

**MINUTES OF THE
EAST BRUNSWICK TOWNSHIP
PLANNING BOARD**

November 2, 2016

STATEMENT - Open Public Meetings Act

FLAG SALUTE

ROLL CALL -

PRESENT:

Jeanette Tugya, Chair
Charles Heppel
Kevin McEvoy, Mayor
Dan Losik
Steve Albert
Larry Bravman
Laurence Reiss
Louis Vacca
Howard Schmidt

ABSENT:

Victor Santamarina
James Wendell

ALSO PRESENT:

Lawrence B. Sachs, Esquire
Greg Potkulski, Director of Planning & Engineering
Steve Gottlieb, Planner/Landscape Architect
Linda Rubenstein
Debra Rainwater
Steve Kunzman, Esquire

NEW BUSINESS:

Application #16-41 - East Brunswick Fire District #1 - 683 Old Bridge turnpike - proposed capital project review/site plan for the installation of a 40-by-40-square-foot and a 40-by-50-square-foot garage/storage structures at 683 Old Bridge Turnpike on block 174.08, lots 7.22, 7.23, and 7.24 in the HR Historic Residential Zone. Mandatory date - November 24, 2016. Adjournment requested by the applicant's attorney until December 7, 2016.

MASTER PLAN:

Housing Element and Fair Share Plan - Review of the housing element and fair share plan of the East Brunswick Township master plan - outlining East Brunswick's affordable housing obligation from 1999 through 2025. Motion to adopt by Mr. Reiss, second by Mr. Vacca. Motion adopted.

ORDINANCES:

Ordinance amendments as recommended by the housing element and fair share plan in support of East Brunswick's affordable housing obligation including the change of zoning of two parcels and modifications to the VG-II and TG zones. Tabled.

RESOLUTIONS:

Housing Element and Fair Share Plan - in support of Housing Element and Fair Share Plan and recommendation to forward to Township Council for their review and approval. Motion to adopt by L. Reiss, second by S. Albert.

Ordinance Amendments - Ordinance Amendments as recommended by the Housing Element and Fair Share Plan in support of East Brunswick Township's Affordable Housing Obligation from 1999-2025 and recommendation to forward to East Brunswick township council for their review and adoption. Tabled.

Planning Board meeting calendar - 2017 - Motion to approve by Mr. Heppel, second by Mr. Reiss. Mr. McEvoy abstained. 2017 calendar approved.

ADJOURNMENT:

Motion to adjourn by Mr. Reiss, second by Mr. Albert. Meeting ended at 8:40 p.m. Next meeting scheduled for November 16, 2016.

THE CHAIRWOMAN: This is November 2, 2016, East Brunswick Township Planning Board meeting.

In accordance with the Open Public Meeting Law, on December 15, 2015, notice of this meeting stating the time, date, and location was sent to the Home News Tribune, filed with the township clerk, and posted on the bulletin board in the lobby of the municipal building. A copy of this notice will be incorporated in the minutes of this meeting.

The Chair reserves the right to call any application in an order different from that appearing on the agenda. On each application, the Chair will give the public an opportunity to comment.

The planning board will entertain no new business after 10:30 p.m. and will close all proceedings at 11 p.m. The doors outside the courtroom are the exits to be used in the case of a fire and other emergencies.

Please stand for the pledge of allegiance.

(Flag salute)

THE CHAIRWOMAN: Roll call, please.

MR. GOTTLIEB: Mr. Schmidt.

MR. SCHMIDT: Yes.

MR. GOTTLIEB: Mr. Vacca.

MR. VACCA: Here.

MR. GOTTLIEB: Mr. Albert.

MR. ALBERT: Here.

MR. GOTTLIEB: Mr. Reiss.

MR. REISS: Here.

MR. GOTTLIEB: Mr. Santamarina. Mr. Losik.

MR. LOSIK: Here.

MR. GOTTLIEB: Mr. Bravman.

MR. BRAVMAN: Here.

MR. GOTTLIEB: Councilman Wendell. Mayor McEvoy.

MAYOR McEVOY: Here.

MR. GOTTLIEB: Mr. Heppel.

MR. HEPPEL: Here.

MR. GOTTLIEB: Chair Tugya.

THE CHAIRWOMAN: Here. Okay. So master plan, number 1, housing element and fair share plan.

MR. GOTTLIEB: Before we move ahead, can we just get some -- just wrap up some business. First of all, the application that is scheduled for this evening.

