



COMMUNITY PLANNING  
LAND DEVELOPMENT AND DESIGN  
LANDSCAPE ARCHITECTURE

PRINCIPALS:  
*Joseph H. Burgis PP, AICP*  
*Edward Snieckus, Jr. PP, LLA, ASLA*

## MEMORANDUM

To: John Schettino, Esq.  
From: Steve Lydon, AICP, PP  
Re: Bergenfield Fourth Round Housing Plan  
Fair Share Housing Center's August Challenge  
Honorable Lina P. Corriston, J.S.C. Case Management Order  
Date: October 29, 2025  
BA#: 4209.02

In response to the Case Management Order dated October 16, 2025 issued by the Honorable Lina P. Corriston, J.S.C., Bergenfield is required to respond to Fair Share Housing Center's ("FSHC") challenge to Bergenfield's HE&FSP no later than October 30, 2025. More specifically, the case management order directs Bergenfield to:

- (a) Provide FSHC the documentation it has;
- (b) Provide a timetable for providing the documentation it does not yet have; and
- (c) Provide any other response it may have to the FSHC Deficiency Letter.

I have reviewed the August 31, 2025 FSHC challenge to Bergenfield's Fourth Round Housing Element and Fair Share Plan and offer the following:

- A. Bergenfield has continued to implement its Third Round Housing Element and Fair Share Plan ("HE&FSP"). Bergenfield established overlay zoning provisions applicable to both the B-1 and B-2 zones along the north end of Washington Avenue and at Foster Village, a local retail shopping center, to address the unmet need portion of the affordable housing obligation. The Borough has maintained both overlays through today. Neither overlay has yet to produce affordable housing units, but the North Washington Avenue overlay has generated a small amount of market-rate housing. Developers have contributed to the borough's affordable housing trust fund.

A mandatory setaside ordinance was adopted pursuant to the approved Third Round HE&FSP. This ordinance will also assist Bergenfield in addressing the unmet need portion of the obligation. That ordinance also continues in full force.

Bergenfield's Third Round RDP required 18 affordable housing units. This was satisfied by two (2) developments. 51 E. Main Street is a four (4)-unit family rental development providing 1 bonus credit and a total of five (5) new construction credits. Affordability of this development's units is preserved through the mechanism of a thirty- year deed restriction which will maintain affordability through and beyond the end of the Fourth Round housing cycle. Bedroom distribution and other aspects, including income affordability, of the Uniform Housing Affordability Controls have been imposed.

The second development is Landmark Equities. This nine (9)-unit family rental development earned Bergenfield a total of 13 credits. Like 51 E. Main Street, affordability of this development's units is preserved through the mechanism of a thirty- year deed restriction which will maintain affordability through and beyond the end of the Fourth Round housing cycle. Bedroom distribution and other aspects, including income affordability, of the Uniform Housing Affordability Controls have been imposed. Summed, these two Third Round developments fully satisfied Bergenfield's 18-unit Prior and Third Round RDP.

- B. Bergenfield's Third Round rehabilitation obligation was originally established at 129 units. Bergenfield officials immediately recognized this number to be way higher than the actual need in the community. As a result, Bergenfield authorized its administrative Agent, Community Grants, Planning and Housing ("CGPH") to undertake a community wide 'windshield survey'. This survey is an authorized activity municipalities can utilize when they believe the rehabilitation obligation overstates the local need. In Bergenfield's case, CGPH uncovered a much smaller local rehabilitation need, 36 units.

Bergenfield proposed two mechanisms for satisfaction of this adjusted rehabilitation obligation. The first was the crediting of rehabilitation efforts at Brookside Gardens. Brookside Gardens is a mid-1970's HUD low-income senior rental building. Bergenfield recognized that much of the annual spending at Brookside Gardens was for rehabilitation work and thus qualified for rental affordable housing credits.

