

**MINUTES OF THE 464th BOARD MEETING
OF THE
NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY**

January 16, 2020

- MEMBERS:
- * Robert Long (representing Lt. Governor Sheila Y. Oliver, Commissioner, DCA)
 - ** Aimee Manocchio Nason, Deputy Attorney General, (representing Gurbir S. Grewal, Attorney General)
 - *** Robert Shaughnessy, Assistant Deputy Director, Department of Treasury (representing Elizabeth Maher Muoio, State Treasurer)
 - **** Thomas Hunt, Assistant Director of the Office of Consumer Finance, Department of Banking and Insurance (representing Marlene Caride, Commissioner, Department of Banking and Insurance)
 - ***** Elisa Neira, Deputy Commissioner (representing Carole Johnson, Commissioner, Department of Human Services)

Stanley Weeks
Dorothy Blakeslee

HMFA STAFF
PRESENT:

Charles A Richman, Executive Director
Deb Urban, Chief of Legal and Regulatory Affairs
Katherine Brennan, Chief of Staff
Laura Shea, Chief of Programs
John Murray, Chief Financial Officer
Jeanette Nieves, Executive Board Secretary
Tanya Hudson – Murray, Director of Multifamily/Supportive Housing and Lending
Catherine Bernard, Assistant Director of MF Program Funding
Yadira Simmons, Assistant Director of Loan Closings
Jennifer Linett, Director of Loan Closings
Theresa Fink, Director of Finance
Donald Schlachter, Senior Director of Technical Services
Jonathan Sternesky, Manager of Policy and Legislative Affairs
Jourdan Campbell, Communications Assistant
Jean – Claud Michel – Graphic Designer – Temp
Jim Peasco, Senior Analyst II
Erica Boland, Digital Marketing Communications Coordinator
Amy Palmer, Manager Marketing & Communications
Justin Tierney, Manager of Single Family Mortgage Fulfillment
Andrea Baverov, Manager of Credit and Delinquent Assets
Julian Fowler, Credit Officer II

OTHERS
PRESENT:

Kavin Mistry, Assistant Attorney General, Attorney General's Office
Craig Ambrose, Assistant Counsel, Governor's Authority Unit
Vladimir Palma, Deputy Attorney General, Attorney General's Office
George Loeser, Deputy Attorney General, Attorney General's Office
Seth Gellis, Vice President - Community Preservation Partners, LLC
Victoria Brogan, Senior Vice President, New Jersey Hospital Association
Errol Navata

- * Letter of February 20, 2018 designating Robert Long to represent Lt. Governor Sheila Y. Oliver, Commissioner
- ** Letter of December 4, 2018 designating Aimee Manocchio Nason to represent Gurbir S. Grewal, Attorney General
- *** Letter of January 19, 2018 designating Robert Shaughnessy to represent the Acting State Treasurer, Elizabeth Maher Muoio
- **** Letter of January 24, 2018 designating Thomas Hunt to represent Marlene Caride, Commissioner, Department of Banking and Insurance
- ***** Letter of November 2, 2018, designating Elisa Neira to represent, Carole Johnson, Commissioner, Department of Human Services

January 16, 2020

Robert Long, Deputy Commissioner read the following into the minutes:

FLAG SALUTE

NOTICE OF PUBLIC MEETING

The New Jersey Housing and Mortgage Finance Agency gave notice of the time, place and date of this meeting by electronic mail, regular mail and hand delivery on January 9, 2020 to the Secretary of State of New Jersey, The Star Ledger, The Times, and the Courier Post, and by posting the notice at the office of the Agency in Trenton, New Jersey. Pursuant to the New Jersey Open Public Meetings Act, a resolution must be passed by the New Jersey Housing and Mortgage Finance Agency in order to hold a session from which the public is excluded.

ROLL CALL

APPROVAL OF MINUTES

APPROVAL OF THE PUBLIC SESSION MINUTES OF THE DECEMBER 19, 2019 MEETING OF THE HMFA BOARD – ITEM 1A.

