

**CITY OF HACKENSACK, COUNTY OF BERGEN**

**NOTICE OF MOUNT LAUREL FAIRNESS HEARING**

**PLEASE TAKE NOTICE** that on October 22, 2020, beginning at 10:00 a.m., the Honorable Gregg A. Padovano, J.S.C. will conduct a “Fairness Hearing” in In the Matter of the Application of the City of Hackensack, in the County of Bergen bearing Docket No. BER-L-5731-15 (“the Action”) at the Bergen County Courthouse located at the Bergen County Justice Center, Courtroom 331, 10 Main Street, Hackensack, NJ 07601. Please note that if the courthouse is still closed to the public at that time due to COVID-19, the hearing may take place via video conference. Information about courtroom closings are available at njcourts.gov, and if the court is still closed at that point, any interested party should contact the office of Nancy L. Holm, Esq., Surenian, Edwards & Nolan, LLC, at 732-612-3100 at least 48 hours in advance of the hearing to obtain instructions on how they can participate.

Fair Share Housing Center (“FSHC”), a public interest organization representing the housing rights of New Jersey’s low and moderate-income households and interested party in connection with the above-referenced lawsuit, has sought to enhance opportunities for low & moderate income housing in the City of Hackensack. The City of Hackensack and FSHC have resolved various substantive issues concerning Hackensack’s affordable housing “fair share” and the means by which the City intends to satisfy those obligations, subject to all required public hearings. The terms of the settlement have been memorialized in the formal Settlement Agreement referenced above.

The terms of the settlement include, but are not limited to, the following:

1. Hackensack’s “Rehabilitation” obligation is 582.
2. Hackensack’s “Prior Round” obligation is 201.
3. Hackensack’s allocation of the “Round 3” (1999-2025) regional need is 0.

**Satisfaction of the Rehabilitation Obligation:** The City has a 582-unit Rehabilitation obligation, and has/shall satisfy that obligation as follows:

- a) The Housing Authority of City of Hackensack has rehabilitated the following units.

<b>Project</b>	<b>Total Units</b>	<b>COAH Eligible Units*</b>
Barsalona Court	50	48
Harry Berkie Gardens	100	98
Oratam Court	144	133
Ostrowski Court	50	46
Windhall Towers	100	100
79 Campbell Ave	1	1
70 Cedar Ave	2	2
83 Linden Street	1	1
135 Ricardo Pl	1	1
73 Vanderbeek	1	1
Total Units Rehabilitated Since 2010	<b>450</b>	<b>431</b>
Balance of Rehabilitation Obligation		<b>151</b>

\*due to HUD income standards v. Region 1 income standards

b) The remainder of the rehabilitation obligation shall be satisfied by participating in the Bergen County Home Improvement Program.

**Satisfaction of the Prior Round and Round 3 Obligation:** Hackensack has a 201-unit Prior Round Obligation, and will satisfy that obligation as follows:

Housing Type	Project/Address	Year Built	Units	Rental Bonus	Total Credits
Family For-Sale	Clinton Terrace Condos	1994	22	0	22
Family For-Sale	Pulaski Place Condos	1982	4	0	4
Family For-Sale	Franklin Garden Condos	1984	2	0	2
Senior Rental	Patrick DiZenzo Court	1982	50*	0	50
Supportive/Special Needs	AAH Bergen County 266 Spring Valley Avenue (Group Home)	1995	3		3
Supportive/Special Needs	Advance Housing 279 Clark Street (Group Home)	1999	2		2
Supportive/Special Needs	Advance Housing 10 Orchid Street (Group Home)	1999	2		2
Supportive/Special Needs	Advance Housing 451 Heath Place (Group Home)	1999	2		2
Supportive/Special Needs	Bergen & Passaic ARC (Group Home)	1980	4	0	4
Supportive/Special Needs	Comprehensive Behavioral Healthcare 298 Jackson Street	1988	7		7
Supportive/Special Needs	Community Action for Independent Living 155 Poor Street (Group Home)	1996	5		5
Supportive/Special Needs	NJ ARC Bergen-Passaic Unit 279 Lookout Avenue	1980	6	0	6
Family Rental (Proposed)	100% Affordable Project	Proposed	60	51**	111
<b>TOTAL</b>			163	51**	214

\*Maximum 25% cap on age-restricted units

\*\* 25% Rental bonus cap

**Municipally-Sponsored Project:** 60-unit family rental project

- a) The City of Hackensack is currently considering the following 60-unit, 100% affordable, family rental projects to satisfy its prior round obligation.
  - i. **251 West Railroad Avenue Family Apartments:** Greater Bergen Community Action, Inc. has partnered with Pennrose to build a 42-unit family rental project on this City-owned parcel. Greater Bergen/Pennrose is looking to increase the project to 60 units to satisfy the City's prior round obligation.
  - ii. **Hackensack Housing Authority (HHA):** Prior to the Compliance Hearing in this matter, the City will enter into a Memorandum of Understanding with the HHA supporting the HHA's efforts in building a 60-unit, 100% affordable project within the City.
  - iii. **Housing Authority of Bergen County (HABC):** HABC is proposing a mixed-use, 100% affordable project along Hudson Street.
  - iv. **"Arena Diner" Project by Hampshire Properties (250 Essex Street, Block 232, Lot 1.01):** Hampshire Properties is a current redeveloper of a project in the Main Street Rehabilitation Area, and has expressed interest in providing a 100% affordable project on what is known as the "Arena Diner" site, located at 250 Essex Street (Block 232, Lot 1.01).

The Settlement Agreement shall be placed on file for public inspection and copying during regular business hours at the Office of the City Clerk, City of Hackensack, 65 Central Avenue, Hackensack, NJ 07601. Due to the current COVID-19 pandemic, copies of the Settlement Agreement and all relevant documents can be requested via email from the City Clerk, listed below.

Any interested party, including any low- or moderate-income person residing in the housing region, any organization representing the interests of low- and moderate-income persons, any owner of property in the City of Hackensack, or any organization representing the interests of owners of property in the City of Hackensack may file comments on, or objections to, the proposed Settlement Agreement. The City requests that all objections provide: 1) A clear and complete statement as to each aspect of the municipality's Settlement Agreement contested by the objector; 2) An explanation of the basis for each objection; 3) Copies of all such expert reports, studies, or other data relied upon by the objector. Such comments or objections, together with copies of any supporting affidavits or other documents, **must be filed in writing**, on or before October 11, 2020 at 4:00 p.m. with the Honorable Gregg A. Padovano, J.S.C, at Bergen County Courthouse located at the Bergen County Justice Center, Courtroom 331, 10 Main Street, Hackensack, NJ 07601, with copies of all papers being forwarded by mail or e-mail to:

**Nancy L. Holm, Esq.**  
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**Deborah Karlsson, City Clerk**  
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This Notice is intended to inform all interested parties of the existence of the proposed Settlement Agreement and the possible consequences of Court approval of the Settlement Agreement, which may ultimately lead to a Judgment of Compliance and Repose or the judicial equivalent of a grant of Substantive Certification pursuant to the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 to -329. It does not indicate any view by the Court as to the merits of the City's Mount Laurel Declaratory Action, the fairness, reasonableness, or adequacy of the proposed settlement, or whether the Court will approve the Settlement Agreement.