

SPECIAL MEETING OF MONTVILLE TOWNSHIP COMMITTEE
Meeting Minutes - July 19, 2021

5:00pm – PUBLIC SESSION

Statement of Open Public Meetings Act Compliance read by Mayor

In accordance with the Open Public Meetings Act, adequate notice of this meeting has been provided by mailing, emailing and/or faxing notice to the Daily Record and the Citizen newspapers, posting notice on the Township website and posting notice on the bulletin boards of the Municipal Building, 195 Changebridge Road, Montville, NJ 07045, and sending notice to those individuals requesting same.

Roll Call Township Committee

Present: Rich Cook, Deputy Mayor
Matthew S. Kayne, Committeeman
June Witty, Committeewoman
Richard D. Conklin, Committeeman
Frank W. Cooney, Chairman

Also present: Victor Canning, Township Administrator
June E. Hercek, Assistant Administrator
Fred Semrau, Esq., Township Attorney
Stacy Sullivan-Gruca, Township Clerk
Margaret Shepard, Deputy Clerk
Jonathan Testa, Esq., Township Attorney

Prayer and Pledge of Allegiance by Committeeman Kayne

PUBLIC HEARING ON ORDINANCE FOR FINAL ADOPTION

Ordinance 2021-19 Ordinance of the Township of Montville extending the affordability controls on all low and moderate income units within the Hunting Hills at Montville Condominium Complex

Motion by Cook second by Witty to open public hearing on Ordinance 2021-19

All in Favor - Motion Carried

No Public Comments

Motion by Conklin second by Kayne to close public hearing on Ordinance 2021-19

All in Favor - Motion Carried

Township Attorney reviews the purpose of this ordinance being considered for adoption after public hearing at tonight's meeting. The Township received a lawsuit filed by the Hunting Hills Condominium Association attempting to invalidate the extension of controls with an allegation that the controls automatically expire in July of this year. The Township does not agree with this

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allegation, however the attorney recommended that the Governing Body take action to extend the affordability controls in order to protect these affordable units so they remain affordable. Ordinance 2021-19 was introduced at a Special Meeting of the Township Committee held on July 7, 2021.

If the units were to be released from the controls by the Township, the homeowners would still be limited to the maximum resale price, plus 5% of the price difference between the fair market value and the maximum resale price. 95% of the price difference will go back into the Township's Affordable Housing Trust Fund.

Assistant Administrator reads statements from residents at 10 Heritage Court and 76 Heritage Court in favor of extending affordability controls.

Mayor suggests re-opening the public hearing for anyone who wishes to speak

Motion by Witty second by Kayne to re-open public hearing on Ordinance 2021-19

All in Favor - Motion Carried

Public Comments

Thomas Mazzaccaro, 4 Moore Road, Montville

Concerns over the other condo complexes and how this would affect those complexes and their affordable units

Township Attorney clarifies that each complex gets handled individually

Motion by Conklin second by Cook to close public hearing on Ordinance 2021-19

All in favor – Motion carried

Motion by Cook second by Witty to adopt Ordinance 2021-19

Roll Call: Yes – Kayne, Witty, Cook, Conklin, Cooney No – 0

PUBLIC PORTION

Reminder to the public to state your name and address for the record, and there is a 3 minute time limit on all public comments

Motion by Conklin second by Witty to open public portion

All in favor – Motion Carried

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Public Comments

Arleen Silver, 90 Heritage Court, Montville

Displeased with the lack of information posted about the purpose of the meeting on the Town's website

Felicia Valorani, 60 Heritage Court, Montville

Q: If affordable controls are extended, would taxes and fees remain the same?

A: Township Attorney agrees that dues and taxes would continue to be assessed at the lower than market value rate

Q: Can affordability controls be extended on her unit even if the other units expire?

A: Township Attorney anticipates there may be a possibility to extend with the Township

Opines that if the affordability controls expiring and the units are sold at market value, the money being held for future affordable development seems to be senseless, the Township Committee agrees

Lidia Federak, 58 Heritage Court, Montville

Did not sign to extend, because she was uncertain if she would meet the affordable housing requirements any longer, as she has owned her unit for a long time

Attorney guides Ms. Federak to speak about their specific situation to Jane Mowles, Land Use

Motion by Cook second by Kayne to close public portion

All in favor – Motion Carried

REVIEW OF MEETING ACTION ITEMS

Felicia Valorani, 60 Heritage Court adds quickly that she never heard of the 95/5 split, which is concerning to her

Township Attorney reassures her they will continue the discussion with her specific situation

Motion by Kayne second by Cook to adjourn

All in favor – Motion carried

ADJOURNMENT at 5:30pm

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Approved:
Montville Township Committee

Stacy Sullivan-Gruca, Township Clerk

Frank W. Cooney, Mayor