

**MINUTES OF THE 474th BOARD MEETING
OF THE
NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY**

August 6, 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)
 **** Elisa Neira, Deputy Commissioner (representing Carole Johnson, Commissioner, Department of Human Services)
 ***** Paulette Sibblies -Flagg, Administrator of Accreditation, Department of Banking and Insurance (representing Marlene Caride, Commissioner, Department of Banking and Insurance)

Stanley Weeks
Dorothy Blakeslee
Zenon Christodoulou

HMFA STAFF
PRESENT:

Charles A Richman, Executive Director
Deb Urban, Chief of Multifamily Programs
Katherine Brennan, Chief of Staff
Laura Shea, Chief of Legal and Regulatory Affairs
John Murray, Chief Financial Officer
Jeanette Nieves, Executive Board Secretary
Tanya Hudson – Murray, Managing Director of Multifamily Programs
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
Andrea Baverov, Manager of Credit and Delinquent Assets
Robert Strycharski, Assistant Director of SF Program Funding
Catherine Bernard, Assistant Director of MF Program Funding

OTHERS
PRESENT:

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

MEMBERS
OF THE PUBLIC

Jeffrey Feld
Leonard LaBarbiera

- * 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 November 2, 2018 designating Elisa Neira to represent, Carole Johnson, Commissioner, Department of Human Services
- ***** Letter of January 17, 2020 designating Paulette Sibblies – Flagg to represent Marlene Caride, Commissioner, Department of Banking and Insurance

August 6, 2020

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

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 July 30, 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.

I will remind our Board members and any members of the public that may have joined the meeting to please keep your line on mute to eliminate unnecessary background noise. I will ask the Board members to identify themselves before they speak so that the minutes accurately reflect who is speaking.

ROLL CALL

I will note for the record that Mr. Jeffrey Feld sent two letters to the Agency via email on August 5. Those letters were provided to the Board members prior to this meeting and are made a part of the minutes of this meeting.

Are there any members of the public that wish to comment on any agenda items?

Jeffrey Feld addressed the Board and advised that he was supplementing the information provided in his correspondence of August 5. Mr. Feld stated that he felt that the information provided on the meeting agenda should provide more project detail and noted that the Delinquent Asset items on the agenda should list the location of the project as well as the developer. He also suggested that the Board read the opinion issued in M. S. v. Susquehanna Twp Sch District which was published on August 5, 2020.

APPROVAL OF MINUTES

APPROVAL OF THE PUBLIC SESSION MINUTES OF THE JULY 17, 2020 SPECIAL TELECONFERENCE MEETING OF THE HMFA BOARD – ITEM 1A.

Zenon Christodoulou moved and Stanley Weeks seconded. 1. Approval of the Public Session Minutes of the July 17, 2020 Special Teleconference Meeting of the HMFA Board.

Aye – Robert Long, Robert Shaughnessy, Stanley Weeks, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee

Nay – None

Abstained- Elisa Neira

APPROVAL OF THE PUBLIC SESSION MINUTES OF THE JULY 30, 2020 SPECIAL TELECONFERENCE MEETING OF THE HMFA BOARD – ITEM 1B.

Aimee Manocchio Nason moved and Robert Shaughnessy seconded. 1. Approval of the Public Session Minutes of the June 30, 2020 Special Teleconference Meeting of the HMFA Board.

Aye – Aye – Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee

Nay – None

Abstained- Elisa Neira, Zenon Christodoulou

MULTI FAMILY –FOUR PERCENT TAX CREDIT

Tanya Hudson- Murray, Managing Director of Multifamily Supportive Housing and Lending, will present the Multi Family items

HMFA #03467– WILLOWS AT HARTFORD ROAD – APPROVAL OF A DECLARATION OF INTENT -ITEM 2A

Robert Shaughnessy moved and Stanley Weeks seconded. 1. Approval of a “Declaration of Intent” stating the intention of the Agency, subject to the availability of volume cap, to issue tax-exempt bonds in an estimated amount not to exceed \$6,185,000 in permanent financing for a project known as Willows at Hartford Road, HMFA #03467 (the “Project”). Approval of this "Declaration of Intent" is intended to establish for tax purposes the eligibility for reimbursement with the proceeds of the Bonds of certain costs paid prior to the issuance of the Bonds (the “Original Expenditures”) associated with pre-bond sale and development work on the Project. By this action, the Board expresses its present intent to issue the Bonds for the Project and its reasonable expectation that it will reimburse Original Expenditures with proceeds of the Bonds, and declares its intent that the Declaration of Intent be determined to be a declaration of official intent under Treas. Reg. Section 1.150-2 (the “Reimbursement Regulations”) promulgated under the Internal Revenue Code of 1986, as amended (the “Code”).

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03305/SSNHF #86 – JELIFF ESTATES – APPROVAL OF A MORTGAGE FINANCING RECOMMITMENT - ITEM 2B

Aimee Manocchio Nason moved and Dorothy Blakeslee seconded. 1. Approval of a mortgage recommitment for an estimated \$7,602,000 in construction and permanent financing from the Agency Revenue Bond Financing Program for a project known as Jelliff Estates, HMFA #03352 (the “Project”), upon the terms and conditions set forth in the RFA. 2. Approval of a subsidy mortgage loan recommitment for an estimated \$2,210,000 in construction and permanent financing from the Sandy Special Needs Housing Fund-CDBG (“SSNHF-CDBG”) Program for the Project, pursuant to the SSNHF-CDBG Program Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

MULTI FAMILY –FOUR PERCENT TAX CREDIT- CONDUIT

HMFA #03492– GLEN OAKS APARTMENTS – APPROVAL OF A MORTGAGE FINANCING COMMITMENT -ITEM 3A

Stanley Weeks moved and Zenon Christodoulou seconded. 1. Approval of a mortgage commitment for an estimated \$3,900,000 in permanent financing from the Agency Conduit Bond Program for a project known as Glen Oaks Apartments HMFA #03492 (the “Project”), upon the terms and conditions set forth in the RFA.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03434 – BERGENVIEW APARTMENTS – APPROVAL OF A MORTGAGE FINANCING COMMITMENT - ITEM 3B

Stanley Weeks moved and Dorothy Blakeslee seconded. 1. Approval of a mortgage commitment for an estimated \$20,270,000 in permanent financing from the Agency Conduit Bond Program for a project known as Bergenview Apartments, HMFA #03434 (the “Project”), upon the terms and conditions set forth in the RFA.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03497– CORINTHIAN TOWERS – APPROVAL OF A DECLARATION OF INTENT -ITEM 3C

Aimee Manocchio Nason moved and Paulette Sibblies-Flagg seconded. 1. Approval of a “Declaration of Intent” stating the intention of the Agency, subject to the availability of volume cap, to issue tax- exempt bonds in an estimated amount not to exceed \$31,200,000 in permanent financing for a project known as Corinthian Towers, HMFA #03497 (the “Project”). Approval of this "Declaration of Intent" is intended to establish for tax purposes the eligibility for reimbursement with the proceeds of the Bonds of certain costs paid prior to the issuance of the Bonds (the “Original Expenditures”) associated with pre-bond sale and development work on the Project. By this action, the Board expresses its present intent to issue the Bonds for the Project and its reasonable expectation that it will reimburse Original Expenditures with proceeds of the Bonds, and declares its intent that the Declaration of Intent be determined to be a declaration of official intent under Treas. Reg. Section 1.150-2 (the “Reimbursement Regulations”) promulgated under the Internal Revenue Code of 1986, as amended (the “Code”).

