

MILLS & MILLS

COUNSELORS AT LAW

John M. Mills (1949-1988)

John M. Mills III
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August 4, 2020

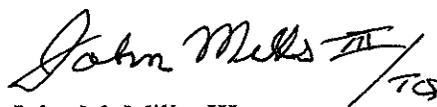
Laura Smith-Denker, Esq.
Senior Staff Attorney, Compliance and Monitoring
Fair Share Housing Center
510 Park Boulevard
Cherry Hill, New Jersey 08002

***Re: Township of Morris
Midpoint Review***

Dear Ms. Denker,

I am acting as special counsel to the Township of Morris with respect to affordable housing matters. In that regard we enclose herewith what we anticipate that you will find to be a compliant midpoint report.

Very Truly Yours,

A handwritten signature in cursive script that reads "John Mills III" with a date "7/19" written below it.

John M. Mills, III
Mills & Mills P.C.

JMMIII:

CC: Mayor Wilson and members of the Township Committee.
Mr. Timothy F. Quinn, Administrator
Mr. James Slate, Township Engineer
Mr. Paul Phillips, Planner



TOWNSHIP OF MORRIS

50 WOODLAND AVENUE
PO BOX 7603
CONVENT STATION, NEW JERSEY 07961-7603
FAX NO. (973) 605-8363
WWW.MORRISTWP.COM

TIMOTHY F. QUINN
TOWNSHIP ADMINISTRATOR

(973) 326-7360

Midpoint Review Submitted on Behalf of THE TOWNSHIP OF MORRIS

The Township of Morris (the "Township") received a Final Judgment of Compliance and Repose on October 31, 2018. The Township now responds to the monitoring requirements as set forth herein.

Midpoint Review Questions:

1. All conditions established in the judicial approval of the municipal housing element and fair share plan have been completed/satisfied.
2. Listed below is the status of each inclusionary development included in the Morris Township court approved settlement agreement:

Honeywell Site, Block 9101, Lot 6-8 – Construction Completed

Colgate, Block 10401, Lot 3 – Under Construction

Sisters of Charity, Block 8801, Lot 1 – Developers has not proceeded with Development

95 Mt. Kemble Avenue, Block 5506, Lot 25 – Developer has not yet proceeded with Development

375-403 Mt. Kemble Avenue, Block 5101, Lot 4-7 – Developer has not yet proceeded with Development

Grant Homes, Block 5604, Lot 1 – Construction Completed

3. All non-inclusionary development projects have been completed.
4. The settlement agreement does not establish any time deadlines.

5. All unbuilt development projects are within sanitary sewer service areas.
6. Pursuant to Paragraph 5 of the Settlement Agreement, the Rehabilitation Share of twenty-four (24) units is to be met through participation in the Morris County Community Development Program. The Township has discussed the program with the County of Morris and promotes the program.
7.
 - a. No development proposal has been received for any parcel larger than 0.5 acres.
 - b. No development has occurred or been proposed to occur within any inclusionary overlay zone.
 - c. There has been no change of circumstances giving rise to additional, newly identified parcels of land becoming available for development.
8. Not applicable.
9. Not applicable.
10. Not applicable.

1. GENERAL INFORMATION AND TRUST FUND MONITORING

MUNICIPALITY NAME:	Township of Morris
COUNTY:	County of Morris
Date through which funds reported:	
Name of person filling out form and affiliation/role:	Timothy Quinn, Township Administrator, MHL
Date of filling out form:	
Email:	tquinn@morristwp.com
Municipal Housing Liaison for municipality:	Timothy Quinn, Township Administrator, MHL
Email:	tquinn@morristwp.com
Income Limits Year Being Used by Municipality*:	2020

(Note: Date in Approved Spending Plan = date through which revenues/expenditures are shown in the approved spending plan; if no approved spending plan, show revenues/expenditures through June 30, 2015 in Column B and beginning July 1, 2015 in Column C.)