THE CHAIRWOMAN: I'm sorry, I didn't see that.

MR. GOTTLIEB: Requesting an adjournment.

THE CHAIRWOMAN: Okay. Any public being here to -- wanted to be for the East Brunswick fire department? I'm sorry, but apparently, they're adjourning to December 7.

FROM THE FLOOR: Okay.
THE CHAIRWOMAN: So they're not going
renotice, but you can come back.
FROM THE FLOOR: December 7? No problem.
Thank you very much.
THE CHAIRWOMAN: Anything else I should
know?

MR. GOTTLIEB: Like to do the planning
board calendar.
THE CHAIRWOMAN: I don't have a calendar.
MR. GOTTLIEB: It's included in the
packet.
A BOARD MEMBER: Steve, I'll take one,
too. Thank you.
MR. BRAVMAN: I gave it to him.
THE CHAIRWOMAN: Yes. Any problems or
questions about that schedule for next year? So you
want to make a recommendation?
MR. HEPPEL: Move it.
THE CHAIRWOMAN: Any second?
MR. REISS: Second.
THE CHAIRWOMAN: Roll call.
MR. GOTTLIEB: Yeah, I'll call the roll.
Mr. Schmidt.
MR. SCHMIDT: Yes.
MR. GOTTLIEB: Mr. Vacca.
MR. VACCA: Yes.
MR. GOTTLIEB: Mr. Albert.
MR. ALBERT: Yes.
MR. GOTTLIEB: Mr. Reiss.
MR. REISS: Yes.
MR. GOTTLIEB: Mr. Losik.
MR. LOSIK: Yes.
MR. GOTTLIEB: Mr. Bravman.
MR. BRAVMAN: Yes.
MR. GOTTLIEB: Mayor McEvoy.
MAYOR McEVOY: Abstain.
MR. GOTTLIEB: Mr. Heppel.
MR. HEPPEL: Yes.
MR. GOTTLIEB: Chair Tugya.
THE CHAIRWOMAN: Yes. All right. So
then you want to do the master plan?
MR. GOTTLIEB: Yes.
THE CHAIRWOMAN: Okay, so the housing
element and the fair share plan.
MR. GOTTLIEB: This is Steve Kunzman. He
has been representing the township in our affordable
housing matters. He's going to give you a brief
introduction to what you're seeing tonight.
MR. KUNZMAN: Good evening. I am
handling this declaratory judgement action for the
township and we're -- this -- the amendment to the
master plan, the housing element fair share plans for
the purpose of implementing the settlement that we
entered into that was approved by the judge on
August 15 at a hearing, a fairness hearing. The
settlement -- the planning board required to adopt the
amendment, and the Township Committee would endorse it
and pass it, implement any ordinances. Our final
hearing is scheduled for December 2, which would be a
compliance hearing, which by which the judge will
review the master -- the amendment to the master plan,
the housing element and fair share plan as implemented
in the ordinances and hopefully say very good, you're
done, we meet all your obligations between now and July
of 2025.
Essentially, the settlement was for the
obligation for that period of time, including going
back to the -- back 16 years. So from 1999 to 2025 it
was 1,067. That included 322 -- 332 extensions of
controls on prior units that had affordability controls

being extended. There are bonus credits that are included because a lot of -- most of this is rental housing, and with rental housing, up to 25 percent, you get 2 for 1 credit. So the total units, including those in place, would be 492, plus the bonus credits bring it to 745, plus the extensions of controls is 1,067.

The two major components that we dealt with in the hearings were the Alfieri tract and the settlement that went from I think it was 410 senior housing at 11 percent set aside, and it was reduced to 275 at a 20 percent set aside. So essentially, as a result, it reduced the density and increased the credits that were resulting from that development, and they were also going to provide certain amounts of off-site improvements that would affect traffic and would be certainly benefit the community.

And then there is the redevelopment area that would provide 115 units over the entire redevelopment area. Tices, 110 Tices is a component, and the backup is if we don't complete the redevelopment in a particular period of time, there will be a rezoning to allow development in that area at the maximum -- minimum of 10 years (inaudible).

