

BOROUGH OF FAR HILLS
Borough Council Special Meeting
MINUTES
December 1, 2022
VIA REMOTE MEETING ACCESS ONLY

CALL TO ORDER

Mayor Karner called the meeting to order at 5:00 p.m. and read the open public meetings statement in accordance with the law.

PLEDGE OF ALLEGIANCE

Mayor Karner led the Pledge of Allegiance.

ROLL CALL

Present: Councilwoman Mary Chimenti, Councilman Ted McLean, Councilman Rick Rinzler, Councilwoman Sheila Tweedie, Council President Kevin Welsh, Mayor David Karner
Absent, as excused: Councilman Carty
Also Present: Borough Clerk Dorothy S. Hicks, Borough Attorney Joseph Sordillo

NEW BUSINESS

RESOLUTIONS

Resolution 22-165 – Award of Professional Services Contract – Development of a Fiscal/Financial Impact Assessment – Affordable Housing Inclusionary Development – The Otteau Group

Mr. Sordillo provided an overview of the Request for Proposals (RFP) process undertaken by the Borough for the fiscal/financial impact assessment noting that the only submission to the formally advertised RFP was the Otteau Group, LLC.

Mr. Sordillo informed the Council during the meeting with Mr. Otteau held on November 9, 2022 it was discussed that the analysis of the developer's profit would be primarily based upon an interpretation and was not a necessary component of the fiscal/financial impact assessment for the Borough's purposes.

He also apprised the Borough Council of the revisions to the scope of work to remove the analysis of the developer's profits as this information was typically only applicable to redevelopment projects. Mr. Sordillo stated Mr. Chris Otteau of the Otteau Group, LLC was amenable to the revised scope of work.

Council President Welsh stated one of the critical components of the assessment was to evaluate the subsidy provided to the developer for the age restriction placed on the development.

Councilwoman Chimenti commented that since the Borough would be funding the contract it provided a level of autonomy and more credibility of the assessment.

Councilman Rinzler inquired about the revision to the scope of work and stated he was in favor of proceeding with the original proposal with the Otteau Group, LLC which included information pertaining to the developer's profit.

A brief discussion ensued regarding the original RFP and the proposal submitted by the Otteau Group, LLC resulting in a general consensus to award the contract based upon the revised scope of work.

Mayor Karner stated he would apprise the developer of the Borough's decision to move forward with the Otteau Group, LLC and would not be considering a proposal from NW Financial as originally planned.

Mayor Karner also informed the Borough Council of delinquencies in the Planning Board escrow account for the Errico Acres/Residences at Overleigh development.

Mr. Sordillo was asked to send a letter to the Pulte Group to replenish the escrow account. Mayor Karner stated when there was a deficiency in the escrow account balance, the applicant would be notified that work by the Borough professionals would cease until the balance was replenished.

Ms. Hicks inquired as to the protocol for the stop work notification to the professionals with regard to the replenishment of a deficient escrow balance. Mr. Sordillo advised he would review the Municipal Land Use Law procedures regarding escrow replenishment and would provide the appropriate guidance for use by the Borough. Each Planning Board and Board of Health escrow account that was currently deficient would be addressed in a similar manner.

Motion by Councilwoman Tweedie, seconded by Councilwoman Chimenti that Resolution 22-165 be approved.

Roll Call:

Aye: Chimenti, McLean, Rinzler, Tweedie, Welsh

Nay:

Abstain:

Motion Carried.

PUBLIC COMMENT – *The Mayor and Council welcome comments from any member of the public. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers shall limit their comments to 5 minutes.*

Motion by Councilwoman Tweedie, seconded by Councilwoman Chimenti to open the meeting to public comment.

There were no comments from the public.

Motion by Council President Welsh, seconded by Councilwoman Tweedie to close the meeting to public comment.

EXECUTIVE SESSION

Resolution 22-166

- Attorney Client Privilege – NJ Transit and Butler's Pantry Lease

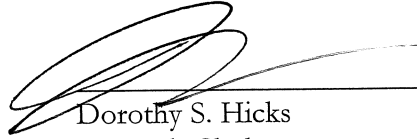
Motion by Councilman Rinzler, seconded by Councilwoman Chimenti to approve Resolution 22-166.

RETURN TO OPEN SESSION AND ADJOURNMENT

Mayor Karner offered congratulations to Shana Goodchild on her appointment to the Board of Health Secretary and to Marina Yoler for her promotion to Deputy Registrar and Safety Coordinator in addition to her duties as Assistant to the Borough Clerk.

Motion by Councilwoman Tweedie, seconded by Councilman McLean was unanimously carried to adjourn the meeting at 5:35 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Dorothy S. Hicks', written over a horizontal line.

Dorothy S. Hicks
Borough Clerk

APPROVED 12/12/2022