TRUST FUND INFORMATION

	Inception - Date in Approved Spending Plan or June 30, 2015	Date in Approved Spending Plan or July 1, 2015 to Present	Total
REVENUE SUMMARY			
Barrier Free Escrow			\$0
Development Fees	\$ 469,301	\$ 1,287,005	\$1,756,306
Interest Earned	\$ 145	\$ 57,844	\$57,989
Other Income		\$ 10,000	\$10,000
Payments-in-Lieu of Construction			\$0
TOTAL	\$ 469,445	\$ 1,354,849	\$1,824,295

EXPENDITURE SUMMARY			
Administration**	\$ -	\$ 266,842	\$266,842
Affordability Assistance***			\$0
Very Low-Income Affordability Assistance			\$0
Barrier Free Conversions			\$0
Housing Activity		\$ 250,000	\$250,000
TOTAL	\$ -	\$ 516,842	\$516,842

ADMINISTRATION: Date in Approved Spending Plan to Present		
Name	List types of administrative expenses	Amount
Housing Partnership of Morris County	Administrative Agent	\$40,000.00
Township of Morris	MHL and Assistant MHL salaries	\$26,195.00
Legal - Attorney, Planner, Master	Legal Fees	\$9,922.00
FSHC	Contribution	\$15,000.00
TOTAL		\$91,117

1. GENERAL INFORMATION AND TRUST FUND MONITORING

AFFORDABILITY ASSISTANCE: Date in Approved Spending Plan to Present		
Name	List affordability assistance projects and programs	Amount
TOTAL		\$0

HOUSING ACTIVITY: Date in Approved Spending Plan to Present		
Type of Housing Activity	Specific Site or Program	Amount
Morris County Housing Authority - Rental Units	6 Monroe Street/227 MLK Avenue (payment pending)	\$ 150,000
Homeless Solutions - VLI - Rentals	88 MLK Avenue (payment pending)	\$ 50,000
Homeless Solutions - VLI - Rentals	24 Walnut Street	\$ 50,000
TOTAL		\$250,000

Comments: Compliance Approval and Spending Plan a

*View 2020 income limits: https://ahpnj.org/member_docs/Income_Limits_2020.pdf

https://ahpnj.org/member_docs/Income_Limits_2019_FINAL.pdf

https://ahpnj.org/member_docs/Income_Limits_2018.pdf

https://ahpnj.org/member_docs/Income_Limits_2017.pdf

**Administrative expenses cannot total more than 20% of collected revenues, less any Administrative expenses already disbursed.

***Affordability Assistance must equal at least 30% of revenues collected after July 2008, with one-third of that dedicated to very low-income Affordability Assistance

3. THIRD ROUND MONITORING

SEE ATTACHED FOR

PRIOR ROUNDS

Site / Program Name:	MCHA	MCHA	HOMELESS SOLUTIONS	HOMELESS SOLUTIONS	HOMELESS SOLUTIONS	HONEYWELL	COLGATE	SISTERS OF CHARITY	ATLANTIC HEALTH	VERDI GROUP	GRANT HOMES
Project developer:	Morris County Housing Authority	Morris County Housing Authority	Homeless Solutions	Homeless Solutions	Homeless Solutions	Hovnanian	JMF/Lennar	TBD	Toll Brothers	Verdi Group	Grant Homes
Compliance Mechanism:	100% Affordable	100% Affordable	100% Affordable	100% Affordable	100% Affordable	10% Affordable	32% Affordable	15% Affordable	15% Affordable	20% Affordable	20% Affordable
Compliance Mechanism #2 (if project has multiple):											
Round:	Third Round	Third Round	Third Round	Third Round	Third Round	Third Round	Third Round	Third Round	Third Round	Third Round	Third Round
Block (if multiple separate by commas):	10304	10304	901	10307	10314	9101	10401	8801	5506	5101	5604
Lot (if multiple separate by commas):	15	14	4,01	7	1,6,7,8		3	1	25	4,5,6,7	1
Address:	19 Carlton Street	6 Monroe Street/227 MLK Ave	15 Jean Street	24 Walnut Street	88 MLK Avenue	various	pending	pending	pending	pending	241 MLK Avenue
Construction required to begin by (for mechanisms other than inclusionary development):											
Status:	Completed	Completed	Completed	Completed	Completed	Completed	Pending	Pending	Pending	Pending	Completed
If project has site plan and/or subdivision approval, date building permits received (DD/MM/YYYY):											
If "approved not built" or "under construction," date of site plan and/or subdivision approval:											
If "under construction," expected date of completion:											
Date of issuance of C.O.:											
If "built," date controls began:											
Length of Affordability Controls (years):	30	30	30	30	30	30	30	30	30	30	30
Administrative Agent or other entity responsible for affirmative marketing:	Habitat for Humanity	Morris County Housing Authority	Homeless Solutions	Homeless Solutions	Homeless Solutions	Housing Partnership of NJ	TBD	TBD	TBD	TBD	TBD
Contribution (for payments in lieu)											
Total Affordable Housing Units Proposed	5	6	15	2	2	24	66	33	23	7	1
Total Affordable Housing Units Completed to Date	5	6	15	2	2	24					1
Type of Affordable Units:											
Family											
Family For-Sale	5									7	
Family Rental		6	15	2	2	24	60	33	23		1
Senior	0										
Senior For-Sale	0										
Senior Rental	0										
Supportive/Special needs	0										
Supportive For-Sale	0										
Supportive Rental	0						6				