Thomas Hunt moved and Robert Shaughnessy seconded. 1. Approval of the Public Session Minutes of the December 19, 2019 Meeting of the HMFA Board.

Aye – Robert Long, Thomas Hunt, Robert Shaughnessy, Elisa Neira, Aimee Manocchio-Nason, Dorothy Blakeslee

Nay – None

Abstained- None

SINGLE FAMILY

APPROVAL OF A SERVICE LEVEL AGREEMENT BETWEEN HMFA AND AOC – ITEM-2A

Thomas Hunt moved and Stanley Weeks seconded 1. Authorization for the New Jersey Housing and Mortgage Finance Agency (the “Agency”) to enter into a Service Level Agreement (“SLA”), in consultation with the Office of the Attorney General, Superior Court Clerk’s Office (“SCCO”), on behalf of the State of New Jersey Judiciary, Administrative Office of the Courts regarding the administration of the New Jersey Foreclosure Remediation Act, P.L. 2019, c. 64 (“Chapter 64”). 2. Authorization for the Executive Director to execute and deliver the SLA. 3. Authorization for the Executive Director, in consultation with the Office of the Attorney General, to take any and all actions necessary and execute any and all documents necessary to effectuate the terms of the SLA between the AOC and the Agency.

Aye – Robert Long, Thomas Hunt, Robert Shaughnessy, Elisa Neira, Aimee Manocchio-Nason, Dorothy Blakeslee

Nay – None

Abstained- None

MULTI FAMILY- FOUR PERCENT TAX CREDITS

HMFA #03442/SNHTF #511 – GEORGIA KING DEVELOPMENT OUTPARCEL DEVELOPMENT – APPROVAL OF A DECLARATION OF INTENT – ITEM-3A

Thomas Hunt moved and Aimee Manocchio – Nason seconded 1. Approval of a “Declaration of Intent” stating the intention of the Agency, subject to the availability of volume cap, to issue tax- exempt bonds in an estimated amount not to exceed \$16,701,000 in permanent financing for a project known as Georgia King Village Outparcel, HMFA #03442 (the “Project”), upon the terms and conditions set forth in the RFA. Approval of this "Declaration of Intent" will establish for tax purposes the eligibility of costs associated with pre-bond sale and development work on the Project. By this action, the Board expresses its present intent to issue bonds for this project and declares its intent that the DOI be determined to be a declaration of official intent under Treas. Reg. ' 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended. The ability of the Project to conform to the Agency's Multifamily Underwriting Guidelines and Financing Policy, as well as compliance with federal tax and other laws, has not yet been determined. This approval does not obligate the Agency to take any further action in connection with this Project, including any approval to allocate tax-exempt bond volume cap, to issue bonds or to provide first mortgage financing, gap financing or a tax credit allocation. This approval for a Declaration of Intent is not intended to give this Project any preference over any other project. 2. Approval of the request to waive the provision stipulated at N.J.A.C. 5:80-33.12(c)17, which restricts the new construction of affordable units in certain census tracts.

Aye – Robert Long, Thomas Hunt, Robert Shaughnessy, Elisa Neira, Aimee Manocchio-Nason, Dorothy Blakeslee
Nay – None
Abstained- None

HMFA #03447/SNHTF #512 – BERGEN FAMILY – APPROVAL OF A DECLARATION OF INTENT – ITEM-3B

Aimee Manocchio – Nason moved and Robert Shaughnessy seconded 1. Approval of a “Declaration of Intent” stating the intention of the Agency, subject to the availability of volume cap, to issue tax- exempt bonds in an estimated amount not to exceed \$15,972,000 in permanent financing for a project known as Bergen Family, HMFA #03447 (the “Project”), upon the terms and conditions set forth in the RFA. Approval of this "Declaration of Intent" will establish for tax purposes the eligibility of costs associated with pre-bond sale and development work on the Project. By this action, the Board expresses its present intent to issue bonds for this project and declares its intent that the DOI be determined to be a declaration of official intent under Treas. Reg. ' 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended. The ability of the Project to conform to the Agency's Multifamily Underwriting Guidelines and Financing Policy (the “Guidelines”), as well as compliance with federal tax and other laws, has not yet been determined. This approval does not obligate the Agency to take any further action in connection with this Project, including any approval to allocate tax-exempt bond volume cap, to issue bonds or to provide first mortgage financing, gap financing or a tax credit allocation.

