

Board Chairman Gary Frank called the regular meeting of the Mine Hill Township Planning Board to order at 7:30 pm and led those present in the Pledge of Allegiance.

OPEN PUBLIC MEETINGS NOTICE

Mr. Frank announced that adequate notice for this meeting had been given as required by law.

ROLL CALL: Members Present –	Mr. Alpaugh; Mr. Frank; Ms. Goldstein; Mr. Heredia; Mr. Morris; Mr. Sauchelli
Members Absent –	Ms. Del Rio (Alternate); Mr. Gallerano; Mr. Gorman; Mr. Willis
Alternates Present -	Mr. Rautenberg
Also Present –	Mr. Wiener, Board Attorney; Ms. Istvan, Planning Board Administrator/Recording Clerk,
Public Present –	0

APPROVAL OF MINUTES

November 3, 2014 Minutes –

Ms. Goldstein and Mr. Heredia noted the following correction needed to be made: On the first page, in the first paragraph/section under the “Approval of Minutes” for September 15, 2014, it should read “... since he was referring to **Mr. Rose’s** specific shed” instead of “Mr. Heredia’s specific shed”.

Ms. Goldstein also noted that the following correction needed to be made: On page six, halfway down the page in two areas where she was speaking, it should read “**two** concerns” instead of “to concerns”.

Mr. Sauchelli noted that the following correction needed to be made: On page 7, eight comments down the page where he was speaking it should read, “loose ends and that should be **pursued**” instead of “loose ends and that should be perceived.”

Mr. Frank: Anything else at this time?

A motion was made by Mr. Alpaugh and seconded by Mr. Sauchelli to approve the minutes of November 3, 2014 as amended. The motion was approved by a voice vote with an abstention from Mr. Frank.

CORRESPONDENCE

Mr. Frank: We have no correspondence at this time, we are going to move to the vouchers.

CONSIDERATION AND APPROVAL OF VOUCHERS

Mr. Frank: Katelyn had sent an email for the vouchers.

Mr. Sauchelli: There’s just the two, right?

Mr. Frank: I believe so.

Mr. Heredia: I have a question on those.

Mr. Frank: Go ahead Joe.

Mr. Heredia: Are we still behind on Larry’s bills, because remember we had...

Mayor Morris: Larry and I and the CFO are going to meet, we talked today and we are going to meet and square it and get everything squared up.

Mr. Sauchelli: So it is just the two that were sent out by Katelyn.

Mr. Alpaugh: Now, what about, we normally get a purchase order, we normally get the rest of the paperwork. This is what we are going to be getting now, from now on? This is the list or what?

Mr. Sauchelli: We got the Accutrack printout.

Mr. Alpaugh: We got two lines here that say Daily Record, Maser and gives ah...

Mayor Morris: Daily Record, Maser payment. This is the same as the, yes this is the same as the Council gets. These are from escrow. Daily Record, who is that for, Rose? Okay. And Maser. Well you got these because these are coming out of, these are off of Accutrack because these are coming out of escrows. In other words what you are paying tonight is someone else's money, not tax money.

Mr. Sauchelli: Correct

Mayor Morris: If there were bills that were coming out of our general fund for the Planning Board as a budget, you would have another sheet. But tonight you just happen to have the escrow sheet.

Mr. Sauchelli: Okay, but, I think, I guess Mark's question then though was, now that we are doing everything in the Townhall through Accutrack we are going to see this as opposed to ...

Mr. Alpaugh: What we normally see.

Mr. Sauchelli: ... the paper vouchers with the top sheets with the whatever. Which we typically....

Mr. Alpaugh: Well, somebody has to sign the other sheets anyway, so.

Mayor Morris: Yeah, Gary has to.

Mr. Sauchelli: Yeah, those things that Marcie has right over there.

Mr. Frank: I can sign them or the secretary can sign them.

Mr. Heredia: Meaning me or the Recording Secretary?

Mr. Frank: You can sign them too.

Mr. Alpaugh: I don't have any problem with that I was just curious as to what we were going to get because....

Mr. Sauchelli: I think as long as you bring a long like one copy and shoot them around if people are interested, I think we are cool, I mean I don't need them....

Mr. Frank: If somebody actually wants to see them.

Mayor Morris: Yeah, well you will have them with you, for you. You just won't make 50 copies of them, right?

Mr. Frank: No, I don't think that is necessary, I don't see a necessity in that.

Mr. Alpaugh: Not necessary.

Mr. Heredia: They used to get scanned and emailed to us.