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03453 – SOMERS POINT VILLAGE – APPROVAL OF A DECLARATION - ITEM 3D

Robert Shaughnessy moved and Zenon Christodoulou seconded. 1. Approval of a “Declaration of Intent” stating the intention of the Agency, subject to the availability of volume cap, to issue tax-exempt bonds in an estimated amount not to exceed \$29,520,000 in construction and permanent financing for a project known as Somers Point Village, HMFA #03453 (the “Project”). Approval of this "Declaration of Intent" is intended to establish for tax purposes the eligibility for reimbursement with the proceeds of the Bonds of certain costs paid prior to the issuance of the Bonds (the “Original Expenditures”) associated with pre-bond sale and development work on the Project. By this action, the Board expresses its present intent to issue the Bonds for the Project and its reasonable expectation that it will reimburse Original Expenditures with proceeds of the Bonds, and declares its intent that the Declaration of Intent be determined to be a declaration of official intent under Treas. Reg. Section 1.150-2 (the “Reimbursement Regulations”) promulgated under the Internal Revenue Code of 1986, as amended (the “Code”).

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03398 – THE PLACE AT MARLBORO – APPROVAL OF A DECLARATION OF INTENT-3E

Stanley Weeks moved and Aimee Manocchio Nason seconded. 1. Approval of a “Declaration of Intent” stating the intention of the Agency, subject to the availability of volume cap, to issue tax- exempt bonds in an estimated amount not to exceed \$22,200,000 (the “Bonds”) in permanent financing for a project known as The Place at Marlboro, HMFA #03398 (the “Project”). Approval of this "Declaration of Intent" is intended to establish for tax purposes the eligibility for reimbursement with the proceeds of the Bonds of certain costs paid prior to the issuance of the Bonds (the “Original Expenditures”) associated with pre-bond sale and development work on the Project. By this action, the Board expresses its present intent to issue the Bonds for the Project and its reasonable expectation that it will reimburse Original Expenditures with proceeds of the Bonds, and declares its intent that the Declaration of Intent be determined to be a declaration of official intent under Treas. Reg. Section 1.150-2 (the “Reimbursement Regulations”) promulgated under the Internal Revenue Code of 1986, as amended (the “Code”).

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

MULTI FAMILY – NINE PERCENT TAX CREDIT

HMFA #03403– HARTFORD VILLAGE –APPROVAL OF A MORTGAGE FINANCING RECOMMITMENT - ITEM 4A

Paulette Sibblies-Flagg moved and Dorothy Blakeslee seconded. 1. Approval of a mortgage recommitment for an estimated \$2,165,000 in permanent only financing from the Agency Revenue Bond Financing Program for a project known as Hartford Village, HMFA #03403 (the “Project”), upon the terms and conditions set forth in the RFA. 2. Approval of a subsidy mortgage loan recommitment for an estimated \$150,000 in permanent only financing from the Money Follows the Person Housing Partnership Program (“MFPHP”) for the Project, upon the terms and conditions set forth below.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

MULTI FAMILY – NINE PERCENT - CONDITIONAL MORTGAGE COMMITMENT

HMFA #03484 –BRANCBURG SENIOR PHASE II –ITEM 5A

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- Zenon Christodoulou

HMFA #03483 –900 HERRONTOWN ROAD –ITEM 5B

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03482 –MAPLE SHADE SENIOR –ITEM 5C

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03493 – THE PLACE AT EAST WINDSOR - ITEM 5D

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03495 –WEST DEPTFORD SENIOR APARTMENTS –ITEM 5E

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03499–CROSS CREEK AT SWEDESBORO– ITEM 5F

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03500 –150-170 SOUTH BROAD STREET– ITEM 5G

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03504– HENDERSON ROAD PHASE II SUPPORTIVE HOUSING – ITEM 5H

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03505 –WEST MAIN STREET RESIDENCES– ITEM 5I

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03507 –THE VISTA AT OLD BRIDGE–ITEM 5J

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03508 –WOODBURY HEIGHTS FAMILY HOUSING –ITEM 5K

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03511 –1425 TEANECK ROAD– ITEM 5L

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03512–COLUMBUS CROSSING–ITEM 5M

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03513 –HOLMDEL FAMILY APARTMENTS– ITEM 5N

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03514 –FORTITUDE SUPPORTIVE HOUSING–ITEM 5O

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03515 –HARPER APARTMENTS - ITEM 5P

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03517 –TEXAS AVENUE HOMES– ITEM 5Q

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03518 –APARTMENTS AT CLINTON–ITEM 5R

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03521 –APARTMENTS AT VERONA– ITEM 5S

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03522 –BIRCHWOOD AT PHILLIPSBURG – ITEM 5T

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03523–BIRCHWOOD AT WASHINGTON TOWNSHIP– ITEM 5U

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03519 –GERARDS RIVERVIEW–ITEM 5V

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded.. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03520 –GIBBSTOWN PHASE II - ITEM 5W

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03526 – MOUNT LAUREL SENIOR HOUSING– ITEM 5X

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03524 –WILLOWS AT GREENWICH– ITEM 5Y

Robert Shaughnessy moved and Aimee Manocchio-Nason seconded. Approval of a conditional mortgage commitment from the Agency Revenue Bond Financing Program upon the terms and conditions set forth in the RFA pursuant to the Multifamily Programs and Lending Guidelines.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

DELINQUENT ASSETS

HMFA #3193 – BEACHGATE HOMES – APPROVAL OF A DECLARATION OF DEFAULT– ITEM 6A

Robert Shaughnessy moved and Stanley Weeks seconded. 1. Approval of a Declaration of Default with respect to Beachgate Homes, L.L.C., (referred to herein as “Borrower” and “Owner”), with regard to Beachgate Homes (HMFA #3193) (the “Project”). 2. Authorization for the Executive Director, Chief Financial Officer, the Chief of Legal and Regulatory Affairs, the Chief of Multifamily Programs, or the Chief of Staff to execute any and all documents, including such notices and other documents as may be determined, in consultation with the Attorney General’s Office, necessary to effectuate a Declaration of Default, including issuance of a Notice of Default to the Borrower and Owner in accordance with the Loan Documents (as defined in the RFA). 3. Authorization for the Executive Director, in consultation with the Attorney General’s Office, to institute a foreclosure action against the Borrower and Owner and to take any and all legal and equitable actions, including, but not limited to, filing a foreclosure complaint to foreclose upon the mortgage lien, accepting a deed in lieu of foreclosure, and to exercise any and all remedies as set

forth in the Loan Documents, with respect to the Project. 4. Authorization for the Executive Director, Chief Financial Officer, the Chief of Legal and Regulatory Affairs, the Chief of Multifamily Programs, or the Chief of Staff to negotiate and execute a settlement agreement (the “Settlement Agreement”) with Beachgate Homes, L.L.C. and the Guarantor upon such terms as Agency staff may deem appropriate, to take such actions and execute such documents as may be necessary or desirable in order to implement such a settlement agreement.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #2056 –WEBB APARTMENTS – APPROVAL OF A MORTGAGE MODIFICATION – ITEM 6B

