



June 30, 2020

Christopher Tully, Business Administrator
80 West Madison Avenue
Dumont, NJ 07628

**Re: *Affordable Housing - Midpoint Review Report
Dumont Borough, New Jersey***

Dear Mr. Tully:

CME Associates ("CME") is pleased to provide this status report as to the implementation of the Borough's Housing Plan Element and Fair Share Plan and an analysis as to whether any unbuilt sites or unfilled mechanisms continue to represent a realistic opportunity and whether any mechanisms to meet unmet need should be revised or supplemented.

The Borough of Dumont's Settlement Agreement with Fair Share Housing Center ("FSHC") requires that the Borough 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 Borough 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 non-deferred mechanisms continue to present a realistic opportunity.

Dumont Borough's Settlement Agreement with Fair Share Housing Center was signed by the Borough on July 18, 2017. Subsequently, the Borough received a Final Judgment of Compliance and Repose and has been actively implementing its Housing Element and Fair Share Plan (HEFSP). A summary of the status and realistic opportunity provided by the various mechanisms is included within the attached forms (Exhibits A-E), as provided by FSHC. While the realistic opportunity standard applies to RDP/non-deferred mechanisms for Vacant Land Adjustment municipalities, a realistic opportunity review was performed for both the RDP and unmet need mechanisms within the compliance plan. As demonstrated within the attached forms, all of the mechanisms in the Borough's HEFSP continue to provide a realistic opportunity for affordable housing for very-low, low- and moderate income households.

Twenty Two (22) affordable rental units within the Washington Promenade Development are nearing completion and scheduled to come online in August 2020. Dumont is continuing its commitment to affordable housing, meeting established affordable housing obligations and providing affordable housing options for low- and moderate-income households.



Notice to the Public

In accordance with the Borough of Dumont's Settlement Agreement with Fair Share Housing Center and its Final Judgment of Compliance and Repose, this Midpoint Realistic Opportunity Review Report has been prepared to summarize the various affordable housing projects and mechanisms in the Borough's Housing Element and Fair Share Plan. Any interested party is invited to submit comments to Dumont Borough, with a copy to Fair Share Housing Center, regarding whether any sites no longer present a realistic opportunity and should be replaced. Please submit any comments you may have to the Borough and FSHC using the contact information included below.

Borough of Dumont

Susan Connelly, RMC, Municipal Clerk
80 West Madison Avenue
Dumont, NJ 07628
Email: sconnelly@dumontboro.org

Fair Share Housing Center

Josh Bauers, Esq.
Fair Share Housing Center
510 Park Boulevard
Cherry Hill, NJ 08002
Email: JoshBauers@fairsharehousing.org

Conclusion

The Borough is maintaining compliance with the terms of the Settlement Agreement and the Final Judgment of Compliance and Repose. Although not all projects identified have been completed, each proposed project remains a viable and realistic opportunity for the construction of affordable housing at this time.

Very truly yours,

CME Associates

Peter Van den Kooy, PP, AICP
Director of Planning

cc: Marc Leibman, Borough Attorney
Maryann Bucci-Carter, PP, AICP

EXHIBITS:

Affordable Housing Trust Fund Monitoring

Rehabilitation Monitoring

Prior Round and Third Round Monitoring

Very Low Income Monitoring

Affordable Housing Questions

EXHIBIT A:
AFFORDABLE HOUSING TRUST FUND MONITORING

1. GENERAL INFORMATION AND TRUST FUND MONITORING

MUNICIPALITY NAME:	Dumont Borough
COUNTY:	Bergen County
Date through which funds reported:	
Name of person filling out form and affiliation/role	Peter Van den Kooy, CME Associates - Affordable Housing Administrator
Date of filling out form:	23-Jun-20
Email:	pvandenkooy@cmeusa1.com
Municipal Housing Liaison for municipality:	William Paige
Email:	wpaige@dumontboro.org
Income Limits Year Being Used by Municipality*:	2019

(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 - Date in Approved Spending Plan or June 30, 2015	Date in Approved Spending Plan or July 1, 2015 to Present	Total
REVENUE SUMMARY	Inception 2015-10/3/17 - Date in Approved Spending Plan	10/3/17 - Present	
Barrier Free Escrow	\$ -		\$0
Development Fees	\$34,558		\$34,558
Interest Earned	\$46.43		\$46
Other Income	\$ -		\$0
Payments-in-Lieu of Construction			\$0
TOTAL	\$ 34,604	\$ -	\$34,604

	Estimated in HEFSP		
EXPENDITURE SUMMARY			
Administration**	\$ 62,766		\$62,766
Affordability Assistance***	\$ 58,149		\$58,149
Very Low-Income Affordability Assistance			\$0
Barrier Free Conversions			\$0
Housing Activity (rehab Assistance)	\$ 120,000		\$120,000
TOTAL	\$ 240,915	\$ -	\$240,915

ADMINISTRATION: Date in Approved Spending Plan to Present		
Name	List types of administrative expenses	Amount
TOTAL		\$0

AFFORDABILITY ASSISTANCE: Date in Approved Spending Plan to Present		
Name	List affordability assistance projects and programs	Amount
TOTAL		\$0

HOUSING ACTIVITY: Date in Approved Spending Plan to Present		
Type of Housing Activity	Specific Site or Program	Amount
TOTAL		\$0

Comments:

Current Revenue/Expenditure detail are being compiled by the Borough and will be provided under separate cover.

