

MINUTES OF SPECIAL MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, MARCH 27, 2019, 5:30 P.M.

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CALL TO ORDER

The March 27, 2018 Special Meeting was called to order by Mayor Jeffrey Grayzel, at 5:42 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey.

ATTENDANCE

ATTENDANCE

ELECTED OFFICERS

GOVERNING BODY

Mayor Jeffrey Grayzel

Township Committee Member John Arvanites

Township Committee Member Mark Gyorfy

Township Committee Member Peter V. Mancuso

Deputy Mayor Catherine Wilson (VIA PHONE)

APPOINTED OFFICERS

Timothy F. Quinn, Township Administrator

John M. Mills, III, Township Attorney

Cathleen Amelio, Township Clerk

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PRESIDING OFFICER'S STATEMENT OF DISCUSSION ITEMS

Mr. John Mills, III, Attorney announced that in accordance with the resolution adopted this date authorizing the conducting of this "Closed Meeting"; discussion would be limited to "Legal and Personnel Matters".

**PRESIDING OFFICER'S STATEMENT RE: ADEQUATE NOTICE – O.P.M.A. –
(RECORD INSERT)**

Mayor Grayzel issued the following statement of Adequate Notice:

"Adequate Notice" of this meeting of the Township Committee of the Township of Morris was given as required and defined by the Open Public Meetings Act as follows:

Written Notice was given on March 23, 2019 to the official newspaper, Daily Record, and to the additional newspaper, Star Ledger by email at least 48 hours prior to the date of this meeting, and a copy of the Notice was posted on the Bulletin Board in the Municipal Building of the Township of Morris by the Township Clerk. A copy of the Notice was likewise filed in the Township Clerk's Office, and copies of this Notice were mailed by Certified Mail to all persons who have requested individual notice, pursuant to N.J.S.A. 10:4-19, all of which Notices were given at least 48 hours prior to the date of this meeting, and I hereby hand to the Township Clerk a copy of the Notice which was given as above, set forth for appropriate retention in the "Municipal Files".

PLEDGE OF ALLEGIANCE

Mayor Jeffrey Grayzel led the Pledge of Allegiance.

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RESOLUTION

In the next matter of business, the following resolution was duly offered, seconded, and adopted by the vote as indicated at the end of the text of the resolutions:

RESOLUTION NO. 77-19 RESOLUTION OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN AS BLOCK 6101, LOT 5 ON THE TAX MAP OF THE TOWNSHIP OF MORRIS, STATE OF NEW JERSEY, HAVING A STREET ADDRESS OF 340 MT. KEMBLE AVENUE SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, et. seq..

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq., as amended (the "Redevelopment Law"), authorizes Municipalities to determine whether certain parcels of land in the Municipality constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute an area in need of redevelopment, under the Redevelopment Law the Township Committee (the "Township Committee") of the Township of Morris (the "Township") must authorize the Planning Board to conduct a preliminary investigation of the area and make recommendations to the Township Committee; and

WHEREAS, the Township Committee hereby requests that an investigation occur with respect to the property commonly known as Block 6101, Lot 5, on the tax map of the Township of Morris, State of New Jersey (the "Study Area"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically, N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment; and

WHEREAS, if the Planning Board determines to recommend that the Study Area should be designated as an area in need of redevelopment, pursuant to Section 7(f) of the Redevelopment Law, the Township Committee requests that the Planning Board also prepare a redevelopment plan for the Study Area and submit same to the Township Committee for its consideration; and

WHEREAS, if the Study Area is determined to meet the criteria for designation as an area in need of redevelopment, the Township Committee further authorizes the Township to use all of those powers provided under the Redevelopment Law for use in a redevelopment area, except for the power of Eminent Domain pursuant to N.J.S.A. 40A:12A-8(c) (as designated, a "Non-Condensation Redevelopment Area"); and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township to direct the Planning Board to undertake a preliminary investigation of the Study Area pursuant to the procedures of the Redevelopment Law, provide its recommendations to the Township Committee, and prepare a draft redevelopment plan for same, if redevelopment designation is recommended.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, New Jersey as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant N.J.S.A. 12A-6 to determine whether the Study Area satisfies the criteria set forth in N.J.S.A. 40A:12A-5 to be designated as an area in need of redevelopment, which designation would permit the Township to utilize all of the redevelopment powers, except for the power of Eminent Domain.

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RESOLUTION (CONTINUED)

RESOLUTION NO. 77-19 RESOLUTION OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN AS BLOCK 6101, LOT 5 ON THE TAX MAP OF THE TOWNSHIP OF MORRIS, STATE OF NEW JERSEY, HAVING A STREET ADDRESS OF 340 MT. KEMBLE AVENUE SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, et. seq..(CONTINUED)

Section 3. As part of its investigation, the Planning Board shall prepare maps showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundary of the Study Area, the date of the hearing, and the Municipal option to exercise the power of Eminent Domain to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination would not authorize the Township or Township Committee to exercise the power of Eminent Domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condensation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designations are received and considered, the Planning Board shall make recommendations to the Township Committee as to whether the Township Committee should designate all or some of the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law.