Zenon Christodoulou moved and Paulette Sibblies-Flagg seconded. 1. Approval of a mortgage modification for the First Mortgage Note II for a project known as Webb Apartments #2056 (the “Project”), upon the terms and conditions set forth in the RFA. 2. Authorization for the Executive Director, Chief Financial Officer, the Chief of Legal and Regulatory Affairs, the Chief of Multifamily Programs or the Chief of Staff to execute any and all documents necessary to effectuate the above actions.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #1129 –RUNSEN HOUSE – APPROVAL OF A MORTGAGE MODIFICATION – ITEM 6C

Aimee Manocchio Nason moved and Zenon Christodoulou seconded. 1. Approval of a mortgage modification for the First Amended and Restated Agency Take-Out Mortgage Note for a project known as Runsen House #1129 (the “Project”), upon the terms and conditions set forth in the RFA. 2. Approval of mortgage extensions for the Rental Financing Revolving Loan Fund Mortgage Note and the Affordable Housing Program Mortgage Note maturity dates to be coterminous with the First Amended and Restated Agency Take-Out Mortgage Note. 3. Authorization for the Executive Director, Chief Financial Officer, the Chief of Legal and Regulatory Affairs, the Chief of Multifamily Programs or the Chief of Staff to execute any and all documents necessary to effectuate the above actions.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

CHOICE 13-01 –LEEWOOD RENAISSANCE AT FRANKLIN – APPROVAL OF A MORTGAGE EXTENSION – ITEM 6D

Robert Shaughnessy moved and Stanley Weeks seconded. 1 Approval of an extension of the note and mortgage maturity dates for the project known as CHOICE #13-01, Leewood Renaissance at Franklin, Phases D1, D2, and C1, to December 29, 2020. 2. Approval for the Executive Director, in consultation with the Attorney General’s Office, to take any action that is necessary to effectuate this transaction.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #472 –AUDUBON TOWERS – APPROVAL OF A MORTGAGE MODIFICATION – ITEM 6E

Paulette Sibblies-Flagg moved and Aimee Manocchio-Nason seconded. 1 Approval of a mortgage modification for a project known as Audubon Towers #472 (the “Project”), upon the terms and conditions set forth in the RFA. 2. Authorization for the Executive Director, Chief Financial Officer, the Chief of Legal and Regulatory Affairs, the Chief of Multifamily Programs or the Chief of Staff to execute any and all documents necessary to effectuate the above actions.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

CAPITAL MARKETS

APPROVAL TO REVISE THE SECONDARY MARKET INTEREST RATE RISK MANAGEMENT AND HEDGING POLICY TO ENABLE HEDGING OF MRB LOANS 7A

Aimee Manocchio Nason moved and Robert Shaughnessy seconded. 1. Approval of revisions to the Secondary Market Interest Rate Risk Management and Hedging Policy (formerly known as the “Interest Rate Risk Management and Hedging Policy”) (the “Policy”) to manage certain risks associated with the hedging of mortgage revenue bond (“MRB”) loans in the mortgage-backed securities (“MBS”) To-Be-Announced (“TBA”) market prior to bond sales. 2. Authorization to for the Executive Director and the members of the Secondary Market Management Committee to implement and effectuate the Policy

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

APPROVAL OF THE REIMBURSEMENT RESOLUTION FOR HEDGING MRB WITH MBS – 7B

Robert Shaughnessy moved and Stanley Weeks seconded. 1. Approval of a Resolution Declaring the Official Intent of the New Jersey Housing and Mortgage Finance Agency (the “Reimbursement Resolution”) for the Agency to reimburse itself from the proceeds of debt for capital expenditures and costs of issuance temporarily funded from revenues or other sources. 2. Authorization to for the Executive Director and the members of the Secondary Market Management Committee to implement and effectuate the Reimbursement Resolution.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03353 –NEW CENTER CITY– APPROVAL OF CONDUIT BOND DOCUMENTS – ITEM 7C

Paulette Sibblies Flagg moved and Aimee Manocchio Nason seconded. 1. Approval of the attached Resolution Authorizing and Directing the Execution, Delivery, Issuance and Sale of the New Jersey Housing and Mortgage Finance Agency’s Multifamily Conduit Revenue Bonds (New Center City Project), Series 2020 under the Agency’s Multi-Family Conduit Bond Program in a principal amount not to exceed \$11,346,500 and authorizing and approving the execution and delivery of a Trust Indenture and Related Instruments and authorizing other matters in connection therewith (the “Resolution”).

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

HMFA #03354 –NEW IRVINE TURNER– APPROVAL OF CONDUIT BOND DOCUMENTS – ITEM 7D

Aimee Manocchio Nason moved and Stanley Weeks seconded. 1. Approval of the attached Resolution Authorizing and Directing the Execution, Delivery, Issuance and Sale of the New Jersey Housing and Mortgage Finance Agency’s Multifamily Conduit Revenue Bonds (New Irvine Turner Project), Series 2020 under the Agency’s Multi-Family Conduit Bond Program in a principal amount not to exceed \$17,429,500 and authorizing and approving the execution and delivery of a Trust Indenture and Related Instruments and authorizing other matters in connection therewith (the “Resolution”).

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

OTHER BUSINESS

APPROVAL TO ENTER INTO AN MOU TO SHARE INFORMATION RE: CARES ACT FUNDED PROGRAMS –ITEM 8A

Robert Shaughnessy moved and Aimee Manocchio Nason seconded. 1. 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 New Jersey Economic Development Authority (“NJEDA”), the New Jersey Redevelopment Authority (“NJRA”), the New Jersey Department of Community Affairs (“NJDCA”) and the New Jersey Department of Environmental Protection (“NJDEP”) to share information relative to applications for the Coronavirus Aid, Relief and Economic Security Act,” P.L. 116-136, codified at 134 Stat. 281 (the “CARES Act”) funding for the Small Landlord Emergency Grant (“SLEG”) Program. 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 various State Agencies and the NJHMFA.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

Nay – None

Abstained- None

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

MOTION TO ADJOURN

Dorothy Blakeslee moved and Robert Shaughnessy seconded a motion to adjourn at 11:25 a.m.

Aye –Robert Long, Robert Shaughnessy, Zenon Christodoulou, Aimee Manocchio-Nason, Dorothy Blakeslee, Elisa Neira, Paulette Sibblies -Flagg, Stanley Weeks

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.

