

Township of Medford
MIDPOINT REVIEW REPORT
FOR THE THIRD ROUND HOUSING ELEMENT AND FAIR SHARE HOUSING PLAN

Purpose

The Township of Medford’s Settlement Agreement with Fair Share Housing Center (“FSHC”) requires that the Township comply with the statutory midpoint review requirements of the Fair Housing Act (“FHA”) and specifically N.J.S.A. 52:27D-313, which provides in relevant part: “[t]he Council shall establish procedures for a realistic opportunity review at the midpoint of the certification period and shall provide for notice to the public.” Pursuant to the FSHC Settlement Agreement, that review requires the Township to post on its website, with a copy to FSHC, and an opportunity for comment, a status report regarding its compliance mechanisms and whether or not unbuilt sites/unfulfilled mechanisms continue to present a realistic opportunity. The Settlement also contemplates review of unmet need/deferred mechanisms, though the realistic opportunity for the construction of those mechanisms during the compliance period is not applicable.

Relevant Background

In 2015, the Township of Medford filed a Declaratory Judgment Action seeking a declaration of its compliance with the Mount Laurel doctrine and Fair Housing Act of 1985, N.J.S.A. 52:270-301 et seq. The matter has proceeded as a declaratory judgment action in accordance with In re N.J.A.C. 5:96 and 5:97, supra. Through the declaratory judgment process, the Township and FSHC agreed to settle the litigation and to present that settlement to the trial court with jurisdiction over this matter to review, recognizing that the settlement of Mount Laurel litigation is favored because it avoids delays and the expense of trial and results more quickly in the construction of homes for lower income households.

The Township entered into a Settlement Agreement with FSHC on November 15, 2016, which was amended on May 10, 2017, and approved by Order of the Court dated June 20, 2017, after the required Fairness Hearing. A compliance hearing was held on May 13, 2019, for which there were no written objections. The Court, on June 27, 2019 issued an Order identifying the Special Court Master’s Conditions. Per the Order, “Upon confirmation that the Township has satisfied all conditions, the Court Special Master shall notify the court and all parties, at which point, if there are no objections, the Court may issue a Final Judgment of Compliance and Repose as to the Township’s Rehabilitation Obligation, its Prior Round Obligation (1987-1999), and its Third Round Obligation (consisting of both its Gap Obligation for 1999-2015 and its Prospective Need Obligation for 2015-2025), and granting permanent immunity to the Township from “builders remedy” affordable housing litigation. Unless otherwise ordered by the Court, no further Compliance Hearing is required.”

The Township is currently amending the Third Round Housing Element and Fair Share Plan, inclusionary residential ordinances and Affordable Housing Trust Fund Spending Plan for submittal to the Court to address all conditions and request final approval and issuance of a Final Judgement of Compliance and Repose without Conditions.

Rehabilitation Program(s) Update

The Township of Medford has a Rehabilitation Obligation of 25 units.

Owner Occupied Rehabilitation Program:

The Township participates in the County of Burlington Home Improvement Program that is funded with County of Burlington Community Development Block Grant. The Township has entered into an inter-local services agreement with the County that demonstrates the County’s commitment to work with the Township in addressing its present need. The Township is actively marketing the Housing Rehabilitation Program by posting the program’s flyer on the Township website, including in tax billings and posting on Township social media websites. No units have been completed as of July 13, 2020

Rental Rehabilitation Program

The Township has requested that the Special Master determine whether it is necessary for the Township of Medford to participate in the County-Wide Rental Rehabilitation program that is currently be administered by the Burlington County Bridge Commission and their consultant, Community Grants Planning & Housing (CGP&H). The Township anticipates an estimated need of four (4) rental rehabilitation cases should the Court Master direct the Township to participate in the County program.

The Township will set aside \$40,000.00 in their Affordable Housing Trust Fund Spending Plan for a minimum amount of \$10,000 per housing unit for a rental rehabilitation program designed to rehabilitate 4 units.

