

Minutes of the Special Meeting of the Borough Council held July 23rd 2014 at 6:00 p.m. in the Council Chambers, Borough Hall, 531 Speedwell Avenue, Morris Plains, New Jersey.

Pledge of Allegiance and Prayer.

Mayor Frank J. Druetzler called the meeting to order and read the following notice:

“I HEREBY ANNOUNCE AND STATE THAT ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED BY THE CLERK OF THIS BOROUGH BY PREPARING A NOTICE DATED JUNE 27TH 2014 SPECIFYING THE TIME, DATE AND PLACE OF THIS MEETING; POSTING SUCH NOTICE ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING; FORWARDING THE NOTICE TO MORRIS COUNTY’S DAILY REOCD AND THE MORRIS NEWS BEE; AND FORWARDING, BY MAIL, THE SAID NOTICE TO ALL PERSONS ON THE REQUEST LIST; AND I HEREBY HAND A COPY OF SUCH NOTICE TO THE CLERK OF THE BOROUGH OF MORRIS PLAINS FOR INCLUSION IN THE MINUTES OF THIS MEETING, ALL OF THE ABOVE ACTIONS BEING IN ACCORDANCE WITH N.J.S.A. 10:4-6, ET SEQ.”

“NOTICE IS HEREBY GIVEN THAT THE GOVERNING BODY OF THE BOROUGH OF MORRIS PLAINS SHALL HOLD A SPECIAL MEETING AT 6:00 P.M. ON WEDNESDAY, JULY 23RD 2014, IN THE COUNCIL CHAMBERS, BOROUGH HALL, 531 SPEEDWELL AVENUE, MORRIS PLAINS, NEW JERSEY, FOR THE PURPOSE OF REVIEWING THE MADISON AFFORDABLE HOUSING CORPORATION APPLICATION TO THE MORRIS PLAIS PLANNING BOARD AND ANY OTHER MATTERS WHICH MAY COME BEFORE THE GOVERNING BODY. FORMAL ACTION MAY BE TAKEN

Present on Roll Call:

Mayor Frank J. Druetzler

Councilmembers: George J. Coogan

Joseph Cecala, Jr.

Laurie J. Fu

Jason C. Karr

Suzanne B. McCluskey

Absent: Councilmember Mangravite

Present: Gail H. Fraser, Esq., Borough Attorney

APPROVAL OF MINUTES

Councilmember Coogan moved:

BE IT RESOLVED THAT the minutes of the Executive, Conference and the Regular Meetings of July 17th 2014 be approved.

Seconded by Councilmember Cecala. So ordered.

Voice vote. All in favor with the exception of Councilmember Mangravite who was absent. Motion carried.

Councilmember Coogan moved:

APPROVAL OF CONSENT CALENDAR

BE IT RESOLVED by the Mayor and Council of the Borough of Morris Plains, that the attached reports be accepted and that said reports be kept on file in the Clerk's Office:

REPORTS

Fire Prevention, July 2014

THAT having received quotes for the purchase of a 14" TS 700 Quick Cut with cart from the following:

Northeastern Arborist Supply	\$1,759.43
Power Place, Inc.	\$1,964.92

THAT a purchase order be issued to Northeastern Arborist Supply, Woodland Park, N.J. in the amount of \$1,759.43.

THAT having received bids for contract D.2014, New Natural Gas-Fired Boiler System, Morris Plains community Center, that all bids be rejected as follows: the bid of the lowest bidder Webster Plumbing & Heating, Inc. be rejected for failure to submit mandatory non-waivable documents, and the bid of the next lowest bidder Burlew Mechanical LLC be rejected as the bid proposal substantially exceeds the Borough's estimate of the work by 22.5%.

THAT having received bids for Contract E.2014, New Compact Tractor with accessories and attachments, that a contract be awarded to harter Equipment, Inc. for their lowest responsible and responsive bid price in the amount of \$41,144.00 and that the Mayor and Clerk are authorized to execute the necessary contract in the form approved by the Borough Attorney.

THAT the Morris Plains Block Dance Committee in conjunction with the Borough of Morris Plains be granted permission to hold a Block Dance at the Speedwell Avenue Extension on Saturday, August 30th 2014, from 6:15 P.M. to 9:30 P.M., with a rain date of Sunday, August 31st 2014, and that permission be granted to serve alcoholic beverages and that barricades be provided.

THAT the Borough Treasurer be authorized to advertise for the re-bid of Contract D.2014-1 New Natural Gas-Fired Boiler System for the Morris Plains Community Center, 51 Jim Fear Drive, Morris Plains, with bids to be received on Wednesday, August 20th 2014, up to 10:00 A.M. in the Council Chambers.

Seconded by Councilmember McCluskey.