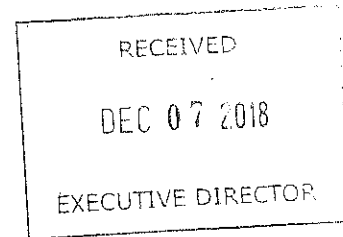
Sincerely,

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

November 2, 2018

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

Dear Mr. Richman:

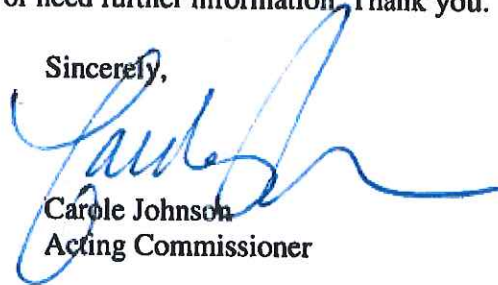
Please be advised that I have designated Elisa Neira as the Department of Human Services' representative for the New Jersey Housing and Mortgage Finance Agency Board. Should Ms. Neira not be available, Steve Shultz will serve as the alternate.

Meeting materials should be sent to the following mailing address:

Elisa Neira
NJ Department of Human Services
P.O. Box 700
Trenton, New Jersey 08625
609-984-5550 – Office
Elisa.Neira@dhs.state.nj.us

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

Sincerely,



Carole Johnson
Acting Commissioner

CJ/lk

c: Jill Shortway Ippolito
Elisa Neira
Steven Shultz
Lynn Kotch



State of New Jersey
DEPARTMENT OF BANKING AND INSURANCE
DIVISION OF BANKING
PO BOX 040
TRENTON, NJ 08625-0040

PHIL MURPHY
Governor

SHEILA OLIVER
Lt. Governor

MARLENE CARIDE
Commissioner

RICHARD MUMFORD
Acting Director of Banking

TEL (609) 292-7272
FAX (609) 292-5461

January 17, 2020

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

Re: NJ HMFA Board Meeting Designee

Dear Mr. Richman:

My designee for the New Jersey Housing Mortgage and Finance Agency Board meetings is Paulette Sibbles-Flagg of the Division of Banking.

Ms. Sibbles-Flagg can be reached at paulette.sibbles-flagg@dob.nj.gov, telephone (609) 940-7347.

Very truly yours,

Marlene Caride
Commissioner

cc: Richard Mumford, Acting Director of Banking
Paulette Sibbles-Flagg, Division of Banking

Jeffrey S. Feld, Esq.
11 Alexander Lane
Short Hills, New Jersey 07078
973.476.7309 (tele)
hardwaredad@aol.com

August 3, 2020

(via email)
Office of the City Clerk
Kenneth Louis, City Clerk
920 Broad Street
City Hall, Room 306
Newark, New Jersey 07102

Re: August 5, 2020 at 12:30 PM Newark City Council Meeting Agenda

777 McCarter Urban Renewal LLC (c/o Boraie Development LLC) 30 Year LTTEL
Long Term Tax Exemption and \$18,000,000 Redevelopment Area Bond Ordinance 20-
0849 whose notice of a non-virtual second reading public hearing was published in the
Star Ledger on July 28, 2020

Nishuane Group \$50,000 CY 2020 Planning Consultant Services Retention Resolution
20-0789

Dear City of Newark Municipal Clerk:

I respectfully request that this letter be distributed to all members of the local governing body and included in the August 5, 2020 official public legislative record. I reserve my rights to participate virtually and to supplement this letter. I also incorporate herein by reference all my earlier long term tax exemption opposition letters to the local governing body and its counsel.

“[I] heard the voice of Dr. Martin Luther King Jr. on an old radio. He was talking about the philosophy and discipline of nonviolence. He said we are all complicit when we tolerate injustice. He said it is not enough to say it will get better by and by. He said each of us has a moral obligation to stand up, speak up and speak out. When you see something that is not right, you must say something. You must do something. Democracy is not a state. It is an act, and each generation must do its part to help build what we called the Beloved Community, a nation and world society at peace with itself.

Ordinary people with extraordinary vision can redeem the soul of America by getting in what I call good trouble, necessary trouble. Voting and participating in the democratic process are key. The vote is the most powerful nonviolent change agent you have in a democratic society. You must use it because it is not guaranteed. You can lose it.”

John Lewis

**“Op-Ed: Together, You Can Redeem the Soul of Our Nation”
The New York Times Op-Ed (July 30, 2020)**

“This watchdog function had tangible benefits for subscribers and nonsubscribers alike. ‘When local reporting waned,’ Sullivan writes, ‘municipal borrowing costs went up.’ Local news outlets provide the due diligence that bondholders often count on. Without the specter of a public shaming, corruption is freer to flourish.”

Jennifer Szalai “Books of the Times: Another Endangered Species- The consequences of local papers closing nationwide’ The New York Times (July 20, 2020)

“When hearings were held in person, whether on the legislative or the local level, the public had its say. Often a large number of people would show up to make it plain to the elected officials that their actions would be remembered on election Day. . . . But when the same hearing is held on an internet platform like Zoom, the moderator can simply tune out dissident voices.”

**Paul Mulshine
“Op-Ed: Ghost town will come back to haunt legislators”
The Sunday Star Ledger (August 2, 2020)**

Recommendations

1. Postpone consideration of the 777 McCarter Urban Renewal LLC second reading public hearing pending republication of a full and complete virtual meeting public notice.
2. Obtain a written legal opinion as to the validity of this non-virtual public hearing under Governor Executive Order No. 103 dated March 9, 2020, P.L. 2020, Ch. 11 (March 20, 2020) and P.L. 2020, Ch. 34 (April 15, 2020).
3. Obtain a written legal opinion as to whether a municipality can authorize the issuance of \$18,000,000 Redevelopment Area Bonds without the prior consent of the Local Finance Board.
4. Obtain a written legal opinion as to whether same law firm can act as special outside redevelopment counsel and bond counsel in the same long term tax exemption and redevelopment area bond transaction.
5. Obtain a written legal opinion as to whether the approvals of a 30 year long term tax exemption and a \$18,000,000 redevelopment area bond issuance should be bifurcated into separate approval ordinances.
6. Obtain a written legal opinion as to whether stakeholders were provided reasonable access to the underlying financial agreement, long term tax exemption application, net benefits fiscal impact study and supplemental debt statement prior to the non-virtual second reading public hearing.
7. Obtain a written legal opinion as to whether the local governing body must respond on the record to all pertinent second reading public non-virtual hearing questions on ordinances not subject to referendum challenge.
8. Investigate when the City of Newark began to list certain underlying supporting documents on its public website legislative details history link.

9. Investigate why there is no consistent list of long term tax exemption underlying supporting documents on the legislative details history links.
10. Investigate why the City of Newark does not provide virtual access to these material documents via its public website during this pandemic.
11. Investigate the sudden rush to approve long term tax exemption financial agreements.
12. Investigate whether and when a supplemental debt statement relating to the \$18,000,000 redevelopment area bonds was delivered to the city clerk and the State.
13. Investigate why this supplemental debt statement is not posted on the legislative details history public website.
14. Disclose the amount of revenues to be generated by this mixed income and mixed-use redevelopment project prior to its adoption
15. Investigate whether a certain Montclair city planner was implicated in the Willis Edwards III federal indictment announced on July 8, 2020.
16. Investigate the bizarre July 29, 2020 Willis Edwards III federal arraignment hearing, including Judge McNulty's characterization of certain counts, the number of prison years confronting Mr. Edwards, and Mr. Edwards' objections to surrendering his passport and firearm to US Marshalls.
17. Investigate the sudden retirement of Prudential's General Counsel.

