

BOROUGH OF GLEN GARDNER

Hunterdon County, New Jersey

HIGHLANDS MODULE 3 - PART I DOCUMENT FOR SUBMISSION TO THE NEW JERSEY HIGHLANDS COUNCIL FOR BASIC PLAN CONFORMANCE December 8, 2009

Submitted for Review to the Glen Gardner Land Use Board and Borough Council

November 11, 2009

TABLE OF CONTENTS

	<u>Page</u>
GLEN GARDNER BOROUGH'S FAIR SHARE OBLIGATION.....	1
Components of the Third Round Obligation.....	1
Determination of Applicable Obligation.....	2
SUMMARY OF PRIOR ROUND COMPLIANCE.....	4
IDENTIFICATION AND REVIEW OF THIRD ROUND COMPLIANCE MECHANISMS.....	5
PRIOR ROUND/THIRD ROUND SITE.....	6
HOUSING TRANSFERS.....	7
APPENDIX.....	following page 7

APPENDIX

GLEN GARDNER BOROUGH'S FAIR SHARE OBLIGATION

Components of the Third Round Obligation

COAH's determination of the municipal Third Round fair share obligation is comprised of three components: the prior round obligation, the rehabilitation obligation and the third round "growth share" obligation. For the Borough of Glen Gardner, the COAH numbers are as follows:

Table I
Third Round Total Affordable
Housing Obligation

Prior Round Obligation	7
Rehabilitation Obligation	6
Third Round Obligation	8
Total	21

COAH's determination of the presumptive Third Round obligation is based on its consultants' projections of household and employment growth by municipality through the year 2018. The 8 unit Third Round obligation for the Borough is based upon a projected employment growth of 26 jobs and a projected household growth of 31 dwelling units, all between January 1, 2004 and December 31, 2018. COAH then divides the projected household growth by 5 and the projected employment growth by 16 and adds the two results together to determine the Third Round fair share obligation.

Determination of Applicable Obligation

Municipalities that are located in the Highlands Area and that are either required to conform to the Highlands Regional Master Plan or elect to do so are subject to limitations on the amount of development that will be permitted due to the amount and capacity of vacant developable land in both wastewater and septic system service areas, utility capacity and resource based capacity (Net Water Availability).

As demonstrated in the Table below (developed from Table 4 of the Municipal Build-Out Analysis prepared by the Highlands Council for Glen Gardner), the Highlands Council has determined that Glen Gardner has a maximum future residential build-out of one new dwelling unit and no employment opportunities. This maximum number does not include exemptions (from the Highlands Act). The exemptions, together with potential reductions in the availability of vacant developable land due to public or non-profit land acquisitions for open space could impact the actual build out of the Borough.

Municipal Build-Out Results with Resource and Utility Constraints

	Preservation Area	Planning Area	Totals
Residential units – Sewered	0	N/A	0
Septic System Yield	1	N/A	1
Total Residential Units	1	N/A	1
Non-Residential Jobs – Sewered	0	N/A	0

Source: Table 4, Municipal Build-Out Report for Glen Gardner Borough, prepared by New Jersey Highlands Council, 2009.

Municipalities conforming in the Highlands Area may elect to use either the Highlands full build-out number or the COAH projection through 2018. If a Highlands municipality elects to use the Highlands build-out number, it is also obligated to address the fair share obligation associated with any growth that has occurred in the municipality since January 1, 2004.

According to *The New Jersey Construction Reporter*, a total of 2 residential Certificates of Occupancy were issued in the Borough from January 1, 2004, through July 31, 2009 (both of them in 2009). Additionally, Certificates of Occupancy were issued for a total of 7,330 square feet of office space and 2,200 square feet of storage space, according to the same source. The Borough contends that the office space was not new construction and was erroneously reported as such.

Based on COAH's "growth share" requirements, the two (2) new residential units constructed since January 1, 2004, have generated an obligation for 0.4 affordable housing units, and the new non-residential space constructed since January 1, 2004, including the erroneously reported office space, has generated an obligation for another 1.42 affordable housing units, per Appendix D of COAH's Substantive Rules. Thus, based upon *The New Jersey Construction Reporter* data, Glen Gardner has incurred a total growth share obligation from January 1, 2004, through July 31, 2009, of 1.82 affordable housing units.

The one (1) new dwelling unit that can be accommodated in Glen Gardner in the future, based on the Highlands Council's build-out analysis, will generate a "growth share" obligation of 0.2 affordable housing units.

The Borough's combined Third Round affordable housing obligation, based upon the growth that has occurred in the Borough since January 1, 2004, and future build-out in accordance with the Highlands Regional Master Plan, is a total of 2.02 affordable units. Rounding this number up to three (3) units will cover any unanticipated growth due to

potential single-family residential development that is exempt from the Highlands regulations. **Glen Gardner's Third Round Housing Element and Fair Share Plan will, therefore, address a Third Round obligation of three (3) units, rather than COAH's projected Third Round obligation of eight (8) units.**

Table 2
Third Round Adjusted Affordable
Housing Obligation

Prior Round Obligation	7
Rehabilitation Obligation	6
Third Round Obligation	3
Total	16

SUMMARY OF PRIOR ROUND COMPLIANCE

Glen Gardner's prior round affordable housing obligation is 7 units.

The Borough's Second Round Housing Element and Fair Share Plan received substantive certification from COAH in January of 1999. That plan, like the Borough's First Round Housing Element and Fair Share Plan, had addressed the 7 unit new construction component of the Second Round obligation through prior cycle credits for the Parkside Apartments, a 48 unit subsidized senior citizen (40 units) and handicapped (8 units) rental affordable housing development funded by the former Farmers Home Administration and constructed in 1981. Prior cycle credits are credits awarded by COAH for documented affordable housing units created between 1980 and 1986, prior to the adoption of COAH's First Round Rules.