Yeas: Councilmembers Coogan, Cecala, Fu, Karr, McCluskey
Nays: None
Abstain: None
Absent: Councilmember Mangravite

Mayor Druetzler advised that Councilmember Mangravite is on vacation and will not be present at this meeting.

REPORTS OF COMMITTEES AND/OR DEPARTMENT HEADS

Finance

Councilmember Karr advised he had no report for this meeting.

Public Safety

Councilmember McCluskey advised she had no report for this meeting.

Public Works

Councilmember Cecala provided information about the Quick Cut referred to in the Consent Calendar. He advised he has contacted the Police Chief (who is on vacation) requesting a meeting in late August to discuss the annual deer cull program.

Mr. Hall reported on the status of road projects.

Ms. Fraser advised she is still awaiting a current insurance certificate from the Speedwell Avenue project contractor.

Public Buildings & Grounds

Councilmember Fu advised she had no report for this meeting.

Public Health, Sanitation & Sewers

In the absence of Councilman Mangravite, there was no report.

Ordinance & Public Utilities

Councilmember Coogan advised that he was informed this evening that the contract for the generator in this building has been done. He commented on the Borough Attorney's diligent attention to this task and thanked her for her hard work.

PRESENTATION – MADISON AFFORDABLE HOUSING

Mr. Lou Riccio introduced himself to the Council and the public. And provided background on the project and what has been occurring over the past several months.

Mr. Riccio advised that they have been working on the design of buildings that will meet the needs of the community. The unit configuration, the square footage, and the unit breakdown (number of bedrooms) all are mandated by the State. The Council on Affordable Housing (COAH) says if you plan to build a certain number of units – 56 units in this case – a certain number must be one bedroom, a certain number must be two bedrooms, and a certain number must be three bedrooms. There is a minimum square footage established for each unit/apartment. In the case of the proposed buildings the minimum square footages have been increased a bit.

Continuing, Mr. Riccio commented the buildings will be located at 260 Tabor Road, a beautiful site. The buildings will be approximately 70' from the roadway (Tabor Road). He provided information regarding parking stating they will be doing 200% -- almost 100 parking spaces for 56 units. He displayed a color rendering.

Mr. William Charleroy, AIA architect, provided commentary on the exhibit displayed. It shows street elevation. There will be a one-story lobby area connecting the two buildings. One building will be designated the North building and the other the South building. The buildings will be four stories, wood frame, modular units that will be approximately 12' high, and a portion of the exterior will be brick. He advised he has the floor plans with him at this meeting.

Mr. Riccio stated it is unique that the units are modular units. They visited the plant in Pennsylvania that will be building these units. He explained the apartment building concept of "boxes" – two partial apartments and a corridor; there will be 92 "boxes" in total. He provided details of how the building process would proceed, especially in placing the "boxes."

Cross discussion about exactly how many "boxes" will be needed. The end conclusion was that there will indeed be 92 "boxes."

Mr. Charleroy provided additional commentary on certain layout features of the floor plans. Both buildings will share a patio area. Each building will have its own elevators and egress stairways. He provided information about common space, including laundry facilities and basement area. There will be no storage space for residents. He displayed second and third floor plans, providing commentary concerning the floor plans. The plans present a relatively simple concept. The reason for the use of the modular units is to help save money.

Continuing, Mr. Charleroy advised the modular units will have all the kitchens installed, all the bathrooms installed, all the finishes installed and be painted; additional work will be needed regarding utilities. The buildings will be all-wood construction. He provided information concerning air conditioning and heating.

Mr. Riccio commented on utility costs using his building in Madison as an example, and he advised this past winter's heating costs for a pretty cold winter were on average about \$90 per month while air conditioning runs about \$110 per month. He also provided other details in regard to utilities. He advised that in accordance with the COAH guidelines there will be a utility allowance to residents, but this allowance can be re-adjusted after the first year as necessary.

Councilmember McCluskey asked if it is the South building that is the building for the age restricted, correct? Are these all one-bedroom units?

Mr. Charleroy responded that this is correct. They are all one-bedroom units.

Mr. Riccio added that "this is affordable housing". If this were a private apartment complex and the per-month cost charged could be higher, he would make all the units two- and three-bedroom units, but due to the rents to be charged, this is not a possibility in this situation. Although the numbers are still being worked on, some of the rents probably will be as low as \$430 per month based on COAH guidelines. The rents will most likely range from a low of \$430 per month for a one- bedroom to a maximum of only \$1,212 for a three-bedroom unit. These rents are set by the State and there is nothing that can be done about it; the developer must abide by these rent calculations. He gave commentary on the existing senior buildings in Madison stating that accommodations can be made to permit visitors to visit and stay (sofa beds, twin beds, and the like). He advised there will be eight three-bedroom units, 19 one-bedroom units in the age restricted building, and there are nine one-bedroom units in the non-age restricted area/family side.

