

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD OCTOBER 13, 2016**

CALL TO ORDER

At 6:05 p.m. Mayor Woodruff called the meeting to order and stated adequate notice of this meeting has been provided by posting the same on the bulletin board of Town Hall and forwarding a copy to the Courier News and Star Ledger at least forty-eight hours prior to this meeting, all in accordance with the Open Public Meetings Act.

ROLL CALL

Mr. D'Aquila, Mr. Faecher, Mrs. Kingsley, Mr. Pastore, Mr. Pirone and Mayor Woodruff answered present. Mr. Delia was absent. Also present were Township Administrator John Bussiculo and Township Clerk Ana Minkoff. Township Council Attorney John Visconi dialed into the meeting via teleconference.

FLAG SALUTE

Mayor Woodruff asked everyone present to stand as he led the Flag Salute.

HEARING ON AGENDA ITEMS ONLY

Moved by Mr. D'Aquila to open the Hearing on Agenda Items Only, seconded by Mrs. Kingsley and upon roll call vote:

Ayes: Mr. D'Aquila, Mr. Faecher, Mrs. Kingsley, Mr. Pastore and Mr. Pirone
Nays: None
Abstain: None
Absent: Mr. Delia

Meeting CD Began Recording at 6:14 p.m.

Referencing all of "these developments," a resident from 200 Lorraine Drive asked if once completed, we will have fulfilled 100 per cent of our Affordable Housing obligation. Mr. Faecher responded. The resident asked if, as of 2025, we would be compliant. Mr. Faecher responded.

Hearing no voices, moved by Mr. D'Aquila to close the Hearing on Agenda Items Only, seconded by Mr. Pirone and upon roll call vote:

Ayes: Mr. D'Aquila, Mr. Faecher, Mrs. Kingsley, Mr. Pastore and Mr. Pirone
Nays: None
Abstain: None
Absent: Mr. Delia

RESOLUTIONS

Mr. Pastore introduced the following resolution:

1. Resolution authorizing the settlement Agreement with BH Developers to memorialize the agreed upon terms of the residential rental development on the Property identified as Block 702, Lot 17, commonly known as 434 Springfield Avenue.

Moved by Mr. Pastore to approve resolution #1, seconded by Mrs. Kingsley and carried.

Mr. Faecher spoke about the project's recent steps. The Mayor asked to specify what facility was 434 Springfield Avenue. Mr. Faecher responded that it was the former Kings property. Mr. Faecher offered a summary of the project including the number of total rental units and the number of affordable units. He spoke about the exhibits attached to the Settlement agreement. Mr. Faecher noted that both our attorney and Mr. Mistretta had reviewed both the design of the building as well as the Settlement agreement.

Upon roll call vote:

Ayes: Mr. D'Aquila, Mr. Faecher, Mrs. Kingsley, Mr. Pastore and Mr. Pirone
Nays: None
Abstain: None
Absent: Mr. Delia

Mrs. Kingsley introduced the following resolution:

2. Resolution authorizing the Development Agreement with Connell to memorialize the agreed upon terms of rezoning and potential development, which is to be filed with the Court in connection with the Township's Compliance Action for the development on the property, identified at Block 4102, Lot 1.

Moved by Mrs. Kingsley to approve resolution #2, seconded by Mr. Pastore and carried.

Mrs. Kingsley asked Mr. Faecher to provide a summary. Mr. Faecher noted that this was the Connell project. He stated that with all of these projects, we need to confirm with our attorney and Mr. Mistretta that the attached exhibits are the correct ones, and elaborated. Mr. Faecher noted that this project is a site within Connell and spoke about the number of units and the number of affordable units. He spoke about the exhibits attached to the Settlement agreement. The Mayor asked for clarification about a possible scenario with unbuilt apartments and an affordable housing obligation. Mr. Faecher responded. Mr. D'Aquila inquired about the specific location within the property. Mr. Faecher responded.

Upon roll call vote:

Ayes: Mr. D'Aquila, Mr. Faecher, Mrs. Kingsley, Mr. Pastore and Mr. Pirone
Nays: None
Abstain: None
Absent: Mr. Delia

Mr. Faecher introduced the following resolution:

3. Resolution authorizing the Settlement Agreement with Berkeley Developers to memorialize the agreed upon terms of the age-restricted, residential rental development on the property identified at Block 1901, Lot 35, commonly known as 100 Locust Avenue, with an inclusionary affordable housing component.

Moved by Mr. Faecher to approve resolution #3, seconded by Mr. Pastore and carried.

Mr. Faecher elaborated about the property location noting 1) its address was at 100 Locust, 2) was located across from the Swimming Pool property, and 3) its former industrial use. He stated that the developer was seeking to construct an age-restricted rental development project. He spoke about the number of units and the number of age-restricted affordable rental units. Mr. Faecher referenced the exhibits attached to the Settlement agreement. Mr. Faecher also spoke about the steep slope of the property, the buildings' number of stories, the buildings' shapes and some of the project's amenities. Mr. Faecher noted that the project met the Part 19 Design standards and elaborated. He noted that "this" was consistent with the MOU and was in furtherance of our Settlement.

Upon roll call vote:

Ayes: Mr. D'Aquila, Mr. Faecher, Mrs. Kingsley, Mr. Pastore and Mr. Pirone
Nays: None
Abstain: None
Absent: Mr. Delia

Mr. Pirone introduced the following resolution:

4. Resolution authorizing a Settlement Agreement with Lockhern to memorialize the agreed upon terms of the mixed-use development on the property identified as Block 702, Lot 13, commonly known as 450 Springfield Avenue.

Moved by Mr. Pirone to approve resolution #4, seconded by Mr. D'Aquila and carried.

The Mayor asked for clarification that this was known as the movie theatre. Mr. Faecher responded and noted that this was the smallest of the projects and elaborated. He spoke about the number of units and the number of affordable units. He noted that exhibits associated with the property were attached to the Settlement agreement. Mr. Faecher spoke about the building elevation, floor plans, and the retail and residential components. He noted that it would be designed in manner consistent with our Part 19 standards. Mr. Faecher noted that a common theme was 1) importance of the Part 19 standards and 2) consistency of the look.

Upon roll call vote:

Ayes: Mr. D'Aquila, Mr. Faecher, Mrs. Kingsley, Mr. Pastore and Mr. Pirone
Nays: None
Abstain: None
Absent: Mr. Delia

ADJOURNMENT

Moved by Mr. Faecher to adjourn, seconded by Mrs. Kingsley, and upon roll call vote:
(6:27 p.m.)

Ayes: Mr. D'Aquila, Mr. Faecher, Mrs. Kingsley, Mr. Pastore and Mr. Pirone
Nays: None
Abstain: None
Absent: Mr. Delia

Approved: November 1, 2016