With 36 affordable housing rehabilitation credits from Brookside Gardens, Bergenfield was in need of five (5) additional rehabilitation credits. The source for these five (5) additional units is the Bergen County Home Improvement Program ("HIP"). HIP provides loans to low-to moderate-income homeowners. HIP places a lien on the property which is typically repaid when the homeowner who accepted the lien sells the house. Beginning in 2015, eleven (11) single-family homes located in Bergenfield were rehabilitated with assistance from HIP. Bergenfield is eligible for credits for each of these rehabilitated homes, five (5) for the Third Round housing cycle, with the remaining available for crediting in the Fourth Round.

- C. Seeking deed restrictions or liens for each rehabilitated unit seems unnecessary and not particularly helpful. Brookside Gardens is a HUD low-income senior housing development. HUD is unlikely to change their policies and procedures regardless of what FSHC may think of them. On a similar note, the Bergen County HIP has been in operation for many years. They do impose liens on properties when they make money available to low-income households. However, I think it very unlikely they are going to amend their policies and procedures if FSHC is unsatisfied with existing policies and procedures.
- D. All rehabilitations for which affordable housing credits are sought involve either HUD-owned and managed Brookside Gardens or the County HIP program. Thus, it seems as though item #4 is not applicable.
- E. This item requests a copy of the Borough's Affirmative Marketing Plan, Spending Plan and municipal resolutions appointing the Municipal Housing Liaison and the Administrative Agent. These are enclosed. It is noted the Municipal Housing Liaison resolution is dated 2022. The same individual holds this municipal position, along with a few others. The Governing Body saw no need or benefit in appointing this person to role they were already appointed to. The Administrative Agent resolution is with an outside contractor, so that is a year-to-year appointment even though the same firm has been appointed since the Third Round housing cycle.
- F. The Borough commits to updating its administrative documents when New Jersey finalizes them.

## APPENDIX I

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF  
BERGENFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY ADOPTING AN  
AFFIRMATIVE MARKETING PLAN PERTAINING TO LOW-AND  
MODERATE-INCOME HOUSING FOR THE BOROUGH OF BERGENFIELD**

WHEREAS, in accordance with the regulations of COAH pursuant to N.J.A.C. 5:93-1, et seq., the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26., et seq., and in the Matter of the Application of the Borough of Bergenfield, County of Bergen, Docket No. BER-L-6715-15 regarding In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1, 30 (2015) ("Mount Laurel IV"), the Borough of Bergenfield is required to adopt by resolution an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by the rehabilitation of rental housing units within the Borough of Bergenfield, are affirmatively marketed to low and moderate income households, particularly those living and/or working within Housing Region 1, which encompasses the Borough of Bergenfield

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Bergenfield, County of Bergen, State of New Jersey, do hereby adopt the following Affirmative Marketing Plan:

**Affirmative Marketing Plan**

- A. All affordable housing units in the Borough of Bergenfield shall be marketed in accordance with the provisions herein unless otherwise provided in COAH's Rules at N.J.A.C. 5:93-1, et seq.
- B. The Borough of Bergenfield has a Third Round obligation. This Affirmative Marketing Plan shall apply to all developments that contain or will contain low-and moderate-income units, including those that are part of the Borough's current Housing Element and Fair Share Plan and those that may be constructed in future developments not contemplated in the Borough's Housing Element and Fair Share Plan. This Affirmative Marketing Plan shall also apply to any rehabilitated rental units that are vacated and re-rented during the applicable period of controls for rehabilitated rental units.
- C. The Affirmative Marketing Plan shall be implemented by the Administrative Agent under contract to the Borough of Bergenfield. All costs of advertising and affirmatively marketing affordable housing units shall be borne by the developer/seller/owner of the affordable unit(s).