In short, the Borough's prior round obligation had been fully addressed, and was acknowledged by COAH to have been fully addressed, when COAH granted Substantive Certification to the Borough in 1999.

IDENTIFICATION AND REVIEW OF THIRD ROUND COMPLIANCE MECHANISMS

In 2005, Glen Gardner adopted a Third Round Housing Element and Fair Share Plan in response to COAH's first set of Third Round Rules and submitted that document to COAH along with a petition for Third Round certification. In that document, the Borough had proposed to address what was calculated to be a two (2) unit Third Round affordable housing obligation by continuing to use surplus prior cycle credits from Parkside Apartments, since the original development had been covered by a 50 year subsidized mortgage that was believed to be still in effect. However, when COAH requested additional documentation from Glen Gardner in support of its petition, the Borough discovered that the original controls on affordability imposed on Parkside (and the original occupancy restrictions) had been altered due to the refinancing of the project. Although Parkside had qualified as an appropriate mechanism for addressing the Borough's housing obligations in the two prior rounds, it would no longer be an acceptable means of addressing the Third Round obligation.

At approximately the time this information was discovered, the owner of Parkside Apartments approached the Borough with a request that the original PILOT (payment in lieu of taxes) agreement be extended, as he was preparing to refinance the project once again. Seizing the opportunity, the Borough negotiated an agreement with Parkside to extend the PILOT, on the condition that the owner would deed restrict ten (10) of the 48 units in the development as COAH-compliant units, for a period of at least 30 years, so that Glen Gardner would be able to receive credits for these units against its Third Round (and perhaps even Fourth Round) fair share obligation.

The ten (10) units have been appropriately deed-restricted; the deed restriction has been recorded; an affirmative marketing plan has been adopted by the Borough; and an

administrative agreement has been executed with Housing Affordability Services (HAS). The Borough will now be able to use these ten (10) newly deed restricted units to fulfill at least its Third Round obligation, and perhaps a future obligation, as well.

As part of the deed-restriction of ten (10) units at Parkside, the Borough has addressed not only its Third Round rental obligation, since all of the newly restricted affordable units at Parkside continue to be rental units, but also its very low income housing obligation. One of the deed-restricted affordable units at Parkside is, in fact, a very low income unit, affordable to a household earning 30% or less of median income.

The Borough acknowledges that it now has an obligation to establish a housing rehabilitation program targeted at the rehabilitation to a standard condition of six (6) existing housing units in the Borough that are currently occupied by qualified low and moderate income households. The terms of the rehabilitation program will be covered in the final adopted Housing Element and Fair Share Plan.

PRIOR ROUND/THIRD ROUND SITE

The Appendix to this report presents the documentation in support of the ten (10) affordable units that have been re-created at Parkside.

There is no issue as to whether or not the Parkside site conforms to the Highlands Regional Master Plan; it is a previously developed site, and no new construction is proposed there.

It is identified on the Borough's Tax Map as Block 9, Lot 104, and it is located on Parkside Court in the Borough's CM Conservation Management Zone.

HOUSING TRANSFERS

At this time, the Borough of Glen Gardner is not seeking to participate in an affordable housing transfer program.

III. MARKETING

3a. Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors)

☐ White (non-Hispanic) ☒ Black (non-Hispanic) ☒ Hispanic ☐ American Indian or Alaskan Native
☒ Asian or Pacific Islander ☐ Other group:

3b. Commercial Media (required) (Check all that applies)

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA
TARGETS ENTIRE COAH REGION 3			
Daily Newspaper			
<input type="checkbox"/>		Star-Ledger	
TARGETS PARTIAL COAH REGION 3			
Daily Newspaper			
<input type="checkbox"/>		Home News Tribune	Middlesex, Somerset, Union
<input type="checkbox"/>		Courier News	Somerset and Hunterdon
Weekly Newspaper			
<input type="checkbox"/>		Beacon	Hunterdon
<input type="checkbox"/>		Delaware Valley News	Hunterdon
<input type="checkbox"/>		Hunterdon County Democrat / Hunterdon Observer	Hunterdon
<input type="checkbox"/>		Hunterdon Review	Hunterdon
<input type="checkbox"/>		Amboy Beacon	Middlesex
<input type="checkbox"/>		Colonia Corner	Middlesex
<input type="checkbox"/>		Cranbury Press	Middlesex
<input type="checkbox"/>		East Brunswick Sentinel	Middlesex
<input type="checkbox"/>		Edison Sentinel	Middlesex
<input type="checkbox"/>		South Brunswick Post	Middlesex
<input type="checkbox"/>		South Plainfield Observer	Middlesex
<input type="checkbox"/>		Suburban, The	Middlesex
<input type="checkbox"/>		Princeton Packet	Middlesex, Somerset
<input type="checkbox"/>		Sentinel, The	Middlesex, Somerset
<input type="checkbox"/>		Atom Tabloid & Citizen Gazette	Middlesex, Union
<input type="checkbox"/>		Parsippany Life	Morris

