

**Meeting Minutes
Hightstown Joint Borough Council & Planning Board
Special Meeting
January 25, 2016
7:00 pm**

The meeting was called to order by Mayor Quattrone at 7:03 pm and he read the Open Public Meetings Act statement which stated, "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office."

The flag salute followed Roll Call.

	PRESENT	ABSENT
<i>Councilmember Bluth</i>	✓	
<i>Councilmember Hansen</i>	✓	
<i>Councilmember Kurs</i>	✓	
<i>Councilmember Misiura</i>	✓	
<i>Councilmember Montferrat</i>	✓	
<i>Councilmember Stults</i>	✓	
<i>Mayor Quattrone</i>	✓	

Also in attendance: Margaret (Peggy) Riggio, Deputy Borough Clerk; Henry Underhill, Borough Administrator and Fred Raffetto, Borough Attorney.

PLANNING BOARD ROLL CALL

	PRESENT	ABSENT
Mr. Lane	X	
Mr. Montferrat	X	
Mr. Misiura	X	
Mr. Hansen	X	
Mr. Mulleavey		X
Mr. Searing	X	
Mayor Quattrone	X	
Mr. Musing	X	
Ms. Colavecchio	X	
Mr. Balcewicz, Alt. #1	X	
Mr. Honsel	X	

Also in attendance: Sandy Belan, Planning Board Secretary, Tamara Lee, Borough Planner and Carmela Roberts, Borough Engineer. Scott Rekant, Attorney, Sokol Behot, LLP was also present.

APPROVAL OF AGENDA

Councilmember Stults moved the agenda for approval. Councilmember Misiura seconded.

Roll Call Vote: Councilmembers Bluth, Hansen, Kurs, Misiura, Montferrat and Stults voted yes.

Agenda approved 6-0.

WELCOME

Mayor Quattrone welcomed everyone and thanked them for coming out despite the weather. Mayor Quattrone then introduced Borough Attorney, Fred Raffetto who gave an overview of the redevelopment plan process.

REDEVELOPMENT PLAN PROCESS

Mr. Raffetto read the following statement:

- The redevelopment process in N.J. is governed by the “Local Redevelopment and Housing Law,” which may be found at N.J.S.A. 40A:12A-1, *et seq.*
- Under the law, “redevelopment” essentially means the clearance, planning, development or redevelopment of certain property, which may include conservation and/or rehabilitation of any structure(s) or improvement(s) located thereon, in accordance with a redevelopment plan.
- In order to commence the redevelopment process, a municipality must first cause a preliminary investigation to be undertaken in order to determine whether a particular property is in need of redevelopment. This preliminary investigation is undertaken by the Planning Board, at the request of the Governing Body, and is guided by specific criteria as set forth in the Redevelopment Law.
- A determination that a property is in need of redevelopment may be premised upon, among other things, the fact that existing buildings in the proposed redevelopment area are substandard, unsafe, dilapidated or obsolescent, or that the discontinuance of the use of certain buildings previously used for commercial, manufacturing or industrial purposes has caused them to fall into a state of disrepair that is not in keeping with the general welfare.
- Redevelopment efforts were initially commenced in Hightstown in 2003.
- At that time, following the public hearing held by Planning Board, the Mayor and Council determined that an area known as the “Main Street Redevelopment Area” satisfied the statutory criteria to be determined an “area in need of redevelopment.”
- The “Main Street Redevelopment Area” was divided into three (3) subparts, each with a specific geographical description. The separation of the overall redevelopment area into subparts was intended to allow for a more manageable implementation of the process.
- The three (3) sub-areas that were part of the “Main Street Redevelopment Area” included the following:
 - 1) Sub-Area I (known as the “Bank Street” area), which is where the Rug Mill property is located;
 - 2) Sub-Area II, which includes certain areas of South Academy Street; and
 - 3) Sub-Area III, which includes certain areas of Route 33.
- When the Governing body adopted the first Redevelopment Plan for the “Main Street Redevelopment Area” in 2004, it indicated that the goal of the Plan, which was consistent with the Borough’s 1998 Master Plan, was to “revitalize the central downtown business district and improve the economic viability of the Borough.” It also recognized that “pedestrian movement must be a priority.”