No units have been completed as of July 13, 2020

Realistic Opportunity Review

The Township s in the process of addressing its Prior Round Obligation (1987-1999) and Third Round Obligation (1999-2025) as follows:

<u>Mechanism</u>	<u>Description</u>	<u>Ordinance Adopted (Yes/No)</u>	<u>Status</u>	<u>Notes/Additional Information</u>
Supportive Living Arrangements (Group Homes)	21 Units (Prior Round	N/A	41 Units Completed and Occupied	

	20 Units (Third Round)			
Habitat for Humanity	2 For Sale affordable units (Third Round)	N/A	2 Units Completed and Occupied	133 Old Marlton Pike 135 Old Marlton Pike
The Heights at Medford - The Willows at Medford (Formerly the Heights at Medford)	Ingerman - 100% Affordable Development Family – Rental Tax Credit Project	N/A	60 Units Completed and Occupied	311 Stephens Rise
Medford Leas (Creekside) The Willows at Creekside(Formerly Medford Leas-Creekside)	Ingerman - 100% Affordable Development Family – Rental Tax Credit Project	N/A	32 Units Completed and Occupied	235 Rt. 70
Wyngate	Inclusionary - Age Restricted For Sale	N/A	30 Units Completed and Occupied	
Heritage	Inclusionary - Age Restricted For Sale	N/A	25 Units Completed and Occupied	
Wildflowers	Inclusionary - Age Restricted For Sale	N/A	10 Units Completed and Occupied	
Medford Senior Residences	MEND – 100% Senior Rental	N/A	36 Units Completed and Occupied	8 Jones Road
Hartford Square Site	Volunteers of America – 100% Affordable Rental	N/A	71 Units Proposed	Route 70 and Hartford Road

Flying W Site	Inclusionary Family Rental	N/A	90 Units Proposed	Fostertown Road
Tofamo	Inclusionary	N/A	48 Units Proposed	Hartford Road
Arc Wheeler	Inclusionary	N/A	90 Units Proposed	Evesboro-Medford Road (County Route 618)
Freeco	Inclusionary Family Rental	N/A	24 Units Proposed	
Medford Walk Settlement Sales	Inclusionary For Sale	N/A	5 Units Proposed	Himmelein and Medford-Oliphant's Mill Road.

The Township has provided a realistic opportunity for the development of the Third Round projects to satisfy its obligations under the Fair Share settlement as outline in its submissions to the Court to obtain its Final Judgment of Compliance and Repose. Specifically, the Arc Wheeler (now Autumn Park), Tofamo (now Timber Ridge at Medford) and Harford Square (now Hartford Village-Volunteers of America) projects have received all required approvals pursuant to Redevelopment Plans approved by the Medford Township Council and preliminary and final site plan/subdivision approvals from the Medford Township Planning Board. The Timber Ridge at Medford project is under construction and is extending the required sewer and water mains to its project. The 100% affordable Hartford Village project (now 70 units plus an affordable caretaker unit, 71 total) has received tax credit financing and will commence construction as soon as the Timber Ridge project extends the required sewer mains as set forth above. Autumn Park also plans to start construction to further extend the sewer and water mains for its project once the Timber Ridge at Medford project completes the sewer and water extensions above. The Flying W project is in the process of being approved by both Medford and Lumberton Townships, with the 90 affordable units to be constructed entirely in Medford Township, pursuant to an executed Memorandum of Understanding between Lumberton and Medford and a Four Party Agreement between Lumberton, Medford, Fair Share Housing Center and the owner/developer of the Flying W airport, with all approvals expected by the end of calendar year 2020.

Very-Low Income Analysis

The 2016 Settlement Agreement states that 13% of all units referenced in the Agreement constructed after July 1, 2008 shall be very-low income units. Half of those units must be available for families. The Township is satisfying its very low income requirement as outlined in its settlement agreement with FSHC:

Development	Very Low Units	Total Units	Percentage	Status
MEND	4	36	11.1	Complete
Hartford Square/VOA	9	70	12.9	Proposed/Tax Credit
Tofamo	6	48	12.5	Proposed
Arc Wheeler	12	90	13.3	Proposed
Flying W	12	90	13.3	Proposed

In total, the MEND (36 units), Tofamo (48 units), ARC Wheeler (90 units), Flying W (90 units) and Hartford Square/VOA (70 units) are providing a total of 334 affordable housing units. Of this total, 43, or 12.9 percent, shall be affordable to very low-income households.