- D. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Borough of Bergenfield, shall undertake the following strategies:
1. Publication of one advertisement in a newspaper of general circulation within the housing region.
  2. Broadcast of one advertisement by a radio or television station broadcasting throughout the housing region.
  3. At least one additional regional marketing strategy using one of the other sources listed below.
  4. Information concerning all aspects of Bergenfield's affordable housing implementation shall also be provided to the Housing Resource Center for inclusion and advertisement on the Housing Resource Center's website.
- E. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in the region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the Borough is located and covers the entire period of deed restriction for each restricted housing unit. The Borough of Bergenfield is located in COAH Housing Region 1, and is comprised of Bergen, Hudson, Passaic and Sussex Counties.
- F. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:
1. All newspaper articles, announcements and requests for application for low- and moderate-income units shall appear in the Bergen Record, Daily Record, Jersey Journal and Star Ledger.
  2. The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspapers once a week for four consecutive weeks. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall

provide proof of publication to the Borough's Administrative Agent. All press releases and advertisements shall be approved in advance by the Borough's Administrative Agent.

3. The advertisement shall include a description of the:

1. Location of the units;
- ii. Direction of the units;
- iii. Range of prices for the units;
- iv. Size, as measured in bedrooms, of units;
- v. Maximum income permitted to qualify for the units;
- vi. Location of applications;
- vii. Business hours when households may obtain an application; and
- viii. Application fees.

4. Newspaper articles, announcements and information on where to request applications for low and moderate income housing shall appear at least once a week for four consecutive weeks in at least four locally oriented weekly newspapers within the region, one of which shall be circulated primarily in Bergen County and the other three of which shall be circulated primarily outside of Bergen County but within the housing region. Information on Bergenfield affordable housing opportunities shall be placed in the Bergen Record, Daily Record, Jersey Journal and Star Ledger.

5. Four or more of the following regional cable television stations or regional radio stations shall be used during the first month of advertising. The developer must provide satisfactory proof of public dissemination:

- i. 2 WCBS-TV (CBS Broadcasting, Inc.)
- ii. 4 WNBC (NBC Telemundo License Co., General Electric)
- iii. 5 WNYW (Fox Television Stations, Inc., News Corp.)
- iv. 7 WABC-TV (American Broadcasting Companies, Inc., Walt Disney)

- v. 9 WWOR-TV (Fox Television Stations, Inc., News Corp.)
  - vi. 10 WCAU (NBC Telemundo License Co., General Electric)
  - vii. 11 WPIX (WPIX, Inc., Tribune)
  - viii. 13 WNET (Educational Broadcasting Corporation)
  - ix. 58 WNJB (New Jersey Public Broadcasting Authority)
6. Applications, brochure(s), sign(s), and/or poster(s) used as part of the affirmative marketing program shall be available/posted in the following locations:
- i. Bergenfield Municipal Building
  - ii. Bergenfield Municipal Library
  - iii. Developer's Sales/Rental Office
  - iv. Bergen County Administration Building
  - v. Hudson, County Administration Building
  - vi. Passaic County Administration Building
  - vii. Sussex County Administration Building
  - viii. Fair Share Housing Center
  - ix. The New Jersey State Conference of the  
NAACP
  - x. Bergen County NAACP
  - xi. Bergen County Urban League
  - xii. Bergen County Housing Coalition
  - xiii. The Latino Action Network, and
  - xiv. Supportive Housing Association.

Applications shall be mailed by the Administrative Agent to the prospective applications upon request. Also, applications shall be made available at the developer's sales/rental office and shall be mailed to prospective applicants upon request.

7. The administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organization(s) in Bergen, Hudson, Passaic and Sussex Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers.

1. Quarterly informational flyers and applications shall be sent to each of the following agencies for publication in their journals and for circulation among their members:

Bergen County Board of Realtors

Hudson County Board of Realtors

Passaic County Board of Realtors

Sussex County Board of Realtors

- ii. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies in the counties of Bergen, Hudson, Passaic and Sussex:

Welfare or Social Service Board

Rental Assistance Office (local office of DCA)

Office on Aging

Housing Authority

Community Action Agencies

Community Development Departments

- iii. Quarterly informational circulars and applications shall be sent to the chief personnel administrators of all the major employers within the region in accordance with the Region 1 Affirmative Marketing Plan.