The Legal Playing Field Has Shifted

This is a very fluid situation. My comments and questions should not be dismissed out-of-hand. This local governing body cannot ignore its statutory and common law fiduciary duties and obligations. This local governing body must consider all intervening changes in significant facts or statutory regulations or judicial law that favor my factual and legal contentions.

Wednesday July 8, 2020 was a game-changing day. While I was appearing before the Local Finance Board, the NJ US Attorney announced the indictment of Willis Edwards III. In the indictment, a certain Montclair city planner was implicated. USA v. Willis Edwards III, 20-cv-572 (KM). Consequently, all transactions approved or recommended under the watch by this Montclair city planner are subject to strict scrutiny.

Indeed, on July 8, 2020, the Local Finance Board admonished Orange as to the importance of transparency and public participation during emergent virtual public hearings. ¹

On July 20, 2020, the NJHMFA issued its Norman Towers NJHMFA Long Term Tax Exemption Denial of Reconsideration Per Curiam Opinion, thereby commencing a forty-five days direct appeal limitations of actions. The opinion did not cite the "Blighted Area" clause of our State Constitution. The opinion did not cite three recent binding and precedential tax exempt property opinions. The opinion did not cite conflicting DCA urban renewal entity rules and regulations. The opinion did not cite the internal shift of urban renewal entity oversight jurisdiction. The opinion did not cite the federal subpoena received by the NJHMFA in February

¹ On or about Friday July 31, 2020, the Local Finance Board posted its July 8, 2020 hearing transcript on its public website. The local governing body may wish to review this transcript with counsel.

2020. To perfect my appeal, I have requested abbreviated transcripts of the May 25, 2020 and July 1, 2020 hearings.²

On July 28, 2020, the attached notice of pending ordinance and summary was published in the Star Ledger. Neither the body of the proposed ordinance nor a summary was included. *Despite the City of Newark being one of our State's original COVID-19 "hot spots," the notice did not provide stakeholders a reasonable opportunity to participate virtually.*

Indeed, the instant second reading public hearing notice diverged from other City of Newark related public notices published in the Star Ledger acknowledging the current COVID-19 pandemic and Governor Executive Order No. 103 dated March 9, 2020. See, City of Newark Central Planning Board August 3, 2020 Virtual Meeting Notices dated July 24, 2020 published by Attorneys Elnardo J. Webster II and Marsha M. Moore); City of Newark Zoning Board of Adjustment August 6, 2020 Virtual Meeting Notice dated July 25, 2020 published by Attorney Elnardo J. Webster II ("Due to the public health emergency occasioned by the COVID-19 virus, the meeting will be conducted electronically and/or by telephonic means. There will be no person public attendance at this meeting."); City of Newark Department of Water & Sewer Utilities August 13, 2020 Bid Opening dated July 28, 2020 ("UNTIL FURTHER NOTICE IN-PERSON ATTENANCE AT BID OPENINGS IS PROHIBITED due to restrictions on public gatherings under the State of Emergency."); Benedictine Abbey of Newark IRC 147(f) public hearing notice dated July 29, 2020 and referring to McManimon Scotland & Baumann Attorney John V. Cavaliere ("Anyone having an interest in this matter may call in to the following toll-free number to give their comments."); City of Newark Rent Control Board Virtual Meeting Notice dated August 1, 2020) ("Starting August 1, 2020, the Public Hearings will be conducted virtually using the Zoom platform in accordance with recent guidelines issued by the New Jersey Department of community Affairs Division of Local Government Services. . . .All virtual meetings will begin at ^:00 pm. Information related to the virtual hearings-hearing schedule. Zoom link, call-in phone numbers, will be available and updated for each public hearing at least even (7) days prior to the hearing date. . . .")

Moreover, since my last July 6, 2020 letter, our State Supreme Court and Appellate Division issued a series of binding and persuasive tax exemption statutory interpretation, qualified immunity, stealth taxpayer subsidies, conflict of interests administrative hearing records and tort claims act opinions concurring with my legal analysis. You may wish to consider with counsel the following post July 6, 2020 cases. You may also wish to consider with counsel certain post July 6, 2020 Third Circuit statutory interpretation, freedom of speech, retaliatory actions, public nuisance standing, gross income and repetitive issues of public importance mootness opinions.

State Supreme Court

Christian Mission John 316 v. Passaic City, __ N.J. __ (July 15, 2020)

² On or about Monday August 3, 2020, the NJHMFA posted its June 25, 2020 and July 1, 2020 regular meeting minutes on its public website. The NJHMFA did not post its July 1, 2020 closed executive session minutes.

Bank Leumi USA v. Kloss, __N.J.__ (July 21, 2020)

Crispino v. Township of Sparta, __N.J__ (July 22, 2020)

Gramiccioni v. Dept. of Law & Public Safety, __N.J. __ (July 28, 2020)

Appellate Division

Binding

Edison Bd. of Ed. V. Zoning Bd of Adj, __N.J. Super. __ (App. Div. July 22, 2020)

State v. Aburoumi, __N.J. Super. __ - (App. Div. July 24, 2020 (App. Div. July 24, 2020)

D.C & M.L. v. Division of Medical Assistance & Health Services, __N.J. Super. __ (App. Div. July 28, 2020)

Seigelstein v. Shrewsbury Motors Incv., __N.J. __ - (App. Div. July 29, 2020)

McNellis-Wallace v. Joseph Hoffman, Jr. Esq., (App. Div. July 31, 2020)

Persuasive

Norcross v. Murphy, A-5237-18T4 (App. Div. July 6, 2020)

Pistilli-Leopardi v. Medianews Group Inc, A-0086-18T1 (App. Div. July 14, 2020)

Alston v. City of Hoboken, A-2677-17T2 (App. Div. July 14, 2020)

Rosenblum v. Borough of Closter, A-2561-18T2 (July 15, 2020)

Carney v. Mayor Edward Mahonney, A-2541-18T3 (App. Div. July 15, 2020)

Hernandez v. Hudson County, A-1683-18T4 (App. Div. July 15, 2020)

Hartz Mountain Industries Inc. v. NJ Sports & Exposition Authority, A-3767-18T1 (App. Div. July 16, 2020)

JStar LLC v. NJ Dep. Of Environmental Protection-Land Use Regulation Program, A-1745-18T1 (App. Div. July 16, 2020)

Underwood Properties LLC v. Planning Board of City of Hackensack, A-5420-18T3 (App. Div. July 17, 2020)

Bryant v. Camden County Police Dept., A-0896-18T4 (App. Div. July 21, 2020)

IMO Appeal of Local Ethics Board Decisions, A-1019-18T4 (App. Div. July 21, 2020)

Gilbert v. Kenyatta K. Stewart, A-1841-18T2 (App. Div. July 28, 2020)

Team Rhodi, LLC v. Jersey City Redevelopment Authority, A-0315-17T2 (App. Div. July 2020)

Mason v. City of Atlantic City, A-3234-19T4 (App. Div. July 30, 2020)

1500 Harbor Boulevard Urban Renewal LLC v. North Hudson Sewage Authority, A-5459-18T4 (App. Div. July 31, 2020)

Facts Must Be Checked

In sum, I urge prudence and caution here. I urge healthy skepticism. Facts must be checked. Transparency, accountability, and adherence to the rule of law can no longer be ignored.