This approval for a Declaration of Intent is not intended to give this Project any preference over any other project.

Aye – Robert Long, Thomas Hunt, Robert Shaughnessy, Elisa Neira, Aimee Manocchio-Nason, Dorothy Blakeslee
Nay – None
Abstained- None

HMFA #03440 – HOLLY HOUSE APARTMENTS – APPROVAL OF A DECLARATION OF INTENT – ITEM-3C

Robert Shaughnessy moved and Thomas Hunt seconded 1. Approval of a “Declaration of Intent” stating the intention of the Agency, subject to the availability of volume cap, to issue tax- exempt bonds in an estimated amount not to exceed \$6,924,000 in construction and permanent financing for a project known as Holly House Apartments, HMFA #03440 (the “Project”), upon the terms and conditions set forth in the RFA. Approval of this "Declaration of Intent" will establish for tax purposes the eligibility of costs associated with pre-bond sale and development work on the Project. By this action, the Board expresses its present intent to issue bonds for this project and declares its intent that the DOI be determined to be a declaration of official intent under Treas. Reg. ' 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended. The ability of the Project to conform to the Agency's Multifamily Underwriting Guidelines and Financing Policy (the “Guidelines”), as well as compliance with federal tax and other laws, has not yet been determined. This approval does not obligate the Agency to take any further action in connection with this Project, including any approval to allocate tax-exempt bond volume cap, to issue bonds or to provide first mortgage financing, gap financing or a tax credit allocation. This approval for a Declaration of Intent is not intended to give this Project any preference over any other project.

Aye – Robert Long, Thomas Hunt, Robert Shaughnessy, Elisa Neira, Aimee Manocchio-Nason, Dorothy Blakeslee
Nay – None
Abstained- None

MULTI FAMILY- FOUR PERCENT TAX CREDITS- CONDUIT

HMFA #03451 – NORMAN TOWERS – APPROVAL OF A DECLARATION OF INTENT – ITEM-4A

Thomas Hunt moved and Stanley Weeks seconded 1. Approval of a “Declaration of Intent” stating the intention of the Agency, subject to the availability of volume cap, to issue tax- exempt bonds in an estimated amount not to exceed \$88,334,000 in permanent financing for a project known as Norman Towers, HMFA #03451 (the “Project”), upon the terms and conditions set forth in the RFA. Approval of this "Declaration of Intent" will establish for tax purposes the eligibility of costs associated with pre-bond sale and development work on the Project. By this action, the Board expresses its present intent to issue bonds for this project, and declares its intent that the DOI be determined to be a declaration of official intent under Treas. Reg. ' 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended. The ability of the Project to conform to Conduit Bond Program, as well as compliance with federal tax and other laws, has not yet been determined. This approval does not obligate the Agency to take any further action in connection with this Project, including any approval to allocate tax-exempt

bond volume cap, to issue bonds or to provide first mortgage financing, gap financing or a tax credit allocation. This approval for a Declaration of Intent is not intended to give this Project any preference over any other project.

