

**MINUTES OF THE 469th BOARD MEETING
OF THE
NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY**

May 21, 2020

- MEMBERS:
- * Robert Long (representing Lt. Governor Sheila Y. Oliver, Commissioner, DCA)
 - ** Aimee Manocchio Nason, Deputy Attorney General, (representing Gurbir S. Grewal, Attorney General)
 - *** Robert Shaughnessy, Assistant Deputy Director, Department of Treasury (representing Elizabeth Maher Muoio, State Treasurer)
 - **** Sarah Adelman, Deputy Commissioner (representing Carole Johnson, Commissioner, Department of Human Services)

Stanley Weeks
Dorothy Blakeslee
Zenon Christdoulou

HMFA STAFF
PRESENT:

Charles A Richman, Executive Director
Deb Urban, Chief of Legal and Regulatory Affairs
Katherine Brennan, Chief of Staff
Laura Shea, Chief of Programs
John Murray, Chief Financial Officer
Jeanette Nieves, Executive Board Secretary
Tanya Hudson – Murray, Managing Director of Multifamily Programs
George Davidson, Communications Systems Coordinator
Jennifer Linett, Director of Loan Closings
Theresa Fink, Director of Finance
Joseph Heath, Director of Capital Markets
Darryl Applegate, Director of Regulatory Affairs
Jonathan Sternesky, Manager of Policy and Legislative Affairs
Amy Palmer, Manager Marketing & Communications
Natasha Encarnacion, Assistant Director of Programs
Jordon Moskowitz, Managing Director of Single Family Programs
Sandra Stull, Senior Insurance Specialist
Gloria Mehnert, Paralegal III
Suzanne Plesnarski, Manager of Regulatory Affairs

OTHERS
PRESENT:

Kavin Mistry, Deputy Director, Attorney General's Office
Craig Ambrose, Assistant Counsel, Governor's Authority Unit
Jeffrey Feld, Public Member

- * Letter of February 20, 2018 designating Robert Long to represent Lt. Governor Sheila Y. Oliver, Commissioner
- ** Letter of December 4, 2018 designating Aimee Manocchio Nason to represent Gurbir S. Grewal, Attorney General
- *** Letter of January 19, 2018 designating Robert Shaughnessy to represent the Acting State Treasurer, Elizabeth Maher Muoio
- **** Letter of May 17, 2019, designating Sarah Adelman to represent, Carole Johnson, Commissioner, Department of Human Services

May 21, 2020

Robert Long, Deputy Commissioner read the following into the minutes:

FLAG SALUTE

NOTICE OF PUBLIC MEETING

The New Jersey Housing and Mortgage Finance Agency gave notice of the time, place and date of this meeting by electronic mail, regular mail and hand delivery on May 14, 2020 to the Secretary of State of New Jersey, The Star Ledger, The Times, and the Courier Post, and by posting the notice at the office of the Agency in Trenton, New Jersey. Pursuant to the New Jersey Open Public Meetings Act, a resolution must be passed by the New Jersey Housing and Mortgage Finance Agency in order to hold a session from which the public is excluded.

ROLL CALL

APPROVAL OF MINUTES

APPROVAL OF THE PUBLIC SESSION MINUTES OF THE APRIL 29, 2020 SPECIAL TELECONFERENCE MEETING OF THE HMFA BOARD – ITEM 1A.

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. 1. Approval of the Public Session Minutes of the April 29, 2020 Special Teleconference Meeting of the HMFA Board.

Aye – Robert Long, Robert Shaughnessy, Stanley Weeks, Zenon Christdoulou, Dorothy Blakeslee, Aimee Manocchio-Nason, Sara Adelman

Nay – None

Abstained- None

APPROVAL OF THE EXECUTIVE SESSION MINUTES OF THE APRIL 29, 2020 MEETING OF THE HMFA BOARD – ITEM 1B.

Aimee Manocchio-Nason moved and Stanley Weeks seconded. 1. Approval of the Executive Session Minutes of the February 27, 2020 Meeting of the HMFA Board.

Aye – Robert Long, Robert Shaughnessy, Stanley Weeks, Zenon Christdoulou, Dorothy Blakeslee, Aimee Manocchio-Nason, Sara Adelman

Nay – None

Abstained- None

SINGLE FAMILY

APPROVAL OF AN MOU WITH DCA FOR DCA TO TRANSFER FUNDS TO NJHMFA – ITEM- 2A

Robert Shaughnessy moved and Sara Adelman seconded. Authorization for the New Jersey Housing and Mortgage Finance Agency (the “Agency”) to enter into a Memorandum of Understanding (“MOU”), in consultation with the Office of the Attorney General, with the Department of Community Affairs (“DCA”), for the annual transfer of funds in the ‘Foreclosure Mediation Account – HMFA’ pursuant to the Letter

Agreement between DCA and the Administrative Office of the Courts (“AOC”) signed on November 4, 2019 and the Service Level Agreement (“SLA”) between the Agency and Superior Court Clerk’s Association, on behalf of the AOC signed on February 5, 2020 regarding the administration of the New Jersey Foreclosure Remediation Act, P.L. 2019, c. 64 (“Chapter 64”). 2. Authorization for the Executive Director to execute and deliver the MOU. 3. Authorization for the Executive Director, in consultation with the Office of the Attorney General, to take any and all actions necessary and execute any and all documents necessary to effectuate the terms of the MOU between the DCA and the Agency.

Aye – Robert Long, Robert Shaughnessy, Stanley Weeks, Zenon Christdoulou, Dorothy Blakeslee, Aimee Manocchio-Nason, Sara Adelman

Nay – None

Abstained- None

APPROVAL TO EXECUTE FANNIE MAE FORM 2017– ITEM- 2B

PULLED

MULTI FAMILY- CONDITIONAL COMMITMENT

HMFA #03485 – TAVISTOCK TOWNHOMES AT WOOLWICH – APPROVAL OF A CONDITIONAL MORTGAGE FINANCING COMMITMENT – ITEM- 3A

Aimee Manocchio-Nason moved and Dorothy Blakeslee seconded. 1. Approval of a conditional mortgage commitment for an estimated \$3,986,000 in permanent financing for a project known as Tavistock Townhomes at Woolwich, HMFA #03485 (the “Project”), upon the terms and conditions set forth in the RFA. If the Project is not awarded 9% tax credits in the September 2020 round, this commitment shall be null and void.

Aye – Robert Long, Robert Shaughnessy, Stanley Weeks, Zenon Christdoulou, Dorothy Blakeslee, Aimee Manocchio-Nason, Sara Adelman

Nay – None

Abstained- None

HMFA #03487 – DAVENPORT VILLAGE – APPROVAL OF A CONDITIONAL MORTGAGE FINANCING COMMITMENT – ITEM- 3B

Stanley Weeks moved and Robert Shaughnessy seconded. 1. Approval of a conditional mortgage commitment for an estimated \$1,132,000 in permanent only financing for a project known as Davenport Village HMFA#03487 (the “Project”), upon the terms and conditions set forth in the RFA. If the Project is not awarded 9% tax credits in the September 2020 round, this commitment shall be null and void.