So there -- essentially, this creates the affordable housing obligation. It limits it to 1,067. There is continued litigation throughout the state in a lot of different venues. The -- Judge Wolfson is the judge that has been handling this matter in Middlesex County ruled in the South Brunswick case found Dr. Kinsey's numbers to be credible. He also found because there is a pending appeal on the gap issue, which is the period from 1999 to 2015, as to whether it applies or not. Appellate Division said it did not. The Supreme Court is now listening to it. In the interim, Judge Wolfson ruled in favor of fair share housing, a gap period that it -- if you consider that Dr. Kinsey's numbers had been approved by Judge Wolfson, although that's being looked -- that will be potentially tried in I think it's Mercer County earlier next month. It was being tried in Ocean County, and all the Ocean County towns settled. The number that Dr. Kinsey placed for East Brunswick just for the prospective period, which is the 10-year period, was 1,065, so 1067 we're pretty much right on target with that, and it's a good settlement, and because the town had done -- has been so proactive over the years, there's really not that much to be done. It's already there. So from my standpoint, I thought this was a good settlement. The settlements have been generally throughout the state 70 -- 70 percent of Dr. Kinsey's numbers. This is better than that, more favorable to the municipality. And then the option and the other piece of the settlement is that in the event court rulings come down, that number can go down. We can apply to have any excess numbers be carried further to a future round.

So that's the general overview.

MR. GOTTLIEB: I think just to outline the document that you have, that was included in your packets, which is called the housing element and fair share plan. This document that's dated October 21, 2016, that document essentially reflects what Mr. Kunzman just told the board. I mean, the document is basically saying that we're providing 1,067 units between the years of 19 -- the time period between 1999 and 2025. What I did in addition to this document, I provided you a revised table and a revised ordinance with a couple revisions, which reflect some changes that were not included -- were not included in your packet.

The ordinances for the zoning is a big part of the affordable housing, a big part of this plan. The board will have to -- the planning board will have to meet again, and once the ordinances are introduced, the board is going to have to determine whether or not it is -- those ordinances are consistent with the master plan element. That I'll discuss with you a little later on, but real briefly, I just want to go over what some of the factors of the housing element and fair share plan as they relate to rezoning and some changes to some of the zoning.

Essentially, two parcels are being rezoned. The Alfieri tract, which currently permits a senior housing development at 10 units to the acre, that is being rezoned. A new zone -- it's proposed to be rezoned MDA, multiple dwelling apartment district, that has a restriction of 275 market rate rental units on approximately 40 acres, a little more than 40 acres. The other site that is proposed to be rezoned is the Mack-Cali property, which is an existing office building at the corner of Summerhill Road and Old Stage Road. That is proposed to be rezoned TG, town green, which is similar to what the Kelemen property is currently zoned.

The other modifications that are proposing, which will affect properties along Cranbury Road, are modifications to the VG-2 zoning, which will increase the density on undeveloped properties within that zone from six units to the acre to nine units to the acre, and it will reduce the minimum lot size to utilize that density from 40 acres to 7 acres. In the TG zone, we are reducing the minimum area requirement from a minimum of 15 acres to utilize the 12 units per acre density to 10 acres.

There are some additional modifications to our affordable housing ordinance and development fee ordinance. Those ordinances are in front of you. If you read them and if you have any questions, I'll let Linda and Debbie answer the questions on those two, but if you have any questions on any other part, by all means.

THE CHAIRWOMAN: Larry.

MR. BRAVMAN: So the concept is that there has to be a reasonable -- I was trying -- a reasonable opportunity to allow affordable housing to be built. Okay, it's not that it's going to be built, because that's going to be at the discretion of the property owner.

MR. GOTTLIEB: Correct.

MR. KUNZMAN: That's correct.

MR. BRAVMAN: So and we have to I guess show that the township has to show that -- I'm going to say I guess show it on paper that if it's built, we will meet our fair share, our housing criteria.

MR. GOTTLIEB: Yes.

MR. BRAVMAN: So in order to do that, I guess we're looking to rezone I guess we refer to as the Alfieri property, which is currently industrial manufacturing, and our position is that if -- or the township's position is if that's rezoned and then we count those units in, it will help establish or get to our fair share. What if when they -- that's all counted and the plans approved and then Alfieri goes to build that property and since it was a former or is an industrial property we find out environmentally it either can't be built on, or it's a huge amount of money that someone's not going to undertake to remediate it, now, doesn't that negatively impact our number that we used to get to the number that now we don't meet our number that we submitted? Did that make sense?