Based upon developing case law, the City of Newark local governing body must provide interested parties a reasonable opportunity to be heard virtually prior to voting on any discretionary legislative agenda item during this pandemic. The City of Newark local governing body must also state on the public record the facts and the law supporting the post April 17, 1992 granting of a long term tax exemption to an urban renewal entity under State law.

My gut tells me not to discount the federal subpoena received by the NJMHFA in February 2019 and the State Senate Investigative Committee Final Report issued in July 2020. My gut also tells me not to discount post July 6, 2020 NJHMFA and Orange OPRA responses. In addition, my gut tells me not to discount post July 6, 2020 efforts to suppress my public participation at Orange public hearings.

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

Respectfully submitted,

/s/ Jeffrey S. Feld

Jeffrey S. Feld

cc: City of Newark BA (via email)

City of Newark Corporation Counsel (via email)

City of Newark Director of Economic Planning (via email)

City of Newark Special Outside Newark I & II Counsel (via email)

City of Newark City Council (via City Clerk)
NJHMFA Executive Director (via email)
LFB Chairperson/DLGS Executive Director (via email)
Essex County Counsel (via email)
Essex County Freeholders Counsel (via email)

7/28/20

\$360.04

NOTICE OF PENDING ORDINANCE AND SUMMARY

The ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the City of Newark, in the County of Essex, State of New Jersey, on July 22, 2020. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the City Hall, City Council Chambers, 920 Broad Street, Newark, New Jersey 07102 on August 5, 2020 at 12:30 o'clock P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such ordinance follows:

Title:

F-e AN ORDINANCE GRANTING A THIRTY YEAR (30) YEAR TAX ABATEMENT TO 777 MCCARTER URBAN RENEWAL, LLC, C/O BORAIE DEVELOPMENT, LLC, 120 ALBANY STREET, NEW BRUNSWICK, NEW JERSEY 08901 FOR A PROJECT TO CONSTRUCT A NEW THIRTY-TWO (32) STORY BUILDING CONSISTING OF APPROXIMATELY TWO HUNDRED NINETY-SIX (296) MARKET RATE RESIDENTIAL UNITS, SEVENTY-FOUR (74) AFFORDABLE HOUSING RENTAL UNITS, 13,026 SQUARE FEET OF COMMERCIAL SPACE AND TWO HUNDRED TWENTY-FIVE (225) STRUCTURED PARKING SPACES LOCATED AT 769-781 MCCARTER HIGHWAY, NEWARK, NEW JERSEY AND IDENTIFIED ON THE CITY'S TAX MAP AS BLOCK 161, LOT 1.02 AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FINANCIAL AGREEMENT AND OTHER APPLICABLE DOCUMENTS RELATED TO THE ISSUANCE OF REDEVELOPMENT AREA BONDS (NON-RECOURSE TO THE FULL FAITH AND CREDIT OF THE CITY), AUTHORIZING THE ISSUANCE OF THE REDEVELOPMENT AREA BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$18,000,000 AND DETERMINING VARIOUS OTHER MATTERS IN CONNECTION THEREWITH

Purpose:

This ordinance grants a long term tax abatement to 777 McCarter Urban Renewal, LLC, c/o Boraie Development, LLC, 120 Albany Street, New Brunswick, New Jersey 08901, filed an application with the Mayor seeking a long term tax abatement under the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. for a thirty (30) year term for a project to construct a new thirty-two (32) story building consisting of approximately two hundred ninety-six (296) market rate residential units, seventy-four (74) affordable housing rental units, 13,026 square feet of commercial space and two hundred twenty-five (225) structured parking spaces located at 769-781 McCarter Highway, Newark, New Jersey and identified on the City's tax map as Block 161, Lot 1.02 and authorizing the execution and delivery of a Financial Agreement and other applicable documents related to the issuance of Redevelopment Area Bonds (non-recourse to the full faith and credit of the City) and authorizes the issuance of the Redevelopment Area Bonds in a principal amount not to exceed \$18,000,000.

Kenneth Louis

City Clerk

City of Newark, New Jersey

Publish: July 28, 2020
7/28/20

\$177.10

F-f ORDINANCE RATIFYING AND AUTHORIZING THE MAYOR AND/OFF HIS DESIGNEE, THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND COMMUNITY WELLNESS, TO ENTER INTO AND EXECUTE A LEASE AGREEMENT WITH NOVUS UNION, LLC, HAVING OFFICES AT 50 UNION AVENUE

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August 5, 2020

(via email)
Laura Shea
Chief of Legal & Regulatory Affairs
New Jersey Housing and Mortgage Finance Agency
637 South Clinton Avenue
PO Box 18550
Trenton, NJ 08050

Re: August 6, 2020 at 10:00 am Virtual Regular Meeting
Item 2-MultiFamily: 4% Tax Credit
 (b) HMFA 03305-A & A Construction: Jeliff Estate
Item 3-MultiFamily: 4% Tax Credit-Conduit
Item 4-MultiFamily: 9% Tax Credit
Item 5-MultiFamily: 9% Conditional Commitment
 (b) HMFA 03483-RPM Development Group: 900 Herrontown Road
 (g) HMFA 03500-RPM Development Group: 150-170 So. Broad St.
 (h) HMFA 03504-RPM Development Group: Henderson Road Phase II
 (l) HMFA 03511-The Alpert Group: 1425 Teaneck Road
 (q) HMFA 03517-RPM Development Group: Texas Avenue Homes
Item 6-Delinquent Assets

Dear Ms. Shea:

I respectfully request that this letter be distributed to all NJHMFA board members and included in the August 6, 2020 virtual meeting agenda items public comment official public record. This letter incorporates by reference all my earlier letters to the NJHMFA regarding enhanced transparency, accountability and adherence to the rule of law.

The letter incorporates by reference certain post July 1, 2020 documents of public record, such as (i) the NJHMFA's July 20, 2020 Norman Towers NJHMFA Long Term Tax Exemption Per Curiam Reconsideration Denial Opinion, (ii) the NJHMFA June 25, 2020 and July 1, 2020 meeting minutes approved July 30, 2020 and posted on the NJHMFA public website, (iii) the NJHMFA OPRA Responses W160728 (July 10, 2020), W160863 (July 20, 2020), & W161515 (July 27, 2020), (iv) Third Circuit, State Supreme Court and State Appellate Division binding and persuasive opinions, (v) the EDA Task Force Final Report issued July 9, 2020, (vi) the Office of State Comptroller "A Proforma Audit of P-Card Practices: For the Period July 1, 2014 through June 30, 2017" dated July 23, 2020, (vii) our Governor's July 31, 2020 conditional veto

of a county and municipal “coronavirus relief bond” bill A3917/S2475 and (viii) my attached August 3, 2020 letter to the City of Newark.