Aye – Robert Long, Thomas Hunt, Robert Shaughnessy, Elisa Neira, Aimee Manocchio-Nason, Dorothy Blakeslee

Nay – None

Abstained- None

DELINQUENT ASSETS

HMFA #1315 – THE ARBORS – APPROVAL OF A MORTGAGE LOAN DEFAULT AND WORKOUT-ITEM -5A

ITEM WAS PULLED

HMFA #1198– WATERFORD TOWERS – APPROVAL OF A DECLARATION OF DEFAULT - ITEM - 5B

Aimee Manocchio – Nason moved and Thomas Hunt seconded 1. Approval of a Declaration of Default with respect to a Promissory Note executed by James D. Demetrakis and Fred A. Daibes, (referred to herein as “Obligors”), with regard to Waterford Towers (HMFA #1198) (the “Project”). 2. Authorization for the Executive Director, Chief Financial Officer, the Chief of Legal and Regulatory Affairs, or the Chief of Programs to execute any and all documents such notices and other documents as may be determined, in consultation with the Attorney General’s Office, necessary to effectuate a Declaration of Default, including issuance of a Notice of Default to the Obligors in accordance with the Loan Documents (as defined below). 3. Authorization for the Executive Director, in consultation with the Attorney General’s Office, to take any and all legal and equitable actions, including, but not limited to, filing a suit and to exercise any and all remedies as set forth in the Loan Documents, with respect to the Project. 4. Authorization for the Executive Director, Chief Financial Officer, the Chief of Legal and Regulatory Affairs, and the Chief of Programs to negotiate and execute a settlement agreement (the “Settlement Agreement”) with James D. Demetrakis and Fred A. Daibes upon such terms as Agency staff may deem appropriate, to take such actions and execute such documents as may be necessary or desirable in order to implement such a settlement agreement.

Aye – Robert Long, Thomas Hunt, Robert Shaughnessy, Elisa Neira, Aimee Manocchio-Nason

Nay – None

Abstained- Dorothy Blakeslee

ANNUAL MEETING

APPROVAL OF A SCHEDULE OF REGULAR BOARD MEETINGS FOR 2020 AND DESIGNATION OF THE AGENCY'S OFFICIAL NEWSPAPERS - ITEM -6A

Stanley Weeks moved and Robert Shaughnessy seconded 1. Approval of the schedule of regular Agency Board meetings for the calendar year 2020. 2. Approval to designate The Star Ledger, The Courier Post, and The Times as the Agency's official newspapers.

Aye – Robert Long, Thomas Hunt, Robert Shaughnessy, Elisa Neira, Aimee Manocchio-Nason, Dorothy Blakeslee

Nay – None

Abstained- None

ELECTION OF THE VICE CHAIRMAN - ITEM -6B

Thomas Hunt moved and Aimee Manocchio- Nason seconded 1. Election of the Vice-Chairman for the New Jersey Housing and Mortgage Finance Agency.

Aye – Robert Long, Thomas Hunt, Robert Shaughnessy, Elisa Neira, Aimee Manocchio-Nason, Dorothy Blakeslee

Nay – None

Abstained- None

OTHER BUSINESS

RESOLUTION OF APPRECIATION FOR ERROL NAVATA - ITEM -7A

Thomas Hunt moved and Robert Shaughnessy seconded

Aye – Robert Long, Thomas Hunt, Robert Shaughnessy, Elisa Neira, Aimee Manocchio-Nason, Dorothy Blakeslee

Nay – None

Abstained- None

The Board members were provided a copy of a letter from Jeffrey Feld, Esquire. Mr. Feld's letter was made a part of the record of this meeting.

RESOLUTION OF THE NEW JERSEY HOUSING AND MORTGAGE
FINANCE AGENCY REGARDING APPROVAL TO ENTER INTO
EXECUTIVE SESSION

WHEREAS, on January 16, 2020, a meeting of the Members of the New Jersey Housing and Mortgage Finance Agency was held; and

WHEREAS, the Members were asked to adopt a resolution regarding approval of a motion to adjourn to Executive Session.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY AS FOLLOWS:

WHEREAS, pursuant to N.J.S.A. 10:4-12 and 10:4-13 of the Open Public Meetings Act, the Agency intends to obtain legal advice pertaining to settlement of litigation in the matter of Macasegri, LLC v. NJDCA, NJHMFA

NOW, THEREFORE, be it resolved by the Members of the New Jersey Housing and Mortgage Finance Agency as follows:

1. A closed session shall be held by the Agency for the purposes set forth above.
2. The discussions undertaken at the closed session will be disclosed when the need for confidentiality no longer exists.