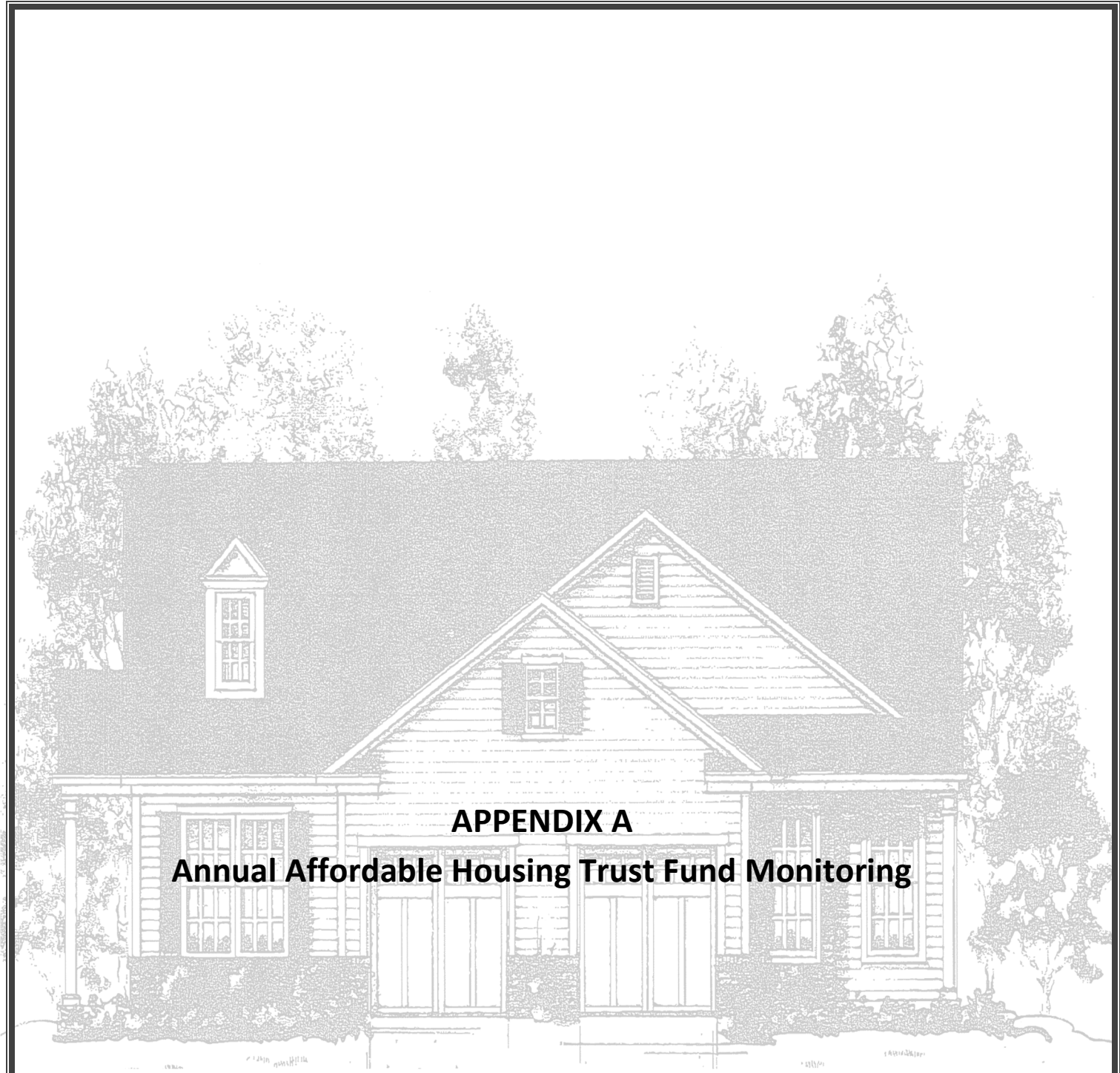
Medford will also satisfy its very low-income housing requirement with the 20 bedrooms located within the special needs facilities, operated by Family Services and Allies, located at:

Address	Provider	Bedrooms
10 Eaves Mill Road	Family Services	2 bedrooms
67 Eaves Mill Road	Family Services	2 bedrooms
85 Union Street	Family Services	3 bedrooms
19 Evergreen Trail	Family Services	5 bedrooms
101 Hickory Lane	Allies	4 bedrooms
231 Pine Boulevard	Allies	4 bedrooms

In summary, with a total of 63 very low income units of a total of 364 (344 units plus 20 bedrooms in group living facilities) total affordable units, 17.3 percent of all affordable units are affordable to very low income households.

