



Florham Park Borough Council
Thursday, September 24, 2015
Work Session Minutes

Mayor Taylor called the work session to order at 5:30 p.m. He asked the Borough Clerk for a roll call:

Governing Body	Present	Absent
Mayor Taylor	X	
Council President Malone	X	
Councilman Germershausen	X	
Councilwoman Cefolo-Pane	X	
Councilman Carpenter	X	
Councilman Michalowski	X →	Arrived 6:25 pm
Councilman Zuckerman	X	

Mayor Taylor discussed the Rock-GW Project and stated that Planning Board Attorney John Inglesino was in attendance as well as Borough Planner Robert Michaels and Les Smith, Executive Vice President of the Rockefeller Group Development Corporation. Mayor Taylor stated that the Council had a series of questions regarding the project at the Green and asked the Professionals to come in to answer those questions.

Mr. Inglesino thanked the Council for their questions and stated he just wanted to make a statement about the project. He stated the Green at Florham Park is one of the most successful projects in the country and is a good project for Florham Park. He further stated he has seen municipalities get devastated when big business either pulls out or doesn't build. Rock-GW is in the upper echelon of developer's in the Country.

BASF is a triple platinum building and is a tremendous testament to the success of this area overall. Florham Park has done remarkably well in attracting new businesses, important companies, to Florham Park.

Q1: What is the schedule for Build-out?

As stated in the General Development Plan (GDP) they have until 2019.

Q2: Can we see the new vision for the Green?

There is no new vision for the Green. The vision is laid out in the GDP, which was done years ago. The vision is work/play/stay.

Councilman Carpenter asked if there was a restaurant in the original plan?

Mr. Inglesino stated that the initial restaurant was supposed to be inside the hotel and also a 70,000 square foot health spa. New hotels do not want to include primary restaurants inside the hotel. They believe they are more profitable if they stand alone and are separate from the hotel. This is all based on what is currently happening in the marketplace.

Q3: Why is it that we see and are asked to make decisions and ordinances on small portions of this project, seems we should be making less but on larger scale?

In terms of vision and the GDP, as the project evolves you will see minor modifications. Ordinances were tightly crafted at the Planning Board level to have tight control.

Q4: In the end, what if any, of these parcels will become public domain and what portions will remain private either as an association or Corporate park?

A large part of the portion of the POD-S will remain “Open Space” as outlined in the GDP. North of Rt. 24 is public, has been donated. South of 24 is private with open space as part of the development.

Councilman Zuckerman asked if they anticipate traffic issues on Rt. 24.

Planner Bob Michaels stated that traffic was studied extensively at the Planning Board hearing. Items like signalization, timing, turning lanes and intersection improvements were discussed. They also discussed a bypass from Rt. 24, although this ended up being an expensive option. The state funding for this type of bypass in non-existent; broke.

Councilman Zuckerman asked what the fall back plan would be.

Mr. Michaels stated that they would use signalization, timing, turning lanes and intersection improvements to control traffic.

Councilman Carpenter asked if there would be more hydrants needed or any maintenance by the Borough on the roads.

Mr. Michaels stated it will be a private community. The same process will apply as with other private communities.

Q5. What will be the approximate value to our tax base?

Mr. Bell stated that taxes are tough to estimate; approximately a \$3,253,000 value to taxpayer with over \$7,400,000 in taxes at full build-out.

Q6. Have we made any tax rate concessions on any of this parcel?

Mr. Bell stated that there are no tax concessions on this property.

Q7. What was the cost to build (each) the BASF building and the Summit Medical building?

Mr. Smith stated it was the assessed value (laughter ensued)

Q8. What is the tax assessed value of the BASF building? The Summit Medical building?

Again, it's the assessed value.

Q9. What are the taxes that are being paid to the Borough on the BASF building? The Summit Medical building?

Mr. Bell stated there are several ways this question could be answered.

Q10. If we are not the current water supplier will we have any obligation to provide this project water in the event their supplier can't meet their needs currently, in the future or in an emergency situation?

No, New Jersey American will supply the water.

Q11. The parcel for Realogy parking is up for a subdivision why, also I understand that its over in lot area coverage once subdivided won't this become a nonconforming use?

Mr. Inglesino stated the Ordinance on the agenda for this evening would permit the lot to be created and conforming. It does not have an effect on the overall coverage allowable under the GDP. The minimum lot size is 5 acres; this Ordinance allows it to be 1.7 acres; with 150 parking spaces.

Councilman Zuckerman asked how many parking spaces were added:

Mr. Inglesino stated 150 parking spaces; which are needed.

Q12. Is the parcel for Realogy parking being sold or leased to Realogy (or owner of building--if different)?

Mr. Inglesino stated the lot will either be sold to the building owner or tenant. The lot will be deed restricted and the surface parking lot will forever serve as a parking lot.

Q13. Why wouldn't parking for the Realogy building be considered "off-site parking" and therefore not permitted or in conflict with Borough Code or Master plan?

Mr. Inglesino stated the Planning Board has deemed it consistent with the Master Plan. There is a provision in the Ordinance that stated the parking should be available for the building.