Aye – Robert Long, Robert Shaughnessy, Stanley Weeks, Zenon Christdoulou, Dorothy Blakeslee, Aimee Manocchio-Nason, Sara Adelman

Nay – None

Abstained- None

MULTI FAMILY- FOUR PERCENT TAX CREDITS

HMFA #03492 – GLEN OAKS APARTMENTS – APPROVAL OF A MORTGAGE FINANCING COMMITMENT - ITEM- 4A

PULLED

MULTI FAMILY- FOUR PERCENT TAX CREDITS-CONDUIT

HMFA #03451 – NORMAN TOWERS– APPROVAL OF MORTGAGE FINANCING COMMITMENT – ITEM-5A

Dorothy Blakeslee moved and Aimee Manocchio Nason seconded. 1. Approval of a mortgage commitment for an estimated \$76,975,000 in permanent only financing from the Conduit Bond Program for a project known as Norman Towers, HMFA #03451 (the “Project”), upon the terms and conditions set forth in the RFA.

Aye – Robert Long, Robert Shaughnessy, Stanley Weeks, Zenon Christdoulou, Dorothy Blakeslee, Aimee Manocchio-Nason, Sara Adelman

Nay – None

Abstained- None

REGULATORY AFFAIRS

APPROVAL OF THE TRANSFER OF INTERESTS WITHIN CONIFER REALTY, LLC. – ITEM- 6A

Robert Shaughnessy moved and Dorothy Blakeslee seconded. 1. Board approval of the transfer of ownership of the interests held by Richard J. Crossed, the Timothy J. Fournier Irrevocable Trust, the Richard J. Crossed Irrevocable Trust and a portion of the interests held by Timothy D. Fournier, Joan F. Hoover and Thomas R. Johnson in Conifer Realty, LLC, the managing member and/or sole member of the managing members or sole partner of the general partner of the owner entities of the projects listed on the attached Schedule A to Conifer Strategic Partners, LLC. 2. Authorization for the Executive Director, the Chief Financial Officer, the Chief of Legal and Regulatory Affairs or the Chief of Multifamily Programs to execute any and all documents necessary to effectuate the above actions.

Aye – Robert Long, Robert Shaughnessy, Stanley Weeks, Zenon Christdoulou, Dorothy Blakeslee, Aimee Manocchio-Nason, Sara Adelman

Nay – None

Abstained- None

HMFA #2760 – MCIVER HOMES – APPROVAL OF A TRANSFER OF GENERAL PARTNER INTEREST – ITEM- 6B

Stanley Weeks moved and Dorothy Blakeslee seconded. 1. Board approval of the transfer of the general partner interest held by 111 South Munn Carthage, LLC (the “Seller”) in McIver Homes L.P. (“Owner”), the owner of the McIver Homes project, HMFA #2760, to Joined McIver LLC (the “Buyer”). 2. Authorization

for the Executive Director, the Chief Financial Officer, the Chief of Legal and Regulatory Affairs or the Chief of Multifamily Programs to execute any and all documents necessary to effectuate the above actions.

Aye – Robert Long, Robert Shaughnessy, Stanley Weeks, Zenon Christdoulou, Dorothy Blakeslee, Aimee Manocchio-Nason, Sara Adelman

Nay – None

Abstained- None

OTHER BUSINESS

APPROVAL OF A RESOLUTION OF APPRECIATION FOR SANDY STULL – ITEM- 7A

Robert Shaughnessy moved and Dorothy Blakeslee seconded.

Aye – Robert Long, Robert Shaughnessy, Stanley Weeks, Zenon Christdoulou, Dorothy Blakeslee, Aimee Manocchio-Nason, Sara Adelman

Nay – None

Abstained- None

Is there any other business, which the Board would like to discuss at this time?

Executive Director Charles Richman provided the Board with an update on various COVID-19 related matter as well as an update on the NJHMFA budget projections. Executive Director Richman also advised the Board members that they had received copies of two letters which were submitted by Jeffrey Feld to be made a part of the meeting record.

Are there any members of the public that wish to address the Board?

Mr. Feld addressed the Board to clarify that there has not been a ruling by any court on the substance of any of the matters that he has previously filed in court or in the pending in the matters addressed in the letters he submitted for inclusion in the meeting record.

MOTION TO ADJOURN

Robert Shaughnessy moved and Aimee Manocchio- Nason seconded a motion to adjourn at 10:43 am.

Aye – Robert Long, Robert Shaughnessy, Stanley Weeks, Zenon Christdoulou, Dorothy Blakeslee, Aimee Manocchio-Nason, Sara Adelman

Nay – None

Abstained- None



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 800
TRENTON, NJ 08625-0800
(609) 292-6420

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

February 20, 2018

Claudia Lovas, Acting Executive Director
NJ Housing and Mortgage Finance Agency
PO Box 18550
Trenton, New Jersey 08625

Dear Acting Executive Director Lovas:

Please accept this letter as formal notification that Deputy Commissioner Robert Long will represent me at the NJHMFA Board Meetings until further notice.

If you have any questions, please do not hesitate to call my office.

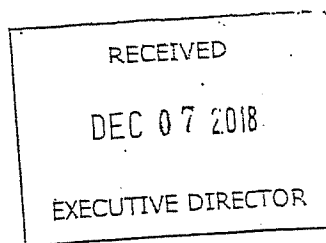
Sincerely,

Lt. Governor Sheila Y. Oliver
Commissioner





State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
PO Box 080
TRENTON NJ 08625-0080



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

GURBIR S. GREWAL
Attorney General

December 4, 2018

Sheila Y. Oliver, Lieutenant Governor
Chair
New Jersey Housing and Mortgage Finance Agency
637-South Clinton Avenue
P.O. Box 18550
Trenton, New Jersey 08650-2085

Dear Lieutenant Governor Oliver:

I am writing to appoint my designee to serve on the board of the New Jersey Housing and Mortgage Finance Agency (the "Agency").

I hereby appoint Susan K. Fischer, Assistant Attorney General as my designee to serve on the board of the Agency. AAG Fischer is authorized to represent me in my absence at the meetings of the Agency, to vote in my stead, and to otherwise act on my behalf. In the event of AAG Fischer's absence, Aimee Manocchio Nason, Deputy Attorney General is authorized to represent me in my absence at the meetings of the Agency, to vote in my stead, and to otherwise act on my behalf. In the event of the absence of AAG Fischer and DAG Manocchio Nason, Kavin K. Mistry, Assistant Attorney General & Deputy Director, Division of Law is authorized to represent me in my absence at the meetings of the Agency, to vote in my stead, and to otherwise act on my behalf.