- At that time, the Governing Body recognized that each of the Sub-Areas could be treated as independent phases, and may be undertaken by different redevelopers and at different times, independent of each other.
- With that in mind, the Governing Body in 2004 determined that it was most important to concentrate redevelopment activities on the former Rug Mill Site, which is located within Sub-Area I (or the “Bank Street” area).
- As such, though the 2004 Redevelopment Plan identified the three Sub-Areas previously referenced, it only included design criteria and other standards relating to the Bank Street Sub-Area, with the understanding that further action would be necessary with regard to the other two Sub-Areas in the future.
- By law, once a redevelopment plan is adopted, its provisions can either supersede the land use development regulations which otherwise would govern the properties covered by the Plan, or its provisions may constitute an overlay zoning district for the properties in question, which determination is to be made by the Governing Body.
- In Hightstown, when the 2004 Redevelopment Plan was adopted, the Mayor and Council made it clear that the provisions of the Redevelopment Plan were to supersede the prior zoning regulations applicable to the Bank Street area, including the Rug Mill.
- The original 2004 Redevelopment Plan was subsequently revised in 2006, and then again in 2008, as negotiations with a prior potential redeveloper ensued.
- Unfortunately, for various reasons, including the downturn in the economy and real estate market at that time, negotiations with that prior potential redeveloper of the Rug Mill site never came to fruition.
- For a number of years thereafter, no formal redevelopment activity was ever memorialized or undertaken involving the Rug Mill Site.
- In 2015, however, with market conditions improving, the Mayor and Council adopted further revisions to the 2004 Redevelopment Plan, in order to make redevelopment of the Rug Mill site more feasible for any potential redeveloper.
- At or about that time, representatives of the Borough were contacted by representatives of developer R. Black Global, with offices out of Brooklyn, N.Y., concerning their interest in redeveloping the Rug Mill site.
- Discussions between a small subgroup of Borough officials and representatives of R. Black Global thereafter ensued, to the point that concept plans have now been prepared depicting R. Black Global’s vision for redevelopment of the Rug Mill site, which vision is consistent with the requirements of the current Redevelopment Plan. Representatives of R. Black Global are here this evening in order to engage in a public presentation of its concept plans to the Mayor and Council, the Planning Board and the public.
- The purpose of tonight’s joint meeting of the Council and Planning Board is simply to allow R. Black Global and its representatives to make a presentation only of its concept plans for the Rug Mill site (and surrounding areas), with the opportunity for questions and answers thereafter. Please note that there will be no formal action taken by either the Mayor and Council, or the Planning Board, this evening, following the presentation.

- If, following this evening’s presentation, the Governing Body is interested in moving forward with the proposal made by R. Black Global, then the next steps will include the following:
 - The Mayor and Council may consider adopting a resolution at a subsequent Council meeting designating R. Black Global and its subsidiary(ies) as the Conditional Redeveloper for the Rug Mill site and authorizing the execution of a Conditional Redeveloper Agreement between the Borough and R. Black Global.
 - This Conditional Redeveloper designation and agreement is not a required step under the Redevelopment Law, and will not irrevocably bind the Borough to anything. However, this step typically gives comfort to the developer that the municipality approves of its general concept, with more details to be negotiated and ironed out later. Moreover, the Conditional Redeveloper Agreement shall require the developer to deposit escrow funds with the Borough, which the Borough can use to pay its professionals and all other costs associated with this matter. As such, the Borough’s taxpayers will not be on the hook to fund any of the Borough’s expenses in moving this matter forward.
 - The Conditional Redeveloper’s Agreement will, among other things, provide the Borough with an opportunity to conduct full due diligence efforts concerning R. Black Global, so as to ensure that the developer has the financial wherewithal to complete the proposed redevelopment project. This may involve the retention of outside financial professionals by the Borough – again, at no expense to the Borough’s taxpayers.
 - During the term of the Conditional Redeveloper’s Agreement, the Borough’s representatives will work with R. Black Global’s representatives in an attempt to negotiate a full Redevelopment Agreement, which would fully govern the undertaking of the project. This Agreement will identify, for example, all of the properties to be included as part of the project, the overall scope of the project, and all of the terms and conditions under which the developer will undertake the project, including a project schedule, the posting of a performance guarantee(s), etc.
 - Presuming that the parties are successful in negotiating and executing a full Redevelopment Agreement (which must be approved by resolution of the Governing Body in public), the developer will then prepare and submit necessary land use applications, including site plan and/or subdivision, if applicable, to the Borough’s Planning Board. Once such applications have been approved by the Board, the developer may then commence its construction of the project, all in accordance with the project schedule and the other terms and conditions that will be incorporated into the Redevelopment Agreement.
- With that having been said, I would like to turn this matter over to Councilman Misiura, so that the presentation by R. Black Global may proceed.