<input type="checkbox"/>		Echoes Sentinel	Morris, Somerset
<input type="checkbox"/>		Bernardsville News	Somerset
<input type="checkbox"/>		Branchburg News	Somerset
<input type="checkbox"/>		Chronicle	Somerset
<input type="checkbox"/>		Hills-Bedminster Press	Somerset
<input type="checkbox"/>		Hillsborough Beacon	Somerset
<input type="checkbox"/>		Manville News	Somerset
<input type="checkbox"/>		Messenger-Gazette	Somerset
<input type="checkbox"/>		Reporter	Somerset
<input type="checkbox"/>		Somerset Spectator	Somerset
Monthly Newspaper			
<input type="checkbox"/>		About Our Town/Community News	Middlesex, Somerset
	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL TV STATION(S)	CIRCULATION AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE COAH REGION 3			
<input type="checkbox"/>		2 WCBS-TV CBS Broadcasting, Inc.	
<input type="checkbox"/>		3 KYW-TV CBS Broadcasting, Inc.	
<input type="checkbox"/>		4 WNBC NBC Telemundo License Co. (General Electric)	
<input type="checkbox"/>		5 WNYW Fox Television Stations, Inc. (News Corp.)	
<input type="checkbox"/>		6 WPVI-TV American Broadcasting Companies, Inc. (Walt Disney)	
<input type="checkbox"/>		7 WABC-TV American Broadcasting Companies, Inc. (Walt Disney)	
<input type="checkbox"/>		9 WWOR-TV Fox Television Stations, Inc. (News Corp.)	
<input type="checkbox"/>		10 WCAU NBC Telemundo License Co. (General Electric)	
<input type="checkbox"/>		11 WPIX WPIX, Inc. (Tribune)	
<input type="checkbox"/>		12 WHYY-TV WHYY, Inc.	
<input type="checkbox"/>		13 WNET Educational Broadcasting Corporation	
<input type="checkbox"/>		17 WPHL-TV Tribune Company	

<input type="checkbox"/>		31 WPXN-TV Paxson Communications License Company, LLC	
<input type="checkbox"/>		35 WYBE Independence Public Media Of Philadelphia, Inc.	
<input type="checkbox"/>		39 WLVT-TV Lehigh Valley Public Telecommunications Corp.	
<input type="checkbox"/>		41 WXTV WXTV License Partnership, G.P. (Univision Communications, Inc.)	
<input type="checkbox"/>		48 WGTW-TV Trinity Broadcasting Network	
<input type="checkbox"/>		50 WNJN New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		52 WNJT New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		57 WPSG CBS Broadcasting, Inc.	
<input type="checkbox"/>		58 WNJB New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		61 WPPX Paxson Communications License Company, LLC	
<input type="checkbox"/>		63 WMBC-TV Mountain Broadcasting Corporation	
<input type="checkbox"/>		65 WUVP-TV Univision Communications, Inc.	
<input type="checkbox"/>		68 WFUT-TV Univision New York, LLC	Spanish
TARGETS PARTIAL COAH REGION 3			
<input type="checkbox"/>		16 WNEP-TV New York Times Co.	Hunterdon
<input type="checkbox"/>		46 W46BL Maranatha Broadcasting Company, Inc.	Hunterdon
<input type="checkbox"/>		51 WTVE Reading Broadcasting, Inc.	Hunterdon (Christian)
<input type="checkbox"/>		25 W25BB New Jersey Public Broadcasting Authority	Hunterdon, Middlesex
<input type="checkbox"/>		22 WYOU Nexstar Broadcasting, Inc.	Hunterdon, Somerset
<input type="checkbox"/>		28 WBRE-TV Nexstar Broadcasting, Inc.	Hunterdon, Somerset
<input type="checkbox"/>		44 WVIA-TV Ne Pa Ed TV Association	Hunterdon, Somerset
<input type="checkbox"/>		56 WOLF-TV Wolf License Corp.	Hunterdon, Somerset
<input type="checkbox"/>		60 WBPH-TV Sonshine Family Television Corp.	Hunterdon, Somerset
<input type="checkbox"/>		69 WFMZ-TV Maranatha Broadcasting Company, Inc.	Hunterdon, Somerset

<input type="checkbox"/>		29 WTXF-TV Fox Television Stations, Inc. (News Corp.)	Middlesex, Somerset
<input type="checkbox"/>		47 WNJU NBC Telemundo License Co. (General Electric)	Middlesex, Somerset
<input type="checkbox"/>		66 WFME-TV Family Stations of New Jersey, Inc.	Middlesex, Somerset (Christian)
<input type="checkbox"/>		25 WNYE-TV New York City Dept. of Info., Technology & Telecommunications	Somerset

	DURATION & FREQUENCY OF OUTREACH	NAMES OF CABLE PROVIDER(S)	BROADCAST AREA
TARGETS PARTIAL COAH REGION 3			
<input type="checkbox"/>		Comcast of Northwest NJ, Southeast Pennsylvania	Partial Hunterdon
<input type="checkbox"/>		Patriot Media & Communications	Partial Hunterdon, Somerset
<input type="checkbox"/>		Service Electric Cable TV of Hunterdon	Partial Hunterdon
<input type="checkbox"/>		Cablevision of Raritan Valley	Partial Middlesex, Somerset
<input type="checkbox"/>		Comcast of Central NJ, NJ (Union System)	Partial Middlesex
<input type="checkbox"/>		Comcast of Plainfield	Partial Middlesex, Somerset

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL RADIO STATION(S)	BROADCAST AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE COAH REGION 3			
AM			
<input type="checkbox"/>		WFAN 660	
<input type="checkbox"/>		WOR 710	
<input type="checkbox"/>		WABC 770	
<input type="checkbox"/>		WCBS 880	
<input type="checkbox"/>		WBBR 1130	
<input type="checkbox"/>		WWTR 1170	
<input type="checkbox"/>		WTTM 1680	Spanish, Asian, etc.
FM			
<input type="checkbox"/>		WFNY-FM 92.3	
<input type="checkbox"/>		WPAT-FM 93.1	Spanish
<input type="checkbox"/>		WNYC-FM 93.9	
<input type="checkbox"/>		WPST 94.5	