Sincerely,

Gurbir S. Grewal
Attorney General

- c: Michelle L. Miller, Director, Division of Law
Elissa Westbrook Smith, Chief of Staff, Division of Law
Kavin K. Mistry, Deputy Director, Division of Law
Susan K. Fischer, Assistant Attorney General
Aimee Manocchio Nason, Deputy Attorney General
Jonathan Garelick, Deputy Chief of Staff, Office of the Attorney General
Charles Richman, Executive Director, NJHMFA





State of New Jersey
Office of the State Treasurer
PO Box 002
TRENTON NJ 08625-0002

PHILIP D. MURPHY
Governor
Sheila Y. Oliver
Lt. Governor

Elizabeth Maher Muoio
Acting State Treasurer

January 19, 2018

Claudia Lovas, Acting Executive Director
NJ Housing and Mortgage Finance Agency
637 South Clinton Avenue
PO Box 18550
Trenton, NJ 08650

Dear Acting Executive Director Lovas:

I hereby designate Robert Shaughnessy, Department of Treasury to act as my permanent designee at all the meetings of the New Jersey Housing and Mortgage Finance Agency.

Sincerely,

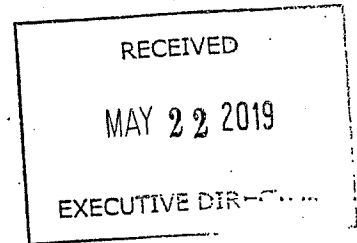
A handwritten signature in black ink, appearing to read "Elizabeth Maher Muoio".

Elizabeth Maher Muoio
Acting State Treasurer



State of New Jersey
Department of Human Services

P.O. BOX 700
TRENTON NJ 08625-0700



PHILIP D. MURPHY
Governor

Carole Johnson
Commissioner

Sheila Y. Oliver
Lt. Governor

May 17, 2019

Charles A. Richman
Executive Director
New Jersey Housing and Mortgage Finance Agency
637 South Clinton Avenue
PO Box 18550
Trenton, NJ 08650-2085

Dear Mr. Richman,

Please be advised that I have designated Sarah Adelman, Deputy Commissioner, to serve as the New Jersey Department of Human Services' representative for the New Jersey Housing and Mortgage Finance Agency Board. Below is her contact information:

Sarah Adelman
Deputy Commissioner
NJ Department of Human Services
PO Box 700
Trenton, NJ 08625-0700
609-292-6090 – office
Sarah.Adelman@dhs.state.nj.us

Elisa Neira, whose contact information you already have, will now serve as a backup.

Please let me know if you have any questions or need further information. Thank you.

Sincerely,

Carole Johnson
Commissioner

CJ/lk

c: Lt. Governor Sheila Y. Oliver
Jill Shortway Ippolito
Steve Shultz
Sarah Adelman
Elisa Neira
Lynn Kotch

Jeffrey S. Feld, Esq.
268 Main Street
Orange, New Jersey 07050
973.673.3233 (tele)
973.673.8505 (fax)
hardwaredad@aol.com (email)

May 20, 2020

(crichman@njhmfa.gov)
Charles A. Richman, Executive Director
New Jersey Housing and Mortgage Finance Agency
P.O. Box 18550
Trenton, New Jersey 08650-20851

Re: May 21, 2020 Virtual Meeting
5a. HMFA #03451-Norman Towers-Approval of a Mortgage Financing Commitment
6a. HMFA #2760-McIver Homes-Approval of a Transfer of General Partner Interests

Dear NJHMFA Executive Director Richman:

Because I may be unable to participate in the May 21, 2020 Virtual Meeting, I respectfully request that this letter, its enclosures, and the documents referred herein be included in the official virtual meeting public record. I incorporate herein by reference all my prior written communications and inquiries regarding the post May 17, 1992 validity of the NJHMFA long term tax exemption under State law.

I am no stranger to the NJHMFA. For ten years, I have been asking the same repetitive questions of public importance:

- (i) Whether the NJHMFA long term tax exemption was repealed and replaced, effective May 17, 1992?
- (ii) Whether a “net benefits” fiscal impact study must be obtained by a municipality prior to its approval of a discretionary legislative long term tax exemption ordinance not subject to referendum challenge?
- (iii) Whether State and City Planners Best Practices require all municipalities to retain special outside redevelopment counsel to review and to negotiate all long term tax exemptions and financial agreements prior to their adoption?
- (iv) Whether stakeholders are entitled to access and to review all underlying long term tax exemption applications, financial agreements and “net benefits” fiscal impact studies prior to the second reading public hearings on long term tax exemption ordinances not subject to referendum challenge?
- (v) Whether a municipality may waive a statutory 20 days long term tax exemption limitations of actions estoppel period?

- (vi) Whether elected officials have a constitutional, statutory, or common law duty to respond to pertinent second reading public hearing questions and comments on a long term tax exemption ordinance not subject to referendum challenge?
- (vii) Whether a municipality has any constitutional, statutory or contractual rights to any “net” sale proceeds arising from the transfer of a project subject to a long term tax exemption?

My questions and comments should not be dismissed out-of-hand. The NJHMFA Board are fiduciaries of a public trust, subject to a heightened standard of care. The legal landscape has shifted since my last January 15, 2020 letter to the NJHMFA Board. On February 25, 2020 and during his Budget Address, Governor Phil Murphy stated: “When we reject transparency, in any forum, bad deals are made and taxpayers are hurt.”

On March 10, 2020, the NJHMFA admitted pursuant to OPRA its receipt of a federal subpoena in February 2019. The NJHMFA, however, refuses to produce this federal subpoena to me. The NJHMFA also refuses to produce a privilege log of certain transactional validity legal opinions.

It is no secret that the FBI visited me in late 2011 to discuss the Walter G. Alexander Phases I and II transactions and the granting of planning board approvals, long term tax exemptions and building permits to a Housing Authority of Orange/The Alpert Group joint venture project with substantial outstanding water/sewer charges. No court has ruled on my substantive “colorable” Feld VI allegations about the Walter G. Alexander transaction funded under the watch of the NJHMFA. In May 2018, the appellate division concurred with my Feld X Walter G. Alexander Phase III per se disqualifying conflict of interest analysis.

On May 7, 2020, the United States Supreme Court (Justice Ellen Kagan) chastised our State’s Executive Branch. *Kelly v. US*, 590 U.S. __ (May 7, 2020). The United States Supreme Court did not exonerate the Bridgegate defendants. The United States Supreme Court merely stated that the defendants did not violate federal law. The United States Supreme Court did not address whether the defendants violated any State official misconduct criminal statute.

As Kelly’s own lawyer acknowledged, this case involves an “abuse of power.” Tr. Of Oral Arg. 19. For no reason other than political payback, Baroni and Kelly used deception to reduce Fort Lee’s access lanes to the George Washington Bridge-and thereby jeopardized the safety of the town’s residents. But not every corrupt act by state or local officials is a federal crime. Because the scheme here did not aim to obtain money or property, Baroni and Kelly could not have violated the federal-program fraud or wire fraud laws. (slip op. at p. 12-13).

On Monday May 18, 2020, the United States Supreme Court (Justice Neil Gorsuch) issued a statutory interpretation opinion as to when a court should afford legislation retroactive (and not prospective) application. *Opati v. Republic of Sudan*, 590 U.S. __ (May 18, 2020).