- iv. Quarterly informational circulars and applications shall be sent to the following additional community and regional organizations:

Fair Share Housing Center

Bergen County Housing Coalition

The New Jersey State Conference of the NAACP

The Bergen County NAACP

Bergen Urban League

The Latino Action Network

- 8. A random selection method to select occupants of low- and moderate-income housing will be used by the Administrative Agent in conformance with N.J.A.C. 5:80-26.16(1). The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work COAH Housing Region 1 comprised of Bergen, Hudson, Passaic and Sussex Counties.
- 9. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify low- and moderate-income households; to place income eligible households in low and moderate income units upon initial occupancy; to provide for the initial occupancy of low and moderate income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to low- and moderate-income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26.1, et seq.
- 10. The Administrative Agent shall provide or direct qualified low- and moderate-income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.
- 11. All developers/owners of low-and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent. In the alternative, the Borough's Administrative Agent may,

at the request of the developers/owner of affordable housing, assume this responsibility with all required and customary costs and fees to be paid for by the developers/owners of affordable housing. Prior to the Borough Administrative Agent assuming this responsibility, the developers/owners shall establish, and as necessary replenish, a suitable escrow account with the Borough of Bergenfield.

12. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all low-income housing units are initially occupied and for as long as affordable units exist that remain deed restricted and for which the occupancy or re-occupancy of units continues to be necessary.
13. The Administrative Agent shall provide the Affordable Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C.5:80-26-1, et seq.

\_\_\_\_\_  
Marie Quinones,  
Clerk of the Borough of  
Bergenfield

Approved: \_\_\_\_\_  
Arvin Amatorio,  
Mayor of the Borough of Bergenfield

I certify the foregoing to be a true  
and correct abstract of a  
resolution regularly passed at a  
meeting of the Council of the  
Borough of Bergenfield, held  
and in that respect a true and  
correct copy of its minutes.

## APPENDIX II

**October 2022**  
**Borough of Bergenfield**  
**Affordable Housing Trust Fund Spending Plan**

## **INTRODUCTION**

The Borough of Bergenfield (hereinafter the “Borough”), Bergen County, has prepared a Housing Element and Fair Share Plan that addresses its regional fair share of the affordable housing need for the years 1987 through June 2025, the end of the Third Round housing cycle, in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (FHA) (N.J.S.A. 52:27D-301) the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:91-1 et seq. and N.J.A.C. 5:93-1 et seq.) and the settlement agreement entered into between Fair Share Housing Center (“FSHC”) and the Borough. Bergenfield has deferred adopting a Development Fee Ordinance until this time. Adoption of a Development Fee Ordinance is now considered desirable as it will establish a dedicated and continuing revenue source to fund local affordable housing activities. All monies generated by the Development Fee Ordinance will be deposited in the Borough of Bergenfield’s affordable housing trust fund. Money deposited in the affordable housing trust fund will only be spent as directed by the Affordable Housing Trust Fund Spending Plan.

## **1. REVENUES FOR CERTIFICATION PERIOD**

Bergenfield has adopted a Development Fee Ordinance. Funds will be collected through the end of June 30, 2025, which is the period that the Borough will have a Third Round Judgment of Compliance and Repose (hereinafter “JOR”), the Borough is anticipating the collection of \$278,050 for deposit into its Affordable Housing Trust Fund. This is detailed below.

