL HOUSING PROPOSALS

If the proposal includes rental housing, please provide the information requested below. All development costs and rental information should include the cost of "market rate" units, if any. Please note that if requesting a firm commitment, Schedule "B" must be completed and submitted with your application.

1. Development Costs

Land Acquisition Costs \$ _____
 Construction Costs _____
 Professional Fees _____
 Carrying, Financing and Other Charges _____
 Total Project Cost _____
 Less Equity (if any) - _____
 Less Subsidy (if requested) - _____
 Total Mortgage Amount \$ _____

2. Operating Costs

Annual Debt Service (Mtg. Payment) \$ _____
 Annual Taxes (Per D.U. _____) _____
 Annual Maintenance & Repair Expenses _____
 Annual Utility Costs (Per D.U. _____) _____
 Total Operating Expenses \$ _____

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
No. of Units	Sq. Ft.	# of Bedrooms	Hshld. Size	Monthly Rent Per Unit	Total Monthly Rent Col. 1 X Col. 5	Estimated Monthly Utilities*	% of Med.	Dollar Amt.

Total Monthly Rent (all units): \$ _____ X 12 = \$ _____ Annual Rent

*Monthly rent plus utility costs should not exceed 30% of the monthly household income. If utilities are included in the rent, please so indicate. _____

V. SUPPLEMENTAL INFORMATION

A. What is the proposed timetable for implementing your housing program?
 24 months (see attached narrative)

Will the proposal(s) be phased? no If so, what is the proposed schedule?

B. Government Assistance: Is any other form of assistance (tax abatement, direct grants or other assistance) available from the federal, state or local government to help promote the affordable housing units? Please describe:
no

C. Is construction financing arranged for any or all units which may be proposed as "purchase housing"?

If all local approvals have been granted, what is the status of construction of the project.

- 1. Permits issued; completion scheduled for _____
- 2. Site improvements only commenced _____
- 3. Foundations started _____
- 4. Framing started _____
- 5. Exterior complete _____
- 6. Units are complete (c.o.'s issued) but are unoccupied _____

If permits are not yet issued, what is the anticipated time frame: 9 months

E. Please indicate the status of any pending "Mt. Laurel" litigation in the community. (Attach additional sheets as necessary and indicate filing or docket numbers, applicable dates, etc. Attach copies of any judgements or orders.) See attached narrative

F. Has a "fair share" number been identified for the community? yes (see attached narrative)
If so, please indicate how many units and whether there is to be a distribution between low and moderate income units or family vs. elderly housing.

Total: 946 Low: 473 Family: NA
 Moderate: 473 Elderly: NA

Who established the fair share number? Honorable Judge Serpentelli

Has a court order recognized this as the municipality's fair share? yes (see attachment)

G. How do you plan to restrict the resale of any units which will be available for purchase? Adoption by ordinance of a Housing Plan administered by the Warren Township Housing Agency.

Is there an agency established which can administer resale controls? No

If so, which agency? _____

H. Please describe the efforts which will be undertaken to achieve an affirmative marketing strategy to encourage occupancy by those who would otherwise be least likely to apply. (Attach additional sheets as necessary.) See narrative

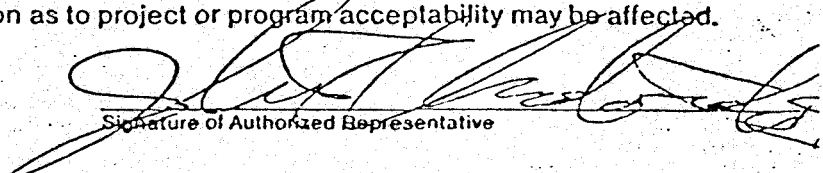
I. Has an application been submitted to the Department of Community Affairs for assistance for the housing described in this application? No

J. Other Community Information:

- (1) Present Tax Rate 2.18
- (2) Equalization Ratio 83%
- (3) Urban Aid City? No
- (4) Are there any NPP (Neighborhood Preservation Program) neighborhoods in the community? No
- (5) CDBG Entitlement City? No
- (6) CDBG Urban County Consortium Funding? yes
- (7) Small Cities Recipient? No
- (8) Other - (please specify) _____
- (9) 1980 Population 9,805

The Township of Warren municipality is interested in developing (or designating a housing sponsor to undertake the development) the above-described housing program. I, John T. Chadwick, IV, type name and title

Planning Consultant, hereby certify that the information set forth above is, to the best of my knowledge, true and correct and realize that NJHMFA will rely on such information in making its determination as to the project's potential for financing or funding pursuant to the Fair Housing Act. If any of the details submitted in the proposal are changed, I am aware that the NJHMFA's determination as to project or program acceptability may be affected.