<input type="checkbox"/>		WFME 94.7	
<input type="checkbox"/>		WPLJ 95.5	
<input type="checkbox"/>		WQXR-FM 96.3	
<input type="checkbox"/>		WQHT 97.1	
<input type="checkbox"/>		WSKQ-FM 97.9	Spanish
<input type="checkbox"/>		WRKS 98.7	
<input type="checkbox"/>		WAWZ 99.1	Christian
<input type="checkbox"/>		WBAI 99.5	
<input type="checkbox"/>		WPHI-FM 100.3	
<input type="checkbox"/>		WCBS-FM 101.1	
<input type="checkbox"/>		WKXW-FM 101.5	
<input type="checkbox"/>		WQCD 101.9	
<input type="checkbox"/>		WNEW 102.7	
<input type="checkbox"/>		WPRB 103.3	
<input type="checkbox"/>		WKTU 103.5	
<input type="checkbox"/>		WWPR-FM 105.1	
<input type="checkbox"/>		WDAS-FM 105.3	
<input type="checkbox"/>		WLTW 106.7	
TARGETS PARTIAL COAH REGION 3			
AM			
<input type="checkbox"/>		WFIL 560	Hunterdon
<input type="checkbox"/>		WIP 610	Hunterdon
<input type="checkbox"/>		WAEB 790	Hunterdon
<input type="checkbox"/>		WCHR 1040	Hunterdon
<input type="checkbox"/>		WGPA 1100	Hunterdon
<input type="checkbox"/>		WEEX 1230	Hunterdon
<input type="checkbox"/>		WKAP 1470	Hunterdon
<input type="checkbox"/>		WRNJ 1510	Hunterdon
<input type="checkbox"/>		WWJZ 640	Hunterdon, Middlesex
<input type="checkbox"/>		WPHY 920	Hunterdon, Middlesex

<input type="checkbox"/>		WPHT 1210	Hunterdon, Middlesex
<input type="checkbox"/>		WBUD 1260	Hunterdon, Middlesex
<input type="checkbox"/>		WMCA 570	Middlesex (Christian)
<input type="checkbox"/>		WIMG 1300	Middlesex
<input type="checkbox"/>		WCTC 1450	Middlesex, Somerset
FM			
<input type="checkbox"/>		WRTI 90.1	Hunterdon
<input type="checkbox"/>		WCVH 90.5	Hunterdon
<input type="checkbox"/>		WHYY-FM 90.9	Hunterdon
<input type="checkbox"/>		WXTU 92.5	Hunterdon
<input type="checkbox"/>		WAEB-FM 104.1	Hunterdon
<input type="checkbox"/>		WFKB 107.5	Hunterdon
<input type="checkbox"/>		WMMR 93.3	Hunterdon, Middlesex
<input type="checkbox"/>		WYSP 94.1	Hunterdon, Middlesex
<input type="checkbox"/>		WBEN-FM 95.7	Hunterdon, Middlesex
<input type="checkbox"/>		WRDW-FM 96.5	Hunterdon, Middlesex
<input type="checkbox"/>		WOGL 98.1	Hunterdon, Middlesex
<input type="checkbox"/>		WUSL 98.9	Hunterdon, Middlesex
<input type="checkbox"/>		WIOQ 102.1	Hunterdon, Middlesex
<input type="checkbox"/>		WMGK 102.9	Hunterdon, Middlesex
<input type="checkbox"/>		WJJZ 106.1	Hunterdon, Middlesex
<input type="checkbox"/>		WKDN 106.9	Hunterdon, Middlesex (Christian)
<input type="checkbox"/>		WAXQ 104.3	Hunterdon, Middlesex, Somerset
<input type="checkbox"/>		WNTI 91.9	Hunterdon, Somerset
<input type="checkbox"/>		WZZO 95.1	Hunterdon, Somerset
<input type="checkbox"/>		WCTO 96.1	Hunterdon, Somerset
<input type="checkbox"/>		WLEV 100.7	Hunterdon, Somerset
<input type="checkbox"/>		WNJT-FM 88.1	Middlesex
<input type="checkbox"/>		WRSU-FM 88.7	Middlesex
<input type="checkbox"/>		WWFM 89.1	Middlesex
<input type="checkbox"/>		WWPH 107.9	Middlesex

<input type="checkbox"/>		WDVR 89.7	Middlesex, Somerset
<input type="checkbox"/>		WVPH 90.3	Middlesex, Somerset
<input type="checkbox"/>		WMGQ 98.3	Middlesex, Somerset
<input type="checkbox"/>		WBLS 107.5	Middlesex, Somerset
3c. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters) (Check all that applies)			
	NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE COAH REGION 3			
Weekly			
	Nuestra Comunidad	Central/South Jersey	Spanish-Language
Monthly			
<input type="checkbox"/>	Sino Monthly	North Jersey/NYC area	Chinese-American
TARGETS PARTIAL COAH REGION 3			
Daily			
<input type="checkbox"/>	24 Horas	Bergen, Essex, Hudson, Middlesex, Passaic, Union Counties	Portuguese-Language
Weekly			
<input type="checkbox"/>	Arab Voice Newspaper	North Jersey/NYC area	Arab-American
<input type="checkbox"/>	Catholic Advocate, The	Essex County area	Catholic
<input type="checkbox"/>	La Voz	Hudson, Union, Middlesex Counties	Cuban community
<input type="checkbox"/>	Amerika Magyar Nepszava (American Hungarian Peoples' Voice)	Central/North Jersey	Hungarian-Language
<input type="checkbox"/>	New Jersey Jewish News	Northern and Central New Jersey	Jewish
<input type="checkbox"/>	Nuestra Comunidad	Central/South Jersey	Spanish-Language
<input type="checkbox"/>	Desi NJ	Central Jersey	South Asian
<input type="checkbox"/>	Ukrainian Weekly	New Jersey	Ukrainian Community
3d. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)			
DURATION & FREQUENCY OF OUTREACH	NAME OF EMPLOYER/COMPANY	LOCATION	
Hunterdon County			
<input type="checkbox"/>	Merck & Co.	1 Merck Dr., Whitehouse Station	