REDEVELOPMENT COMMITTEE STATEMENT

Councilmember Misiura explained that the subcommittee began working with R. Black Global in June of 2015. At that time Council shared their vision about the future of the Rug Mill Property. This is the first public presentation of the vision. At this time, Councilmember Misiura introduced Jim Constantine of LRK.

PRESENTATION OF THE CONCEPT PLAN

Jim Constantine explained welcomed everyone and explained that LRK also recently designed the vision for the Lakefront plan for Downtown Hightstown. Explained that the Master Plan talks about protecting and perfecting the historic town center. The Master Plan also talks about restoring the historic image of Hightstown. Hightstown's Master Plan includes improving and promoting the pedestrian linkage between residential neighborhoods and the downtown area.

Mr. Constantine then introduced Gonzalo Echeverria to move forward with the presentation.

Mr. Echeverria reviewed the concept plan of "The Mills at Hightstown". He spoke about how the Bank Street property was a very interesting structure that could have many uses. The inside of the structure is very special as there are not many spaces like this left. The initial vision of the plan is to take over the existing fire house and municipal building. A new firehouse, police station and municipal building would be built in the new "complex". The entire project would consist of residential and commercial properties, municipal complex, parking garage and park and urban settings along Rocky Brook. Presentation attached and will become part of the permanent minutes.

PUBLIC COMMENT

Mayor Quattrone opened public comment period I and the following individuals spoke:

JP Gibbons, 602 North Main Street – Stated that he was very impressed with the presentation. Questioned if there were tax incentives for the developer. Mr. Misiura replied there was nothing in place at this time. Mr. Gibbons asked that Council publicize special meetings such as this more. Ended by stating that if anyone in the public wanted a copy of the video recording of this meeting to please contact him.

Paul Byrne, 152 Hickory Corner Road, East Windsor, employee of CCL Label Inc., 118 Stockton Street – Mr. Byrne introduced Jason Rudolf, Operations Manager, CCL.

Jason Rudolf, Operations Manager, CCL Label Inc., 120 Stockton St.– Doug Albrick, Global Facilities Engineer, asked me to attend this meeting to hear the presentation. Complimented Council on their initiative and plan. CCL has been at their present location for over 18 years and has ties to the community. His one concern with the plan is accessibility. He would encourage additional thoughts regarding accessibility especially through Stockton Street which is essentially CCL's driveway/parking. He hopes that CCL would be involved in the planning process.

Rob Thibault, 504 South Main – had the following questions:

- Who is the owner of the property?
 - It is a partnership. R. Black Global is the developer
- How many residential units are we talking about?
 - It will be based on available parking but at the moment they are looking at 170 units.
- What is the target demographic?
 - Singles, young couples, empty nesters. This will not be an age restricted community.
- Public spaces – are they privately owned or Borough owned? Will use be restricted to residents only?
 - They are privately owned but the public will have access to them.
- Is there a pilot or tax abatement in place
 - No
- Is the Borough giving up Borough Hall and the Firehouse in exchange for new facilities?
 - This item is being negotiated. There is an appraisal in process.

Walter Sikorski, 226 North Main Street – Stated that he likes the concept and the individuals working on this project should be commended. Questioned if the 170 proposed residential units would be rentals or condos and how these units could impact our COAH requirements. Mr. Misiura responded by stating that the residential units would be mixed. He continued by stating that our COAH requirements are different now and we are currently working with the Court Master in meeting our requirements.