Signature of Authorized Representative

NARRATIVE EXPLANATION

I. GENERAL INFORMATION

Warren Township intends to establish a Housing Agency pursuant to authorization provided by the revised Housing and Community Development Act. Warren Township is a member community of the Somerset County Urban Block Grant program.

The Township intends for site preparation (clearing and grading, utility and road installation, etc.) to be accomplished under a general bid contract.

The Township's proposal for housing units is for pre-manufactured modular units. A general proforma prepared by E & R Management and Development Corp. is attached herewith as Exhibit A.

II. HOUSING PROGRAM

The Township intends to act as agent for the construction of 208 "for sale" units affordable to low and moderate households. Attached Exhibit A describes in general terms the type of unit proposed on property owned by the Township. The nature of the proposal is to produce, in the shortest time-frame, housing within the community affordable to low and moderate income families.

III. FINANCIAL INFORMATION

The information presented assume a "fast track" development owing to the nature of the project. The manufactured housing proposal anticipates bonding of site improvement, construction of improvements, installation of dwellings, and marketing of same within a 24 month period. Bond obligation is estimated at 16 month period.

IV. SUPPLEMENTAL INFORMATION

D.

The Township's proposal is for manufactured housing installed at the site. A proforma (Exhibit A) illustrates intended site development.

E.

The Township has appealed the decision of Honorable Judge Serpentelli (AMG Realty Company et als. vs. Warren Township) to the Council on Affordable Housing. The case is currently pending before the Supreme Court. Copies of judgements are not attached owing to the notoriety and well-publicized decision, as well as length (300 plus pages). Notwithstanding, if copies are requested, same shall be provided upon request.

F. Fair Share Obligation

Judge Serpentelli, in his decision of AMG Realty et als. vs. Warren Township, determined on an "interim" basis that the fair share housing obligation for low and moderate income families for Warren Township was 946 units. This determination is under appeal by the Township.

As a result of the decision of Judge Serpentelli referenced above, a Court-appointed Master, Mr. Philip Caton, reviewed the Township's Conformance Plan during the summer of 1985. As of this date, no report has been filed with Judge Serpentelli in this matter.

G. Administration of Resale Controls

The Township, as part of the preparation and adoption of a Housing Plan, such controls, conditions and administrative procedures and remedies shall be adopted.

H. Affirmative Marketing Strategy

The Township will establish by ordinance prioritization regulations, marketing strategy, and general outreach mechanisms to encourage occupancy by those who would otherwise be least likely to apply.

Depending upon the decision of the New Jersey Supreme Court, the Township intends preparation and adoption of its Housing Plan and obtaining certification of same from either the Council on Affordable Housing or the Court of Judge Serpentelli, whichever the case may be.

E & R Management & Development Corp.

1171 Black Horse Pike, Pleasantville, N.J. 08232
609-641-1444

November 26, 1984

Kunzman, Coley, Yospin, Bernstein, Esquires
John E. Coley, Esquire
15 Mountain Boulevard
Warren, N.J. 07060

Dear Mr. Coley:

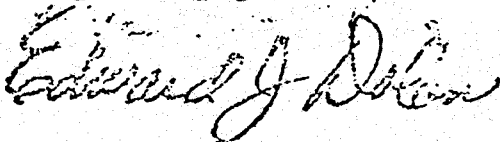
Pursuant to your request, please find attached hereto a cost estimate per unit, and floor plans for a building system which could be appropriate to assist your municipality in meeting their Mt. Laurel Housing Obligation.

Please understand that this housing is factory built to the N.J. State Building Code for the purpose of multifamily housing. In using the factory-built scheme, cost effective construction and high quality control is achieved.