Councilman Carpenter asked if this would provide exposure to the Borough on future applications?

Mr. Michaels stated he believes there would be no future exposure to the Borough and it would not be setting a precedent. When you grant a variance, it is specific and unique to each applicant.

Q14. If sold, how can it be governed (enforce land use laws and standards) now and in future if new owner wants to do something different?

Mr. Inglesino stated that again, it is deed restricted; a parking lot will be the only allowable use.

Q15. The term “deed restrictions” has been used several times by attorneys when discussing the arrangement with Realogy, shouldn’t the Council know what they are? Have the deed restrictions been outlined for the Planning Board?

Mr. Inglesino stated that once it is in the deed, they cannot do anything else with it.

Q16. If the intent is to sell the property, why isn’t the appropriate process to first file for approval to subdivide the land, sell it, then have the [new] owner of the property file an application with the planning board for use?

Mr. Inglesino feels the proper process was followed; the first step is to go to the Planning Board, then subdivide the property. Again, deed restrictions will be in place.

Q17. Is there a reduction in residential or commercial development planned for POD-S, commensurate with the 1.5 acres [reduction] attributed to the parking lot for Realogy?

Mr. Ingelsino stated that there isn't; however, the benefit to the Borough is that everything is being vetted through the proper process which is the Planning Board. If you build something desirable like this, the less vacant land you will have for available for affordable housing.

Councilman Zuckerman asked is any of this housing is going to be low/moderate:

Mr. Michaels stated that 20% of the 425 senior age restricted units, which equates to 85 units, will be low/moderate income senior housing.

Q18. If the land is to be subdivided, is it classified as a "major subdivision"?

Mr. Michaels stated that this is a major subdivision.

Q19. Are there any plans to subdivide anymore parcels on the project?

Mr. Inglesino stated that there is that possibility.

Q20. With respect to the proposed language amendments, what is the distinction between the terms used in Section 1 "lot with a minimum size of 1.5 acres" and Section 3 "on a site containing a minimum of 9 acres".

Mr. Michaels stated that terms "lot" and "site" are to be used interchangeably; they are synonomus

Q21. With new restaurants are we being consistent with previous applications in regard to parking and access requirements?

Mr. Michaels stated that yes, this is consistent with previous applications.

Q22. With the changes from primarily office space to the addition of 1 or more hotels and additional restaurants will the sewer flow be the same as originally projected?

Mr. Ingelsino stated they are paying for a third clarifier and the Borough will not have to increase the sewer utility any more than they originally anticipated; its been paid for up front by the developer. There is sufficient sewer capacity according to Director of Community Services Carl Ganger.

Q23. If there is a sewer flow increase how does that fit in with our current projections of sewer plant performance?

Mr. Inglesino stated that this had been asked and answered in #22

Q24. What is the status of the Traction line Trail extension in light of recent changes? Who will be responsible for its construction? And a timeline when it will occur?

Mr. Michaels stated that the traction line trail extension will be the responsibility of the Developer; he does not recall the exact timeline.

Q25. Reference has been made to an agreement between Rock GW and the Borough of Madison relative to (or implied to be relative to) the development of the Green. Since the Green is located within Borough of Florham Park, how do the terms of that agreement impact the Borough of Florham Park? As a result of the terms of the agreement does Rock GW need to seek amendments to the GDP in Florham Park?

Mr. Inglesino stated that ther is a tri-party agreement; Madison has waived their right to protest any changes in the GDP; Madison will be meeting with the Developer, so they are in the loop.

The Council asked Mr. Smith to give his vision for the rest of the area up there.

Mr. Smith stated they are working on getting tenants for the next two large buildings; one lot next to BASF; currently talking with a big name client. Residential will be age restricted with no school age children under age 19; no impact on schools. 425 units, high end; gated community with a clubhouse that will offer many amenities.

Mayor Taylor thanked Mr. Smith and the professionals for coming in.

Council Portfolio Updates:

Council President Charles Malone provided the following report:

- \$11.9 million worth of notes to be issued; Moody's gave AAA rating on bond issuance; reaffirmed AAA rating.
- Community Pass is online and up and running on the Recreation site. Residents can sign up for the Radio City trip online; Basketball registration will be done online as well. You can still sign up at the Recreation Department; online registration will be encouraged.
- Elm Street concession stand is up and running and is open for football. Security cameras and sound systems are being installed. There was recently an issue with the sound being too loud; there were kids in the press box.
- Offered the Board of Education use of the fields at Elm Street; Ridgedale Middle School played some soccer games there.
- Looking to re-convene the Anti-Nepotism Committee to discuss the Ordinance changes. The Committee consists of Council President Malone, Councilman Zuckerman, Councilman Michalowski and Borough Administrator Bill Huyler.

Councilman Germershausen provided the following report:

- Preferred Tank & Tower has been contracted to inspect the interior and exterior of both water tanks. The internal inspection will be done using a robotic swimmer and digitally recording the inspection. The exterior will be visually inspected and videoed by a tank climbing inspector. These inspections will satisfy the requirements set forth by AWWA, NFPA OSHA and the EPA.
- AC Schultes has begun rebuilding and repairing the pump motor for Well 3. Anticipates that the motor will be installed in approximately 3 weeks

Councilman Zuckerman asked if the Borough can be sued for over use?