Eugene Sarafin, 628 South Main Street - Commented that this was an interesting presentation. He stated that he doesn't think 170 rental units is reasonable for the 7 acres. He continued by saying that he doesn't see why the municipal complex would be in this location. The Borough should look for a different location for new offices. He ended by thanking everyone for trying to develop Rocky Brook, this is important.

Lawrence Jones, 148 Stockton Street – Stated that this is a good concept but voiced concern over the parking deck access to Stockton Street. His home is located next to CCL and he is concerned about how the access will impact his own driveway.

Christine Resnick, 119 Cole Avenue – Questioned the ratio of parking spaces to the residential units. She is a resident in town and does not want to see parking become an issue. She ended by stating that she does not want to see Hightstown turn into Red Bank. Mr. Cowell responded that the parking deck would be designed to accommodate what the town needs. The parking deck can always have extra levels to accommodate what is needed. Councilmember Misiura added that he has seen 4 or 5 proposals for this location over the years and this is the first one to propose a parking deck. He feels this is a great idea that would benefit the town greatly.

Gail Gasper, 39 Norton Avenue – Commented that if Hightstown is compared to Red Bank she wouldn't complain. She stated that she supports this plan and is happy that we are trying to make Hightstown a place everyone feels good about.

Scott Jenkins, Fire Chief, 200 Mechanic Avenue – Commended Council. Voiced his concern about parking for the Firehouse. Mr. Misiura replied by reminding everyone that this was just a concept and nothing is set yet. The Fire Department will be included in the planning to make sure all of their needs are addressed.

Stacey Judge, Chair Hightstown Parks and Recreation Commission, 307 Morrison Avenue – She is excited about the project and is looking forward to a more active population.

JP Gibbons, 602 North Main Street – is this going to be an association or is all of the open space available to the public? Mr. Cowell responded by stating that this is not going to be an association. The open space will be open to the public.

George Zhelesnik, 7 Ely Court – Commented that he applauds Council for this vision. If we do not modernize this town our home values are going to drop and we will become a ghost town.

Dan Trent, 248 Franklin Street – Stated that he thinks this is a wonderful project and applauds Council.

Frank Rivera, 110 Broad Street – Commented that there are a lot of moving parts to this project and he is impressed so far. He is confident that Council will answer the public's questions along the way. Asked if he could invite the Planning Board to comment on the proposed plan. Mayor Quattrone responded that the Planning Board will not be commenting at this time since all plans and proposals will have to get their approval before moving forward.

There being no further comments, Mayor Quattrone closed the public comment period.

MAYOR/COUNCIL/COMMENTS

Councilmember Bluth – Commented that this is an exciting plan with a wonderful concept and she can't wait for this to move forward.

Councilmember Montferrat – Thanked the public for coming. Stated that this concept is a game changer for Hightstown. Continued by stating that this is a public driven process and encouraged the public to stay involved by attending meetings and asking questions.

Councilmember Stults – Stated that this project is special to him. In 1995 when he was in architectural school this was his thesis project. The comment that stays with him was that his project did not connect the main street. This is the first proposal that he has seen that connects the Mill Property to downtown. This is not just a tax issue but a quality of life issue. He is excited to see this project move forward.

Councilmember Kurs – Thanked everyone for coming. Stated that parking is a concern for him also. He commended the subcommittee for all of their work. He is looking forward to moving forward with this project.

Councilmember Misiura – Stated that this is a unique project that will benefit everyone. As we move forward we will continue to work with the Police Department and the Fire Department in analyzing their needs.

Council President Hansen – Stated that this is very exciting and feels that it will become a reality. Council will work to address all the issues presented. Ended by stating that this is the flame that Hightstown needs.

Mayor Quattrone – Stated that this is a very exciting project and there are many details that will need to be worked out. Commented that he has a wonderful Council to work with in trying to make Hightstown a better place to live and visit. There will be more meetings in the future and they will keep the public up to date with the plans as the project moves forward.

ADJOURNMENT

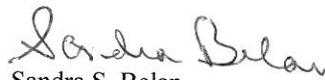
Councilmember Misiura motioned to adjourn at 8:38 p.m. Councilmember Montferrat seconded. All ayes.

Respectfully Submitted,



Margaret M. Riggio
Deputy Borough Clerk

Respectfully Submitted,



Sandra S. Belan
Planning Board Secretary

