

A SPECIAL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ORADELL HELD IN THE COUNCIL CHAMBERS OF THE ORADELL BOROUGH HALL, 355 KINDERKAMACK ROAD, ORADELL, NEW JERSEY, ON JUNE 19, 2018.

In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. The Annual Notice, which details the meetings dates for the year, has been sent to The Record and Ridgewood News, placed on two Municipal Bulletin Boards and is on file in the Office of the Borough Clerk. Notice of this meeting via the June 15, 2018 Notice has been sent to the Record and posted on two municipal bulletin boards.

1. CALL TO ORDER- OPEN PUBLIC MEETINGS ACT – ROLL CALL

The Special Meeting opened at 7:30 pm.

Present:

Mayor Dianne Didio

Councilmembers:
Tracy Schoenberg
Roger Tashjian
Stephen Carnevale
Tom Kelly
Miriam Yu

Deputy Borough Clerk Cindy Kirkpatrick
Borough Attorney Andrew Oddo

Absent:

Councilman Rob Jannicelli
Interim Administrator Katie Chen
Borough Engineer David Atkinson

Discussion Item:

Mayor Didio explained that the Borough Planner, Joe Burgis, would speak about the affordable housing plan.

The record reflects that both Mayor Didio and Council President Schoenberg must recuse themselves from any vote or discussion of the housing plan since they both have a conflict with White Beeches which is impacted by the plan. In addition, the Mayor indicated local property ownership affects her participation.

Joe Burgis of Burgis Associates appeared before the Mayor and Council and reported that the Borough has come to an agreement with Fair Share Housing Center.

He provided background information regarding the history of affordable housing requirements in New Jersey.

He stated obligations are broken down into four components:

1. Rehabilitation
2. Prior Round (1987-1999)
3. Gap period obligation (1999-2015)
4. Future obligation (2015-2025)

He recounted Oradell's obligation per settlement agreement – Rehab (4); Prior Round (89); Future (308).

He indicated this agreement provides for overlay zone on Fey Place. Developer could build apartments with affordable housing set aside (with either 2 or 3 affordable units.)

Mr. Burgis explained that Fair Share has already signed off on the agreement. If the Borough agrees to it as well, then the parties would be obligated to appear at a Fair Share hearing and the judge and court master would decide if the settlement is fair. If it is, then the court would prepare a schedule as to when the ordinances must be passed in order to implement the policy. (Typically 120 days). That would end the process for Oradell and provides the municipality with protection from builder's remedy until 2025. In 2025, Fair Share Housing Center would need to submit new numbers for housing for the next 10 years.

Mayor Didio asked if the council had any questions or comments. Hearing none, she opened the meeting to the public.

Public Comment

John Plucinski, 335 Maple Ave., inquired as to Oradell's total obligation of affordable housing units.

Mr. Plucinski suggested satisfying the obligation by building Habitat for Humanity units.

Elaine Dunne, 283 Maple Ave., suggested that a map be used to illustrate the areas being discussed.

She asked if an additional two stories would be allowable to an existing two story building.

Jim Winters, Maple Ave., asked what the final unit allotment will be due to this agreement.

Mr. Winters asked for clarification regarding paragraph 8 of the settlement agreement.

Mr. Burgis explained the Borough will have 120 days for passage of appropriate ordinances.

Lorraine Bogert, Wanamaker Ave., asked if Habitat units were built in addition to the set asides for affordable housing, could the extra units be applied in a future review? She inquired further on Habitat for Humanity regulations.

Tom Belthoff, 34 Beechwood Rd., inquired as to Habitat homes and the release of the agreement. He stated his hesitation to include housing projection numbers.

Mr. Belthoff inquired as to Borough representation during the proceeding. Mr. Oddo stated he is the Borough attorney and he represented the Borough.

Greg Trass, Maple Ave., asked if Fair Share can require a town to change its zoning? Mr. Trass expressed opposition to this settlement.

Robert Desfosses, 514 Prospect Ave., stated with the 4 acres of available land, it appears that there is enough property to build 8-16 units of affordable housing.

Paul Latsounas, 50 Beverly Rd., asked if there are different credits for different housing options, such as senior housing or disabled persons.

Mr. Latsounas asked if there would be a residency preference for the Borough.

Lou Esler, 746 Amaryllis Ave., asked for clarification as to how far north the central business district will extend.

Sam Tripsas, 327 Maple Ave., asked for clarification on the building height allotment.

Mr. Tripsas asked if vacant office buildings could be converted into senior housing.

Councilman Carnevale clarified that the proposed Master Plan extends the Central Business District south of Orchard (by Chase Bank), and that becomes part of the west side settlement with Fair Share Housing Center.

Paul Witte, Maple Ave., objected to the height provision.

Mr. Oddo asked the Planner to speak about how zoning ordinance may be affected.

Mr. Burgis explained the zoning impact.

Nancy Costapolous, Maple Ave., asked for clarification regarding how many units are required. Mr. Burgis outlined the units and locations.

Mrs. Costapolous asked about the need for the height provision.

Mr. Oddo asked the Planner to explain the Kinsey Report. Mr. Burgis outlined housing on a state wide basis.

Greg Derian, Oradell resident, asked for the ratio of affordable units to housing units allowed.

Paul Witte, Maple Ave., inquired further about ingress and egress to the parking lots.

Theresa Trass, Maple Ave., inquired about underground parking. She asked if it is a considered a story.

John Lombardo, 721 Midland Rd., commented on the settlement. He stated the council should review thoroughly.

William Fletcher, Midland Rd., objected to the settlement and wanted to know if there is a mechanism in place that would remove a family once they earn too much money.

Mr. Burgis said that when an affordable housing unit is sold, the sales price can only be increased consistent with the consumer sales index.

Upon motion by Councilman Carnevale, seconded by Councilman Tashjian, public comment ended. All in favor.

Councilman Carnevale asked Mr. Burgis how Oradell fared relative to other towns who had to work with the courts on affordable housing. Mr. Burgis explained that Oradell is in an “excellent” position.

Councilman Carnevale asked the Planner to explain why the 300+ units remain in the settlement agreement even though the practicality is really 20 units. Mr. Burgis explained that Fair Share Housing is trying to identify the obligation of housing state wide. Statewide, the number of affordable housing units needed is approximately 300,000.

Councilman Carnevale asked if Oradell can negotiate removing the 300+ units removed from the agreement. Mr. Burgis said negotiating to that extent will have a negative impact on the proceedings.

Mr. Oddo added that the 308 units recited in the agreement, is based upon the Kinsey report, which is a document deemed reliable by the State. There is no detriment to the Borough by reciting that number in this document.

Consent Agenda

Upon motion by Councilman Carnevale, seconded by Councilman Tashjian, it was

RESOLVED, that (made part hereof) Resolution #18-149: settlement agreement authorizing an affordable housing plan, be approved.

Roll Call Vote:

Ayes: Tashjian, Carnevale, Kelly, Yu

Nays: None

Absent: Jannicelli
Abstain: Schoenberg

Mayor Didio opened the meeting to the public for comment.

Paul Latsounas, 50 Beverly Rd., asked the name of the judge that that this matter was before.

Paul Witte, Maple Ave., asked the Planner about prior round obligations.

Councilman Tashjian made a motion to close public, seconded by Council President Schoenberg.
All in favor.

At 9:30 pm, Councilman Tashjian made a motion to adjourn, seconded by Council President Schoenberg.

Affirmation by council.

Cindy Kirkpatrick, RMC
Deputy Borough Clerk