Bedroom/Income Splits:

1 BR/ or Efficiency Affordable Units		2	4	0	1	0	12	0	0	0	0
Very Low-Income:		2	4		1						
Low-Income:											
Moderate-Income:											
2 BR Affordable Units		4	5	0	0	0	36	0	0	0	1
Very Low-Income:			5								
Low-Income:		4									
Moderate-Income:											1
3+ BR Affordable Units		5	6	2	1	24	12	0	0	0	0
Very Low-Income:			6	2	1						
Low-Income:											
Moderate-Income:	5	5				24					
Supportive/Special Needs Units:		0	0	0	0	0	6	0	0	0	0
Very Low-Income:							6				
Low-Income:							6				
Moderate-Income:											

OVERALL THIRD ROUND SUMMARY

	NUMBER	PERCENT
Total Units	55	-
Very-Low Income Units	27	49%
Low-Income	4	7%
Moderate-Income	35	64%
Family	0	0%
Senior	0	0%
Supportive/Special Needs	6	11%
For Sale	36	65%
Rental	148	269%

Comments: 116 Prior Round Surplus

4. VERY LOW INCOME REPORTING

Very Low Income Units approved and constructed since July 17, 2008				
Development/Compliance Mechanism	Total Affordable Units	VLI units constructed as of date of report	VLI units not constructed as of date of this report but still planned	Type of Very Low Income Unit (Family, Senior, Special Needs)
MCHA - 6 Monroe Street	2	2	0	Family
Homeless Solutions - 24 Walnut Street	2	2	0	Family
Homeless Solutions 88 MLK Avenue	2	2	0	Family
JMF - Colgate site	8		8	Family / Special Needs
Sisters of Charity site	7		7	Family
AHS Site Mt. Kemble Avney	3		3	Family
Total	24	6	18	

This tab provides reporting required on very low income units, i.e. units affordable to and reserved for households at or below 30% of regional median income. See N.J.S.A. 52:27D-329.1.

Compliance Mechanism(s)

100% Affordable
Accessory apartment program
Assisted living residence
Extension of expiring controls
Inclusionary zoning
Market-to-Affordable
RCA (approved pre-2008)
Redevelopment
Support and special needs
Other

Status

No approvals
Approved not built
Under construction
Built

Rounds

Prior Round
Third Round
Prior and Third Round

a municipality's Third Round present and prospective need instead of doing so through plenary adjudication of the present and prospective need.

3. FSHC and Morris Township hereby agree that Morris Township's affordable housing obligations are as follows:

Rehabilitation Share (per Kinsey Report ¹)	24
Prior Round Obligation (pursuant to N.J.A.C. 5:93)	293
Third Round (1999-2025) Prospective Need (per Kinsey Report, as adjusted through this Agreement)	767

4. For purposes of this Agreement, the Third Round Prospective Need shall be deemed to include the Gap Period Present Need, which is a measure of households formed from 1999-2015 that need affordable housing, that was recognized by the Supreme Court in In re Declaratory Judgment Actions Filed By Various Municipalities, 227 N.J. 508 (2017).
5. The Township's efforts to meet its present need include the following: Participation in the Morris County Community Development Program. This is sufficient to satisfy the Township's present need obligation of 24 units. Additionally, in the event that funds from Morris County Community Development Program are deficient, the Township has sufficient funds in its Affordable Housing Trust Fund which can be used to cover any shortfall.
6. As noted above, the Township has a Prior Round prospective need of 293 units, which is met through the following compliance mechanisms detailed in the next table.