Our company has chosen Poloron Homes of Middleburg, Pa. to bid and possibly construct this housing. The reasoning behind the use of Poloron is this company has an extremely good reputation for high-quality construction, service response and is a general leader in the factory built housing industry.

Please review the attached floor plans at your leisure, and if you have any questions relative to these prints and specifications contact me at your convenience.

Very truly yours,



EDWARD J. DOLAN

Enclosures

EJD/tmg

E & R Management & Development Corp.

1171 Black Horse Pike, Pleasantville, N.J. 08232
609-641-1444

November 26, 1984

Proposal

E & R Management & Development Corp. intends to supply approximately 188 factory built housing units similar to the floor plan attached hereto.

The floor plans attached show hot air heat, air conditioning, stove and refrigerator and other amenities available for this housing use. However, for the purposes of this proposal, we intend to follow the standard specifications attached for your review.

The standard specifications are used for the single family housing system and vary from this multistory use. The multistory construction includes upgrading the supports in the lower floors to take the additional weight of a second story. Additional dry wall in the areas of marriage between the units is provided to accommodate the multifamily fire code requirements. Also, a central entrance and stairway is needed as an entrance way for all four families of each building.

Each four family building will consist of two units on the first floor and two on the second floor with a common entrance way and four interior located front doors.

Each building will be insulated with R-13 walls and floors and R-19 roofing in the upper level only. Heating for these units will be baseboard electric or standard and a stove will be provided.

Essentially, all units will be fully carpeted and no-wax flooring provided in areas such as baths and kitchens.

Each housing unit will also be capable of handling a washer/dryer, air conditioning, refrigerator, dishwasher and other housing amenities available in any standard site built structure. However, these items have been deleted so as to offer the lowest possible cost per unit, in order to satisfy this municipalities' Mt. Laurel obligation.

The exterior appearance will be 4/4 lap vinyl siding and shingle 4/12 roof. Also, thermopane windows will be used as an energy efficiency measure.

E & R

Management & Development Corp.

1171 Black Horse Pike, Pleasantville, N.J. 08232
609-641-1444

Please review the attached specifications for a complete housing description and you should have most of your questions answered.

The developer also intends to supply a crawl space foundation per four family housing structure. The foundation will consist of five (5) courses of concrete block on footings and center pilasters to complete the support system.

In addition to the foundation system, the developer will provide concrete slab entrances and steps to each building. The stairways on the interior of each structure will also be provided.

All buildings will also be provided with connections to water, sewer, electric and gas if available.

Each housing unit will have its own distinct gas, water and electric metering system located in an easy to read area. Additionally, each housing unit will receive an estimated sewerage bill.

The connections to sewer system will be via the municipal supplied sewer stub located no farther than ten (10) feet from the building. The water system will be connected to the municipal water. The lateral run to each building so as to facilitate the convenient location of four separate water meters per building.

It has been our previous experience that the electric company will connect to a developer supplied electric meter socket, four per building.

The gas company generally locates its meter on the building, and the developer will connect each unit to an individually metered service.

The set up of these housing units will be completed by the developer. The duties will include installation of siding, any drywall tape and spackling and installation of all entrance doors.

The major portion of the set up will be the actual siting of each unit on to the foundation system, the connection of each unit to the other members of each building, and the completion of the roofing system on each building.

E & R Management & Development Corp.

1171 Black Horse Pike, Pleasantville, N.J. 08232
609-641-1444

The developer will also provide a 10-year builder warranty with each housing unit in conformance with the State Licensed Builders law.

The developer will also provide the financing of these units for the retail customer either thru a conventional bank or a state-sponsored builder bond issue. The builder, however, will not be responsible for the payment of settlement costs or mortgage points where applicable.

E & R Management & Development Corp. will not be responsible for the filing nor preparation of a Dept. of Community Affairs condominium registration statement for this development.

