

Board Vice Chairman Gary Frank called the regular meeting of the Mine Hill Township Planning Board to order at 7:00 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. Frank; Ms. Goldstein; Mr. Gorman; Mr. Heredia; Mayor Morris; Mr. Willis  
Members Absent – Mr. Gallerano; Mr. Gonsalves; Mr. Sauchelli  
Alternates Present - none  
Also Present – Ms. Hubbard, Board Attorney (Sitting In For Mr. Wiener); Ms. Istvan, Planning Board Administrator/Recording Clerk,  
Public Present – 0

### **APPROVAL OF MINUTES**

November 2, 2015 Minutes –

*The minutes of the November 2, 2015 meeting were tabled to the January 11, 2016 meeting as there were not enough members who attended the last meeting present to vote.*

### **CORRESPONDENCE**

a. None

### **CONSIDERATION AND APPROVAL OF VOUCHER**

A motion was made by Ms. Goldstein and seconded by Mr. Gorman to approve the vouchers as presented provided there are sufficient funds in the escrow accounts. Seeing no further discussion, the roll was called and the vouchers were approved by the following vote:

Ayes: Ms. Goldstein; Mr. Gorman; Mr. Heredia; Mayor Morris; Mr. Willis; Mr. Frank

Nays: none

Absent: Mr. Gallerano; Mr. Gonsalves; Mr. Sauchelli

Abstentions: none

a. Escrow

b. Planning Board

i. \$315.00 to Larry I. Wiener for Work on Milelli 003-12 - Litigation (PO 18418)

(9/24 Emails with Board Secretary regarding meeting minutes - 0.10 hours;

10/6 Review minutes and create timeline; email Board secretary regarding same - 1.00 hours;

10/19 Review and respond to emails from Amanda Macchia and Marcie Istvan regarding timeline;

Review timeline and resolutions provided and revise timeline accordingly - 1.00 hours)

ii. \$200.00 to Larry I. Wiener for Attendance at 11/02/15 Planning Board Meeting (PO 18419)

### **RESOLUTIONS & MOTIONS**

None

**COMPLETENESS REVIEWS**

None

**PUBLIC HEARINGS ON APPLICATIONS PREVIOUSLY DEEMED COMPLETE**

None

**OLD & NEW BUSINESS**

a. Paul Sterbenz’s Summary of 2015 and Forecast for 2016

Mr. Sterbenz emailed an update for the Board’s review. He noted that in 2015, the Board did the following:

1. “Adopted a Master Plan Reexamination Report.”
2. “Reviewed a number of ordinances that were referred to the Board from the Governing Body, including Ordinances that resulted from the Master Plan Reexamination Report.”
3. “Reviewed and acted upon a number of land use applications.”

Mr. Sterbenz’s Forecast for 2016 included the following:

1. “One of the most important issues that the Board will deal with in early 2016 will be the preparation and approval of a Housing Element and Fair Share Plan. This document is needed to address how the Township will address its affordable housing obligations. The Township will be able to prepare its plan in the near future after the Township becomes part of the Shared Services Agreement between approximately 250 municipalities that are working on addressing its obligations collectively and a report that is being prepared for the Shared Services communities is released by a consultant. I anticipate that the Board will have to deal with and conduct a hearing on the plan in the first quarter of 2016.” Mayor Morris clarified this for the Board.
2. “There will certainly be applications that the Board will have to review in 2016. I am not aware of any specific applications but there will be review work for the Board.”
3. “There will probably be some ordinances referred to the Board by the Township Council again in 2016.”
4. “The Board will also need to prepare in early 2016 its annual report for the Governing Body pursuant to the MLUL.”

**THE FLOOR WAS OPEN TO THE PUBLIC**

Seeing no members of the public present the floor was closed to the public.

**CLOSED SESSION**

Resolution 011-15 Closed Session

A motion was made by Ms. Goldstein and seconded by Mr. Gorman to go into a Closed Session at 7:16 PM (specifically to discuss the recent developments with the Mine Hill Township vs Mine Hill Township Planning Board & Pine Tree Nails & Spa Litigation MRS-L-2652-15PW). The roll was called and the motion was approved by the following vote:

Ayes: Ms. Goldstein; Mr. Gorman; Mr. Heredia; Mr. Frank

Nays: none

Absent: Mr. Gallerano; Mr. Gonsalvez; Mr. Sauchelli

MINUTES OF THE MINE HILL PLANNING BOARD  
REGULAR MEETING – December 7, 2015

3-2015-12-07

Abstentions: Mayor Morris; Mr. Willis

WHEREAS, N.J.S.A. 10:4-13 of the Open Public Meetings Act permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, the Mine Hill Township Planning Board is of the opinion that such circumstances presently exist.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE PLANNING BOARD OF THE TOWNSHIP OF MINE HILL, COUNTY OF MORRIS AND STATE OF NEW JERSEY as follows:

1. The public shall be excluded from discussion of the specified subject matter(s) set forth in paragraph 2 below.

2. The subject matter(s) to be discussed are as follows:

- Litigation – Mine Hill Township vs Mine Hill Township Planning Board & Pine Tree Nails & Spa  
Litigation MRS-L-2652-15PW
- Personnel Matter
- Contract Negotiation
- Attorney-Client Privilege – Specify
- Collective Bargaining Agreement – Specify
- Other – as authorized by N.J.S.A. 10:4-12 – Specify

3. Minutes of the closed session and any other information required to be shown in the minutes by law, shall be promptly available to the public when the matters discussed are resolved, to the extent that making such matters public shall not be inconsistent with section N.J.S.A. 10:4-12.

4. The Planning Board may come back into open session and take further action.

5. This Resolution shall take effect immediately.

*Mayor Morris and Mr. Willis recused themselves at this time, once the vote to go into Closed Session was taken.*

At the conclusion of Closed Session discussion, a motion was made by Ms. Goldstein and seconded by Mr. Heredia to come out of Closed Session at 7:59 PM and return to open session. The motion was approved by a voice vote.

**OPEN TO THE PUBLIC**

The Board re-entered open session at 8:00 PM.

The Floor was open to the Public. Seeing no members of the public present the floor was closed to the public.

4-2015-12-07

MINUTES OF THE MINE HILL PLANNING BOARD  
REGULAR MEETING – December 7, 2015

A motion was made by Mr. Heredia and seconded by Ms. Goldstein in the matter of Mine Hill Township vs Mine Hill Township Planning Board & Pine Tree Nails & Spa Litigation MRS-L-2652-15PW to not defend the litigation. The roll was called and the motion was approved by the following vote:

Ayes: Ms. Goldstein; Mr. Gorman; Mr. Heredia; Mr. Frank

Nays: none

Absent: Mr. Gallerano; Mr. Gonsalves; Mayor Morris; Mr. Sauchelli; Mr. Willis

Abstentions: none

**ADJOURNMENT**

There being no further business, a motion was made by Mr. Gorman and seconded by Ms. Goldstein to adjourn the meeting at 8:03 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