<input type="checkbox"/>		Hunterdon Medical Center	2100 Wescott Drive, Flemington, NJ 08822
<input type="checkbox"/>		Foster Wheeler	Perryville Corporate Park, Clinton, NJ 08809-4000
<input type="checkbox"/>		Chubb Insurance Co.	202 Halls Mill Rd., Whitehouse Station, NJ 08889
<input type="checkbox"/>		Exxon-Mobil Research & Engineering	1545 US Highway 22 E., Annandale, NJ 08801
<input type="checkbox"/>		New York Life	110 Cokesbury Rd, Lebanon
Middlesex County			
<input type="checkbox"/>		Bristol-Myers Squibb	1 Squibb Dr, New Brunswick, NJ 08901
<input type="checkbox"/>		Merrill Lynch & Company	800 Scudders Mill Rd, Plainsboro
<input type="checkbox"/>		Johnson & Johnson	1 Johnson & Johnson Plaza, New Brunswick
<input type="checkbox"/>		Prudential Insurance Company	44 Stelton Rd. # 130, Piscataway
<input type="checkbox"/>		Robert Wood Johnson University Hospital	1 Robert Wood Johnson Pl., New Brunswick, NJ 08901
<input type="checkbox"/>		Silverline Building Products	207 Pond Ave, Middlesex, NJ 08846
<input type="checkbox"/>		St. Peter's University Hospital	254 Easton Ave., New Brunswick
<input type="checkbox"/>		Telecordia Technology	444 Hoes Ln., Piscataway
<input type="checkbox"/>		J.F.K. Medical Center	65 James Street, Edison, NJ 08818
<input type="checkbox"/>		Raritan Bay Medical Center	530 New Brunswick Av., Perth Amboy, NJ 08861
<input type="checkbox"/>		Amerada Hess Corporation	405 Main St., Woodbridge and 679 Convery Blvd., Perth Amboy
<input type="checkbox"/>		Dow Jones & Company	54 Eddington Ln., Monroe Twp
<input type="checkbox"/>		Siemens AG	755 College Rd. E., Princeton
<input type="checkbox"/>		AT&T	1 Highway Ter., Edison
<input type="checkbox"/>		Engelhardt Corporation	101 Wood Ave. S., Metuchen
Somerset County			
<input type="checkbox"/>		AT&T	1414 Campbell St., Rahway
<input type="checkbox"/>		ABC Limousine	574 Ferry St., Newark
<input type="checkbox"/>		Bloomberg LP	1350 Liberty Ave., Hillside
<input type="checkbox"/>		Courier News	1091 Lousons Road, PO Box 271, Union, NJ
<input type="checkbox"/>		Emcore Corp.	800 Rahway Ave. Union, NJ
<input type="checkbox"/>		Ethicon, Inc.	1515 West Blancke Street, Bldgs 1501 and 1525, Linden, NJ
<input type="checkbox"/>		Fedders Corp.	27 Commerce Drive, Cranford, NJ

<input type="checkbox"/>		ICI Americas, Inc.	450 West First Ave., Roselle, NJ
<input type="checkbox"/>		ITW Electronic Component Packaging	600 Mountain Ave., Murray Hill, NJ
<input type="checkbox"/>		Johnson & Johnson	1 Merck Drive, PO Box 2000 (RY60-200E), Rahway, NJ
<input type="checkbox"/>		Tekni-Plex, Inc.	865 Stone Street, Rahway, NJ
		Ortho-Clinical Diagnostics, Inc.	1401 Park Ave. South, Linden
<input type="checkbox"/>		Hooper Holmes, Inc.	170 Mount Airy Rd., Basking Ridge, NJ 07920

3e. Community Contacts (names of community groups/organizations throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing)			
Name of Group/Organization	Outreach Area	Racial/Ethnic Identification of Readers/Audience	Duration & Frequency of Outreach

IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:	
4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)	
<input type="checkbox"/>	BUILDING
<input type="checkbox"/>	LOCATION
<input type="checkbox"/>	Middlesex County Administration Bldg.
<input type="checkbox"/>	75 Bayard Lane, New Brunswick, NJ 08903
<input type="checkbox"/>	Somerset County Admin. Bldg.
<input type="checkbox"/>	20 Grove Street, Somerville, NJ 08876
<input type="checkbox"/>	Somerset County Library Headquarters
<input type="checkbox"/>	1 Vogt Drive, Bridgewater, NJ 08807
<input type="checkbox"/>	Hunterdon County Library Headquarters
<input type="checkbox"/>	314 State Highway 12, Flemington, NJ 08822
4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)	
4c. Sales/Rental Office for units (if applicable)	

V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the (select one: Municipality's COAH substantive certification or DCA Balanced Housing Program funding or HMFA UHORP/MONI funding).

Name (Type or Print)

Title/Municipality

Signature

Date



PONY PRATT BRIDGE
1870

BOROUGH OF GLEN GARDNER
PLANNING BOARD
P.O. BOX 307
GLEN GARDNER, NEW JERSEY 08826

Phone: (908) 537-2110
Fax: (908) 537-7026

April 20, 2009

Elizabeth McKenzie, P.P., P.A.
Community Planning & Development
9 Main Street
Flemington, NJ 08822

Dear Betsy:

Enclosed is a certified copy of the Affirmative Marketing Plan which the Borough Council adopted April 7, 2009.

If you have any questions please feel free to call me. I am in the office Monday, Wednesday and Friday from 9am – 2pm.

Yours truly,

Judy Bass
Municipal Housing Liaison

**RESOLUTION 09-32
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF GLEN GARDNER, COUNTY OF HUNTERDON
STATE OF NEW JERSEY
ADOPTING THE 'AFFIRMATIVE MARKETING PLAN'
FOR THE BOROUGH OF GLEN GARDNER**

WHEREAS, in accordance with the regulations of COAH pursuant to N.J.A.C. 5:97-1, *et seq.*, and the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26-1, *et seq.*, the Borough of Glen Gardner 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 Glen Gardner, are affirmatively marketed to low and moderate income households, particularly those living and/or working within Housing Region 3, the COAH Housing Region encompassing the Borough of Glen Gardner.