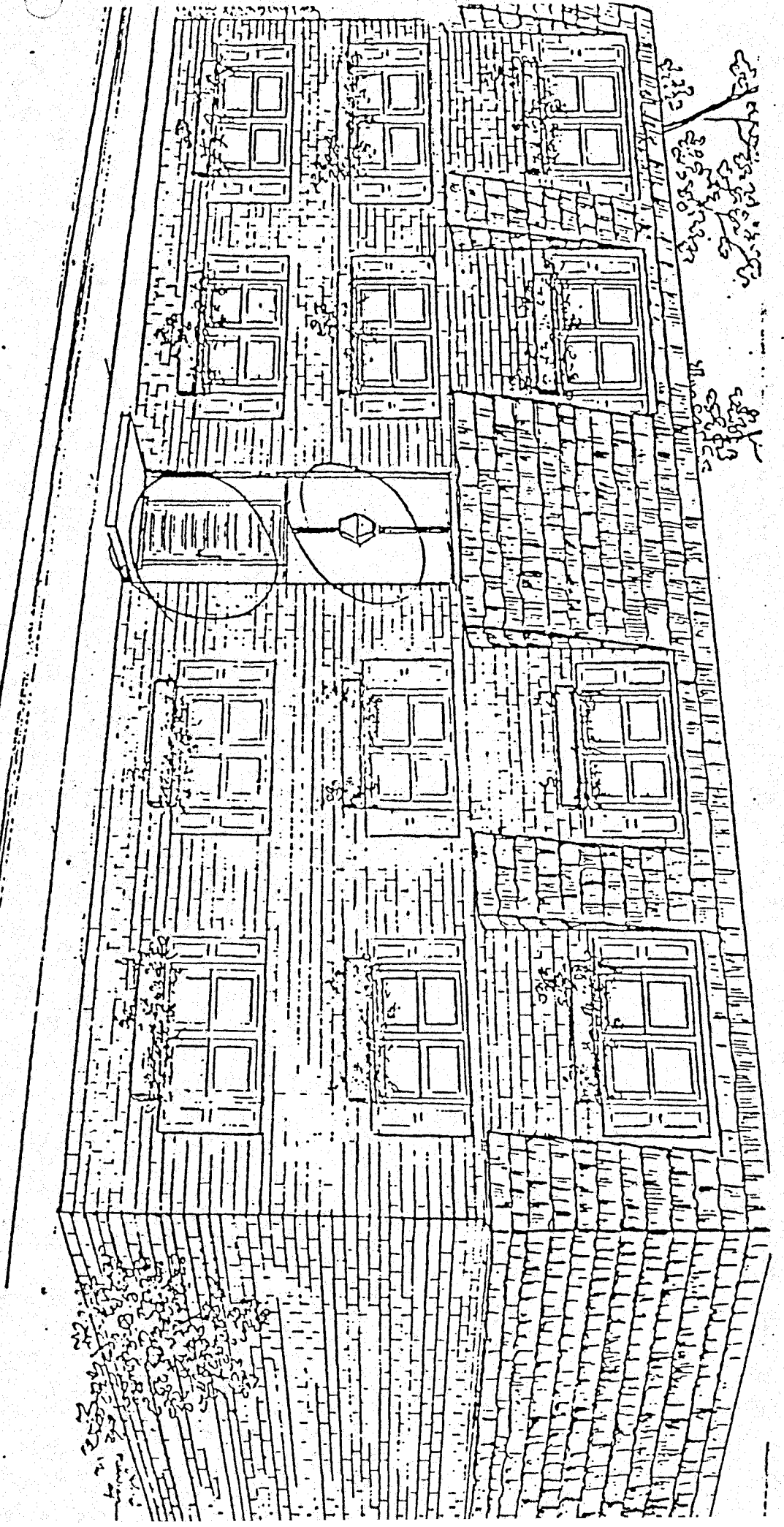
The developer is also not responsible for finish site grading and landscaping or overall site improvements such as roadways, curbs, sidewalks, sewer mains, water mains or other general site improvements.

Cost Estimate

- 47 - 4 unit housing structures, set up included. Approximately 860 square feet per unit.
- 47 - Foundation systems and entrance systems.
- 188 - Electrical connections and equipment.
- 188 - Water connections.
- 47 - Sewer connections.
- 188 - Gas connections.