Conclusion

The Township’s plan implementation continues to create a realistic opportunity where that standard is applicable.



APPENDIX A
Annual Affordable Housing Trust Fund Monitoring

1. GENERAL INFORMATION AND TRUST FUND MONITORING

MUNICIPALITY NAME:	Township of Medford
COUNTY:	Burlington County
Date through which funds reported:	4/30/2020
Name of person filling out form and affiliation/role:	Katherine Packowski, Triad Associates (Administrative Agent)
Date of filling out form:	7/13/2020
Email:	kpackowski@triadincorporated.com
Municipal Housing Liaison for municipality:	Joseph Rahman
Email:	jrahman@medfordtownship.com
Income Limits Year Being Used by Municipality*:	2020

(Note: Date in Approved Spending Plan = date through which revenues/expenditures are shown in the approved spending plan; if no approved spending plan, show revenues/expenditures through June 30, 2015 in Column B and beginning July 1, 2015 in Column C.)

TRUST FUND INFORMATION

	Inception to April 30, 2020	May 1, 2020 to April 30, 2021	Total
REVENUE SUMMARY			
Barrier Free Escrow	\$0.00		\$0
Development Fees	\$2,035,071.52		\$2,035,072
Interest Earned	\$146,546.64		\$146,547
Other Income	\$270,000.00		\$270,000
Payments-in-Lieu of Construction			\$0
TOTAL	\$2,451,618.16	\$ -	\$2,451,618

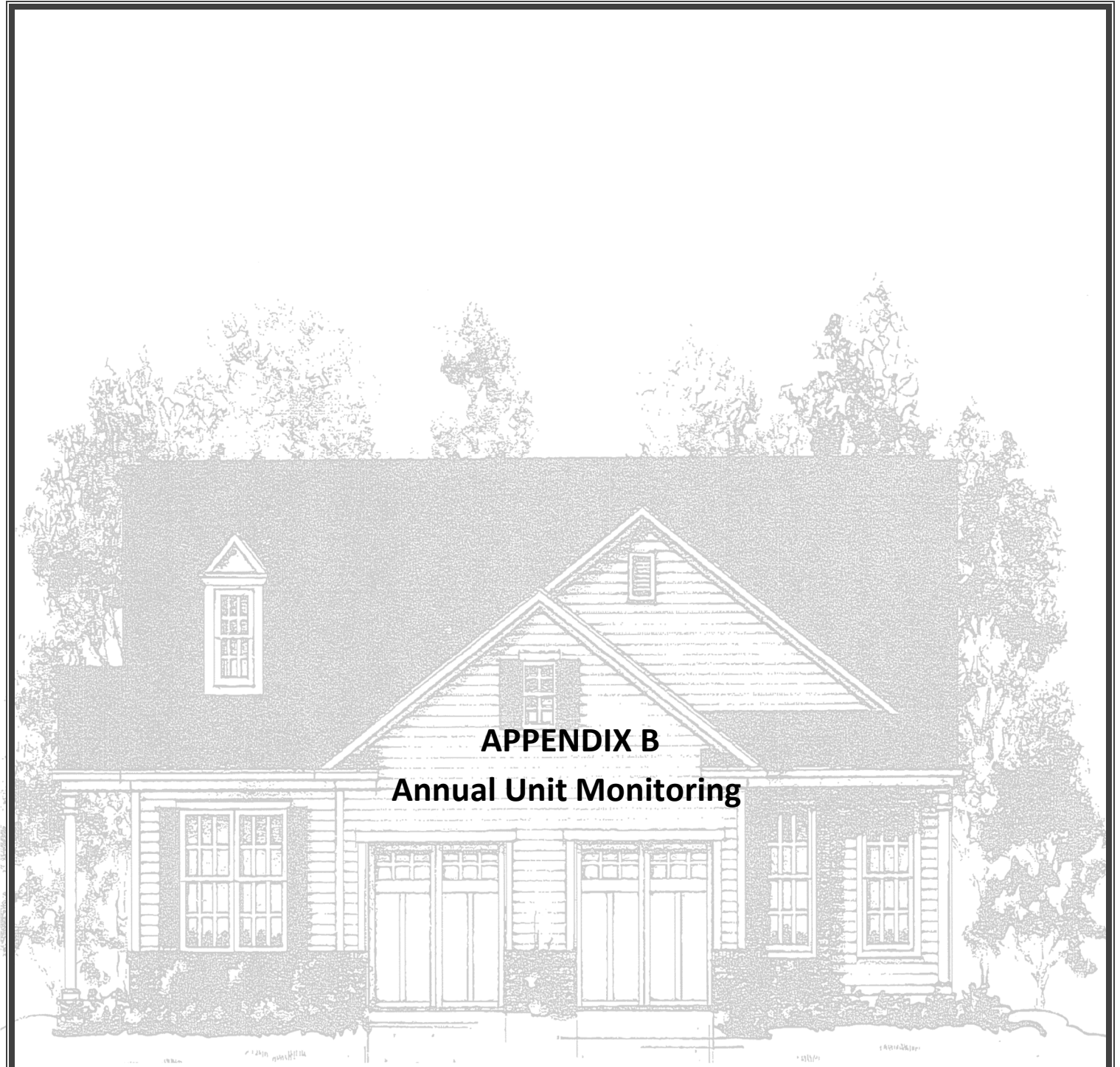
EXPENDITURE SUMMARY			
Administration**	\$ 392,368		\$392,368
Affordability Assistance***	\$ -		\$0
Very Low-Income Affordability Assistance			\$0
Barrier Free Conversions			\$0
Housing Activity	\$ 1,446,400		\$1,446,400
TOTAL	\$ 1,838,768	\$ -	\$1,838,768