Yesterday May 19, 2020, the City of Orange Township finally introduced its CY 2020 Budget and listed the amount of long term tax exemption revenues received in CY 2019 and

projected to be received in CY 2020. Numerous projects involve NJHMFA long term tax exemptions approved without the assistance of special outside redevelopment counsel and without a written “net benefits” fiscal impact study over my objections. In its CY 2019 Audit, Orange admitted not tendering long term tax exemption revenues to Essex County.

In addition, yesterday, the Orange City Council President and City Attorney attempted to suppress and censor my written public comments. At the commencement of the conference meeting, the City Attorney attempted to change the published rules as to where written citizens comments were to be emailed.

It is within this context that I write this letter. Here, the NJHMFA Board has actual and constructive notice of the issues relating to the validity of the Norman Towers NJHMFA long term tax exemption under State law. I copied the Executive Director on my April 27, 2020 Norman Towers NJHMFA long term tax exemption letter to the City of East Orange Local Governing Body. I copied the Executive Director on my May 9, 2020 letter to the Local Finance Board regarding the discrepancy in virtual meeting public political speech throughout our State. I incorporate herein by reference my questions and comments contained in those written communications.

The NJHMFA was a defendant in Feld XVIII (ESX-L-6887-18), a case involving the validity of a NJHMFA Lincoln Court long term tax exemption granted by Orange to a McIver Homes related entity. Once Orange rescinded the contested NJHMFA long term tax exemption ordinance, Feld XVIII was dismissed without prejudice on mootness grounds. The court never ruled on the merits of my substantive legal arguments.

The NJHMFA is also a defendant in Newark II (ESX-L-2617-19), a case involving the validity of a NJHMFA long term tax exemption granted by Newark to another L & M related entity. The NJHMFA Board may wish to review with its counsel the pleadings filed in this matter, beginning with the patently defective NJHMFA joint notice of removal to the federal court, the NJHMFA’s joint post-remand pre-answer motion to dismiss **with prejudice**, my opposition, my motion to compel our State Attorney General to retain separate counsel for himself, the NJHMFA’s joint opposition and my reply pleadings filed Monday May 18, 2020.

Since the filing of my Newark II reply pleadings on Monday, the OPRA floodgates opened. The City of East Orange responded to my second Norman Towers NJHMFA long term tax exemption related OPRA request. The NJHMFA and DLGS responded to my outstanding OPRA requests. The NJHMFA Board may wish to review the enclosed East Orange and NJHMFA OPRA responses with counsel.

The City of East Orange second OPRA response raises a repetitive issue of public importance regarding the adverse consequences arising from the CY 1980 transfer (and possible Feld XV Oakwood Towers type refinancing and discharge of the original NJHMFA long term tax exemption mortgage). See, Brent Johnson “Statehouse: How Murphy is denying access to public records” The Sunday Star Ledger Front Page (May 17, 2020) (“The ability to obtain records is one of the key tools journalists, advocates, and everyday citizens use to examine the inner workings of government and discover how your taxpayer dollars are being spent (or

misspent).”); Editorial: “A Pandemic Shouldn’t Stifle Oversight” The New York Times (May 13, 2020) (“While the work of government continues, citizens are losing a fundamental right to transparency. That’s a threat to good government and democracy. . . . The worst offenders have stopped complying with freedom of information requests outright, citing the difficulties of doing so during the health emergency.”)

In addition, the NJHMFA Board may wish to go into closed executive session with counsel to review my April 27, 2020 letter to East Orange, my May 9, 2020 letter to the LFB and my Newark II pleadings in order to consider the validity of the Norman Towers NJHMFA long term tax exemption ordinance under State law and the disclosures, if any, required to be made in any low income housing tax credit or NJHMFA conduit revenue bond offering materials.

The Norman Towers NJHMFA long term tax exemption was adopted at a virtual public hearing held on limited notice, prior to the production of all requested transactional documents pursuant to OPRA, without the benefit of special outside redevelopment counsel, without a “net benefits” fiscal impact study and without any oral second reading public hearing pertinent questions responses on a 25 years long term tax exemption ordinance not subject to referendum challenge.

Moreover, the “amended” Norman Towers NJHMFA long term tax exemption on its face still cited two distinct long term tax exemption enabling statutes. In addition, East Orange changed the name of the urban renewal entity listed in the first reading ordinance to a non-urban renewal entity in the second reading amended ordinance.

There are serious issues as to whether the minimum guaranteed payment should be fixed on a stale assessment of a 406 units senior building (\$18,854,800), the sponsor’s acquisition price (\$94,000,000) or some blended value. Indeed, on April 27, 2020, East Orange also considered an appropriation for a city-wide reevaluation.

With respect to the transfer of the McIver Homes general partner interests, the NJHMFA Board may wish to revisit the validity of the underlying McIver Homes long term tax exemption, the prior NJHMFA funding of this acquisition/rehabilitation low income housing project and a former general partner’s interests in the Feld XVIII City of Orange Township NJHMFA Long Term Tax Exemption Transaction that the NJHMFA eventually elected not to fund after the commencement of the Feld XVIII prerogative writ/declaratory judgment/civil rights violations action.

In sum, fiduciaries of a public trust may wish to take additional time to examine the validity of the Norman Towers NJHMFA long term tax exemption under State law.

Should you require any additional information and supporting documentation, please feel free to contact me.

Respectfully submitted,


Jeffrey S. Feld

Enc.

cc: Lt. Governor Sheila Oliver, DCA Commissioner (via regular mail)
Thomas J. Eicher, Esq., Director, OAG Office of Public Integrity & Accountability (via regular mail)
Veronica Allende, Esq., Director Division of Criminal Justice (via regular mail)
Kevin Walsh, Esq. Acting State Comptroller (via regular mail)
Cari Fais, Esq, Office of the US Attorney (via regular mail)
Katherine Brennan, NJHMFA Chief of Staff (kbrennan@njhmfa.gov)
Deb Urban, NJHMFA Chief of Legal & Regulatory Affairs (urban@njhmfa.gov)
Tanya Hudson-Murray, NJHMFA Director of Multi-Family Programs and Lending (thudson-murray@njhmfa.gov)
Vladimir Palma, Esq., NJHMFA Newark II DAG (Vladimir.Palma@law.njoag.gov)
Melanie Walter, Esq., LFB Chairperson/DLGS Executive Director (via email)
Ryan Linder, Esq., East Orange Corporation Counsel (via email)
David Kuracina, Esq, counsel to Norman Towers Community Partners LP (via email)
Michael J. Caccavelli, Esq. counsel to Norman Towers Community Partners LP (via email)

List of Enclosures

A-City of East Orange Norman Towers Second OPRA Response dated May 18, 2020
B-NJHMFA OPRA Response dated May 18, 2020
C-Attorney Feld's E-Mail Traffic with NJHMFA Executive Director
D-City of Orange Township Introduced CY 2020 Budget (redacted)