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

Affirmative Marketing Plan

- A. All affordable housing units in the Borough of Glen Gardner shall be marketed in accordance with the provisions herein unless otherwise provided in COAH's Rules at N.J.A.C. 5:97-1, *et seq.*
- B. The Borough of Glen Gardner has a Prior Round obligation that it has fulfilled and 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 prior round Fair Share Plan and its current Fair Share Plan and those that may be constructed in future developments not yet anticipated by the 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 an Administrative Agent designated by and/or under contract to the Borough of Glen Gardner. All of the 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 Glen Gardner, shall cause the developer/seller/owner to undertake all of 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.
- 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 that region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Borough of Glen Gardner is located in COAH Housing Region 3, consisting of Hunterdon, Somerset and Middlesex 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 applications for low and moderate income units shall appear in the Hunterdon Democrat, the Courier News and the Home News Tribune.
 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 Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.
 3. The advertisement shall include a description of the:
 - a. Location of the units;
 - b. Directions to the units;
 - c. Range of prices for the units;
 - d. Size, as measured in bedrooms, of units;

- e. Maximum income permitted to qualify for the units;
 - f. Location of applications;
 - g. Business hours when interested households may obtain an application; and
 - h. 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 three locally oriented weekly newspapers within the region, one of which shall be circulated primarily in Hunterdon County and the other two of which shall be circulated primarily outside of Hunterdon County but within the housing region.
 5. 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:
 - a. WKXW (101.5 FM)
 - b. WOR (710 AM)
 - c. WCBS (880 AM)
 - d. Comcast of Central New Jersey
 - e. Cablevision of Raritan Valley
- G. 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:
1. Glen Gardner Borough Hall
 2. Glen Gardner Borough Web Site (if applicable)
 3. Developer's Sales/Rental Offices
 4. Hunterdon County Administration Building
 5. Somerset County Administration Building
 6. Middlesex County Administration Building
 7. Hunterdon County Library (all branches).

9. Somerset County Library (all branches)
10. Middlesex County Library (all branches)

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

- H. The Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in Hunterdon, Somerset and Middlesex 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 identified in Attachment A, Part III, Marketing, Section 3d of COAH's *Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 3* (attached to and hereby made part of this Resolution).
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:

Hunterdon County Board of Realtors
Somerset County Board of Realtors
Middlesex County Board of Realtors
 2. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies within the counties of Hunterdon, Somerset and Middlesex:

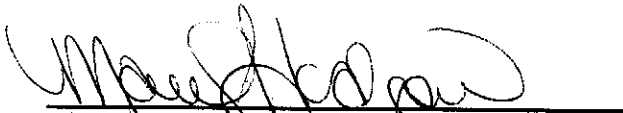
Welfare or Social Service Board (via the Director)
Rental Assistance Office (local office of DCA)
Office on Aging
Housing Authority (municipal or county)
Community Action Agencies
Community Development Departments
 3. Quarterly informational circulars and applications shall be sent to the chief personnel administrators of all of the major employers within the region, as listed on Attachment A, Part III, Marketing, Section 3d.

- I. The following is a listing of community contact person(s) and/or organizations in Hunterdon, Somerset and Middlesex Counties that will aid in the affirmative marketing program and provide guidance and counseling services to prospective occupants of low and moderate income units:
 1. Somerset County Coalition on Affordable Housing, 600 First Avenue, Suite 3, Raritan, NJ 08869
 2. Brunswick and Raritan Housing Corporation, P.O. Box 11575, New Brunswick, NJ 08906
 3. Housing Coalition of New Jersey, 78 New Street, 3rd Floor, New Brunswick, NJ 08901
 4. Northwest New Jersey Community Action Program, Inc. (NORWESCAP), 350 Marshall Street, Phillipsburg, NJ 08865
- J. 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 (I). The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in COAH Housing Region 3 comprised of Hunterdon, Somerset and Middlesex Counties.
- J. 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.*
- K. 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.
- L. 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.
- M. 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 reoccupancy of units continues to be necessary.

- N. 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.*

I hereby certify that this is a true copy of a resolution duly adopted by the Mayor and Council of the Borough of Glen Gardner at a Council meeting held on April 7, 2009.


Marilyn Hodgson, RMC, Borough Clerk

AFFORDABLE HOUSING AGREEMENT

This agreement made as of this 10th day of April, 2007, by and between the **Borough of Glen Gardner**, a municipal corporation of the State of New Jersey, located at 83 Main Street, P.O. Box 307, Glen Gardner, New Jersey 08826 ("Borough") and **Glen Gardner Associates, LLC**, a limited liability company of the State of New Jersey, C/O Forest Realty Management, Inc., 4 Forest Drive, Springfield, New Jersey 07081 ("GGA") (hereinafter "Agreement");

WHEREAS, the Borough of Glen Gardner has submitted a third round housing element and fair share plan to the New Jersey Council on Affordable Housing ("COAH") dated December 6, 2005; and

WHEREAS, the Borough's third round housing element and fair share plan provides that the Borough's entire cumulative second and third round fair share obligation is to be met through credits associated with an existing 48-unit subsidized senior citizens and disabled housing development known as Parkside Court Apartments (the "Project"), built in 1981-82 with funds from the USDA, Farmers Home Administration (FmHA), now Rural Economic Community Development (RECD); and

WHEREAS, COAH requires that in order for the Borough to receive credit for the units in the Project toward its third round fair share obligation, GGA as owner of the Project must enter into an Affordable Housing Agreement with the Borough specifying that ten designated housing units in Parkside Court Apartments will be set aside for COAH purposes with controls on affordability that comply with the current rules and regulations of COAH and with the Uniform Housing Affordability Controls ("UHAC Rules") set forth at N.J.A.C. 5:80-26.1, et seq.; and