Stanley Weeks moved and Aimee Manocchio-Nason seconded a motion to move into Executive Session at 10:34 am

Aye – Robert Long, Thomas Hunt, Robert Shaughnessy, Elisa Neira, Aimee Manocchio-Nason, Dorothy Blakeslee

Nay – None

Abstained- None

RECONVENE TO PUBLIC SESSION

Thomas Hunt moved and Robert Shaughnessy seconded a motion to Reconvene to Public Session at 10:47 am

Aye – Robert Long, Thomas Hunt, Robert Shaughnessy, Elisa Neira, Aimee Manocchio-Nason, Dorothy Blakeslee

Nay – None

Abstained- None

MACASEGRI, LLC V. NJDCA, NJHMFA –ITEM 9A

Thomas Hunt moved and Stanly Weeks seconded

Aye – Robert Long, Thomas Hunt, Robert Shaughnessy, Elisa Neira, Aimee Manocchio-Nason, Dorothy Blakeslee

Nay – None

Abstained- None

MOTION TO ADJOURN

Thomas Hunt moved and Robert Shaughnessy seconded a motion to adjourn at 10:49 am

Aye – Robert Long, Thomas Hunt, Robert Shaughnessy, Elisa Neira, Aimee Manocchio-Nason, Dorothy Blakeslee

Nay – None

Abstained- None



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 800
TRENTON, NJ 08625-0800
(609) 292-6420

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

February 20, 2018

Claudia Lovas, Acting Executive Director
NJ Housing and Mortgage Finance Agency
PO Box 18550
Trenton, New Jersey 08625

Dear Acting Executive Director Lovas:

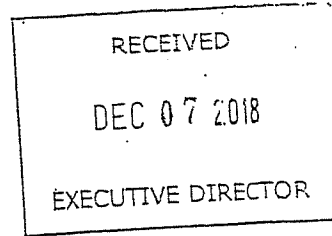
Please accept this letter as formal notification that Deputy Commissioner Robert Long will represent me at the NJHMFA Board Meetings until further notice.

If you have any questions, please do not hesitate to call my office.

Sincerely,

Lt. Governor Sheila Y. Oliver
Commissioner





State of New Jersey
 OFFICE OF THE ATTORNEY GENERAL
 DEPARTMENT OF LAW AND PUBLIC SAFETY
 PO Box 080
 TRENTON NJ 08625-0080

PHILIP D. MURPHY
 Governor

SHEILA Y. OLIVER
 Lt. Governor

GURBIR S. GREWAL
 Attorney General

December 4, 2018

Sheila Y. Oliver, Lieutenant Governor
 Chair
 New Jersey Housing and Mortgage Finance Agency
 637-South Clinton Avenue
 P.O. Box 18550
 Trenton, New Jersey 08650-2085

Dear Lieutenant Governor Oliver:

I am writing to appoint my designee to serve on the board of the New Jersey Housing and Mortgage Finance Agency (the "Agency").

I hereby appoint Susan K. Fischer, Assistant Attorney General as my designee to serve on the board of the Agency. AAG Fischer is authorized to represent me in my absence at the meetings of the Agency, to vote in my stead, and to otherwise act on my behalf. In the event of AAG Fischer's absence, Aimee Manocchio Nason, Deputy Attorney General is authorized to represent me in my absence at the meetings of the Agency, to vote in my stead, and to otherwise act on my behalf. In the event of the absence of AAG Fischer and DAG Manocchio Nason, Kavin K. Mistry, Assistant Attorney General & Deputy Director, Division of Law is authorized to represent me in my absence at the meetings of the Agency, to vote in my stead, and to otherwise act on my behalf.