- (a) **Development fees:** The Borough of Bergenfield anticipates that \$240,000 in development fees will be generated between January 2023 and June 30, 2025.
- (b) **Payment in lieu (PIL):** The Borough of Bergenfield anticipates the contribution of a minimal amount of payments in lieu toward the municipal Affordable Housing Trust Fund during the period of its Third Round Judgment of Repose. Bergenfield will only collect payment in lieu fees when there is a partial unit affordable housing requirement of half a unit or less. Whenever there is more than half an affordable unit requirement, the Borough expects the developer to create affordable housing and not make a payment in lieu. Bergenfield anticipates collecting between \$10,000 and \$15,000 annually as payments in lieu of construction.
- (c) **Other Funds:** The Borough of Bergenfield does not currently anticipate the contribution of any other funds toward the municipal Affordable Housing Trust Fund during the period of its Third Round JOR.

- (d) Projected interest: It is anticipated that once collections begin that the Borough will collect approximately \$3,050 in total interest over the period covered by this Spending Plan.

| SOURCE OF FUNDS                      | PROJECTED REVENUES – AFFORDABLE HOUSING TRUST FUND<br>2023 THROUGH 2025 |                 |                 |                  |
|--------------------------------------|-------------------------------------------------------------------------|-----------------|-----------------|------------------|
|                                      | 2023                                                                    | 2024            | 6/30/2025       | Total            |
| (a) Development fees:                | \$105,000                                                               | \$75,000        | \$60,000        | \$240,000        |
| (b) Payments in Lieu of Construction | \$15,000                                                                | \$10,000        | \$10,000        | \$35,000         |
| (c) Other Funds                      | -                                                                       | -               | -               | -                |
| (d) Interest                         | \$850                                                                   | \$1,200         | \$1,000         | \$3,050          |
| <b>Total</b>                         | <b>\$120,850</b>                                                        | <b>\$86,200</b> | <b>\$71,000</b> | <b>\$278,050</b> |

In sum, the Borough of Bergenfield projects a total of \$278,050 in revenue to be collected between the beginning of 2023 and June 30, 2025. All interest earned on the account shall be used only for the purposes of affordable housing as detailed in this Spending Plan.

## 2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the Borough:

- (a) Collection of development fee revenues: Collection of development fee revenues shall be consistent with Bergenfield's development fee ordinance for both residential and non-residential developments in accordance with applicable COAH's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.8), and as may be amended.
- (b) Distribution of development fee revenues: A request for the expenditure of development fee revenues will be submitted to the Chief Financial Officer (CFO) of Bergenfield. Requests for expenditure of funds may come from administrative agencies, developers, contractors, or other entities engaged in the development or rehabilitation of affordable housing in Bergenfield. The CFO will review the request in the context of the Borough's Spending Plan, and, if deemed a valid utilization of development fee funds, will submit a report and request for approval to Bergenfield's governing body. If approved by the governing body, the funds will be distributed by the CFO.

## 3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

- (a) Rehabilitation. The Borough has a rental rehabilitation obligation which has been fully satisfied. The Borough seeks to continue to offer a rehabilitation program for owner occupied dwellings. To continue the implementation of this program, Bergenfield will partner with an experienced rehabilitation entity, such as Community Grants, Planning and Housing, LLC. Bergenfield will utilize funds from the Borough's affordable housing trust fund to assist, as necessary, with the continued funding of these programs.

Bergenfield's rehabilitation obligation during the balance of the Third Round Housing Cycle has been reduced by spending a Brookside Gardens, an affordable housing senior rental development and by means of a so-called "windshield survey" undertaken by Community Grants, Planning and Housing, LLC. The remaining obligation is five (5) rehabs. Bergenfield's spending plan will make provisions for and allocate enough funds to rehabilitate six (6) dwellings in need of rehabilitation.

COAH's rules require municipalities to set aside sufficient funds to address one-third of their rehabilitation obligation within one year of approval of their plan. In addition, municipalities are required to set aside sufficient funds to address one-sixth of their rehabilitation obligation each subsequent year of the substantive certification period. Due to the timing of when this spending plan is being offered for approval, Bergenfield will set aside funds sufficient to fund half of its continuing obligation in each of the two (2) years remaining in the Third Round housing cycle. It is understood that Bergenfield will seek to use outside funds whenever possible to fund its rehabilitation program, so it may be possible to fund the rehabilitation of six (6) units with a lesser drawdown on the affordable

housing trust fund. Understanding when this spending plan is being prepared, it is unlikely that Bergenfield will be able to rehabilitate more than six (6) unit prior to June 30, 2025.

