

A joint meeting of the Township Committee of Middletown Township and the Middletown Planning Board was held in the Main Meeting Room at the Middletown Arts Center, Church Street, Middletown, New Jersey at 7:30 p.m. on July 30, 2008.

Deputy Township Clerk, Lauren Kirkman, called the meeting to order and read the following notice:

The Notice Requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press and The Courier and by posting at the Middletown Township Municipal Building and filing with the Township Clerk all on July 24, 2008.

Roll Call Vote: Present: Deus, Fiore, Izzo, McManus, Raisch, Rathjen, Strong, Brightbill, , Short, Wilkens, Mayor, Scharfenberger  
Absent: Byrnes, Prewett, Stanley-Coleman, Unsinn

**DISCUSSION ITEMS:**

The Township Administrator discussed the Township's municipal housing obligation under COAH as well as the changes in the law regarding the elimination of regional contribution agreements (RCA). The Administrator discussed that the entire housing obligation must be made now. The Administrator discussed the gap in meeting the Township's obligation due to the problems with regional contribution agreements. The Administrator discussed how the role of the Township Committee in adopting the master plan and the Fair Share Plan. The Administrator stated that 1 in 5 new housing residences must be affordable, and the Township is faced with a 100% affordable housing alternative but the funding must be available and the Township needs site control.

Committeeman Short questioned the RCA's. The Township Administrator reviewed the current status of affordable units and regional contribution. Special Counsel Jeffrey Surenian discussed the new COAH rules.

Planning Board member Raisch questioned when the rules went into effect. Special Counsel Jeffrey Surenian stated that the rules are in effect immediately and the number of affordables increased for Middletown for two reasons, because the growth projection went from 10 years to a 15 year projection and the change in the filtering process. Special Counsel Jeffrey Surenian discussed that the money to fund these units had to come from the tax payers. Mayor Scharfenberger expressed concern that the rules would change again. Special Counsel Jeffrey Surenian stated this was a possibility. Special Counsel Jeffrey Surenian discussed the age of homes, they must be newer than 1980 to get credit as affordable. Special Counsel Jeffrey Surenian discussed that Middletown already is a well balanced community with a spectrum of price ranges. Special Counsel Jeffrey Surenian discussed the need for a housing plan to be implemented prior to December 31 of this year.

The Township Planner discussed some potential sites for affordable units: the intersection of 114 and Red Hill Road, Murray Construction; Mid-Lin Road & West Front Street ,

Avaya and Molzon properties; Laurel and Holland, ATT site; Bamm-Hollow Country Club, Mid-Lin and Sunnyside Road. Planning Board member Fiore asked if there was current litigation on these properties and the possibility of a builder's remedy. Special Counsel Jeffrey Surenian stated Bamm Hollow filed objections with COAH but not in Builder's Remedy yet. The Township Planner discussed the need for 100% affordable. The Township Administrator discussed the need for high densities. Mayor Scharfenberger expressed concern over the environmental impact of this.

Planning Board member Rathjen suggested a mixed use on some of the properties. The Administrator and Planner said that was a possibility. The Township Administrator noted that with the elimination of RCA's that up to 25% of the affordable obligation could be seniors. Planning Board member McManus asked if any of the properties were being pursued. The Administrator stated there had been some preliminary discussions.

### **TOWNSHIP COMMITTEE COMMENTS:**

Committeeman Byrnes was not present.

Committeeman Short thanked the Administrator and Planner for coming out and discussed the stigma of what qualifies as affordable housing and noted the Township would meet its obligation.

Committeeman Wilkens stated he had no comments.

Deputy Mayor Brightbill stated the Township would comply to get there by the December 31 deadline however she was elected by the people and would fight for the people who elected her. Deputy Mayor Brightbill expressed concern over the urbanization of Middletown, an urbanization many people moved away from to live in Middletown.

Mayor Scharfenberger expressed his opposition to the new COAH regulations and the cost to the taxpayers. Mayor Scharfenberger hoped some of the challenges regarding densities would be successful because once the properties are built they cannot be undone.

Planning Board Member John Deus stated that the Planning Board had met its obligations the first and second time and they were sure they could come up with some kind of plan.

### **PUBLIC COMMENTS**

Mathew Morehead, 69 West Front Street, expressed his support for the new COAH regulations stating that he could no longer afford to live in Middletown.

Phil Nicolaus, 35 Turner Drive, Belford, stated the government is becoming redistributors of wealth and committing discriminatory acts. Mr. Nicolaus opposed public subsidies and questioned how much growth the town would really have when we are losing jobs. Mr. Nicolaus urged to stop COAH and community development and to take the lawyers

off welfare by stopping excessive litigation. Mr. Nicolaus urged getting rid of the FHA and Fannie Mae.

Jean Morgenstern, 12 Cooney Court, stated she was a mortgage broker and being forced to build too many units would frighten lenders. Ms. Morgenstern also stated that building will have a detrimental effect on equity.

Bill Thorpe, Swimming River Road, questioned what constituted one unit. Special Counsel Jeffrey Surenian stated 1 house for 1 family. Mr. Thorpe suggested building trailers and making them affordable units. The Township Administrator expressed concern that these may be out of character with the neighborhood.

Joseph Martin, 2 Central Ave., stated he was on the environmental commission and was happy to hear that environmental concerns were being discussed as an issue.

Dora Cristifuli, Melrose Place, commented on the affordables being looked at as projects and stated seniors would like to move into Conifer. Ms. Cristifuli stated more senior housing was needed in Middletown and she did not like the stigma attached to affordables.

Martin Donahue, 152 Heights Terrace, expressed concern over the roads leading to these new developments and hoped that would be considered.

Committeeman Wilkens discussed the Township's status and the income limits for the various types of units. Committeeman Wilkens noted that the terms "low income" and "very low income" come from COAH itself.

Mayor Scharfenberger stated property taxes needed to be cut so everyone can afford to live here. Mayor Scharfenberger noted that property taxes would have to be raised to pay for this project and stated property taxes should be cut not raised.

Catherine Cody, Lincroft, stated the Township does well with the money that is given and noted that it was the Democrats in Trenton that brought this about and eliminated the RCA's.

### **ADJOURNMENT**

It was moved by Mayor Scharfenberger, seconded by Committeeman Wilkens and carried to adjourn the meeting to Executive Session at 10:30 P.M.

The Township Attorney read the following resolution for the record:

#### **RESOLUTION EXECUTIVE SESSION:**


**WHEREAS**, the Open Public Meetings Act provides that the Township Committee may go into Executive Session to discuss matters that may be confidential or listed in N.J.S.A. 10:4-12, and

**WHEREAS**, it is recommended by the Township Attorney and Township Administrator that the Township Committee go into Executive Session at this time to discuss matters set forth hereinafter which are permissible for discussion in Executive Session.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Middletown that the Township Committee shall go into Executive Session to discuss the following items:

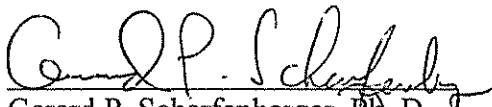
1. Property Acquisition or Sale– NJSA 10:4-12(b)(5)
  - Open Space Property Acquisition / Sale – “ATOD” upon formal action, estimated December 2008.
  - Township Acquisition – “ATOD” upon formal action, estimated December 2008.

Respectfully submitted,



Heidi R. Abs,  
Township Clerk

Approved:



Gerard P. Scharfenberger, Ph. D.  
Mayor, Township of Middletown