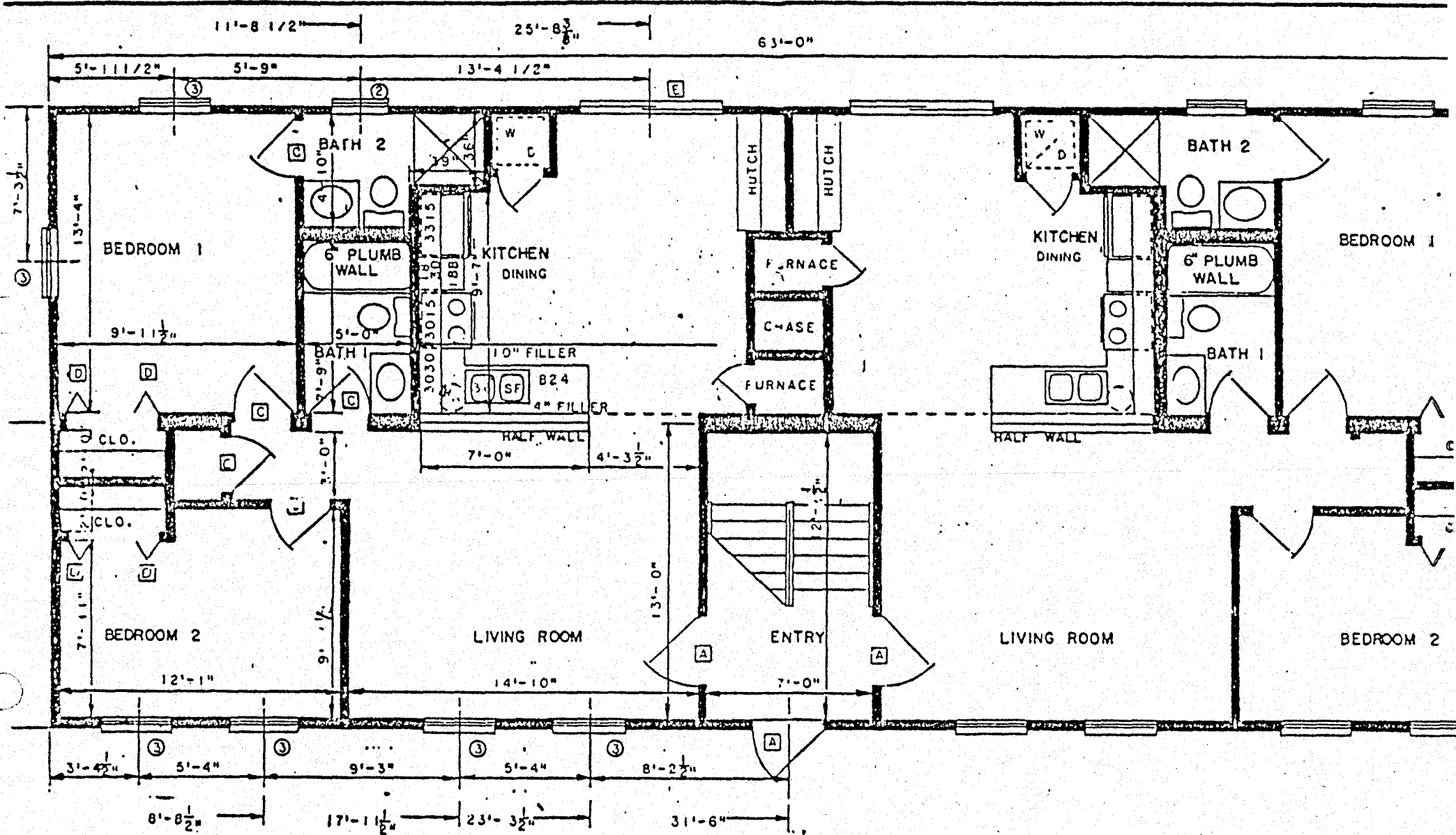
\$34,500.00 per unit

\$138,000.00 per building

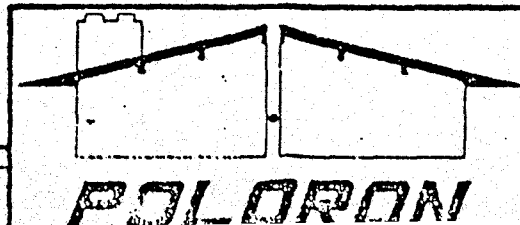


Handwritten text in Urdu script, likely a title or description of the building, located in the upper right corner of the drawing.