- Councilman Germershausen stated he didn't know; the Borough hasn't been notified to that effect.

Councilwoman Cefolo-Pane provided the following report:

The AARP and the Seniors are back to their regular meetings; the AARP meets the 3rd Tuesday of the Month and the Seniors meet the 2nd and 4th Wednesday

- Planning Board – 2 changes in tenancy were heard; one was 147 Columbia Turnpike. Retro Fitness is now approved for PT and Chiropractic. Rock GW was in for the Archer Hotel application; couldn't approve it. Planning Board recommended the adoption of Ordinance #15-15.

The Cable monitor is fried; Borough Administrator Huyler said he would look into that.

Councilman Carpenter provided the following report:

- The First Aid Squad Building project is on schedule and almost done.
- The Fire Department will be losing Deputy Chief Chuck Keel; he is moving October 6th
- The Alderton Memorial patio in back of the Firehouse is almost done; there will be a October 17th dedication.
- Tonight we are appointing a new Firefighter
- Borough Engineer gave a brief overview of some road work; discussed Genung, Blanchett, Thayer – project is splitting. Also, there will be some change orders for Burnside, Myrtle and Felch project. Vreeland Road

project will start October 1; only using detours for paving and milling operations.

- DPW looking to hire a Sport maintenance supervisor

Councilman Michalowski provided the following report:

- The library is thankful for the turnout for their 50th anniversary.
- John Bucholz recently submitted plans for the Periodical Room.
- Candy VonBrook retiring next week from the Library

- Repair of the Grit Chamber has begun with a number of shop submittals being presented for review along with a number of repair parts being ordered by CFM Construction. Shortly CFM will begin dismantling portions of the grit chamber so that new parts may be installed.

- CDM began development of the bid specifications for the Woodbine sanitary sewer line abandonment and construction of a new section of pipe within the municipal right of way.

- Arold Construction has rescheduled the Timber Court / Woodbine Road sanitary sewer pipe lining for some time in October.

- Division personnel concluded the annual sewer cleaning of troubled areas.

- The FPSU is a highly regulated division by the NJDEP. As a condition of our main treatment works permit we are required to submit various reports at predetermined milestones throughout the permit life from 1/30/2014 to 4/3/2019. Division personnel are working on the following in the fourth quarter to insure compliance in submitting before the prescribed due dates; review of local ordinance, compliance schedule progress report, acute whole effluent toxicity test reports, annual pretreatment program report. Once these are completed and submitted we will move in to 2016's first quarter reporting. As a note these reports are in addition to the routine monthly, quarterly, and annual reports

- Department personnel began replacement of operation underground flow valves that date back to the original plant construction.

Councilman Zuckerman provided the following report:

- Spring Garden Lake Clean-up has been scheduled for October 16th; Slap and DPW will be assisting that effort. They will be cleaning up the path around the lake.
- Both pools have had their covers put on and winterized for the winter. In addition to this the water of both pools has been treated with an algaecide and stain inhibitor. The new system installed during this year's improvements is more complicated than the original and requires more time to winterize over the old system. There is manganese in the water, which is causing an issue at the pool.
- Wernsing Plumbing has begun replacement of new urinals in the men's locker Room. Marvic has downwardly revised their proposal for the privacy panels and counter tops for the men's locker room at the pool and have been given the go ahead for the project.

Mayor Taylor opened the meeting to the public.

Public Comments:

John Winters, 32 Brooklake Road:

- Mr. Winters asked about how much it would cost to rectify the magnaese situation at the pool.

Councilman Zuckerman stated that the Borough will how to figure out how much it will cost.

Resident and Eagle Scout Candidate Daniel Corragio:

Mr. Corragio would like Council to consider allowing him to do some improvements to the tot lot for the community service aspect of obtaining his Eagle Scout Badge. He would make changes to Gazebo, sign and benches. He provided photographs of the areas he would like to improve. He stated that this would all be done at no expense to the Borough.

Councilman Zuckerman made a motion to allow Daniel Corragio to make improvements to the Tot Lot. The motion was seconded by Council President Malone. All council in favor, motion carried.

Seeing no more members of the public who wished to be heard, Mayor Taylor closed the meeting to the public.

EXECUTIVE SESSION RESOLUTION:

15-118 Resolution to Enter into Executive Session

Councilwoman Cefolo-Pane made a motion to approve Resolution # 15-118 authorizing the Council to enter into Executive Session. The motion was seconded by Council President Malone. All council in favor, motion carried. Council entered into Executive Session at 6:50 p.m.

ADJOURNMENT:

Council returned to the work session after the Executive Session was adjourned at 7:00 p.m. On a motion made by Council President Malone, seconded by Councilman Germershausen, the work session was adjourned by a unanimous vote at 7:02 p.m.

Respectfully submitted,

Sheila A. Williams, R.M.C.
Borough Clerk
September 28, 2015