Mayor Morris: It is the same process as the Council meetings. I sit there with, I have a big stack of the vouchers, right, and we spend a million bucks and then if somebody wants to see one or they want to question, I just flip through them.

Mr. Sauchelli: Okay.

A motion was made by Mr. Sauchelli and seconded by Mr. Heredia that the two vouchers included as part of the minutes be paid provided there are sufficient funds in the escrow accounts. Seeing no further discussion, the roll was called and the Vouchers List was approved by the following vote:

Ayes: Mr. Alpaugh; Ms. Goldstein; Mr. Heredia; Mr. Morris; Mr. Rautenberg (Alternate Member);
Mr. Sauchelli; Mr. Frank
Nays: none
Absent: Mr. Gallerano; Mr. Gorman; Mr. Willis
Abstentions: none

Mr. Frank: Just real quick, we never heard anything back from Pine Tree Nails? From anybody?

Mayor Morris: They're, what my understanding was, is from Paul that they are not anywhere near close.

Mr. Frank: Okay.

RESOLUTIONS & MOTIONS

a. Resolution 008-14 Amending the Regular Meeting Scheduled for 2014

A motion was made by Mr. Heredia and seconded by Mr. Frank to approve the resolution. The roll was called, and the resolution was approved by the following vote:

Ayes: Mr. Alpaugh; Ms. Goldstein; Mr. Heredia; Mr. Morris; Mr. Rautenberg (Alternate Member);
Mr. Sauchelli; Mr. Frank
Nays: none
Absent: Mr. Gallerano; Mr. Gorman; Mr. Willis
Abstentions: none

BE IT RESOLVED, by the Planning Board of the Township of Mine Hill, in the County of Morris, New Jersey that the meeting schedule established by Resolution 004-14 be amended for the remainder of 2014 as follows:

January 5, 2015 – moved to January 12, 2015 - Reorganization

BE IT FURTHER RESOLVED that certified copies of this resolution shall be e-mailed to the Daily Record, filed with the Clerk of Mine Hill Township and filed on the bulletin board in the main hallway of the Municipal Building.

OLD & NEW BUSINESS

a. Discussion of 2015 Public Planning Board Meeting dates

The proposed meeting dates for the 2015 Public Planning Board Meetings were discussed. It was determined that all of the meetings would fall on the first Monday of each month with the following exceptions:

The September Meeting will take place on September 21, 2015 as the first Monday, September 7, 2015 falls on Labor Day and the second Monday, September 14, 2015 is a Board of Education meeting date.

The January 2016 Reorganization meeting will take place on January 11, 2016 due to the Town Council meeting not taking place until January 7, 2016.

b. Status of Applications

Mr. Sauchelli asked for a follow up from the previous meeting in regards to receiving a periodic status on applications the Board has approved that might come back to the Board. It will allow for better track of vouchers. Mr. Alpaugh added that the Board would like to know the status of applications that were approved with conditions, just so that the Board would have a feel as to what is happening with the various applications. Mayor Morris explained that one of his goals is to straighten out the vouchers, the billing process and the escrow accounts. He also mentioned that if the Board has any questions in regards to the status of applications, to just bring them up as it will cost the Town money to have something written up by the engineer.

Mayor Morris explained that the only outstanding issue that he is aware of has to do with engineering work that has not been done by J&E Auto that was part of his approval from the summer of 2013.

Mayor Morris also talked about the Tax Title Liens (TTLs) which are properties that no one is paying the taxes on as no one has clear title on. There are about 22 of these such TTLs. The Municipality has to pay the School and the County. It costs the Town about \$36,000 to \$38,000 a year. The Mayor needs to put extra money in legal for 2015 in order to solve this problem.

Mr. Alpaugh explained that the Board may have to deal with some of TTLs properties depending on their size since the addition of one of the lots to an adjoining property may make it a size that can be developed.

COMPLETENESS REVIEWS

None

PUBLIC HEARINGS ON APPLICATIONS PREVIOUSLY DEEMED COMPLETE

None

OPEN TO THE PUBLIC

Mayor Morris informed the Board of a meeting he attended a week before about the Transportation Trust Fund. Assembly Speaker Prieto and Assemblyman Bramnick were there. It was hosted by the NJ Chamber of Commerce. At the meeting it was mentioned how development in NJ needs to be expedited. That there is too much red tape, there is too much in the way. Mayor Morris asked if they are planning on expediting development, and how are they going to protect the towns on the back side.