Continuing, Mr. Riccio advised that overall the biggest need is for two-bedroom units, then one-bedroom units for non-elderly individuals – there are a significant number of single individuals and many married couples. He does not believe there is a market for two-bedroom age restricted units. He added that right now the demand for senior one-bedroom units is at an all-time low; getting on the waiting list in Madison now would get a person into an apartment within two years. In the recent immediate past the wait time was closer to five to six years.

Mr. Rupnarain referred to the grey-shaded area represents the footprint of the buildings, roughly 30,000 SF. He pointed out the age-restricted section and the non-age-restricted section. The lobby is the smaller section in the middle. Most of the property is relatively flat; however part of a building will be pushed back into the slope/mountain area. He discussed the grading that will need to be done. He also commented on roof leaders, the drainage system(s), a retaining wall at the back of the buildings, and soil disturbance.

Mayor Druetzler asked about the existing drainage and whether they are planning to use this drainage. He commented that this drainage is very deep.

Mr. Rupnarain responded they cannot use this drainage; they are just not in the right spots. He explained why the spots are not right. He offered to check to determine if any of it is salvageable.

Cross discussion about the drainage issues, including that the back section where the blacktop is currently will go down about 3', grading issues, footprint of the buildings, the retaining wall (if determined it is not needed, it will not be installed), and existing sheer rock,

Continuing, Mr. Rupnarain commented on the existing driveways leading to/from Route 53 (Tabor Road); they will be retained with the wider of the two driveways being both in and out while the other driveway will be a one-way in only entry (the northerly entrance). There will be angular parking toward the building. There will also be handicapped parking spaces. He does not believe any changes will be needed to the pavement or the curbing within the State right-of-way. He spoke about certain State permits they will need to acquire; he has already met with the Department of Transportation (DOT) to share details of this project. He cannot answer at this point in time as to what the State will require drainage-wise. No stormwater management is being proposed. The impervious surface will be increased by roughly 6,200 SF. He hopes there will be a response from the State within several weeks as to what the State will mandate.

Mayor Druetzler asked about the catch basins out front and whether they go over to the detention basin across the street.

Mr. Rupnarain replied that he believes the ones in the northerly entrance do; he does not think any others do.

Mr. Hall provided some additional information.

Mr. Rupnarain advised they are proposing a landscaping berm in a specific area. It will be approximately 3' high maximum due to very limited space. He also gave some details about other landscaping.

Mayor Druetzler and Councilmember Fu advised of the availability of trees that will be able to be planted at this site, so do not purchase any trees.

Mayor Druetzler asked about lighting in the parking lot stating he believes it is a bad idea. The original site had a pole with two lights and this seemed to work well for that site. He suggested they re-think their current lighting plan and the structures proposed. He said many lighting structures/poles wind up being knocked down over time, and they also complicate snow plowing efforts.

Mr. Rupnarain provided information on their proposed lighting and their reasoning for these plans. He is open to further reconsideration of their lighting plan, however.

Mr. Riccio spoke about a sprinkler pump(s), utility meters, and a possible water pump that would be located in the basement area along with the laundry rooms. One building will have a full basement and the other will have a partial basement.

Mr. Riccio advised he will be working over the next few months to complete all the details; they will appear before the Planning Board at its August meeting. When the Planning Board approves their plan, they will appear once again before the Governing Body and then finalize all the plans. Site

work will begin after that, probably in October 2014 and would likely include knocking out the foundations, start doing the grading and the cutting of the mountain and getting the foundations in. If the foundations can be in place by the end of December and the weather cooperates, the modular units could be ordered in December. It will take several months for the modular units to be built with the first ones to be delivered in March 2015. There will need to be storage area for the 30 “x” number of “boxes” for the South building. In April the building will begin. The stair towers and elevator shafts will be built simultaneously.

Continuing, Mr. Riccio stated the biggest problem will be a cost problem – the prevailing wage issue. He explained details about this issue. In July, August, September, and October 2015 the rest of the building will be done. Over the next five months the buildings and other construction work will be finished. He anticipates occupancy to take place at some time in the first quarter of 2016. He believes this will be a very fast-moving project, one of the fastest turn-arounds he has seen in his working in this field since 1976. Around October-November 2015, notices will be sent out to Borough residents – this development must be opened to everyone in Region II – Morris County, Union County, Essex County, and Warren County. When they open up applications, everyone will be able to apply at the same time. Applications will be accepted for a limited period of time. He provided information about similar housing in Denville.

Councilmember Coogan asked for an explanation of “affordable housing” and “public housing” and the income of the applicants.