WHEREAS, the Borough and GGA have entered into a Memorandum of Understanding dated April 10, 2007, which provides that GGA agrees to designate ten units from its existing occupied units which will assist the Borough in satisfying its COAH requirements, provided that the New Jersey Department of Community Affairs ("DCA") does not object to same, and GGA has provided the Borough with a letter dated June 22, 2007 designating units 11, 15, 17, 18, 27, 30, 37, 39, 48 and 49 as the units which will be set aside for COAH purposes; and

WHEREAS, GGA is currently operating the Project pursuant to the provisions of the Limited-Dividend Housing Corporations or Associations Law of the State of New Jersey (the "Limited-Dividend Law"), Chapter 184, Laws of 1949, as amended and supplemented, including but not limited to the savings clause adopted at the time the Limited-Dividend Law was to be replaced by the Long Term Tax Exemption Law, Chapter 431, Laws of 1991 (the "Long Term Act"), which Project is located within the municipality of the Borough of Glen Gardner, being Block 9, Lot 1.04, Parkside Drive; and

WHEREAS, an application was previously approved by the Public Housing Development Authority of the Department of Community Affairs of the State of New Jersey, pursuant to the Limited-Dividend Law, which resulted in the approval for GGA to undertake, and subsequently to refinance, the Project pursuant to the Limited-Dividend Act; and the authorization to refinance under the Regulatory Agreement dated December 13, 2002, entered into between Glen Gardner Associates and the New Jersey Department of Community Affairs was again confirmed by the New Jersey Department of Community Affairs on March 30, 2007, by William M. Connolly, Director, Division of Codes and Standards; and further authorized by Resolution of the Borough of Glen Gardner No. 2007-41 on April 3, 2007.

WHEREAS, there is and continues to exist in the State of New Jersey and in the Borough a shortage of housing affordable to low and moderate income households, which shortage is partially alleviated through the housing provided by the Project, which offers living accommodations to tenants who qualify as very low income, low income, and moderate income and are recipients of various types of rental assistance; and

WHEREAS, the Project continues to provide adequate, decent, safe and sanitary housing accommodations conducive to quality living at carrying charges or rents per month as approved by the New Jersey Department of Community Affairs; and

WHEREAS, GGA has entered into certain Use Restrictions, and a Regulatory Agreement with DCA, which provide a basis upon which the Project will still be affordable and available to qualified tenants of very low income, low income, and moderate income; and

WHEREAS, the Borough and GGA wish to memorialize their respective obligations with regard to the designated dwelling units in the Project which are to be set aside for COAH purposes, with the understanding that, in the event this Agreement is found to be in violation of any of the existing restrictions imposed by the DCA, the DCA restrictions shall govern this Agreement so that this Agreement will not cause a violation of any of the existing restrictions contained in the Regulatory Agreement, Restrictive Use Agreement or Restricted Deed; and good cause appearing

NOW, THEREFORE, BE IT AGREED by and between the Borough and GGA as follows:

1. The following units located at Parkside Court Apartments, Parkside Drive, Block 9, Lot 1.04, in the Borough of Glen Gardner, Hunterdon County, New Jersey, are hereby agreed to be set aside for COAH purposes: **units 11, 15, 17, 18, 27, 30, 37, 39, 48 and 49.**
 - (a) The following units are hereby designated as moderate income units: **17, 18, 27, 37 & 39.**
 - (b) The following units are hereby designated as low income units: **15, 30, 48 & 49.**
 - (c) The following unit shall be affordable to a household earning 30% or less of median income: **11.**

2. The above designated units shall be subject to affordability controls and shall be administered in accordance with such rules, regulations or statutes as are lawfully approved by the New Jersey Legislature or adopted and implemented by the New Jersey Council on Affordable Housing ("COAH") which are applicable to the Borough and in accordance with the regulations regarding low and moderate income housing units as set forth at N.J.A.C. 5:97, et seq., known as the "Substantive Rules of the New Jersey Council on Affordable Housing", and N.J.A.C. 5:80-26.1, et seq., known as the "Uniform Housing Affordability Controls", and the Borough's constitutional obligation to provide a fair share of affordable housing for low and moderate income households pursuant to the Fair Housing Act. The time period for the affordability controls shall be at least thirty (30) years, as follows: (1) the initial control period shall be for thirty (30) years from the date a unit is initially occupied by a qualified household or this Agreement, whichever is later; (2) low and moderate income households residing in the Project at the expiration of the thirty (30) year initial control period may continue to reside in the units for an indefinite period after the expiration of the thirty (30) year initial control period at the rents provided for by the UHAC Rules, N.J.A.C. 5:80-26.1, et seq.; and (3) the Owner and the Borough shall be entitled to mutually agree to extend the control period beyond the initial thirty (30) year period.
3. In the event of a vacancy in any of the above designated units, GGA shall immediately notify the Borough in writing of such vacancy. It shall be the responsibility of GGA to contact both the Municipal Housing Liaison and the Administrative Agent with whom the Borough has contracted to oversee and administer the income qualification of low and moderate income households and to place income eligible households in low and moderate income units as they become available during the period of affordability controls. The Administrative Agent shall provide GGA with income qualified candidates for each of the designated rental units, and shall notify the Municipal Housing Liaison in writing each time a unit turns over, with copies of the documentation of the income qualifications of the tenant as well as contact information for each tenant.

The contract between the Borough and the Administrative Agent shall require that a good faith effort be made to fill a vacant unit within 30 days of receipt of notification of the vacancy. The Administrative Agent selected by the Borough shall maintain an affirmatively marketed waiting list of qualified households at all times. The costs of the Administrative Agent's services to GGA shall be deducted from GGA's annual Service Fee in Lieu of Taxes payable to the Borough.