OFFICE OF THE CITY CLERK
THE CITY of EAST ORANGE

44 CITY HALL PLAZA
EAST ORANGE, NEW JERSEY 07018
WWW.EASTORANGE-NJ.GOV

PHONE
973-266-5110

FAX
862-930-7812

CYNTHIA S. BROWN
CITY CLERK

TED R. GREEN
MAYOR

May 18, 2020

VIA Electronic Mail Only

Jeffrey S. Feld, Esq.
268 Main Street
Orange, New Jersey 07050

Re: Request for Public Records (received May 4, 2020)

Dear Mr. Feld:

We are in receipt of your request for public records dated May 4, 2020, submitted under the New Jersey Open Public Records Act ("OPRA"), N.J.S.A. 47:1A-1 *et seq.* As you may be already aware, OPRA was recently amended to provide that:

During a period declared pursuant to the laws of this State as a state of emergency, public health emergency, or state of local disaster emergency, the deadlines by which to respond to a request for, or grant or deny access to, a government record under paragraph (1) of this subsection or subsection e. of this section shall not apply, provided, however, that the custodian of a government record shall make a reasonable effort, as the circumstances permit, to respond to a request for access to a government record within seven business days or as soon as possible thereafter. [N.J.S.A. 47:1A-5(i)(2).]

As the City of East Orange ("City") is subject to the State of New Jersey's current public health emergency declaration, processing your request required additional time.

1. A copy of March 23, 2020 regular virtual meeting video or oral tape.

As per Microsoft OneDrive and WeTransfer email transmissions dated May 13, 2020, a copy of the April 13, 2020 Committee Agenda (Minutes of March 23, 2020 Committee Meeting) and a draft copy of the March 23, 2020 Regular Meeting Minutes were provided.

2. A copy of April 27, 2020 regular virtual meeting video or oral tape.

As per email transmission dated May 13, 2020, the direct links to the above-mentioned Committee and Regular Zoom Meetings located on the City Council Facebook page were provided.

3. The Norman Towers Urban Renewal LLC NJHMFA Long Term Tax Exemption Ordinance 13-2020 bearing the approval of the signature of the EO Mayor.

As per email transmission dated May 12, 2020, a signed copy of Ordinance No. 13 of 2020 was provided.

ONECITY
ONECOMMUNITY
ONEGOAL | *Progress*

A-1



OFFICE OF THE CITY CLERK
THE CITY of EAST ORANGE

44 CITY HALL PLAZA
EAST ORANGE, NEW JERSEY 07018
WWW.EASTORANGE-NJ.GOV

PHONE
973-266-5110

FAX
862-930-7812

CYNTHIA S. BROWN
CITY CLERK

TED R. GREEN
MAYOR

4. **Proof of publication of Notice of Adoption of Norman Towers Urban Renewal LLC NJHMFA Long Term Tax Exemption Ordinance 13-2020.**

As per email transmission dated May 12, 2020, copies of the Notices of Publication were provided.

5. **Any legal opinion or memorandum regarding the validity of the public notice and participation instructions for the April 27, 2020 regular virtual meeting.**

This document does not exist. If this document did in fact exist, it is not a government record as it would fall within the attorney privilege. See N.J.S.A. 47:1A-1.1.

6. **Any legal opinion or memorandum regarding the limitations and restrictions on second reading public hearing questions and comments on an ordinance not subject to referendum challenge.**

This document does not exist. If this document did in fact exist, it is not a government record as it would fall within the attorney privilege. See N.J.S.A. 47:1A-1.1.

7. **All post March 23, 2020 written communication by and among EO, its agents and special outside redevelopment counsel and the project sponsor Norman Tower Urban Renewal LLC regarding NJHMFA Long Term Tax Exemption Ord. 13-2020.**

The City was not represented by outside redevelopment counsel, so the requested communications do not exist. To the extent additional responsive communications exists, they must be reviewed to ensure that they are not protected from disclosure by the attorney client privilege or attorney work product privilege. See K.L. v. Evesham Tp. Bd. Of Ed., 423 N.J. Super 337 (App. Div. 2011)

8. **All post 1976 long term tax exemption agreements relating to the Norman Towers affordable housing project.**

Prior to Ordinance No. 13 of 2020, there are no long term tax exemption agreements relating to the Norman Towers affordable housing project post 1976 on file.

9. **The CY 2018, CY 2019 and CY 2020 tax assessments for the Norman Towers Project.**

A tax assessment is not a document. A property's tax assessment history is available to the general public at NJACT.ORG. See Attached.

10. **All written materials and documentation relied upon by EO in establishing the guaranteed minimum payment.**

This request seeks information, not a document. Moreover, this request is overly broad as it would in effect require the City to poll each member of the governing body to inquire what prompted them to vote in favor of the subject legislation. Inquiries into the motivation behind a legislator's motives are verboten.

ONECITY
ONECOMMUNITY
ONEGOAL | *Progress*

A.2



OFFICE OF THE CITY CLERK
THE CITY of EAST ORANGE

44 CITY HALL PLAZA
EAST ORANGE, NEW JERSEY 07018
WWW.EASTORANGE-NJ.GOV

PHONE
973-266-5110

FAX
862-930-7812

CYNTHIA S. BROWN
CITY CLERK

TED R. GREEN
MAYOR

11. Any NJHMFA or other mortgages in the possession, custody and control of East Orange relating to the Norman Towers Project.

This is not a record that would be maintained by the City, instead it would be maintained by the property's mortgagee, N.J.H.M.F.A. This record, to the extent it exists, is also publicly available at the County Registrar's Office.

12. The formation document for the urban renewal described in the ordinance.

Pending - This Office is awaiting a response from the Planning Department.

13. The fiscal impact study supporting this NJHMFA long term tax exemption.

There is no fiscal impact study on file.

14. Any legal opinion or memorandum regarding the validity of this post April 17, 1992 NJHMFA long term tax exemption under State Law.

Internal legal opinions are protected from disclosure by the attorney work product and attorney privilege doctrines.

15. The resolution retaining the special outside redevelopment counsel who reviewed and approved this NJHMFA long term tax exemption to an urban renewal entity.

This document does not exist. The City was not represented by outside counsel in connection with this matter.

16. Any post January 1, 2018 written communications between East Orange and the State regarding this NJHMFA long term tax exemption project.

There are no post January 1, 2018 written communications between East Orange and the State regarding this NJHMFA long term tax exemption project.

17. All post January 1, 2018 federal or state subpoenas received by the City of East Orange.

This request is overly broad and seeks information that may interfere with ongoing investigations. That being said, the City does not have any subpoenas that were served by the state wherein they sought information about the Norman Towers Project or any other real estate project within the City.

Of the seventeen (17) requests, **Question #12** is pending response from the Planning Department. As soon as this Office is in receipt of said response, the information will be forwarded to your attention directly. Thank you for your attention and patience in this matter.