Mr. Riccio stated that with public housing the resident pays 30% of their income toward the rent. If their income is zero, the resident pays no rent. If a family of four has an income of \$30,000 per year, the rent would be \$9,000 per year toward their rent, about \$700 per month. With COAH affordable housing it is totally different. There is a set rent that all must pay and there are maximum and minimum income levels. If rent is set at \$500 per month, a resident cannot pay more than 35% of their income toward rent. There will be people whose incomes are so low that they cannot afford/be eligible to live here. Rents cannot be set low enough to accommodate everyone.

Councilmember Coogan asked if income equals actual income or does it include/mean assets or a combination of the two?

Mr. Riccio responded that it is a combination of the two. He provided additional information on the calculations that are done to determine a person’s eligibility. There is an asset limitation; he believes one cannot have assets in excess of \$164,000 and be eligible for affordable housing. He explained all the various notifications that will need to be provided to the four counties in Region II and the process itself of dealing with the applications received. When the selection process is done, it is done publicly – most likely at the Council Chambers or at the Community Center. It will be a laborious process of numerous verifications and certifications. This process removes any chance of accusations being made of favoritism or discrimination since it is strictly an objective number – a family getting a 61 would be eligible; a family getting a 59 is ineligible.

Councilmember McCluskey asked if residents must continue to be eligible?

Mr. Riccio stated that once you are living in the building there are no continued occupancy requirements. He said the biggest turnover is with the three-bedroom units, next in the two-bedroom units, with the least turnover being the one-bedroom units. He provided information concerning potential residents being “ready” to move into the affordable housing, waiting list issues, and age restricted and non-age-restricted issues. A senior can live in the family section if he or she wants to. He added that

pets cannot be refused and are allowable; however, they can regulate their size, their breed, the number of, and an additional number of things. Snakes and rodents are not allowed as pets.

Continuing, Mr. Riccio advised everything will be done to ensure that the residents who move into this building: (a) are able to afford it; (b) meet the income eligibility criteria; and (c) will be good residents for the Borough. He also provided information on how problems such as non-payment of rent are generally handled. Once a person is a resident, there are no continued occupancy requirements such as if one's income decreases while a person is living in this housing. However, the rent must continue to be paid. He commented on a variety of situations that can arise (and have arisen) regarding maximums, minimums, rent amounts, and income amounts. He provided information about trash/garbage dumpsters and recyclables. A maintenance staff will assist with trash/garbage and recyclables and handle snowplowing of the parking lot and the interior sidewalks. This staff will help here and at the Madison sites.

Councilmember Coogan asked how many school-age children would live at the family section of the development.

Mr. Riccio responded there will be 37 family units. He does not think the one-bedroom units will have children and suggested eliminating the eight units, which leaves 29 units remaining. He estimates the three-bedroom units may have two children for a total of 16 children. The two-bedroom units probably will have one child. He provided information on why solar is not being made a part of this development, including there is not as much financial support and savings as in the past. He commented he is having second thought about not including a dishwasher in the units and plans to discuss this with the Committee.

In his closing comments, Mr. Riccio spoke about how this building will represent a proud tribute honoring the efforts of all who worked together to authorize the construction of this development as well as to the municipality itself.

Mayor Druetzler asked what the height of the buildings will be, the height shown on the plans.

Mr. Riccio replied that the average height is 54' and the height of the grade to the absolute top of the highest roof is 64'. It will conform with the ordinance.

Mayor Druetzler thanked all those who provided information concerning this project. He called for a five-minute break.

PRESENTATION OF COMMUNICATIONS, PETITIONS, ETC.

Mayor Druetzler opened the meeting to the public. Seeing none, Mayor Druetzler closed the public hearing.

INTRODUCTION OF ORDINANCES

None.

ORDINANCES ON SECOND READING

None.

RESOLUTIONS

None.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

VOUCHERS

None.

EXECUTIVE SESSION

Moved by Councilmember Coogan:

BE IT RESOLVED THAT Resolution No. 2014-109 entitled “Executive Session” be adopted.

Seconded by Councilmember Karr. So ordered.

Councilmember Coogan moved that the Executive Session be adjourned.

Seconded by Councilmember Karr.

Councilmember Coogan moved that the Borough Treasurer be authorized to re-bid Contract D-2014-1 for the New Natural Gas-Fired Boiler System with a bid acceptance date of August 20, 2014 up to 10:00 A.M. in the Council Chambers.

Seconded by Councilmember Karr.

Yeas: Councilmembers Coogan, Cecala, Fu, Karr, McCluskey
Nays: None
Abstain: None
Absent: Councilmember Mangravite

ADJOURNMENT

Councilmember McCluskey moved that the Special Meeting be adjourned at 8:28 P.M.

Seconded by Councilmember Cecala.

Frank J. Druetzler, Mayor

June Uhrin, Borough Clerk