ADMINISTRATION: Date in Approved Spending Plan to Present		
Consulting Fees (Planner)	\$149,596.28	
Legal Fees(Attorney)	\$235,945.15	
Other Admin Costs(Administrative Agent)	\$6,826.25	
TOTAL	\$392,367.68	\$0

AFFORDABILITY ASSISTANCE: Date in Approved Spending Plan to Present		
	0	
TOTAL	0	\$0

HOUSING ACTIVITY: Date in Approved Spending Plan to Present		
Amended Spending Plan Resolution 8/2/12	\$521,400.00	
Habitat for Humanity	\$70,000.00	
MEND Senior Housing	\$180,000.00	
RCA - Glassboro	\$625,000.00	
Rehabilitation	\$50,000.00	
TOTAL	\$1,446,400.00	\$0

Balance as of 4/30/2020 \$612,850.48



APPENDIX B
Annual Unit Monitoring

3. PRIOR AND THIRD ROUND MONITORING

Site / Program Name:	Group Homes	The Heights at Medford - The Willows at Medford (Formerly the Heights at Medford)	Medford Leas (Creekside) The Willows at Creekside(Formerly Medford Leas-Creekside)	Wingate	Heritage	Medford Senior Residences	Wildflowers	Habitat for Humanity (Whitesell Houses)	Hartford Square Site	Flying W Site	Tofamo	Arc Wheeler(Autumn Park)	Medford Walk	Freeco
Project developer:	See attached spreadsheet	Ingerman	Ingerman	Bob Meyer	Bob Meyer	Mend	Orleans	Habitat for Humanity	Volunteers of America					
Compliance Mechanism:	Supportive Housing (Group Homes)	100% Affordable Development Family - Rental	100% Affordable Development Family - Rental	Inclusionary - Age Restricted For Sale	Inclusionary - Age Restricted For Sale	100% Affordable Development Age-Restricted - Rental	100% Affordable Development Age-Restricted - Rental	100% Affordable Development Age-Restricted - For Sale	100% Affordable Development - Age Restricted - For Rent - Tax Credit	Inclusionary Family Rental			Inclusionary For Sale	Inclusionary Rental
Compliance Mechanism #2 (if project has multiple):									100% Affordable Development Age-Restricted - Rental (5) 1br units at 20% AML are supporting housing rental units that are reserved for homeless individuals with a preference for veterans.					
Round:	Prior Round & Third Round	Prior Round	Prior Round	Prior Round	Prior Round	Third Round	Prior Round	Third Round	Third Round					
Block (if multiple separate by commas):	See attached spreadsheet								Lot 14.01 of Block 401,	Lots 1, 3 and 4 in Block 303 and Lot 5.01 in Block 301	Lot 13.01 of Block 401, and Lots 2 and 7 of Block 403	Lot 9.02 of Block 401		
Lot (if multiple separate by commas):	See attached spreadsheet													
Address:	See attached spreadsheet	311 Stephens Rise Block 4107.11/1	235 Rt. 70 Block 805/22	Keswick Path, Liverpool Way, Moorelinch Blvd Block 404/22(all different)	Doddington, Pilton, Binstead, Block 404-31(all different)	8 Jones Road; Block 904-; L: 4-03;	Broadview, Windyknoll Block 403-02; L: 6-	133 Old Marlton Pike 135 Old Marlton Pike Block 903-01; L: 16-	Route 70 and Hartford Road	Fostertown Road	Hartford Road		Himmelein and Medford-Oliphant's Mill Road. It is Block 909, Lot 1.01	
Construction required to begin by (for mechanisms other than inclusionary development):														
Status:	Completed	Completed	Completed	Completed	Completed	Completed	Completed	Completed	Completed	Planning Board Approval	Proposed	Proposed	Proposed	Proposed
