

NATIONAL BLACK ASSEMBLY LAW & JUSTICE COMMITTEE

Kawaida Towers Inquiry
Monday, April 16, 1973
NewArk, New Jersey

Board of Inquiry: Irv Joyner - Chairman

Preston Wilcox

Leon Modeste

Hulbert James

Inquiry into the Kawaida Towers situation was called to order by Irv Joyner at 10:55 AM in the Buffet Room of the Gateway 1, NewArk, New Jersey.

A telegram from Congressman Parren Mitchell, who also was to have been on the Board of Inquiry, was read expressing his regrets for not being able to attend due to the Economy Stabilization Act being on the floor for vote, and on behalf of the Congressional Black Caucus will support and actively push for congressional intervention based on the conclusions and recommendations of the Board of Inquiry.

After introduction of the panel, the first set of witnesses were called for testimony:

Raymond Brown, Attorney for Kawaida Towers, Inc.
Vernon Clash of Gershen Associates, Inc.
James V. Martin of Botelli & Martin Firm
Kaimu Mtetezi, Vice President of Kawaida Towers, Inc.
Majenzi Kuumba, Architect for Kawaida Towers, Inc.

ATTORNEY RAYMOND BROWN

One of the most severe inferences that the public has had about Kawaida Towers is that it was deliberately designed and implanted in the North Ward of NewArk for purposes of achieving a confrontation between, of all people, Imamu Baraka and a certain person known in some quarters as the "white whale", who then met as individuals to fight over a piece of ground. There is nothing which is more untrue about this particular venture than that.

The concept for Kawaida Towers originated out of the recognition of Imamu Baraka and others of the dire need for housing in NewArk and the obvious fact that under Urban Renewal there had been little or no building in NewArk to replace the devastation which had been brought by the first steps of Urban Renewal, which resulted in the destruction of many, many areas which provided at least buildings and probably homes for many, many people.

Imamu Baraka considered the fact that nothing had been done or accomplished and asked if there might be a way to alter this. It was my experience that there was a way around it and that was to acquire land sponsored by the Housing Finance Agency in the State; and if we were able to acquire a design that could fit an area which we could acquire and ultimately sustain financially, we would do this. My firm was then retained by Kawaida Towers, Inc. and commissioned to try to accomplish this project.

The firm of Alvin Gershen Associates in Trenton was to work for us, which in turn introduced the firm of Botelli and Martin.

The reason the panel was formed initially is to give first hand information as to how the building and project was conceived so you will understand that there were no deep political, ethnic issues except those that were trying to provide housing that Urban Renewal had acquired and not rehabilitated. NewArk is trying to erect housing.

We started in 1971. By September 1971 we had not only achieved the impossible of getting people to work, but received the Tax Abatement from the City of NewArk. We had completed the planning, got the land, and got the Tax Abatement. At that time, the general public knew nothing about what was happening, but everybody else did. In fact, they had all approved in a completely legal and honest way all of the steps that were taken.

Vernon Clash and Jaime Martin are very important because they participated in the early stages. Botelli & Martin firm furnished designs which were already completed and approved for erection of a building in Jersey City. With a Black architect and those who had the design, we got the design for completing a modern building.

Gershen's firm helped to search for a piece of land. It was a piece of land and in the beginning was not identified as being in the North Ward. Padula had attempted to put up a building on it, but had to abandon the idea. Mr. Mayer had the land. Through Gershen's firm being in touch with Mayer, he asked a certain price. Joseph Renna of the State Housing Finance Agency thought it was too high. A price was finally acceptable to Mayer and Renna. At this point, Imamu Baraka knew nothing more about land than you do. He hired architects, Botelli and Martin, a developer, and Alvin Gershen Associates, then acquired the land. There was no question of what we were doing.

The land to be a piece of land that would allow us to put into effect the design that had already been accepted. At this point Kawaida Towers, Inc. was formed and Imamu Baraka informed that the people he had hired to do the job had this project under way.

It was at this point that we knew physically it was located in the North Ward. During this period the City Council voted unanimously to give Tax Abatement to Kawaida Towers. The corporation was approved. Meetings were held at the Mayor's Office consisting of Botelli & Martin, Lucarelli, Housing Finance Agency. First meetings involved about 25 people, in Mayor Gibson's office; so everybody knew what was happening.

Then the date comes up to October 12 (ground breaking) which someone else will develop.