Project	Block/Lot	Tenancy	Units	Rental Bonuses	Total
Prior Cycle Credits= 100 units					
Morris Mews	B: 1901/L: 3	Age-Restricted Rentals	100 ¹		100
100 Percent Affordable Projects= 21 units and 6 rental bonus credits					
Dean A. Gallo Congregate Living	B: 1901/L: 2	Age-Restricted Rentals	19	6	25
MLK/Emmett Avenue	B: 10311/L: 21	Sales	2		2
Inclusionary Development Projects= 200 units					
Moore Estate	B: 7902/L:1	Sales	64 ²		64
James St. Commons	B: 6705/L: 2	Sales	16 ²		16
Woodcrest (Oaks)	B: 9902/L: 48	Sales	21		21
Cory Road (Millrace)	B: 10311/L: 1	Sales	4		4
Village at Convent Station	B: 8301/L: 1	Sales	25		25
Rose Arbor	B: 1501/L: 1	Sales	70		70
Alternative Living/ Supportive and Special Needs Housing= 41 units and 41 rental bonus credits					
ARC House (1)	Confidential	Rental	15	15	30

¹ David N. Kinsey, PhD, PP, FAICP, NEW JERSEY LOW AND MODERATE INCOME HOUSING OBLIGATIONS FOR 1999-2025 CALCULATED USING THE NJ COAH PRIOR ROUND (1987-1999) METHODOLOGY, May 2016 and April 2017.

Homeless Solutions Transitional Housing	Confidential	Rental	11	11	22
Allegro Autism School Group Home	Confidential	Rental	5	5	10
Delta Community Support	Confidential	Rental	4	4	8
ARC House (2)	Confidential	Rental	6	6	12
Total			362	47	409³

³Surplus of 116 Units over 293 Unit Prior Round Obligation

¹ Of the total 100 affordable units at the Morris Mews project, the Township seeks to apply 62 units toward addressing its Prior Round obligation and 38 units toward addressing its Third Round Prospective Need obligation as part of a Prior Round surplus.

² The Township seeks to apply the 64 units at Moore Estate and 14 of the 16 total units at James Street Commons toward addressing its Third Round Prospective Need obligation as part of a Prior Round surplus.

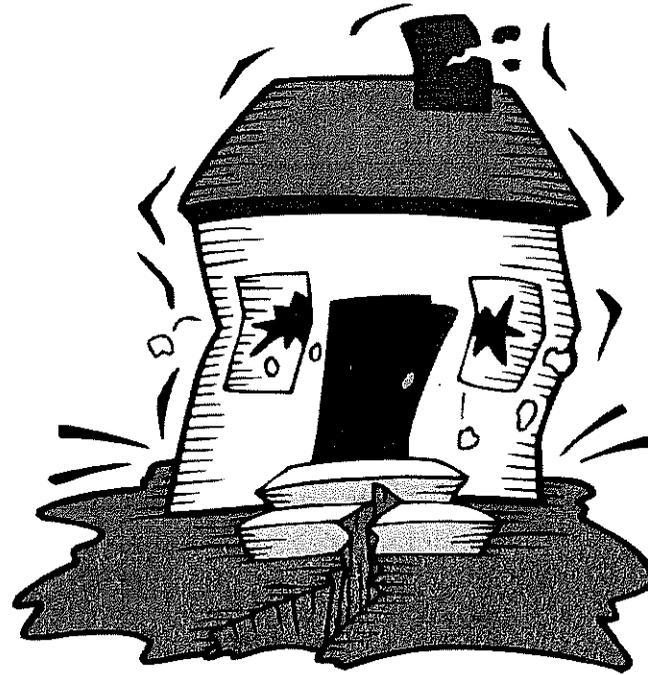
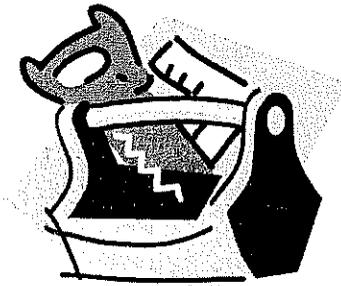
³ The Township seeks to apply 116 Prior Round surplus units towards addressing its Third Round Prospective Need obligation. These units will be from Morris Mews (38 units), Moore Estate (64 units), and James Street Commons (14 units).