I reserve my right to supplement my August 5, 2020 meeting comments and questions **prior to** the NJHMFA board considering certain listed agenda items. Based upon certain post May 25, 2020 NJHMFA behavior, I believe that this procedural due process civic participation, Open Public Meetings Act, P.L.2020, C. 11 and P.L. 2020, C. 34 issue has been resolved in my and other interested stakeholders favor.

“[I] heard the voice of Dr. Martin Luther King Jr. on an old radio. He was talking about the philosophy and discipline of nonviolence. He said we are all complicit when we tolerate injustice. He said it is not enough to say it will get better by and by. He said each of us has a moral obligation to stand up, speak up and speak out. When you see something that is not right, you must say something. You must do something. Democracy is not a state. It is an act, and each generation must do its part to help build what we called the Beloved Community, a nation and world society at peace with itself.

Ordinary people with extraordinary vision can redeem the soul of America by getting in what I call good trouble, necessary trouble. Voting and participating in the democratic process are key. The vote is the most powerful nonviolent change agent you have in a democratic society. You must use it because it is not guaranteed. You can lose it.”

Honorable John Lewis

**“Op-Ed: Together, You Can Redeem the Soul of Our Nation”
The New York Times Op-Ed (July 30, 2020)**

“This watchdog function had tangible benefits for subscribers and nonsubscribers alike. ‘When local reporting waned,’ Sullivan writes, ‘municipal borrowing costs went up.’ Local news outlets provide the due diligence that bondholders often count on. Without the specter of a public shaming, corruption is freer to flourish.”

Jennifer Szalai “Books of the Times: Another Endangered Species- The consequences of local papers closing nationwide’ The New York Times (July 20, 2020)

“When hearings were held in person, whether on the legislative or the local level, the public had its say. Often a large number of people would show up to make it plain to the elected officials that their actions would be remembered on election Day. . . . But when the same hearing is held on an internet platform like Zoom, the moderator can simply tune out dissident voices.”

Paul Mulshine

**“Op-Ed: Ghost town will come back to haunt legislators”
The Sunday Star Ledger (August 2, 2020)**

Recommendations

1. Obtain a post July 1, 2020 updated written legal opinion as to the validity of a post April 17, 1992 NJHMFA long term tax exemption granted to a duly approved urban renewal entity in violation of its state approved formation documents under State law. (Item 2b)
2. Obtain a post July 1, 2020 updated legal opinion as to the validity of all non-virtual municipal meeting action taken in violation of pandemic State Executive Orders and State legislation. (Item 2b)
3. Obtain a post July 1, 2020 updated legal opinion as to whether the name of the “Borrower/Applicant,” the underlying long term tax exemption statutory authorization and a description of the project (new construction, rehabilitation of an existing project by the same owner or acquisition and rehabilitation by a new owner) should be disclosed in the agenda item tax credit related captions. (Items 2,3,4 & 5)
4. Obtain a post July 1, 2020 updated legal opinion as to whether the Board Action Memorandum needs to disclose (i) all pending long term tax exemption related pending or threatened litigation involving a Developer and its related entities and (ii) all delinquent NJHMFA funded projects involving the Developer and its related entities (Items 5 b, g ,h , l and q)
5. Obtain a post July 1, 2020 updated legal opinion as to whether (consistent with items 2, 3, 4 & 5 caption notices) the name of the “delinquent” Developer and the location of the delinquent project needs to be disclosed in the Item 6 Delinquent Assets captions (Item 6).

The Legal Landscape Has Shifted

I am no stranger to you. This is a very fluid situation. My comments and questions should not be dismissed out-of-hand. This administrative body cannot ignore its statutory and common law fiduciary duties and obligations. This administrative body must consider all intervening changes in significant facts or statutory regulations or judicial law that favor my factual and legal contentions.

Since my last July 1, 2020 virtual special Norman Towers Long Term Tax Exemption Reconsideration Hearing appearance at which I was not provided a reasonable opportunity to rebut the conclusory statements of a NJMHFA officer (and not a State Deputy Director) made after a closed executive session, we lost civil rights giants who repeatedly risked their lives speaking truth to power and ensuring the fundamental right to vote and for free and fair elections.

For years, I have been questioning the validity of post April 17, 2020 discretionary long term tax exemptions issued to non-urban renewal entities without any supporting net benefits fiscal impact studies.

Today we lack independent investigative reporting. Patent errors and omissions undermine the integrity of our constitutional democratic system and our robust marketplace of

competing ideas. We cannot rely upon the federal criminal law system curing these anti-democratic errors and omissions.

Wednesday July 8, 2020 was a game-changing day. While I was appearing before the Local Finance Board, the NJ US Attorney announced the “low hanging fruit” indictment of Willis Edwards III-Orange’s former purported deputy business administrator. In the indictment, a certain Montclair city planner and others were implicated. *USA v. Willis Edwards III, 20-cv-572 (KM)*. Consequently, all long term tax exemption transactions approved or recommended under the watch of Willis Edwards III and this Montclair city planner are subject to retroactive strict scrutiny. These projects include RPM and Alpert Group projects highlighted and showcased in prior posted NJHMFA annual reports.

Indeed, on July 8, 2020, Orange’s BA and special outside budget consultant made a series of admissions against interests supporting my claims against Orange regarding the failure to adopt Cap Bank Ordinances and deferred capital infrastructure maintenance and improvements.

On July 8, 2020, the Local Finance Board admonished Orange as to the importance of transparency and public participation during emergent virtual public hearings. (On or about Friday July 31, 2020, the Local Finance Board posted its July 8, 2020 public hearing transcript on its public website.)

On July 9, 2020, the EDA Task Force appointed by our governor issued its final report.

On July 20, 2020, the NJHMFA issued its Norman Towers NJHMFA Long Term Tax Exemption Denial of Reconsideration Per Curiam Opinion, thereby commencing a forty-five days direct appeal limitations of actions. Although this administrative opinion is subject to extreme judicial deference, this opinion and its presumption of validity is rebuttable. See. *Gramiccioni v. Dept. of Law & Public Safety, ___N.J. __- (July 28, 2020)*; *Crispino v. Township of Sparta, ___ (July 22, 2020)*.

The opinion did not cite the “Blighted Area” clause of our State Constitution. The opinion did not cite two recent binding and precedential State Supreme Court tax exempt property opinions. See, *Christian Mission John 316 v. Passaic City, ___N.J. __ (July 15, 2020)*; *Gourmet Dining LLC v. Union Township, ___N.J. __ (June 30, 2020)*.

The opinion did not cite two long term tax exemption opinions authored by Presiding Appellate Division Judge Jose Fuentes. *MEPT Journal Square Urban Renewal LLC v. City of Jersey City, 455 N.J. Super. 608 (App. Div. 2018) cert denied 236 N.J. 356 (2019)*; *Jeffrey S. Feld v. City of Newark, A-1272-16T4(App. Div. May 30, 2019) (“Newark I”)*. Also see, *City of Orange v. Millenium Homes at Washington and Day Urban Renewal Associates LP, A-03467-18t1 (App. Div. Nov. 1, 2019)*.