ONECITY
ONECOMMUNITY
ONEGOAL | *Progress*

A-3



OFFICE OF THE CITY CLERK
THE CITY *of* EAST ORANGE

44 CITY HALL PLAZA
EAST ORANGE, NEW JERSEY 07018
WWW.EASTORANGE-NJ.GOV

PHONE
973-266-5110

FAX
862-930-7812

CYNTHIA S. BROWN
CITY CLERK

TED R. GREEN
MAYOR

Very Truly Yours,

Dale A. Forde
Deputy City Clerk

Attachment

ONECITY
ONECOMMUNITY
ONEGOAL | *Progress*

A-41

[New Search](#) [Assessment Postcard](#)

Block: 320	Prop Loc: 500 NO. WALNUT ST.	Owner: NORMAN TOWERS PARTNERSHIP, LLC	Square Ft: 0
Lot: 11	District: 0705 EAST ORANGE	Street: 500 NO. WALNUT ST.	Year Built: 0000
Qual:	Class: 4C	City State: EAST ORANGE, NJ 07018	Style:
Additional Information			
Prior Block:	Acct Num:	Add Lots:	EPL Code: 0 0 0
Prior Lot:	Mtg Acct:	Land Desc: 4,8248	Statute:
Prior Qual:	Bank Code: 0	Bldg Desc: SEN CIT/405APTS	Initial: 000000 Further: 000000
Updated: 02/11/20	Tax Codes:	Class4Cd: 0	Desc:
Zone:	Map Page: 1-8	Acreage: 0	Taxes: 1018159.19 / 0.00

Sale Information			
Sale Date: 03/13/00	Book: 5688	Page: 584	Price: 0 NU#: 3
Sale Date	Book	Page	Price NU# Ratio
More Info	03/13/00	5688 584	0 3 0

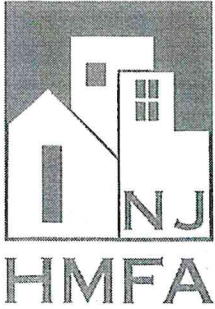
L L C NJ LIMITED LIABILITY CO

ACT-HIST-HISTORY

Year	Owner Information	Land/Imp/Val	Exemption	Assessed	Property Class
2020	L L C NJ LIMITED LIABILITY CO 500 NO. WALNUT ST. EAST ORANGE, NJ 07018	2430000 16424800 18854800	0	18854800	4C
2019	L L C NJ LIMITED LIABILITY CO 500 NO. WALNUT ST. EAST ORANGE, NJ 07018	2430000 16424800 18854800	0	18854800	4C
2018	L L C NJ LIMITED LIABILITY CO 500 NO. WALNUT ST. EAST ORANGE, NJ 07018	2430000 16424800 18854800	0	18854800	4C
2017	L L C NJ LIMITED LIABILITY CO 500 NO. WALNUT ST. EAST ORANGE, NJ 07018	2430000 16424800 18854800	0	18854800	4C

[*Click Here for More History](#)

A-5



Lt. Governor Sheila Y. Oliver
Chairman

Charles A. Richman
Executive Director

May 18, 2020

Jeffrey S. Feld, Esq.
L. Epstien Hardware Co.
268 Main Street
Orange, NJ 07050
Via email: hardwaredad@aol.com

Re: OPRA Request: W158068

Dear Mr. Feld:

The Agency received the clarification to your Open Public Records Act (OPRA) request on April 24, 2020 and additional clarification on April 30, 2020. The seven business-day deadline to respond to your request would generally be May 11, 2020, although this deadline has been suspended by P.L. 2020, c. 10. Your request was received as follows:

"Pursuant to your OPRA Response dated April 22, 2020 and subsequent email instructions, I have attached a chart specifying and identifying certain particular post April 17, 1992 NJHMFA long term tax exemption projects that I seek legal opinions from NJHMFA counsel, NJHMFA bond counsel and sponsor's counsel regarding (1) the validity under State law of post April 17, 1992 NJHMFA long term tax exemptions granted to (a) non-urban renewal entities and (b) urban renewal entities and (2) the ownership of the net sale proceeds arising from the transfer of the project to new equity holders.

In addition, would you please identify the DAG assigned to this OPRA request."

The chart referenced in your clarification references the following projects:

NJMHFA LONG TERM TAX EXEMPTION PROJECTS BASED UPON USER FRINDLY BUDGETS, CY 2018 TAX ABATEMENT AUDIT DISCLOSURES AND OTHER PUBLIC RECORDS

City of Orange Township

Central Orange Village II (RPM)(validity)
Grand Central Senior Housing (RPM) (validity)
Carthage NJ Arlington Lincoln LLC (transfer & validity)
Washington Dodd (transfer & validity)
Orange Park (transfer)
Oakwood Towers Urban Renewal LLC (transfer)

NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY

637 South Clinton Avenue ^ P.O. Box 18550 ^ Trenton, NJ 08650-2085
TELEPHONE: (609) 278-7400 ^ WEB: www.njhousing.gov

B-1

City of East Orange

Mclver Homes LP (transfer & validity)
Pavilion Housing Partners LP (validity)
141 So. Harrison Street, LLC (validity)
Park View at 320, LLC (validity)
Arlington Grove, LLC (transfer & validity)
CNP 2, LLC (validity)
Norman Towers Urban Renewal LLC (L & M)(transfer & validity)

Township of West Orange

West Orange Senior Housing (Alpert Group) (validity)
Harvard Printing Press (Alpert Group) (validity)

City of Newark

Jelliff Estates Urban Renewal (validity)
Weequahic Preservation LLC (L & M) (transfer & validity)
Alpha Drive LLC (validity)
High Street Heights LLC (validity)
609 Broad Street (HMFA 2954) (L & M) (validity)
540 Broad Street (HMFA 03216) (L & M) (validity)
Georgia King (HMFA 00279A) (L & M) (transfer & validity)
Zion Towers (HMFA 00323) (L & M) (transfer & validity)

In a subsequent email on April 30, 2020, you confirmed that you were seeking sponsor's opinion letters received when closing or transferring a project and bond counsel opinion letters received for conduit and pooled bond projects, which you refer to as "written validity of transaction under law opinions."

Please note the following with respect to your request:

A. Agency records and files are generally organized by project name and HMFA project number. Your clarification references 23 projects, but does not provide project names or HMFA numbers for each project. Based on the information you've provided, it is reasonably believed that the projects referenced in your request are the following Agency projects:

1. Central Orange Village II HMFA #2710
2. Grand Central Senior Housing - HMFA #2527
3. Carthage NJ Arlington Lincoln LLC – unable to identify
4. Washington Dodd Apartments - HMFA #2409
5. Orange Park - unable to identify
6. Oakwood Towers - HMFA #3084
7. Mclver Homes LP - HMFA #2760
8. The Pavilion - HMFA #3125
9. 141 So. Harrison Street, LLC – unable to identify
10. Park View at 320, LLC – unable to identify
11. Arlington Grove - HMFA #3204
12. Chestnut Park Apartments - HMFA #1353
13. Norman Towers - HMFA #3451

B-2

14. West Orange Senior Housing - HMFA #3414
15. Harvard Printing - HMFA #2916
16. Jeliff Estates Urban Renewal - HMFA #3305
17. Weequahic Park Apartments #101 - HMFA #1089
18. Alpha Drive LLC - HMFA #2888
19. High Street Heights - HMFA #2669
20. 609 Broad Street - HMFA #2954
21. Georgia King - HMFA #279A
22. Zion Towers - HMFA #3323
23. Walker House - 540 Broad Street - HMFA #3216

If any of the projects referenced above are not projects for which you are seeking records, please advise. Additionally, with respect to those projects which could not be identified, if you have any additional information which might be useful in locating the project records, please forward that information.