7. The Township has implemented or will implement the following mechanisms to address its Third Round prospective need of 767 units:

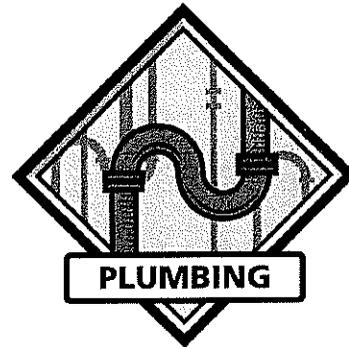
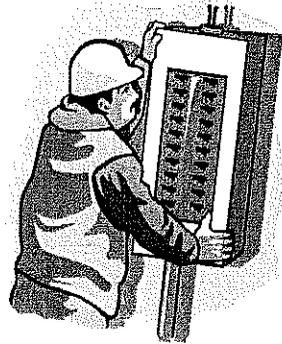
The municipality, as calculated in Exh. A, has a realistic development potential (RDP) of 400 units. Please note that, although it was under construction, the Township included the Honeywell site (Block 9101, Lots 6-8) in its calculation of RDP for settlement purposes only. That RDP will be satisfied as shown in the next table.

Project	Block/Lot	Tenancy	Units	Rental Bonus	Total
Prior Round Surplus Credits= 116 units					
Morris Mews	B: 1901/L: 3	Age- Restricted Rental Units	38		38
Moore Estate	B: 7902/L:1	Sales	64		64
James St. Commons	B: 6705/L: 2	Sales	14		14
100 Percent Affordable Projects= 30 units and 25 rental bonus credits					
MCHA- 19 Carlton	B: 10304/ L: 25	Sales	5		5
MCHA- 6 Monroe Street/227 MLK Ave	B: 10307/ L: 14	Rentals	6	6	12
Homeless Solutions- Jean Street Apartments	B: 901/ L: 4.01	Rentals	15	15	30
Homeless Solutions- 24 Walnut	B: 10306/ L: 7	Rentals	2	2	4
Homeless Solutions- 88 MLK Ave	B: 10314/ L: 1	Rentals	2	2	4
Inclusionary Development Projects= 154 units and 75 rental bonus credits					
Honeywell Site	B: 9101/ L: 6-8	Sales	24		24
Colgate	B: 10401/ L: 3	Rental	66	56	122
Sisters of Charity	B: 8801/ L: 1	Rental	33	19	52
95 Mt. Kemble Avenue	B: 5506/ L: 25	Rental	23		23
375-403 Mt. Kemble Avenue	B: 5101/ L: 4-7	Sales	7		7
Grant Homes	B: 5604/ L: 1	Rental	1		1
Total			300	100	400

The Morris County Community Development Program is funded through the U.S. Department of Housing and Urban Development (HUD). This program is a cooperative effort of the federal government through the Morris County Board of Chosen Freeholders and 37 municipalities to meet housing and neighborhood needs throughout the County. The Housing Rehabilitation Program is only one of the many activities receiving funding through this annual grant.



Does YOUR House Need Work?



A Publication of the
Morris County Board of Chosen Freeholders

The Morris County
Housing Rehabilitation Program



The Morris County Housing Rehabilitation

Program provides funds to income eligible homeowners to address major system failures in their primary residence.

General Requirements

Please check the box that applies: YES NO

1. Are you a permanent Morris County resident (except Dover and Parsippany)? YES NO
2. Do you own and have you lived in the house for at least one year? YES NO
3. Is this your principal residence? YES NO
4. Do you fall within the income limits in the chart below? YES NO

INCOME LIMITS	
Family Size	Gross Income
1	\$54,950
2	\$62,800
3	\$70,650
4	\$78,500
5	\$84,800
6	\$91,100
7	\$97,350
8	\$103,650

Effective: 7/1/20

Program Requirements



Funds are to be used for major repairs or conditions related to health or safety.



Examples of Work: roof replacement, furnace replacement, upgrade electrical, construct new well or septic, sewer or water hook-ups, provide handicapped access, etc.



Type of assistance: No Interest, No Payment 6-Year or 10-Year Forgivable Loan (Term is dependent on amount of assistance).