- (b) **Affordability Assistance.** Pursuant to N.J.A.C. 5:93-8.16(c). As shown in the table below, the Borough will dedicate funding available for affordability assistance in the amount of \$133,050. Such affordability assistance may include down payment assistance, special condominium fees and assessment assistance, emergency repair assistance, emergency/hardship mortgage payment assistance, and rental assistance.

|                                                                                                  |        |           |
|--------------------------------------------------------------------------------------------------|--------|-----------|
| Actual development fees + interest through 12/2022                                               |        | \$ 0      |
| Development fees projected 1/1/23-6/30/25                                                        | +      | \$275,000 |
| Interest projected 1/1/2023-6/30/25                                                              | +      | \$ 3,050  |
| Less rehab & housing activity expenditures through 12/31/2022                                    | -      | \$ 0      |
| <b>Total</b>                                                                                     | =      | \$278,050 |
| 30 percent requirement                                                                           | x 0.30 | \$83,415  |
|                                                                                                  | =      |           |
| Less affordability assistance expenditures through 10/31/22                                      | -      | \$ 0      |
| <b>PROJECTED MINIMUM Affordability Assistance Requirement 1/1/23-6/30/2025</b>                   | =      | \$ 83,415 |
| <b>PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 1/1/2023-6/30/2025</b> | ÷ 3 =  | \$ 27,805 |

- (c) **Administrative Expenses.** Per N.J.A.C. 5:93-8.16(e), no more than 20% of the revenues collected from development fees shall be expended on administration. The Borough projects that a maximum of \$55,610 of housing trust funds is available pursuant to the COAH approved formula. Projected administrative expenditures, subject to the 20% cap, include the salaries and benefits for municipal employees and consultant fees necessary to develop or implement the following:

1. An updated Housing Element and Fair Share Plan.
2. A rehabilitation program.
3. An affirmative marketing program.
4. An affordability assistance program.
5. Other affordable housing activities that do not involve litigation.

|                                                       |          |            |
|-------------------------------------------------------|----------|------------|
| Actual development fees + interest through 12/31/2022 |          | \$ 0       |
| Development fees projected 1/1/2023-6/30/25           | +        | \$ 275,000 |
| Interest projected 6/30/21-12/31/25                   | +        | \$ 3,050   |
| Less RCA expenditures through 12/31/22                | -        | \$ 0       |
| <b>Total</b>                                          | =        | \$ 278,050 |
| 20 percent requirement                                | x 0.20 = | \$ 55,610  |
| Less administrative expenditures through 12/31/22     | -        | \$ 0       |

|                                                                                                     |          |                 |
|-----------------------------------------------------------------------------------------------------|----------|-----------------|
| <b>PROJECTED MAXIMUM Administrative Expenses</b><br><b>Requirement</b><br><b>01/01/23-6/30/2025</b> | <b>=</b> | <b>\$55,610</b> |
|-----------------------------------------------------------------------------------------------------|----------|-----------------|

#### 4. EXPENDITURE SCHEDULE

The Borough of Bergenfield intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of six (6) housing units, one more housing unit in excess of the obligation. Where applicable, the creation/rehabilitation funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

| PROJECTS/PROGRAMS                        | Number of Units Projected | PROJECTED EXPENDITURE SCHEDULE 2023 - 2025 |                  |                  |                   |
|------------------------------------------|---------------------------|--------------------------------------------|------------------|------------------|-------------------|
|                                          |                           | 2023                                       | 2024             | 6/30/2025        | Total             |
| Rehabilitation                           | 6                         | \$30,000                                   | \$ 30,000        | \$30,000         | \$ 90,000         |
| Affordability Assistance                 |                           | \$35,000                                   | \$ 35,000        | \$25,415         | \$ 95,415         |
| Very-low Income Affordability Assistance |                           | \$ 14,500                                  | \$ 14,500        | \$ 8,635         | \$ 37,635         |
| Administration                           |                           | \$ 20,000                                  | \$ 20,000        | \$ 15,000        | \$ 55,000         |
| <b>Total</b>                             | <b>6</b>                  | <b>\$ 99,500</b>                           | <b>\$ 99,500</b> | <b>\$ 79,050</b> | <b>\$ 278,050</b> |