*View 2020 income limits: https://ahpnj.org/member_docs/Income_Limits_2020.pdf

https://ahpnj.org/member_docs/Income_Limits_2019_FINAL.pdf

https://ahpnj.org/member_docs/Income_Limits_2018.pdf

https://ahpnj.org/member_docs/Income_Limits_2017.pdf

**Administrative expenses cannot total more than 20% of collected revenues, less any Administrative expenses already disbursed.

***Affordability Assistance must equal at least 30% of revenues collected after July 2008, with one-third of that dedicated to very low-income Affordability Assistance

EXHIBIT B:
REHABILITATION MONITORING

EXHIBIT C:
PRIOR ROUND AND THIRD ROUND MONITORING

EXHIBIT D:
VERY LOW INCOME MONITORING

EXHIBIT E:
AFFORDABLE HOUSING QUESTIONS

Dumont Midpoint Review Questions

In addition to updating the attached monitoring spreadsheet with up to date information on each project in your approved settlement/fair share plan, please answer the following questions in narrative form (Responses are shown in **bold font**):

Conditions of Compliance

1. What conditions from the court's approval of the municipal housing element and fair share plan and judgment of compliance and repose (or whatever standard terms is being used), if any, have not yet been satisfied? Explain the reasons for any delay and the steps the municipality is taking to satisfy the condition(s).

None. All conditions have been satisfied.

Developments that Are Not Completed

2. For each court-approved inclusionary development project that is not yet constructed, please provide a narrative as to its status and any progress towards construction.

The Washington Promenade Project (formerly known as Landmark) is progressing nicely. All 22 rental Affordable units are in construction and expected to receive Certificates of Occupancy at the end of July. Affirmative Marketing is completed.

3. Have any non-inclusionary development projects (including 100% affordable projects, group homes, accessory apartments, market-to-affordable, extensions of affordability controls, etc.) included in the court-approved plan not yet been built/converted to affordable housing/controls extended? If yes, explain how many units, if any, have been built for each non-inclusionary project or mechanism and when construction is expected to be completed on the remaining units.

No.

4. Are there any projects that have missed any construction deadline established in the court-approved Settlement Agreement, or other mechanisms (e.g. market-to-affordable, accessory apartments, extensions of affordability controls) that have not met the completion schedule set forth in the Settlement Agreement or Housing Element and Fair Share Plan? If yes, what steps is the municipality taking to complete construction and what is the current timetable?

All deadlines contained within the settlement agreement have been complied with.

5. Are all unbuilt developments currently in a sewer service area, and if not what has the municipality done to incorporate the site into a sewer service area? Are there any barriers to obtaining water or sewer for any unbuilt site? Are there any other regulatory conditions (e.g. changes to DEP permits or conditions) that make it not possible to complete any site as originally contemplated?

All sites are located within water and sewer service areas. No regulatory or environmental constraints are anticipated to preclude the completion of the 22

affordable housing units within the Washington Promenade, which are currently under construction.

Rehabilitation Obligation

6. Is the rehabilitation program being administered by a municipality, county, or both? Do the program(s) include rental rehabilitation? If the municipality has not met at least half of its rehabilitation obligation by this midpoint review, what affirmative steps is the municipality taking to meet the obligation and to facilitate participation by homeowners and/or landlords?

The rehabilitation obligation is 41. To date 8 units have been rehabilitated through the Bergen County Housing Improvement Program (HIP). These took place in the timeframe between September 2000 and March 2010; however, based upon a review of information received from Bergen County no additional rehabilitation by the County has occurred in Dumont in the last 10 years. CME Associates is the Borough's Affordable Housing Administrator and will be working with the Borough to assist in increasing public awareness of the County program.

For Municipalities with a Prior Round and/or Third Round Vacant Land Adjustment (note please make sure any development referenced in the answers to these questions that includes or will include affordable housing is also in the monitoring spreadsheet):

7. If the municipality's court-approved Prior and/or Third Round plan includes Unmet Need:
- a. Has there been any development, proposal for development received by the municipality (even if ultimately rejected), adoption of rezoning or a redevelopment plan for of any parcel larger than 0.5 acres since the settlement was approved by the court on a parcel that was neither previously identified in calculating the municipality's RDP nor included in an inclusionary overlay zone? If so:
 - i. Please describe the development(s), development proposal(s), rezoning(s) or redevelopment plans(s)?
 - ii. Is any affordable housing included in any of the development(s) proposals(s), and/or rezoning(s) or redevelopment plan(s) referenced?
 - iii. If the municipality has a mandatory set-aside ordinance, was that applied to the development(s) and/or rezoning(s) or redevelopment plan(s)?
 - b. Has any development occurred or been proposed to occur within any inclusionary overlay zone or for which a mandatory set-aside ordinance, if required to be adopted by the municipality, would apply since the settlement? If so:
 - i. What is that development or developments?
 - ii. Does that proposed or actual development include any affordable housing? What percentage of the development is affordable?
 - c. Have any changed circumstances occurred that result in additional parcels becoming available for development that were neither previously identified in calculating the municipality's RDP nor included in an inclusionary overlay zone? If yes, please identify

the parcel(s) and describe how the municipality plans to address the changed circumstances.

An affordable housing set-aside ordinance requiring that any project of 5 units or greater provide for the creation affordable units at the rate of 20% for ownership units and 15% for rental units has been enacted. Based upon a review of the information received, it is our understanding that the Borough has complied with the adopted legislation.