In simple, technical terms, this building was designed and modified and prepared for erection in unusually swift time. The State Courts have held that the Tax Abatement was given knowingly by the City Council; and attempt to rescind it has been denied and Tax Abatement stands. Although under the most severe challenge ever against any building ever erected in the city, state or country, it has been found to be legally correct and technically correct. One of the purposes is to find out why a building so perfected should be stopped by the actions of people acting unlogically.

The pre October 1972 account is of great importance so that this inquiry might judge whether those impeding the development of the building are right or not. Certainly that conclusion will be drawn by those who are conducting the inquiry. What will follow later will tell you what happened as to our saying at a Ground Breaking "We are about to erect this building". I think the panel and Congressional Members interested will find that it has been done legally and there is no reason for this politically motivated intervention. This is the preliminary part that has never been revealed to a responsive inquiry. You find from the people who did the work what the concept is of the design, preparation, and the work that brought us up to October 1972.

Questions from Board:

Q. In the numerous conversations with governmental officials, Housing Finance Agency - how many conversations were there and what was their nature? Or should this be referred to somebody else?

A. It should be referred to somebody else. Vernon Clash representing Alven Gershen Associates will go into it. The original concept required that we meet in the Mayor's Office with representatives of the Housing Finance Agency, members of the Mayor's legal staff - Judge Walls, community members, members of the Council, members of the architectural contractor development team, and community people, and in open and public fashion so it could be made clear to the entire community and all officially involved and concerned.

Mayor Gibson gave unequivocal approval and the Housing Finance Agency, with no questions or objections. No problems with anything. Although this was not a public meeting, members of the public were present. From then on, transactions were done publicly with absolute notice to everybody as to what was happening.

The ground was negotiated for without the knowledge of any officials of Kawaida Towers. They turned the matter over to the technical staff. Crooms, the architect, is here to tell you there were long and arduous meetings at which everyone was present. This is important because the impression was given that this was an instrument of confrontation between Imamu Baraka and others. There could be no more false assumption, no more terrible assumption than one of the side effects will, now that the whole thing has been done so well that nobody will ever be able to shake it for legal reasons, or for any other purpose. We were faced head on with a perfectly legal, perfectly effected machine which has already been accomplished, but being frustrated in matters that will be explained later.

- Q. Regarding the size of the building, people used this as grounds for opposition - that the building was out of proportion to surrounding buildings. In conversations with the Mayor and City officials in 1971, was any mention made about the size?
- A. None whatsoever. And it's important to remember that the technical staff are the experts of the development of that. Every requirement was met, every question conformed with and when there's talk about "high rise" we sometimes want to ask them what some of the buildings White people are living in are if not high rise. Technicians will respond directly.
- Q. Were any questions raised about the physical location?
- A. None. If it wasn't Imamu Baraka and Kawaida they wouldn't care where it was located. But the answer is no. For almost a year and a half not one single word about location, size, design, or any aspect of this effort whatsoever. Not one question raised.
- Q. When you describe the process by which the land was secured, it seems that no one had a choice, the land made the choice?
- A. The land made the choice because it was the one piece available because the architects Botelli & Martin and Lucarelli were aware of it through their technical association, because Padula had attempted to build and we took over what had been an abandoned process and were able to be successful; which was owned by private people, which we purchased with Housing Finance Agency backing. Not one deviation from the process followed from Jersey City

or anywhere else. It will be erected exactly like a similar building in Jersey City, which is almost a sister building except for modifications and changes made by Crooms representing Kawaida Towers, Inc. to conform it to the needs of a community. Other than that, it's exactly the same. And the land found the buyer because it was available.

PRESBYTERY OF NEWARK
24 May 1973

M E M O R A N D U M

T O North Newark Clergy Group
F R O M Frank G. Gibson, Jr.
R E Kawaida Towers income ceilings

Mr. William Clark, Director of Management of the New Jersey Housing Finance Agency has indicated to me that the Kawaida Towers income ceilings--after 5% for allowances and \$300.00 per minor--may not exceed the following for subsidized or 90-95% of the rentals:

<u>number of persons per unit</u>	<u>income ceiling</u>
1	6960
2	8400
3-4	9900

Somewhere between 5-10% of the units will be rented to occupants at full market value, and in these cases income ceilings will be appreciably above the income ceilings for subsidized rentals.

fgg/pl