Bergenfield anticipates that if the collection of development fees matches projections, the Borough may be able fund affordability assistance to a degree higher than required (\$95,415 vs \$83,415). The Borough also projects it may spend approximately \$10,000 more than required for very-low-income affordability assistance.

#### 5. EXCESS OR SHORTFALL OF FUNDS

In the event that a shortfall of anticipated revenues occurs, the Borough of Bergenfield will revise the spending plan to eliminate any potential shortfall of funds. The revised spending plan will be submitted to the Court, on notice to Fair Share Housing Center, for Court approval. Due to the difficulty in projecting future development fee collections during a pandemic, Bergenfield reserves the ability to update and revise this spending plan annually, if conditions so warrant.

In the event of excess funds, or in the event that the amount spent on administration is less than projected, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be dedicated toward its rehabilitation program and/or affordability assistance program and/or additional affordable housing activity.

#### SUMMARY

The Borough of Bergenfield intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:93-8.16 and consistent with the housing programs outlined in the Borough's Housing Element and Fair Share Plan.

The Borough of Bergenfield anticipates \$278,050 in revenues through June 2025. During the period of the Borough's Third Round JOR through June 2025, the Borough will agree to fund an average of \$15,000 per unit towards rehabilitation of housing units and expects to fund 6 rehabilitation projects, one unit in excess of our obligation. Bergenfield will not exceed a maximum of \$55,000 towards administrative costs.

The municipality will dedicate any excess funds or remaining balance toward its rehabilitation program and/or affordability assistance program and/or additional affordable housing activity necessary to address its affordable housing obligation.

| <b>SPENDING PLAN SUMMARY</b>                                                                                                |   |                   |
|-----------------------------------------------------------------------------------------------------------------------------|---|-------------------|
| Balance as of October 25, 2022                                                                                              |   | <b>\$0</b>        |
| <b>PROJECTED REVENUE 1/1/23-12/31/2025</b>                                                                                  |   |                   |
| Development fees                                                                                                            | + | \$240,000         |
| Payments in lieu of construction                                                                                            | + | \$ 35,000         |
| Other funds                                                                                                                 | + | \$ 0              |
| Interest                                                                                                                    | + | \$3,050           |
| <b>SUBTOTAL REVENUE</b>                                                                                                     | = | <b>\$278,050</b>  |
| <b>TOTAL REVENUE</b>                                                                                                        | = | <b>\$278,050</b>  |
| <b>EXPENDITURES</b>                                                                                                         |   |                   |
| Funds used for Rehabilitation                                                                                               | - | \$90,000          |
| Affordability Assistance                                                                                                    | - | \$ 133,050        |
| Administration                                                                                                              | - | \$ 55,000         |
| <b>TOTAL PROJECTED EXPENDITURES</b>                                                                                         | = | <b>\$ 278,050</b> |
| <b>REMAINING BALANCE</b>                                                                                                    | = | <b>\$ 0</b>       |
| Excess Funds or Remaining Balance Reserved for<br>Additional Rehabilitation Expenditures and/or<br>Affordability Assistance | = | <b>\$ 0</b>       |

APPEMDIX III A.