Sincerely,

Gurbir S. Grewal
 Attorney General

- c: Michelle L. Miller, Director, Division of Law
- Elissa Westbrook Smith, Chief of Staff, Division of Law
- Kavin K. Mistry, Deputy Director, Division of Law
- Susan K. Fischer, Assistant Attorney General
- Aimee Manocchio Nason, Deputy Attorney General
- Jonathan Garelick, Deputy Chief of Staff, Office of the Attorney General
- Charles Richman, Executive Director, NJHMFA





State of New Jersey
Office of the State Treasurer
PO BOX 002
TRENTON NJ 08625-0002

PHILIP D. MURPHY
Governor
Sheila Y. Oliver
Lt. Governor

Elizabeth Maher Muoio
Acting State Treasurer

January 19, 2018

Claudia Lovas, Acting Executive Director
NJ Housing and Mortgage Finance Agency
637 South Clinton Avenue
PO Box 18550
Trenton, NJ 08650

Dear Acting Executive Director Lovas:

I hereby designate Robert Shaughnessy, Department of Treasury to act as my permanent designee at all the meetings of the New Jersey Housing and Mortgage Finance Agency.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Maher Muoio".

Elizabeth Maher Muoio
Acting State Treasurer



State of New Jersey
DEPARTMENT OF BANKING AND INSURANCE
OFFICE OF THE COMMISSIONER
PO BOX 325
TRENTON, NJ 08625-0325
TEL (609) 292-7272

PHIL MORPHY
Governor

SHEILA OLIVER
Lt. Governor

MARLENE CARIDE
Acting Commissioner

January 24, 2018

Claudia Lovas, Acting Executive Director
NJ Housing Mortgage and Finance Agency
637 South Clinton Avenue
PO Box 18550
Trenton, NJ 08650

Re: NJ HMFA Board Meeting Designee

Dear Ms. Lovas:

My designee for the New Jersey Housing Mortgage and Finance Agency Board meetings is Thomas M. Hunt, Assistant Division Director, Office of Consumer Finance, Division of Banking.

If you have any questions, please do not hesitate to call Mr. Hunt at (609) 292-7272, Ext. 50223.

Very truly yours,

A handwritten signature in cursive script that reads "Marlene Caride".

Marlene Caride
Acting Commissioner

cc:

Patrick Mullen, Director of Banking
Thomas M. Hunt, Assistant Division Director, Office of Consumer Finance,
Division of Banking



State of New Jersey
Department of Human Services

P.O. BOX 700
TRENTON NJ 08625-0700

PHILIP D. MURPHY
Governor

Carole Johnson
Commissioner

Sheila Y. Oliver
Lt. Governor

November 2, 2018

Charles A. Richman
Executive Director
New Jersey Housing and Mortgage Finance Agency
637 South Clinton Avenue
P.O. Box 18550
Trenton, NJ 08650-2085

Dear Mr. Richman:

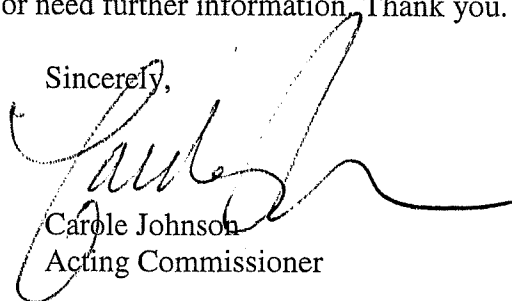
Please be advised that I have designated Elisa Neira as the Department of Human Services' representative for the New Jersey Housing and Mortgage Finance Agency Board. Should Ms. Neira not be available, Steve Shultz will serve as the alternate.

Meeting materials should be sent to the following mailing address:

Elisa Neira
NJ Department of Human Services
P.O. Box 700
Trenton, New Jersey 08625
609-984-5550 – Office
Elisa.Neira@dhs.state.nj.us

Please let me know if you have any questions or need further information. Thank you.

Sincerely,



Carole Johnson
Acting Commissioner

CJ/lk

c: Jill Shortway Ippolito
Elisa Neira
Steven Shultz
Lynn Kotch