Section 7. If the Planning Board recommends the Study Area be designated as a Non-Condensation Redevelopment Area, the Planning Board is further directed to prepare a redevelopment plan for the Study Area pursuant to Section 7(f) of the Redevelopment Law. Upon completion of the redevelopment plan, the Planning Board shall transmit the plan to the Township Committee for its consideration.

Section 8. This Resolution shall take effect immediately.

ROLL CALL:	MR. ARVANITES	YES	MR. GYORFY	YES
	MR. MANCUSO	YES	MRS. WILSON	YES
	MAYOR GRAYZEL	YES		

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COMMENTAARY BY TOWNSHIP COMMITTEE AND TOWNSHIP ADMINISTRATOR

At this time Mayor Grayzel called upon the Members of the Township Committee for comments on Ordinance 77-19, which are summarized as follows:

Mr. Quinn – Summarized the Ordinance and advised that there will at least seven (7) steps that will be taken in the determination of whether this property is in need of redevelopment. Noted that this Resolution will be sent to the Planning Board for review and will be remanded back to the Township Committee with the determination of the Planning Board as to whether or not there is a need for redevelopment. This process takes months.

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**COMMENTAARY BY TOWNSHIP COMMITTEE AND TOWNSHIP ADMINISTRATOR
(CONTINUED)**

Mr. Arvanites- This resolution is requesting that the Planning Board determine if this property is an area in need of redevelopment; Mr. Arvanites explained the process and why a vacant commercial building does not generate the tax dollars that it would if it was fully occupied; noted that no property owner can do anything they want with this property that is not amicable to the residents of Morris Township under his watch.

Mr Gyorfy – Announced that there will be a seminar on the responsibilities of the Planning Board and Board of Adjustment at 7:00 P.M..

Mr. Mancuso – This Committee will be open and transparent throughout this process; received a grant of \$5500/100 hours of enforcement for “UDrive, UText, UPay, from April 1 to April 21 and Mr. Mancuso is trying to increase the penalty to discourage those who text and drive.

Mrs. Wilson – No comment.

Mayor Grayzel - The Committee will be very transparent throughout the process and noted that there will be a public hearing on the Redevelopment plan with multiple experts giving testimony at which time residents will have an opportunity to be heard; this resolution is requesting the Planning Board to review the property located at 340 Mt. Kemble Avenue to see if the property is in need of redevelopment; the Committee does not know the detail what is being proposed by the property owner or if the Planning Board will indicate if this property is in need of redevelopment; the public will be informed throughout the process; Mayor Grayzel stressed that this process will be transparent, but that the Committee is only taking the first step of several steps through this resolution in referring it to the Planning Board for review.

PUBLIC COMMENT

Mayor Grayzel, in accordance with standard procedure, opened the meeting for comments by the general public. The name, address and summary of comments and responses, as appropriate, follows:

Mr. Kenneth Gustavsen – 4 Norwood Ct – Inquired as to when the ONYX purchase the property? Ans. About 4 years ago at auction and does not have a tenant and without improvements they will not get tenants. Mr. Gustavsen expressed a concern for what the proposed redevelopment include. Mr. Gustavsen read the following written by Joshua Burd, an award-winning reporter and editor, who covers New Jersey commercial real estate .
“There haven’t been any tenants in the building in four years, so the sky is really the limit as to what we can do there,” said Venn, the firm’s senior vice president for asset management. “We can do anything we really want within a budget, so we will deliver that Onyx product there, I think, better than anywhere else we’ve done it.”

But Onyx is also developing concurrent plans that include a potential residential and hotel component at the property. Saraceno said “we have to adapt to whatever the market is” and possibly seek new zoning with local officials, which the firm knew full well when it acquired the site last summer. That uncertainty was one reason other developers passed on the deal, he said, but “the fact that, at the end of the day, we believed in it as an office building and we could absolutely operate it as an office building allowed us to buy it.”

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PUBLIC COMMENT (CONTINUED)

Mr. Kenneth Gustavsen – 4 Norwood Ct (CONTINUED) Mr. Gustavsen asked the Committee if they were aware of this information? Mayor Grayzel stated that this resolution is being referred to the Planning Board to request for the Board to review this property and if it is in need of redevelopment and that the Committee has not been apprised of what the developer stated in this article.

Ms. Eileen Witkowski – 11 Crescent Drive – Can the development be refined? Ans. The Planning Board would define what the property owner would be allowed to construct on that property.

Ms. Kathleen Kostyak – 5 Zomrock Way – Express concern for the development of this property and noted that there was not enough time for notice of this meeting.

CALL TO ADJOURNMENT

At 6:19 P.M. with no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted the Special of March 27, 2019 meeting was adjourned, next to convene on April 17, 2019 Regular Meeting 7:00 P.M. (Closed 5:00 P.M.), in the Municipal Building, 50 Woodland Avenue, Township of Morris.



CATHLEEN AMELIO
TOWNSHIP CLERK