BOROUGH OF BERGENFIELD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**      No. 22-068

Offered by Council President Deauna      Seconded by Councilperson Rivera

| Member        | Aye | No | Abstain | Absent |
|---------------|-----|----|---------|--------|
| LODATO        | ✓   |    |         |        |
| DEAUNA        | ✓   |    |         |        |
| MARTE         | ✓   |    |         |        |
| KORNBLUTH     | ✓   |    |         |        |
| RIVERA        | ✓   |    |         |        |
| PASCUAL       | ✓   |    |         |        |
| AMATORIO (He) |     |    |         |        |

**WHEREAS**, the State of New Jersey under current COAH guidelines requires eligible Municipalities to designate an appointed Municipal Housing Liaison; and

**WHEREAS**, the Mayor and Council of the Borough seek to appoint John Smith to the position of Municipal Housing Liaison for the Borough of Bergenfield effective February 2, 2022, at an annual stipend of \$1,500; and

**WHEREAS**, the Borough Administrator has reviewed this matter and recommends that John Smith be appointed to the position of Municipal Housing Liaison for the Borough of Bergenfield effective February 2, 2022, at an annual stipend of \$1,500; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Bergenfield, County of Bergen and State of New Jersey, that John Smith be and is hereby appointed to the position of Municipal Housing Liaison for the Borough of Bergenfield effective February 2, 2022 at an annual stipend of \$1,500; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution to John Smith and the Borough Administrator upon its passage.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Bergenfield at the meeting held on February 1, 2022.

SEAL

  
Borough Clerk

APPENDIX III B.

BOROUGH OF BERGENFIELD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**      No. 25-279

Offered by Councilperson Pascual      Seconded by Councilperson Deauna

| Member         | Aye | No | Abstain | Absent |
|----------------|-----|----|---------|--------|
| LODATO         | ✓   |    |         |        |
| DEAUNA         | ✓   |    |         |        |
| ALMONTE        | ✓   |    |         |        |
| KORNBLUTH      |     |    |         | ✓      |
| RIVERA         | ✓   |    |         |        |
| PASCUAL        | ✓   |    |         |        |
| AMATORIO (Ile) |     |    |         |        |

**RESOLUTION TO APPROVE AN AGREEMENT WITH CGP&H, LLC TO  
PROVIDE ADMINISTRATIVE AGENT SERVICES FOR THE AFFORDABLE  
HOUSING PROGRAM**

**WHEREAS**, the Borough of Bergenfield previously entered into an agreement with Community Grants, Planning and Housing, LLC to act as the Borough's Administrative Agent with regard to the settlement agreement with Fair Share Housing and the Borough's affordable housing obligations; and

**WHEREAS**, as a final determination has not been made with regard to the Borough's settlement of this matter, the Borough desires to renew its agreement with Community Grants, Planning and Housing, LLC for its professional services for an additional twelve (12) month term, effective the 20<sup>th</sup> day of October 2025, between the Borough and CGP&H; and

**WHEREAS**, the Borough Administrator and Borough Attorney have reviewed the Professional Services Agreement attached hereto and incorporated herein by reference, and recommend the approval of the same; and

**WHEREAS**, the Chief Financial Officer of the Borough has certified that the funds are available for this matter in Account No. 5-01-20-100-000-025 in the amount of \$10,300, said certificate of availability of funds being attached hereto and incorporated herein by reference; and

**NOW, THEREFORE BE IT RESOLVED**, by the Borough of Bergenfield, County of Bergen, and State of New Jersey, that the Professional Services Agreement between the Borough and Community Grants, Planning and Housing, LLC to act as Administrative Agent for the Borough with regard to its affordable housing program, a copy of which is attached hereto and incorporated herein by reference, be and is hereby renewed and approved; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator be and is hereby authorized and directed to take all steps necessary to effectuate the signing of the attached Agreement between the Borough and CGP&H; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby authorized and directed to forward a certified copy of this resolution together with the professional services agreement to Community Grants, Planning and Housing, LLC upon its passage.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of Bergenfield at the meeting held on October 7, 2025.

SEAL

Maria Ruiz-Dizon  
Borough Clerk