MR. KUNZMAN: At this point the obligation and what has been demonstrated in court is that it is appropriately -- it's appropriate property, it has all the necessities in terms of developability. If there's something in the marketplace -- let's just say something simple like the market's not there and it doesn't get developed, it's still zoned for. All we're doing is creating the realistic opportunity for that development. Does it have to be built? It has to be zoned for it. If there's somehow an environmental problem like a --

MR. BRAVMAN: Right, I understand it has to be zoned for it, and I guess we need it that way, but if we later find -- or not -- we -- if the developer later finds that it just cannot be built on for residential purposes, and let's just take a -- it's a superfund site, whatever, it's a huge environmental issue, then that -- does it -- does that get pulled away from our fair share number and now we have to go back to the drawing board?

MR. KUNZMAN: Well, there's reporting. I think at some point it would come back and would get reviewed down the road when that became (inaudible) at which probably have to replace it somehow, but it wouldn't be subjected to (inaudible) the next round. It wouldn't subject it to the town to --

MR. BRAVMAN: A penalty or anything like that.

MR. KUNZMAN: No, no, no, because we've met all the obligations at this point, which is it's developable, has sewer, water. There would be no reason -- apparent reason why it can't be, you know --

MR. SACHS: Yeah, let me just jump in. I mean, certainly, there can be an amendment to this plan down the road if, in fact, that situation occurs where a developer realizes, my God, this is a brownfields site, but I will tell you this. Most of the -- a lot of the input that went into this particular settlement, the township was aware of what properties were available for purposes of possibly having affordable housing needed to be rezoned, so I think we've got a good analysis of what these properties -- what the condition of these properties are, but you're right, something undiscoverable at this point could occur, but certainly, this plan can be amended.

MR. BRAVMAN: And the impact on us I'm saying wouldn't be an impact that can't be addressed at that time.

MR. SACHS: Correct.

MR. KUNZMAN: Correct, and remember, all (inaudible) that was zoning (inaudible) also approved for senior housing.

MR. SACHS: Correct, right.

MR. KUNZMAN: That particular --

MR. SACHS: There are some studies, and I think there was even an application or at least Alfieri had -- they never submitted it? Okay.

MR. GOTTLIEB: There was never an application; however, they worked with the town to establish the senior zoning --

MR. SACHS: Right.

MR. GOTTLIEB: -- on that property.

MR. REISS: I have a question. What's the ongoing monitoring and reporting that we're required to do, and then what is the roll of the planning board? Does it become part of our agenda?

MR. KUNZMAN: That's more be involved the town administration.

MR. REISS: What is that reporting that is required?

MR. SACHS: Maybe I can answer that. I'll answer the second part first. The reason that we

need to do obviously rezoning on certain of these tracts is to make sure that when an applicant who wants to develop on these sites decides to do so, they're coming in front of the planning board and not in front of the zoning board where it potentially could be a use variance situation. So obviously, it would be a permitted use. The planning board in the future, assuming developers are going to go forward with plans here, you'll have the review process just like any other planning board application.

MR. REISS: So it will be baked into the requirements.

MR. SACHS: Yeah.

MR. REISS: And then what about the ongoing?

MR. SACHS: There's not necessarily ongoing reporting, but there's some provision in the court order I think that states that --

MR. KUNZMAN: And there's provisions in the second round rules how report on a certain -- as to the progress of things to COAH, or in this case it would be to fair share housing special master and posting on the town web site just the progress of things.

MR. REISS: So if we were to do a master plan update, this would come up?

MR. SACHS: Well, this is going -- this is your master plan.

MR. REISS: I understand. If we do another one.

MR. GOTTLIEB: It's in this -- the recording is in this document.

MR. SACHS: To answer your question, we cannot -- we could not amend the master plan to eliminate this requirement because it's by court order.

MR. REISS: That's what I'm asking.

MR. SACHS: It's by court order.

MR. REISS: I just don't want to get into a position where we haven't met our obligations, we're not going to be able to meet our obligations, and we're not alerted to it in enough time.

MR. SACHS: Well, that's going to be controlled by developers, such as Mr. Petrino's clients perhaps, but if they're going to go forward with these, you know, with these applications.

MR. KUNZMAN: If they determine not to for whatever reason, the zoning is in place. It's not going -- they're not going to come back and say they have to change.

MR. SACHS: Frank, I didn't want to put you on the spot, but I saw you sitting there.

MR. REISS: Thank you.

THE CHAIRWOMAN: Howard.