B. You have requested that the Agency's response be provided by email. Please note that due to the volume or number of documents responsive to your request, the response may require one or more subsequent emails. If the first email does not reflect all the documents referenced herein, please check for any follow-up emails. If not received, or if you are unable to open any attachment, please contact me immediately. Emails containing attachments totaling more than 5 MB may utilize a download link which will be generated and forwarded to you by LeapFILE, the Agency's file transfer service. If you receive a transfer confirmation from LeapFILE but do not receive the link or are unable to download the documents through the link, please contact me immediately.

C. Please see the documents attached and listed below with respect to your OPRA request:

1. 540 Broad - 3pp.
2. 609 Broad - 221 pp.
3. Alpha Drive - 11pp.
4. Arlington Grove - 12pp.
5. Central Orange - 13pp.
6. Chestnut Park - 54pp.
7. Georgia King - 114pp.
8. Grand Central Senior - 24pp.
9. Harvard Printing - 20pp.
10. High Street Heights - 12pp.
11. McIver - 127pp.
12. Oakwood Towers - 76pp.
13. The Pavilion - 73pp.
14. Washington Dodd - 168pp.
15. Weequahic - 13pp.

D. The following projects have not yet received loan commitments from the Agency and, as such, their records remain confidential under N.J.A.C. 5:3-2.2(a)4:

1. Norman Towers HMFA #3451

B-3

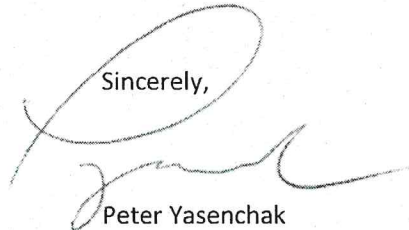
2. West Orange Senior Housing HMFA #3414

Please note that the fact that a project has received an Agency loan commitment does not equate to receipt of opinion letters for the project as these letters are typically delivered upon closing of the project loan.

E. To the extent that your request seeks legal opinions from Agency counsel, any such information falls within OPRA's attorney client privilege exemption under N.J.S.A. 47:1A-1.1, *et. seq.*

The Agency reserves the right to raise any other grounds for denial not raised in this response. Failure of the Agency to assert an exemption or privilege does not act as a waiver of any grounds for denial. If your request for access to a government record has been denied or unfilled within the seven business day period, you have a right to challenge the decision by the Agency to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc.

Sincerely,



Peter Yasenchak
OPRA Custodian
Division of Regulatory Affairs
609-278-8803
pyasenchak@njhmfa.gov

B-4

From: hardwaredad@aol.com,
To: crichman@njhmfa.gov,
Cc: kbrennan@njhmfa.gov, durban@njhmfa.gov, thudson-murray@njhmfa.gov, Vldmir.Palma@law.njoag.gov,
Subject: Re: 05-13-20 Local Finance Board Agenda Letter
Date: Sat, May 9, 2020 1:38 pm
Attachments: LFB050920.pdf (3361K), LFB050920Exh.pdf (5203K)

Please see attached

Stay safe and stay healthy

-----Original Message-----

To: crichman@njhmfa.gov <crichman@njhmfa.gov>
Cc: kbrennan@njhmfa.gov <kbrennan@njhmfa.gov>; durban@njhmfa.gov <durban@njhmfa.gov>; thudson-murray@njhmfa.gov <thudson-murray@njhmfa.gov>; Vldmir.Palma@law.njoag.gov <Vldmir.Palma@law.njoag.gov>
Sent: Mon, Apr 27, 2020 12:40 pm
Subject: Re: EO Norman Towers Urban Renewal LLC NJHMFA Long Term Tax Exemption Ord. 13-2020 Public Comment

FYI.

-----Original Message-----

To: crichman@njhmfa.gov
Cc: kbrennan@njhmfa.gov; durban@njhmfa.gov; thudson-murray@njhmfa.gov; Vldmir.Palma@law.njoag.gov
Sent: Wed, Jan 15, 2020 1:34 pm
Subject: Re: 01-16-20 Agenda Letter

Please see attached and please include in official public hearing record. I also mailed a hard copy to the Executive Director.

-----Original Message-----

From: hardwaredad <hardwaredad@aol.com>
To: crichman <crichman@njhmfa.gov>
Cc: kbrennan <kbrennan@njhmfa.gov>; durban <durban@njhmfa.gov>; thudson-murray <thudson-murray@njhmfa.gov>; Vldmir.Palma <Vldmir.Palma@law.njoag.gov>
Sent: Tue, Dec 17, 2019 1:14 pm
Subject: Re: 12-19-19 Agenda Letter

Please see attached letter and please include in official public hearing record.

I mailed one hard copy to Executive Richman this morning.

-----Original Message-----

From: hardwaredad <hardwaredad@aol.com>
To: crichman <crichman@njhmfa.gov>
Cc: clovas <clovas@njhmfa.gov>; durban <durban@njhmfa.gov>; thudson-murray <thudson-murray@njhmfa.gov>
Sent: Mon, Mar 4, 2019 12:10 pm
Subject: Re: 540 Broad Steet 03-12-19 Public Hearing

Please see attached

C-1

-----Original Message-----

From: hardware dad <hardware dad@aol.com>
To: crichman <crichman@njhmfa.gov>
Cc: clovas <clovas@njhmfa.gov>; durban <durban@njhmfa.gov>; thudson-murray <thudson-murray@njhmfa.gov>
Sent: Sat, Sep 29, 2018 9:38 am
Subject: Re: Feld XVIII-Lincoln Court NJHMFA PILOT Challenge

-----Original Message-----

From: hardware dad <hardware dad@aol.com>
To: crichman <crichman@njhmfa.gov>
Cc: clovas <clovas@njhmfa.gov>; durban <durban@njhmfa.gov>; thudson-murray <thudson-murray@njhmfa.gov>
Sent: Sat, Sep 29, 2018 9:37 am
Subject: Re: Feld XVIII-Lincoln Court NJHMFA PILOT Challenge

FYI. Attached is a courtesy copy of my complaint filed yesterday challenging the validity of the NJHMFA long term tax exemption issued by Orange for a distressed affordable housing project that for which the NJHMFA intends to issue low income housing tax credits and conduit revenue bonds.

I will be officially serving the complaint next week.

-----Original Message-----

From: hardware dad <hardware dad@aol.com>
To: crichman <crichman@njhmfa.gov>
Cc: clovas <clovas@njhmfa.gov>; durban <durban@njhmfa.gov>; thudson-murray <thudson-murray@njhmfa.gov>
Sent: Wed, May 30, 2018 11:36 am
Subject: Re: Grace West Bond Issuance Public hearing

Please see attached.