The opinion did not cite the amended Redevelopment Handbook: A Guide to Rebuilding New Jersey Communities (2nd Ed) issued in early CY 2012.

Using the authority vested in the 1947 Constitution, the legislature enacted four property-tax exemption statutes providing municipalities authority to grant tax exemptions for housing, senior citizen housing, and “urban renewal” projects. Among those was the Urban Renewal Corporation and Association Law of 1961, commonly known as the Fox-Lance Act after its primary legislative sponsors.

These laws were consolidated into the current Long Term Tax Exemption Law, P.L. 1991, c. 41 (N.J.S.A. 40A:20-1 et seq). The current statute retains the three constitutionally mandated features of any long term -term tax exemption laws: the project must have a specific public purpose linked to a municipality’s local redevelopment plan **or housing objectives**; it must be limited to a specific time period, **and the profits of the corporation receiving the exemption must be limited.** (at p. 159) (emphasis supplied).

The opinion did not cite conflicting DCA urban renewal entity rules and regulations supporting my legal contentions. See, N.J.A.C. 5:13-1.1. The opinion did not cite the internal shift of urban renewal entity formation oversight jurisdiction to the DCA Office of Local Planning Services, effective November 1, 2018.

The opinion did not disclose the current NJHMFA Executive Director’s lack of disinterestedness in this dispute. That is, numerous NJHMFA long term tax exemptions were approved under his watch as the DCA Commissioner. Cf; Gilbert v. Stewart, A-1841-18T2 (App. Div. July 28, 2020); IMO Appeal of Local Ethics Board Decisions, A-1019-18T4 (App. Div. July 21, 2020).

Moreover, the opinion did not address and refute the NJHMFA Executive Directors’ May 25, 2020 defamatory remarks about my professional competence and integrity. Cf: Hartnett v. Pa. State Educ. Assoc., __F.3d __ (3d Cir June 25, 2020); Alpha Painting & Constr. Co. v. Delaware River Port Authority, No. 19-2675 (3d. Cir. July 30, 2020). Also see, Commissioner of Internal Revenue v. Brokertec Holdings, __ F. 3d__ (3d Cir July 28, 2020) (regarding the inclusion in gross income of certain governmental subsidies, such as below-market transfers of municipal real property)

The opinion did not cite the federal subpoena received by the NJHMFA in February 2019 but not disclosed to me until March 2020.

To perfect my direct appeal, I have requested abbreviated transcripts of the May 25, 2020 and July 1, 2020 hearings. (On or about August 3, 2020 the NJHMFA posted its June 25, 2020 and July 1, 2020 meeting minutes on its public website. The NJHMFA failed to post its July 1, 2020 closed executive session minutes.)

On July 29, 2020, Judge Kevin McNulty held a bizarre virtual federal Willis Edwards III arraignment hearing. Numerous stakeholders, including myself, requested and obtained virtual access to this public arraignment hearing. On July 29, 2020, Judge McNulty and the US Attorney sent very loud messages to Mr. Willis, his coconspirators and his court appointed counsel. First, Judge McNulty broadly outlined the “low hanging fruit” counts as including a Saturday morning

literacy program conspiracy and a plagiarism scheme. Judge McNulty then requested the US Attorney to outline the maximum number of jail time and fines allocated to each count.

Mr. Willis arrogantly objected to turning over to US Marshalls his passport and his firearm. Mr. Willis's court appointed counsel tried to downplay the seriousness of the indictment. Court appointed counsel tried to describe the indictment as a plain white-collar political corruption matter and not a violent criminal crime matter. Judge McNulty overruled both objections. Judge McNulty implied that all indicted individuals are a flight risk. The US Attorney also pointed out the great stress imposed by this indictment upon Mr. Willis.

Under Mr. Willis' and Mayor Warren's former chief of staff's watch, Orange granted numerous long term tax exemptions over my objections. Indeed, Orange and the NJHMFA discounted my questions regarding the same law firm simultaneously representing Orange and the redeveloper in the same Walter G. Alexander Phase III long term tax exemption transaction funded by the NJHMFA. See, *The Four Fields, Inc. v. City of Orange Township*, A-5875-13T3 (App. Div. May 23, 2018).

On July 30, 2020, the Local Finance Board and the NJHMFA each held special virtual meetings on shortened and limited notice. The Local Finance Board approved the City of Paterson's conversion from the SFY to CY. The Local Finance Board also acknowledged the need of transitional aid to restore Paterson's financial stability.

On July 30, 2020, the NJHMFA acknowledged its need to provide stakeholders a reasonable opportunity to be heard prior to approving an agenda item. On July 30, 2020, the NJHMFA approved a rescue plan for landlords of small projects (3-10 units) whose rents comply with the low income housing tax credit guidelines.

On July 31, 2020, our Governor conditionally vetoed a "coronavirus relief bond" bill A3971/S2475. Our Governor acknowledged the need for enhanced fiscal oversight over certain historically financially distressed municipalities.

This administrative body cannot feign ignorance of these issues and facts. This administrative body had actual and constructive knowledge of these festering issues. In addition, this administrative had actual and constructive notice of intervening post July 1, 2020 Third Circuit, State Supreme Court and Appellate Division binding and persuasive tax exemption statutory interpretation, qualified immunity, stealth taxpayer subsidies, conflict of interests administrative hearing records and tort claims act opinions concurring with my legal analysis.

This administrative body may wish to consider with counsel this post July 1, 2020 case law This administrative body may also wish to consider with counsel the Local Finance Board's posted July 1, 2020 hearing transcript. This administrative body may wish to consider with counsel all post July 1, 2020 OPRA responses received by me from the NJHFMA, including the redacted July 1, 2020 closed executive session meeting minutes and the NJHMFA long term tax exemption financial agreement last amended in CY 2014.

In sum, I urge prudence and caution here. I urge healthy skepticism. Facts must be checked. Transparency, accountability, and adherence to the rule of law can no longer be ignored. “Deny, delay and deflect” no longer work. “Judgment Day” has arrived in New Jersey. Talk is cheap. Real action is required. We must follow John Lewis’s lead. We must speak truth to power. We must defend the rights and liberties of all citizens, regardless of the consequences to one’s long term political and economic self-interests.

Respectfully yours,

/s/ Jeffrey S. Feld

Jeffrey S. Feld

cc: Charles A. Richman, Executive Director (via email)
Katherine Brennan, NJHMFA Chief of Staff (via email)
Tanya Hudson-Murray, NJHMFA Director of Multi-Family Programs and Lending (via email)
Daryl Appelgate, NJHMFA Director of Regulatory Affairs (via email)
Anne H. Hamlin, NJHMFA Director of Tax Credits (via email)
Joseph Heath, NJHMFA Director of Capital Markets & Bond Compliance (via email)
Kavin Mistry, Deputy Director, Division of Law (via email)
George Loeser, Esq., NJHMFA DAG (via email).
Vladimir Palma, Esq., NJHMFA Newark 11 DAG (via email)
Melanie Walter, Esq., LFB Chairperson/DLGS Executive Director (via email)
Susan Scott, Esq, Chief DOL Community Affairs, State and Elections (via email)
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)