MR. SCHMIDT: The Mack-Cali property located at Old Stage Road and Summerhill, there's currently an insurance company that occupies that building. I'm pretty familiar with it. I pass that every day. Are they vacating that property? Is that going to become vacant?

MR. GOTTLIEB: We've been -- we were initially approached by the owner of the property, Mack-Cali, who wants -- who indicated to us that the insurance company's use of that building, which is very much outdated, they are not utilizing it to the fullest extent, and they discussed with us the possibility of doing some other things with that property, and one of the things that made this site attractive for this type of development is the location of some of the other commercial around it as well as a transit stop, bus stop, that goes directly into the city.

MR. SCHMIDT: Here's my second question on that. That's going to be rezoned town green, right,

looking at the uses, single-family, townhouses, apartments and multiple dwelling units, and retail shopping. That property abuts a very busy intersection, one of the busiest intersections in this town where there have been numerous accidents. Can that intersection withstand that kind of development, multifamily units, parking and traffic? That's a pretty tough spot.

MR. GOTTLIEB: They're both county roads.

MR. SCHMIDT: Right.

MR. GOTTLIEB: And rest assured, when they come in with an application, they're going to have to show this board that the density that is being proposed that the surrounding road network can support that, you know, that type of development.

MR. SCHMIDT: Yeah.

MR. GOTTLIEB: And they will have to get county approval, township approval, and if they have to make modifications to the traffic signal, they're going to have to get DOT approval.

MR. SCHMIDT: Yeah. See, right now, that -- the use of that property, the insurance company, generates very little traffic.

MR. GOTTLIEB: That's correct.

MR. SCHMIDT: So it's a relatively harmless use. My only concern here is that particular location is going to be very tough in traffic and ingress and egress onto two very busy roads, roads that I travel every day.

MR. GOTTLIEB: I mean, again, one of the things that is hopeful -- is helpful with this particular site is the location of the bus stop, which will -- and also the proximity to other commercial so the people going in and out of this potential development may not need as many vehicles, may not need to make as many trips. That's why this site was chosen after discussions with the property owner for this type of development. I mean, obviously, they are still going to have to prove to this board that it has the capacity for the density, but those things make it very likely that they will be able to do so.

MR. SCHMIDT: As you are aware, Steve, that property is on the boundary line with Spotswood.

MR. GOTTLIEB: Yes.

MR. SCHMIDT: So you've got residences south of that property and a major strip shopping center there, the Spotswood Loman shopping center. A lot of traffic in and out of that shopping center.

MR. GOTTLIEB: We're aware of that, and that's also one of the reasons why this property is attractive for that type of development.

A BOARD MEMBER: Do we have -- I think it's a great question, by the way. Do we have any obligation to Spotswood to explain -- to let them know about this site?

MR. GOTTLIEB: They are noticed, and when the --

A BOARD MEMBER: That we put it in our plan are they noticed?

MR. GOTTLIEB: Yes.

MR. SACHS: And if there's any development application they get noticed.

A BOARD MEMBER: They're aware now.

MR. SACHS: Yes.

MR. GOTTLIEB: And when the -- after the ordinance is introduced at the town council, there will be a public hearing at the council where Spotswood and the residents will have an opportunity to --

MR. SCHMIDT: Okay. My personal view on it, Steve, frankly is if there was single-family homes, I don't think it would create much of a burden, but if there was apartments and multiple dwelling units, that

location would be a disaster, a complete disaster.

MR. GOTTLIEB: I disagree with you, but you can have that. I mean, you're likely --

MR. SCHMIDT: Because I live close to that area. There's a lot of accidents at that intersection.

A BOARD MEMBER: Steve, do we know the minimum or the maximum of dwellings that can go on there?

MR. GOTTLIEB: Well, it's zoned for -- it's zoned -- the density, the proposed density is 12 units to the acre. The property is 10 acres. Now, another thing that is so attractive that in East Brunswick along one side of the property is the Frost Woods open area. So there are no residents in East Brunswick on the north side of the property. There are single-family homes on the west side of the property, which one of the things that we will require that -- if they come in for an application, one of the things that we will require is substantial buffer, but to answer your question, if it's zoned for 12 units to the acre, they can have a maximum of 120 units, and as part of that 120 units, it will -- it will -- they will provide a minimum of 24 affordable units.

A BOARD MEMBER: Right, which is the 20 percent. Okay.