-----Original Message-----

From: hardware dad <hardware dad@aol.com>
To: crichman <crichman@njhmfa.gov>
Cc: clovas <clovas@njhmfa.gov>; durban <durban@njhmfa.gov>; thudson-murray <thudson-murray@njhmfa.gov>
Sent: Wed, May 16, 2018 2:44 pm
Subject: May 17, 2018 Agenda

Please see attached letter.

C-2

2020 MUNICIPAL DATA SHEET

(MUST ACCOMPANY 2020 BUDGET)

CAP

MUNICIPALITY: CITY OF CITY OF ORANGE COUNTY: ESSEX

 Dwayne Warren
 Mayor's Name

_____ June 30, 2020
 Term Expires

Municipal Officials

Joyce Lanier Municipal Clerk	5/4/2015 Date of Orig. Appt. c1715 Cert. No.
Paula Ferreira Tax Collector	1629 Cert. No.
Nile Clements Chief Financial Officer	N-1754 Cert. No.
McEhorney, Brady Division of O-Conner Davies Registered Municipal Accountant	539 Lic. No.
Gracia R. Montilus Municipal Attorney	

Governing Body Members	
Name	Term Expires
Tency A. Eason, President	6/30/2022
Donna K. Williams, Vice-President	6/30/2020
Kerry Coley	6/30/2022
Christopher Jackson	6/30/2020
Harold Johnson Jr.	6/30/2022
Jamie Summers-Johnson	6/30/2022
Adrienne Wooten	6/30/2020

Official Mailing Address of Municipality

 City Hall
 29 North Day St.
 Orange, N.J. 07050

Fax #: 973 674 0621

D-1

2020

MUNICIPAL BUDGET

Municipal Budget of the _____ CITY _____ of _____ COUNTY OF ORANGE _____, ESSEX _____ for the Fiscal Year 2020.

It is hereby certified that the Budget and Capital Budget annexed hereto and hereby made a part hereof is a true copy of the Budget and Capital Budget approved by resolution of the Governing Body on the

_____ 19 _____ day of _____ May _____, 2020
and that public advertisement will be made in accordance with the provisions of N.J.S.A. 40A:4-6 and N.J.A.C. 5:30-4.4(d).

Certified by me, this _____ 19 _____ day of _____ May _____, 2020

_____ jlanier@orangenj.gov
Clerk
_____ 29 North Day St.
Address
_____ Orange, N.J. 07050
Address
_____ 973 266 4245
Phone Number

It is hereby certified that the approved Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof, and the total of anticipated revenues equals the total of appropriations.

Certified by me, this _____ 19 _____ day of _____ May _____, 2020

_____ fmcenerney@pkfod.com
Registered Municipal Accountant
_____ 293 Eisenhower Parkway
Address
_____ Livingston, NJ 07039
Address
_____ 973-535-2880
Phone Number

It is hereby certified that the approved Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof, the total of anticipated revenues equals the total of appropriations and the budget is in full compliance with the Local Budget Law, N.J.S.A. 40A:4-1 et seq.

Certified by me, this _____ 19 _____ day of _____ May _____, 2020

_____ ncllements@orangenj.gov
Chief Financial Officer

DO NOT USE THESE SPACES

CERTIFICATION OF ADOPTED BUDGET

It is hereby certified that the amounts to be raised by taxation for local purposes has been compared with the approved Budget previously certified by me and any changes required as a condition to such approval have been made. The adopted budget is certified with respect to the foregoing only.

STATE OF NEW JERSEY
Department of Community Affairs
Director of the Division of Local Government Services

Dated: _____, 2020

By: _____

(Do not advertise this Certification form)

It is hereby certified that the Approved Budget made part hereof complies with the requirements of law, and approval is given pursuant to N.J.S.A. 40A:4-79.

STATE OF NEW JERSEY
Department of Community Affairs
Director of the Division of Local Government Services

Dated: _____, 2020

By: _____

D-2

CURRENT FUND - ANTICIPATED REVENUES - (Continued)

GENERAL REVENUES	FCOA	Anticipated		Realized in Cash in 2019
		2020	2019	
3. Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services - Other Special Items:				
Utility Operating Surplus of Prior Year	XXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
Cable TV Franchise Fee	08-116	600,000.00		
Our Lady of Mt. Carmel Sr Citizens (PILOT)	08-117	155,225.00	163,000.00	155,225.80
Milennium Homes (PILOT)	08-130	162,141.00	144,000.00	162,141.38
S. Essex Urban Renewal (PILOT)	08-130	31,807.00	-	
Salem Towers (PILOT)	08-130	79,839.00	60,000.00	99,799.30
Orange Park Apartments (PILOT)	08-130	105,958.00	159,000.00	105,958.80
Oakwood Towers (PILOT)	08-130	196,245.00	146,000.00	196,245.20
Transport of NJ (PILOT)	08-130	293,240.00	229,000.00	353,158.67
The Berkley, South Cener Street (PILOT)	08-130	107,000.00	107,000.00	107,019.00
Lincoln Court (PILOT)	08-130	24,539.00	26,000.00	24,539.25
Project Live (PILOT)	08-130	55,652.00	135,000.00	55,652.00
New Community Corp (PILOT)	08-130	13,813.00	4,000.00	13,813.22
307 Washington Street (PILOT)	08-130	47,010.00	64,000.00	47,010.60
Grand Central Senior Housing (PILOT)	08-130	88,876.00	34,415.92	120,836.20
Central Orange Village II (PILOT)	08-130	46,676.00	28,000.00	68,265.24
Washington Dodd (PILOT)	08-130	57,759.00	25,000.00	57,759.00
Walter G Phase I (PILOT)	08-130	228,803.00	-	
L & M Development Partners (PILOT)	08-130	51,244.00	42,392.90	51,244.54
	08-130	110,896.00	146,000.00	110,896.09

D-3

CURRENT FUND - ANTICIPATED REVENUES - (Continued)

GENERAL REVENUES	FCOA	Anticipated		Realized in Cash in 2019
		2020	2019	
3. Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services - Other Special Items:	XXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
Walter G Phase II (PILOT)	08-130	34,635.00	31,000.00	34,635.68
Station Partners - (Tony Galento Plaza (PILOT))	08-130	204,500.00	247,000.00	204,500.00
Walter G III (pilot) new	08-130	36,815.00	29,153.00	36,815.64
Living Fountain (Pilot)new	08-130	66,465.00	31,275.00	66,465.00
Condos @ 475 S. Jefferson (PILOT) (new)	08-130	7,731.00	16,743.00	60,692.70
Condos @ 52 Lincoln Ave. (PILOT) new	08-130	31,658.00	42,732.00	32,901.96
Harvard Printing Development	08-130	47,159.00	-	
Reserve for Orange Reservoir	08-240	75,000.00	75,000.00	75,000.00
Tax Levy Sale	08-241		2,000,000.00	
	08-114			
Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items	XXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
	08-004	2,960,686.00	3,985,711.82	2,240,575.27

D-4