Handwritten text in Urdu script, possibly a signature or additional notes, located at the bottom of the drawing.



NOTE - ALL DIMENSIONS TYPICAL FOR BOTH SIDES



IRON HOMES OF PENNA. INC.
 BOX 306 - 74 RIDGE ROAD
 XEBURG, PA 17842

DRAWN BY D S B	SCALE 1/4" = 1'	TITLE POLORON PONY APTS.
CHECKED BY	DATE	

STANDARD SPECIFICATIONS

CONFORMANCE STANDARDS

BOCA Basic Building Code	In plant approval and inspections
BOCA Basic Plumbing Code	United States Testing Company, Inc.
BOCA Basic Mechanical Code	
BOCA Basic Energy Conservation Code	National Electric Code

Approved by the following states: VT, ME, NH, RI, CT, NY, NJ, PA, DE, VA, MD, WV, OH, NC, MA

FLOOR SYSTEMS

- 2" x 8" rim joists, doubled at front, rear and marriage walls.
- 2" x 8" floor joists @ 16" O.C., doubled under parallel partitions.
- 5/8" T & G under layment grade oriented strand board (A.P.A. certified) glued and nailed, solid bridging.
- FHA grade carpet or better with foam pad floor covering (one color throughout house). Cushioned vinyl flooring in kitchens, baths and foyers.
- Insulation: none—(R-19 rating with optional energy package).

EXTERIOR

- 2" x 4" studs @ 16" O.C.
- 1/2" fiberboard wall sheathing with 7/16" oriented strand board corner bracing.
- 7'6" ceiling height.
- Double 4" vinyl siding in textured finish applied over fiberboard sheathing, front and rear (gable ends shipped loose).
- Insulation: R-13 rating.
- Windows: wood double hung with insulated glass and screen.
- Exterior doors: insulated steel front and rear doors, rear door with insulated safety glass window.
- Gable end louvers. Vented aluminum soffit eaves with 6" fascia.
- Exterior lights at front and rear door.
- Entry sidelights standard on raised ranch models.

ROOF SYSTEM

- Roof trusses @ 24" O.C. with 5/12 pitch.
- 10" overhang.
- 7/16" oriented strand board roof sheathing with clips.
- 240 lb. self-sealing 3 tab asphalt shingles over 15 lb. felt building paper.
- Insulation: R-19 rating.

INTERIOR

- Exterior and load-bearing walls: 2" x 4" studs @ 16" O.C.
- Interior walls: 1/2" finished drywall with metal corner posts.
- Attic access panel 22" x 22" in ceiling.
- 1/2" textured drywall ceiling.
- Baseboard, 3-1/4" finished (oak finish).

PLUMBING

- Water lines are copper; all plumbing stubbed through floor for on-site connection.
- Energy-saver 40 gallon electric water heater with pressure relief valve, shipped loose for customer installation.
- Custom-designed ABS drain, waste and vent system.
- Shut-off valve on all sinks and water closets.
- Two frost-free sill cocks.

ELECTRICAL

- 200 AMP service with circuit breaker panel dropped below floor in basement models.
- All necessary ceiling and wall outlets as per National Electric Code requirements. All necessary receptacles, plates and accessories are included.
- Smoke/heat detector.
- Outside weatherproof receptacle on ground fault interrupter.
- Ceiling lights in hall, stairwell, dining area and kitchen.

HEATING

- Electric baseboard heat with individual thermostats in each room.

KITCHEN

- Custom-built kitchen cabinets (National Kitchen Cabinet Association approved).
- Brushed-chrome vented range hood with light and fan.
- Double-bowl stainless steel kitchen sink with single-lever faucet assembly.
- Decorative plastic laminated self-edged countertop with backsplash.
- Recessed light above kitchen sink.

BATHROOM

- 60" one-piece fiberglass tub/shower combination. 36" fiberglass shower stall standard in certain models.
- Cultured marble (white) vanity top with self-rimming bowl.
- Wall-mounted decorator medicine cabinet with light.
- Bath ventilating fan.
- Colored (blue or almond) china pottery water closet.
- Deluxe bath accessories.