MR. GOTTLIEB: Twenty percent. Now, if they decide that they would rather construct something other than apartments, obviously, they have to work it out in all the design and how -- but the unit count goes down, there will be less affordable units, less units on the property.

A BOARD MEMBER: You mentioned this takes us to 2025?

MR. GOTTLIEB: Yes.

A BOARD MEMBER: When is the next evaluation or the next mandate that we would have to be involved in or whatever?

MR. GOTTLIEB: Twenty twenty-five.

A BOARD MEMBER: It's up to -- okay. I didn't know if there was anything before that looking into.

MR. GOTTLIEB: Hopefully by that time there will be some agency --

A BOARD MEMBER: That's only technically 9 years away or something. Goes by fast.

MR. SACHS: Let me add, as well, and I know East Brunswick has this in their settlement, that if there is some type of decision from the Appellate Division or Supreme Court, which obviously has a major impact on how affordable housing is dealt with in New Jersey, then certainly, the township can avail itself of seeking a modification of the settlement, as can -- and by the way, I mean, I represent Sayreville on their COAH. We have the same provision in our settlement, as well.

MR. GOTTLIEB: Now, please understand, while these properties are being zoned for this, again, it is entirely up to the property owners should they want to build in accordance with this, and I have to stress to you, this plan completely reflects the -- it has not changed since we first brought this to you, you know. The properties that we had initially looked at actually removed a couple of the properties from, but the properties that we had initially looked at are the same in our housing element and fair share plan as they were when we initially brought you to update you on our proceedings before the court. And again, it's just presenting. We're not going to condemn -- the town is not -- does not have to condemn property. We do not have to build units. It's only providing a reasonable opportunity to provide affordable housing.

MR. POTKULSKI: If I can just add something on the Mack-Cali, when we met with them, they had no intentions of coming in here and building 120 units. Their intention was a mixed use development, you know, that could consist of daycare centers or (inaudible) they're looking for corners. So I envision something like that with a little housing mixed in, but the board's going to see that application. The board's going to see a traffic study, a detailed traffic study. It's going to have access points, you know. What's good about this being on a corner, you know, you could have an entrance driveway, you know. Cars could enter on one side, exit on the other, and it's almost a U-turn, a U-turn with a traffic signal. As long as that's designed properly, I don't see an issue at this point. I don't envision 120 residential units here. It's going to be something mixed.

MR. SCHMIDT: Where you're going to see opposition on development in that area is going to be from the Spotswood side because you've got a major older development right to the south I guess of that property, the Ellenel Boulevard and those streets in there, and you have that townhouse development behind the shopping center. Because I handled an application in Spotswood to put a Pizza Hut on Summerhill Road. Must have had a hundred residents from Spotswood come out to oppose it. So that would be an interesting thing because you're going to have two towns involved in that, residents of both towns.

MR. SACHS: If fairness, Howard, we've had a lot of -- actually not with Spotswood but with other neighboring towns who have put large-scale warehouse developments right on our border --

MR. SCHMIDT: Like Milltown.

MR. SACHS: Not Milltown. Talking about South Brunswick. I mean, you know, that seems to be the nature.

MR. SCHMIDT: Pay back.

MR. SACHS: You put it on your border. And Milltown. That's true.

THE CHAIRWOMAN: Any other comments? I'm going to open to the public. Anyone in the public wanting to speak? You want to talk?

MR. PETRINO: Only to say the Cubs are winning.

THE CHAIRWOMAN: Closing the public.

MR. SACHS: Miss Tugya, I think what we have to do tonight is I don't think we're going to take any action on this tonight because it has to go -- all right, Stephen, lets --

MR. GOTTLIEB: We have a -- I included a resolution in your packets for the adoption of the housing element and the fair share.

MR. SACHS: Okay. All right. That's fine.

MR. GOTTLIEB: The ordinances will have -- will have to be reviewed again after they are adopted or.

MR. KUNZMAN: Introduced.

MR. GOTTLIEB: I'm sorry, introduced by the town council.

MR. SACHS: And that will require a special meeting. All right. Fine.

MR. GOTTLIEB: That's going to require a special meeting, which I will fill the board in with all the details that we're going to have to ask for a quorum on a given date, and we can do this by -- we can do this by conference call because we have sometime constraints because of our hearing scheduled for December 2. So after the ordinances are introduced, going to have to get the board together, whether it be in person or conference call for a special meeting.