4. In the event this Agreement is found to conflict with the restrictions imposed by DCA, then the restrictions imposed by the DCA shall govern this Agreement so that this Agreement will not cause a violation of any of the existing restrictions between GGA and DCA contained in the Regulatory Agreement, Restrictive Use Agreement and/or Restrictive Deed. The units designated herein shall simultaneously satisfy the obligation of GGA to provide affordable housing pursuant to the Regulatory Agreement, as well as the Restrictive Use Agreement and Deed Restrictions.

5. Upon approval and signing of this Agreement by the parties hereto, and written approval of same by DCA, GGA agrees to execute and record in the Hunterdon County Clerk's office a deed restriction covering the above described units of the Project, in the form attached hereto as Exhibit A, or in such other form as shall conform to the current requirements of COAH.
6. Any affordable housing administration fee paid by GGA which is associated with the placement of a COAH qualified tenant in one of the designated COAH units shall be deducted from GGA's annual Service Fee in Lieu of Taxes payable to the Borough.
7. This Agreement shall be binding upon the Borough and GGA and all those who succeed to their right, title or interest.
8. The Borough and GGA each represent to the other that all necessary legal and corporate actions have been taken by their respective governing bodies to authorize this Agreement and the execution thereof; and that they will provide certified copies of such approvals to each other contemporaneously with the execution of this Agreement.
9. Any notice which may be required pursuant to this Agreement shall be given in writing by (a) personal delivery or by (b) reputable overnight delivery service with proof of delivery, sent to the intended addressee at the address set forth below, or to such other address or to the attention of such other person as the addressee shall have designated by written notice sent in accordance herewith, and shall be deemed to have been given upon receipt or refusal to accept delivery. Unless changed in accordance with the preceding sentence, the addresses for notices given pursuant to this Agreement shall be as follows:

To: Glen Gardner Associates, LLC
C/O Forest Realty Management, Inc.
4 Forest Drive
Springfield, New Jersey 07081

With a copy to attorney for Glen Gardner Associates, LLC:

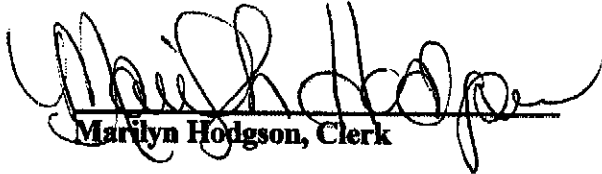
Michael C. Gaus, Esq.
61 Spring Street, P.O. Box 248
Newton, New Jersey 07860
Phone 973-579-1400
Facsimile 973-579-5748

To: Borough of Glen Gardner
83 Main Street, P.O. Box 307
Glen Gardner, New Jersey 08826

With a copy to: J. Peter Jost, Esq.
65 West Main Street
P.O. Box 5389
Clinton, New Jersey 08809
Phone 908-735-8876
Facsimile 908-735-7836

10. This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey.
11. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall nonetheless remain in full force and effect; provided that the invalidity or unenforceability of such provision does not materially adversely affect the benefits accruing to any party hereunder.

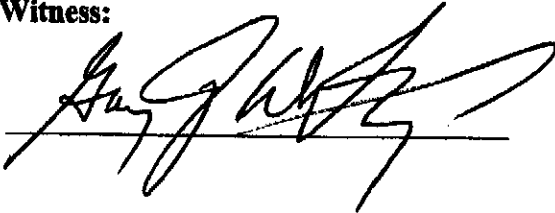
Attest:


Marilyn Hodgson, Clerk


Borough of Glen Gardner


Stanley S. Kovach, Mayor

Witness:



Glen Gardner Associates, LLC

By: 
Ferenc W. Wiedroga, Manager

STATE OF NEW JERSEY :

SS:

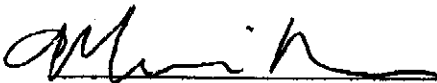
COUNTY OF :

Ferdinand Weisbrod

I CERTIFY that on *26th*, 2008, *November*, personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Manager of **Glen Gardner Associates, LLC**, the limited liability company named in this Performance Guarantee Agreement;
- (b) this Performance Guarantee Agreement was signed and delivered by the company as its voluntary act duly authorized by a proper resolution of the company;
- (c) this person knows the proper seal of the company which was affixed to this Performance Guarantee Agreement;
- (d) this person signed this proof to attest to the truth of these facts.

Signed and sworn to before me on
this *26th* day of *November* 2008.

_____

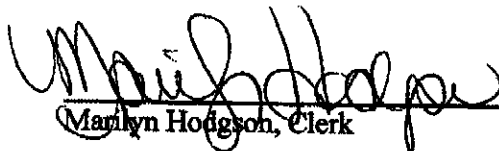
STATE OF NEW JERSEY :

SS:

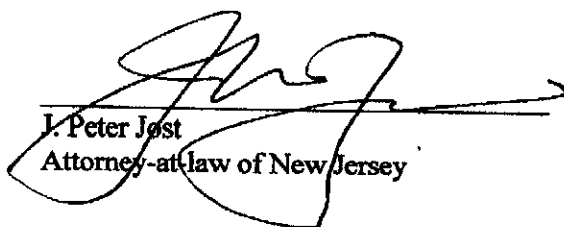
COUNTY OF *Hudson* :

I CERTIFY that on *Dec 16*, 2008, Marilyn Hodgson personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Municipal Clerk of the **Borough of Glen Gardner;**
- (b) this person is the attesting witness to the signing of this document by the Mayor of the **Borough of Glen Gardner;**
- (c) this document was signed and delivered by municipality as its voluntary act duly authorized by a proper resolution of its governing body;
- (d) this person signed this proof to attest to the truth of these facts.


Marilyn Hodgson, Clerk

Sworn and subscribed to before me
this *16* day of *December*, 2008


J. Peter Jost
Attorney-at-law of New Jersey