If project has site plan /or subdivision approval, date building permits received (DD/MM/YYYY):														
If "approved not built" or "under construction," date of site plan and/or subdivision approval:														
If "under construction," expected date of completion:														
Date of issuance of C.O.:	See attached spreadsheet	12/9/2008	12/5/2007	CO 2011 through 2018	CO 2013 to present	CO 9/14/09	CO 11/2/11	CO 4/1/10						
If "built," date controls began:														
Length of Affordability Controls (years):	See attached spreadsheet	30	30	30	30	30	30	30	30	30	30	30	30	30
Administrative Agent or other entity responsible for affirmative marketing:	Group Home Provider: See attached spreadsheet	Ingerman (Tax Credit)	Ingerman (Tax Credit)	Triad Associates 1301 W Forest Grove Road Vineland, NJ	Triad Associates 1301 W Forest Grove Road Vineland, NJ	Mend	Triad Associates 1301 W Forest Grove Road Vineland, NJ	Habitat for Humanity	Volunteers of America					
Contribution (for payments in lieu)								70,000						
Total Affordable Housing Units Proposed		41	60	32	30	25	36	10	2	71	90	48	90	5
Total Affordable Housing Units Completed to Date		41	60	32	30	25	36	10	2	71				
Type of Affordable Units:														
Family		0	60	32					2					
Family For-Sale		0							2					
Family Rental			60	32						71				
Senior		0			30	25	36	10						
Senior For-Sale		0			30	25		10						
Senior Rental		0					36							
Supportive/Special needs		41												
Supportive For-Sale		0												
Supportive Rental		41												

Bedroom/Income Splits:														
1 BR/ or Efficiency Affordable Units	0	0	6	0	0	0	30	0	0	66	0	0	0	0
Very Low-Income:							3			5				
Low-Income:			4				23			26				
Moderate-Income:			2				4			35				
2 BR Affordable Units	0	42	16	30	25	6	10	1	5	0	0	0	0	0
Very Low-Income:						1			4					
Low-Income:			2	15	13	4	5							
Moderate-Income:		42	14	15	12	1	5	1	1					
3+ BR Affordable Units	0	18	10	0	0	0	0	1	0	0	0	0	0	0
Very Low-Income:														
Low-Income:			1											
Moderate-Income:		18	9					1						
Supportive/Special Needs Units:	41	0	0	0	0	0	0	0	0	0	0	0	0	0
Very Low-Income:	41													
Low-Income:														
Moderate-Income:														

OVERALL PRIOR AND THIRD ROUND SUMMARY		
	NUMBER	PERCENT
Total Units	307	-
Very-Low Income Units	54	18%
Low-Income	93	30%
Moderate-Income	160	52%
Family	94	31%
Senior	101	33%
Supportive/Special Needs	41	13%
For Sale	67	22%
Rental	240	78%

Comments:

4. VERY LOW INCOME REPORTING

Very Low Income Units approved and constructed since July 17, 2008				
Development/Compliance Mechanism	Total Affordable Units	VLI units constructed as of date of report	VLI units not constructed as of date of this report but still planned	Type of Very Low Income Unit (Family, Senior, Special Needs)
MEND 8 Jones Road	36	4		Senior
Hartford Square - VOA	70		9	Family
Tofamo	48		6	Family
Arc Wheeler	90		12	Family
Flying W	90		12	Family
Group Homes (Bedroom Units)	20	20		Special Needs
Total	354	24	39	

This tab provides reporting required on very low income units, i.e. units affordable to and reserved for households at or below 30% of regional median income.
See N.J.S.A. 52:27D-329.1.