MEMORANDUM

TO: Warren Township Committee

FROM: John T. Chadwick, IV, Planning Director
E. Eugene Cross Associates, Planning Consultants

SUBJECT: Proforma - Stirling Road/Mountain Avenue
Development

DATE: November 29, 1984

I submit herewith a draft proforma for the development of Township owned property located at intersection of Stirling Road and Mountain Avenue.

Draft - Proforma

I. Housing

total units 208 premanufactured/site finished dwellings having average habitable square foot area of 800 square feet. The estimated per cost unit is \$34,500. This cost includes all cost from shab up including utility connections.

II. Site development costs, on-site sewer, water, drainage road, parking, clearing, grading and landscaping are estimated at 1442 per unit. *

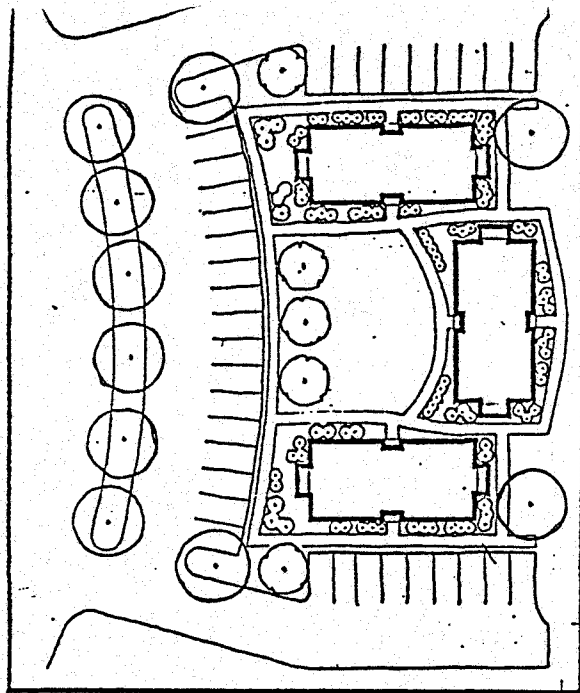
off-site costs:

III. off-site sewer line (Mountain Avenue) and plan expansion estimated at 3798/per unit.

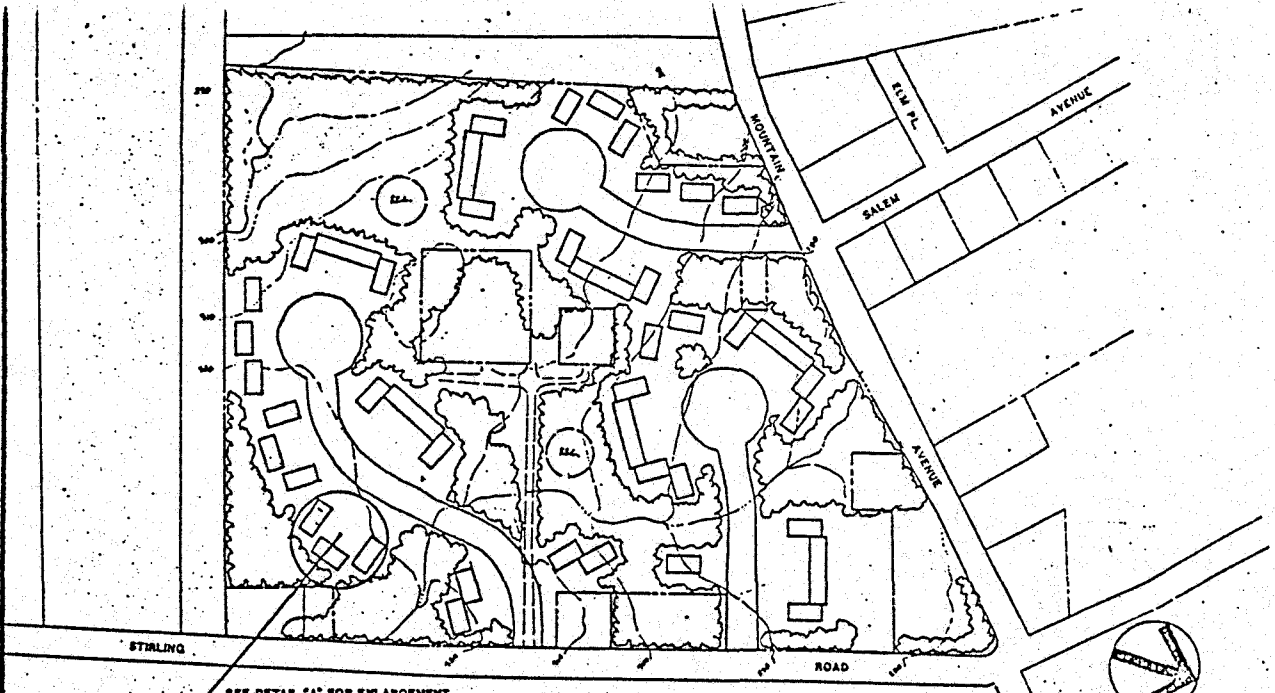
IV. total unit cost:

Per unit delivery cost is estimated at 42,000. This includes 7% contingency.

* does not include sewer capacity and tie-in charges.



DETAIL "A"
Typical Cluster Layout
 SCALE 1 DL = 20 FT.



SEE DETAIL "A" FOR ENLARGEMENT

SITE DATA

SIZE OF TRACT.....27 AC. APPROX.
 NUMBER OF UNITS.....208
 UNITS / STRUCTURE..... 4 UNIT STRUCTURES
 & 1 UNIT STRUCTURES
 RECREATION / PLAY AREA:
 WALKING AND JOGGING TRAILS NOT SHOWN

NOTE:
 MAJOR RECREATIONAL FACILITIES EXIST
 AT SCHOOL SITES ACROSS STIRLING ROAD

TOPOGRAPHY SOURCE:
 SHEET NO. 2-4, DATED 8/24/68
 TWP. OF WARREN TOPOGRAPHIC SURVEY

SITE BOUNDARIES SOURCE:
 TOWNSHIP OF WARREN TAX MAPS
 SHEET NO. 24-3

PREPARED BY:
E. EUGENE CROSS ASSOCIATES

RESOLUTION NO. 228

- 1) WHEREAS, the Fair Housing Act (P.L. 1985 c. 222) (the "Act" states that the New Jersey Housing and Mortgage Finance Agency ("Agency") shall establish affordable housing programs to assist municipalities in meeting the obligations of developing communities to provide low- and moderate-income housing; and
- 2) WHEREAS, the Agency shall, to the extent of available funds award assistance to affordable housing programs located in municipalities whose housing elements have received substantive certification from the Council on Affordable Housing ("Council" or which have been subject to a builder's remedy, or which are in furtherance of a regional contribution agreement approved by the Council; and
- 3) WHEREAS, during the first 12 months from the effective date of the Act and for any additional period which the Council may approve, the Agency may assist affordable housing programs which are not located in such municipalities as described in Paragraph 2 above, provided the expressed affordable housing program will meet all or in part a municipality's low- and moderate-income housing obligation; and
- 4) WHEREAS, the application to be made by the Township of Warren incorporates an affordable housing program which will meet all or a part of the low- and moderate-income housing obligation of the Township of Warren;

NOW, THEREFORE BE IT RESOLVED as follows:

- 1) that the Warren Township Committee hereby supports the application of the Township of Warren as regards the proposed affordable housing project or development described in the application for NJHMFA assistance to be submitted by the Township to the Agency; and
- 2) the proposed timetable for the implementation of the project or development described in said application to be made indicates that the project will be completed within the time frame that may be established by the Superior Court of New Jersey in the matter of AMG Realty

Company, et al. v. Warren, et als., Superior Court of New Jersey, Law Division, Somerset County, Docket Numbers L-23277-80 P.W. and L-67820-80 P.W.

3) the Warren Township Clerk shall be, and hereby is, authorized and directed to file a certified copy of this resolution with the Secretary of the New Jersey Housing & Mortgage Finance Agency.

C E R T I F I C A T I O N

I, Doris Lortie, Clerk of the Township of Warren, in the County of Somerset, New Jersey, do hereby certify the foregoing to be a true and correct copy of resolution adopted at a meeting of the Township Committee held on December 19, 1985.

Doris Lortie
Doris Lortie
Township Clerk

cc: N.J. Housing & Mortgage Finance Agency