

MINUTES

7:30 PM

PRESENT: T. Ciacciarelli
R. Dodds
P. Lubitz
J. Mathieu
S. McNicol
E. Niemann
M. Syrnick
L. Voronin, Alt #1

ABSENT: L. Riggio
J. Strasser
C. Ely, Alt #2

CALL TO ORDER

The meeting was called to order by M. Syrnick at 7:31 PM.

NOTIFICATION

In order to ensure full public participation at this meeting, all members of this Board, and members of the public are requested to speak only when recognized by the Chair so that there is no simultaneous discussion or over-talk, and further, all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

Notification of the time, date and place of this meeting has been published in the Hunterdon County Democrat and Courier News, and has been posted in the Kingwood Township Municipal Building at least 48 hours prior to this meeting and has been filed with the Municipal Clerk.

NEW AND PENDING MATTERS

Approval of Minutes

It was moved by R. Dodds, seconded by S. McNicol and carried to approve the minutes of March 12, 2015. All members present voted **AYE**, except J. Mathieu, E. Niemann, who **ABSTAINED**.

APPLICATION STATUS

CORRESPONDENCE

D. Banisch memo to Housing Board – Supreme Court’s March 10th Decision on Affordable Housing Litigation

P. Lubitz reviewed D. Banisch’s memo to the Housing Board. He stated there were several ongoing lawsuits and this one had to do with the failure of COAH to adopt new rules as per a previous Court ruling on COAH’s proposed 3rd round rules. The Court took the whole process out of the hands of COAH and put it in the hands of the Court. The Court will now have jurisdiction on affordable housing in New Jersey. There are three groups of municipalities, ones that had previously filed affordable housing plans with COAH that had been approved,

municipalities that had filed plans with COAH, but for a variety of reasons COAH had not approved those plans (Kingwood falls into that category), and municipalities that had not filed at all. The Court has given a 30 day window from June 8th to July 8th for towns to file for temporary immunity which would protect them from a builder's remedy law suit. Tentatively the Housing Board is recommending Kingwood apply for temporary immunity. Once the Township receives temporary immunity, the Township would have five months to file a plan with the Court. The Court can then give the Township a declaratory judgment that the Township has a valid affordable housing plan that has a realistic opportunity to be realized which would protect them from a builder's remedy law suit. D. Banisch is working on a plan and the Housing Board is going to be reviewing the plan. The Housing Board will then make a recommendation to the governing body. Each time the matter has gone to the Court the number of units keeps changing. We have a requirement of approximately 95 units as per the 3rd round numbers. The Court seems to be relying on the methodology used during the 2nd round. The Township tried to meet their obligation by having the Habitat for Humanity project. Over a four year period, Habitat for Humanity could only qualify one family, which says something about the need for affordable housing in Kingwood. There is an interesting demographic switch in New Jersey where people are moving back into the cities rather than coming to a place like to Kingwood. Jersey City has gained population but counties like Sussex, Hunterdon and Warren are losing population, which could possibly affect the Court's view on the number of affordable housing units we are obligated to provide. The ruling is a terrific winner for attorneys and planners. The Courts have stated that when the municipalities go to Court for declaratory judgment, the plans have to go the builder's association and housing association, who are parties to the lawsuit. The two associations will be able to comment on a municipality's plan. The legislature may want to rewrite the law and take it out of the Court's hands. The governor came into office with the intent to eliminate COAH and in effect he has eliminated it. It is no longer a problem of the executive branch. Senator Wozniak has proposed to have units equal to 10% of the municipality's housing stock.

E. Niemann stated the Township worked very hard on the Habitat project and it could not be completed. The Township paid for the well testing and was going to donate Township property.

R. Dodds stated people are not interested in coming to the rural areas. The population in the larger municipalities is increasing. The median age of residents in the rural areas is 50+.

S. McNicol stated there are no support services in the rural areas. It is a lot of money to live here. A single mom with two children, making minimum wage, cannot make it here.

P. Lubitz stated that makes a stronger case for rental housing, possibly RCAs need to be revisited.

L. Voronin stated, if you look at the COAH website, this whole area has a glut of COAH housing. How can the Courts say we need more if the units, which have been available for years, are still available?

P. Lubitz stated the requirements are based on region rather than individual municipality. Kingwood is included in the Middlesex County region.

Churchill – Replacement of County Bridges K-110 and K-111

M. Syrnick stated the letter is informing the Board that the County is applying for a Flood Hazard Area permit.

PRIVILEGE OF THE FLOOR

E. Niemann informed the Board that her husband has gotten a job in Wilmington, Delaware and they will be relocating. She didn't want to miss the chance to say good-bye.

S. McNicol reminded the Board that the Environmental Commission is involved with the stream bank planting. The NJ Water Supply Authority has provided 2.5-3' sticks of various shrubs. They will flourish and protect the water and stream bank. They will be planted along the Lockatong. She stated last year's plantings are doing well.

ADJOURNMENT

It was moved by J. Mathieu, seconded by R. Dodds and carried to adjourn the meeting at 7:58 PM. All members present voted **AYE**.

Respectfully submitted,

Diane Laudenschach, Secretary