MR. SACHS: We can maybe do it by conference call, and we can probably even do it during the day where, you know, members of the board can call in and maybe we can just obviously have people call in to the municipal building, and we'll just do a voice vote that way, so this way we don't have to drag you out for a special meeting.

A BOARD MEMBER: At a restaurant.

MR. SACHS: We can do it at a restaurant, too. But in any event, yeah, it's got to be done. There are some time parameters here. And let me just add, you know, I kind of walked in a few minutes late, but I'm very familiar with the settlement. I think the town did a great job in settling this. I think one of the advantages that East Brunswick had -- and there are some members here who have been here for, you know, for 20 years or more and even, you know, time periods in between there. The one thing that this board has always done is require on residential developments an affordable housing component. Just about every large-scale residential subdivision, you know, this board has imposed affordable housing within those developments. Not every town has done that. In fact, I can tell you Sayreville did not do that. I'm involved in their case. So that's kudos to this board, as well, you know, I know Linda's here tonight. We've done a tremendous job, as well, with rehabilitation units, and a we've received a lot of credits for that. So I know from a municipal standpoint, every municipality is not happy with the way things have sorted out with COAH, or the lack of COAH at this point, and, you know, has put the affordable housing responsibility in the hands of Superior Court judges, but I think this is a very good settlement, and I think they've done an excellent job in dealing with it.

MR. REISS: Can we make a motion?

MR. SACHS: Somebody can make a motion to adopt the housing element.

MR. REISS: Yes, I make a motion to adopt the resolution.

MR. VACCA: I'll second it.

THE CHAIRWOMAN: Roll call.

MR. GOTTLIEB: Mr. Schmidt.

MR. SCHMIDT: Yes.

MR. GOTTLIEB: Mr. Vacca.

MR. VACCA: Yes.

MR. GOTTLIEB: Mr. Albert.

MR. ALBERT: Yes.

MR. GOTTLIEB: Mr. Reiss.

MR. REISS: Yes.

MR. GOTTLIEB: Mr. Losik.

MR. LOSIK: Yes.

MR. GOTTLIEB: Mr. Bravman.

MR. BRAVMAN: Yes.

MR. GOTTLIEB: Mayor McEvoy.

MAYOR McEVOY: Yes.

MR. GOTTLIEB: Mr. Heppel.

MR. HEPPEL: Yes.

MR. GOTTLIEB: Chair Tugya.

THE CHAIRWOMAN: Yes.

MR. GOTTLIEB: That was to --

MR. SACHS: Now we'll adopt the resolution.

MR. GOTTLIEB: Now we have to adopt the resolution.

THE CHAIRWOMAN: Okay.

MR. SACHS: To memorialize the resolution.

MR. REISS: I make a motion to adopt the resolution to memorialize the resolution.

THE CHAIRWOMAN: Second.

MR. ALBERT: Second.

THE CHAIRWOMAN: Roll call.
MR. GOTTLIEB: Okay. Mr. Schmidt.
MR. SCHMIDT: Yes.
MR. GOTTLIEB: Mr. Vacca.
MR. VACCA: Yes.
MR. GOTTLIEB: Mr. Albert.
MR. ALBERT: Yes.
MR. GOTTLIEB: Mr. Reiss.
MR. REISS: Yes.
MR. GOTTLIEB: Mr. Losik.
MR. LOSIK: Yes.
MR. GOTTLIEB: Mr. Bravman.
MR. BRAVMAN: Yes.
MR. GOTTLIEB: Mayor McEvoy.
MAYOR MCEVOY: Yes.
MR. GOTTLIEB: Mr. Heppel.
MR. HEPPEL: Yes.
MR. GOTTLIEB: Chair Tugya.
THE CHAIRWOMAN: Yes.
MR. GOTTLIEB: Essentially, we went over

the --

MR. SACHS: We're not doing anything --

MR. GOTTLIEB: We are tentatively -- this special meeting will be the week of the 14th, the council meeting. If -- should they introduce the ordinances, it will be -- special meeting will be shortly after that. Otherwise, our next regularly scheduled meeting is going to be December 7. December -- November 16, because of conflicts with the league, we are going to cancel.

MR. SACHS: Motion to adjourn.

MR. REISS: Motion to adjourn.

MR. SACHS: Somebody can make a motion to adjourn.

MR. REISS: So moved.

THE CHAIRWOMAN: Thank you.