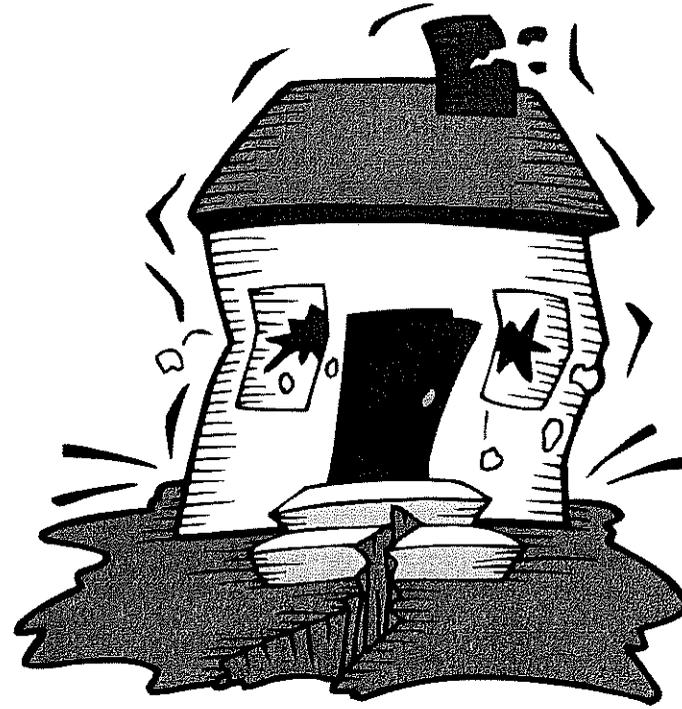
Contact Community Development **BEFORE** any work is done or contracts are signed.

Interested?

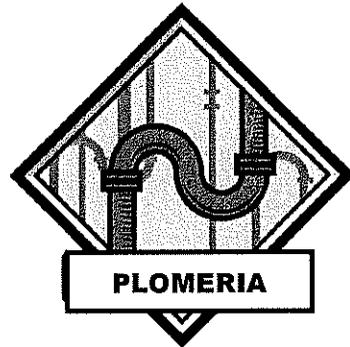
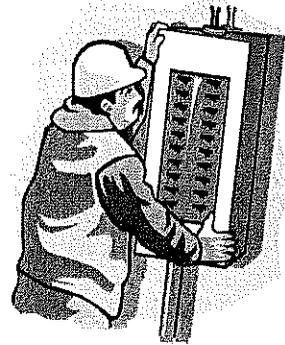
If you have answered YES to the questions on the preceding page and you are in need of our help, call or write:

Morris County Office of Community
Development
POB 900
Morristown, NJ 07963-0900
(973) 285-6032
HOgorman@co.morris.nj.us

El programa de desarrollo comunitario del condado de Morris es patrocinado por el Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos (HUD, por sus siglas en inglés). Este programa es posible por una colaboración entre el gobierno federal por medio de la Junta de Titulados Selectos y 37 municipios con el propósito de cubrir las necesidades de vivienda y desarrollo a lo largo del condado.



¿Necesitas hacer arreglos a TU casa?



Una publicación de la Junta de Titulados Selectos del Condado de Morris

El Programa para la Reparación de Viviendas del Condado de Morris



El Programa para la Reparación de Viviendas del Condado de Morris proporciona fondos a propietarios de casa con elegibilidad de ingresos para que puedan resolver fallas graves de los equipos en sus residencias principales.

Requisitos

Favor marcar con un visto donde aplique:

- | | SI | NO |
|--|--------------------------|--------------------------|
| 1. ¿Es usted vecino permanente del condado de Morris (except Dover y Parsippany) | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. ¿Ha sido propietario de su casa ó ha vivido en ella | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. ¿Es esta la casa primero de su propiedad? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. ¿Se encuentra usted dentro de los límites de ingresos en la siguiente tabla? | <input type="checkbox"/> | <input type="checkbox"/> |

LIMITES DE INGRESOS

Family Size	Gross Income
1	\$54,950
2	\$62,800
3	\$70,650
4	\$78,500
5	\$84,800
6	\$91,100
7	\$97,350
8	\$103,650

Requisitos del Programa



Los fondos deben utilizarse para reparaciones importantes ó condiciones que afecten la salud ó seguridad.



Ejemplos de obras: cambio de techo, cambio de caldera, mejoras eléctricas, construcción de pozo séptico nuevo, conexiones de agua ó alcantarillado, acceso para minusválidos, etc.



Tipo de asistencia: Préstamo perdonable de 6 años ó 10 años con 0 pagos y sin intereses (el plazo depende de la cantidad de asistencia).



Comuníquese con Desarrollo Urbano ANTES de empezar obras ó firmar contratos.

¿Le interesa?

Si ha respondido que SI a las preguntas en la página anterior y necesita de nuestra ayuda, llame ó escriba a::

Morris County Office of Community
Development
P.O. Box 900
Morristown, NJ 07963-0900
(973) 285-6032
HOgorman@co.morris.nj.us