Mayor Morris explained to the Board how with Thomastown Phase II, they've got \$900,000 in bonds and cash. The Town is very frustrated because the developer has not executed their site plan completely. They left a lot of drainage issues and did some spotty work including driveway issues. The Town will have one more meeting, but then will go after their bonds. The whole thing is under a special LLC that was created for this project. If the Town goes after them, it is adversarial, so the Town will have to pay for the engineering work etc.

Mayor Morris referred back to the meeting he had attended that he asked Assemblyman Bramnick, what were they going to do to help out all of us parents, meaning the towns. He further explained that the developers are like children and the towns are like the parents cleaning up the mess the developers leave behind for which the towns have to pay for after the developers collected their millions. Mayor Morris then provided them

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with the Thomastown II example. Assembly Speaker Prieto, who is the Construction Official for Secaucus Township, agreed with Mayor Morris. He said we want smart development.

Mayor Morris found out from Paul Sterbenz, our Town Engineer, down in Trenton they want to weaken the New Jersey Land Use Law. The Town Engineer will have no say, instead the engineer for the firm doing the building will be the one to say all is okay. Mayor Morris explained that he was sharing these things with the Board to reaffirm that the decisions the Board makes will help shield the Town from messes that may occur in the future because of decisions made in Trenton and possible problems with developers. The Mayor may be attending future meetings with Mr. Sterbenz since they are open to the public.

Mr. Alpaugh shared the following, not knowing if any of it applies to Thomastown II, and by no means referring to Mr. Sterbenz because he was not the engineer involved at that time, but that we need to make sure the Town Engineer does his/her job to prevent such things with site plans not being completed in the future. He also mentioned that Certificates of Occupancy should not be given unless the site plans are completed. Mayor Morris explained COs were issued by Al Thompson back with Thomastown II because people were without a place to live at the time and that the things that were not completed were not health issues where the people could not move in.

Mr. Heredia asked how much money would it potentially cost the tax payers if the Town had to start suing to remediate all of this.

Mayor Morris explained that if they could not come to an agreement, then the Town will file after their bonds and then it becomes the bond company's problem. He further explained that when he was at that meeting, they asked him what he would do. He told them he would hold the engineers for the company, their licenses, and the engineers for the municipalities, take them more to task, to make sure that things are getting done step by step as they go. It will cost the developer more money because the engineer has to sit there and make sure the work is getting done. Then, when they really refuse to do anything there has to be higher cash requirements that the towns, and they need to make it easier for the towns to access them, so they can then file and also use to go ahead and do the things. He explained to the Board that the driveways and drainage issues could be fixed by hiring other companies as well as DPW, but they are not the Town's responsibility. All fees, legal, and anything else in addition to administrative fees should be covered as well.

Ms. Goldstein added from a Thomastown Phase I resident point of view that they are still dealing with issues from twenty years later. She is hit in two ways, from the Thomastown perspective with the maintenance fees and from that of the town with taxes.

Mr. Sauchelli mentioned the discussion from the prior month and how having updates on applications may help with this situation as well.

Mayor Morris explained that Ryan Homes built it as a subcontractor for Landmark Development. Landmark is on the hook. Ryan Homes walked away in August and Landmark is trying to say it is not their problem, which is not the case. There are \$900,000 in bonds that the Town is going to file against Landmark. Mayor Morris reiterated that they are going to draw up an agreement which the Town will send via certified letter and they will have so many days to respond. If they don't agree and don't sign the agreement the Town will go after their bonds.

CLOSED SESSION

A motion was made by Mr. Alpaugh and seconded by Ms. Goldstein to go into a Closed Session at 8:15PM specifically to discuss the Milelli Litigation. The motion was approved by a voice vote.

It was noted that Mr. Frank recused himself from the matter for reasons of proximity of the subject property to his business. Mr. Sauchelli acted as chairman. Mayor Morris recused himself from the session as well.

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At the conclusion of Closed Session discussion, a motion was made by Mr. Alpaugh and seconded by Mr. Heredia to come out of Closed Session. The motion was approved by a voice vote.

OPEN TO THE PUBLIC

The Board re-entered open session at 8:46 PM. Seeing none present it was closed to the Public.

ADJOURNMENT

There being no further business, a motion was made by Mr. Alpaugh and seconded by Mr. Heredia to adjourn the meeting at 8:48 PM. The motion was approved by a voice vote.

Respectfully Submitted,

Marcia H. Istvan
Planning Board Administrator / Recording Clerk

Approved on this _____ day of _____, 20____

Planning Board Chairman