

TOWNSHIP OF DENVILLE  
PLANNING BOARD  
MINUTES

**January 14, 2009**

The Planning Board of the Township of Denville held its reorganization meeting on Wednesday, January 14, 2009. The meeting was held at the Township Municipal Building, 1 Saint Mary's Place and commenced at 7:30 P.M.

**Secretary Probasco read Notice of Public Meeting.**

**Roll Call:**     **Present** – Sue Filauro, Glenn Buie, Howard Shaw, Peter Nienstadt, Lou Maffei, Jim Schoner, Kurt Schmitt, Marilyn Kuntz  
                  **Absent:** Mayor P. Ted Husa  
                  **Professionals present** – Edward J. Buzak, Esq., Tiena Cofoni, Esq., Nicholas Rosania, PE, P.P., William Denzler, PP

Secretary Probasco announced reappointments of Glenn Buie, Peter Nienstadt and Howard Shaw and new member, Kurt Schmitt. Ed Buzak, Esq. administered the oath to Mbrs. Shaw and Schmitt. Mbrs. Buie and Nienstadt reported they were previously sworn by Donna Costello, Town Clerk.

Secretary Probasco opened nominations for the position of Chairperson of the Board.

A motion was made to nominate **Marilyn Kuntz** to serve as Board **Chairperson** by Mbr. Buie and seconded by Mbr. Shaw.

No other nominations were heard and the nominations were closed.

Roll Call:       Ayes – Buie, Shaw, Filauro, Nienstadt, Maffei, Schoner, Schmitt, Kuntz

Chr. Kuntz thanked the board members and commented on looking forward to working with everyone on facing the challenges ahead.

Chr. Kuntz opened nominations for the position of Vice Chairperson of the Board.

A motion was made to nominate **Sue Filauro** to serve as Board **Vice Chairperson** by Mbr. Buie and seconded by Mbr. Nienstadt.

No other nominations were heard and the nominations were closed.

Roll Call:       Ayes – Buie, Nienstadt, Shaw, Maffei, Schoner, Schmitt, Kuntz, Filauro

**RESOLUTIONS**

**Appointment of Board Attorney**

A motion was made to appoint Edward J. Buzak, Esq., as Board Attorney for the year 2009 was made by Mbr. Buie, seconded by Mbr. Maffei and unanimously approved by all Members present.

**Appointment of Board Secretary**

A motion was made to appoint Denean Probasco as Board Secretary by Mbr. Buie, seconded by Mbr. Shaw and unanimously approved by all Members present.

**Designation of Newspapers and Notices**

A motion was made to adopt the resolution by Mbr. Filauro, seconded by Mbr. Shaw and unanimously approved by all Members present.

**Schedule of Meeting Dates 2009**

A motion was made to adopt the resolution by Mbr. Shaw, seconded by Mbr. Nienstadt and unanimously approved by all Members present.

**Requests for Notices of Meetings**

A motion was made to adopt the resolution by Mbr. Filauro, seconded by Mbr. Schoner and unanimously approved by all Members present.

**Adequate Notice of Meetings**

A motion was made to adopt the resolution by Mbr. Shaw, seconded by Mbr. Schoner and unanimously approved by all Members present.

**Minutes of Meetings**

Mbr. Schoner inquired about increasing the one year length of time for disposing of audio tapes. Mr. Buzak, Esq. responded that this can be done. The actual length of time for these public records will be investigated and revisited at a later time.

A motion was made to adopt the resolution by Mbr. Buie, seconded by Mbr. Filauro and unanimously approved by all Members present.

**PURCHASING**

Motion to pay vouchers submitted by William Denzler & Associates, dated December 29, 2008, subject to the availability of funds, was made by Mbr. Buie and seconded by Mbr. Maffei and unanimously approved by all Members present.

**CORRESPONDENCE**

Chr. Kuntz referenced several pieces of correspondence as follows: A violation notice from MCSCD dated November 25, 2008 for a property at 419 Franklin Avenue. Township of Denville adopted Ordinance Amendment numbers 22-08 and 24-08 dated December 18, 2008. A December 17, 2008 letter and legal services contract from The Buzak Law Group. A letter from The State of New Jersey, Council on Affordable Housing dated December 17, 2008 regarding a COAH waiver on the December 31, 2008 petition deadline to December 8, 2009. A Township of Denville Resolution listing the Liaison Appointments for 2009.

**PUBLIC HEARINGS FOR SCHEDULING**

SP/FSPV 08-04:	Orchard Street, LLC Block 50410, Lots 11 & 23 Orchard & Clark Streets	Carried to 01/28/09
MSV/SM 08-01:	Eunice Shatz Block 10901, Lot 17 4 Tulip Lane	Carried to 02/11/09
MS/SS 05-17	Briar Rose Group, Inc. 97 Highland Trail Block 40815, Lot 1700.01	Carried to 02/25/09

The above applications were carried without further notice to the dates listed.

**PURCHASING**

Motion to pay vouchers submitted by William Denzler & Associates, dated December 29, 2008, subject to the availability of funds, was made by Mbr. Buie and seconded by Mbr. Maffei and unanimously approved by all Members present.

**PROFESSIONAL COMMENTS**

Ed Buzak, Esq. provided a summary of the COAH waiver that was granted. Denville Township has been provided with an extension to file an amended housing element and fair share plan. The Township adopted two resolutions, one to investigate whether the planning area of the Highlands conform with the Regional Master Plan, the other to submit a revised COAH application by December 8, 2009 deadline. This extension was granted to the township and approximately 60 other municipalities in the region.

Bill Denzler, Township Planner summarized that the Township received a \$15,000 grant to investigate the Highlands plan and has been ongoing since late fall. The Highlands Council has provided a breakdown of seven modules that will occur in the year of 2009. A decision is expected in the spring. Each module has grants associated with them so that the Township will not incur any costs. Once the municipal data is complete the plan conformance will commence.

**NEW BUSINESS**

Mbr. Filauro inquired if a work session could take place when meeting schedules are light. One suggested topic would be a review of the COAH guidelines. Chr. Kuntz and Ed Buzak, Esq. agreed that this could be done. Ed Buzak, Esq. indicated that this would need to take place during an open session. Regardless of whether the topic is on the agenda, it would be beneficial to know about the topics before hand to allow appropriate preparation. Additionally, it cannot be related to any current applications.

At Chr. Kuntz's request, Mr. Denzler commented on the MCSCD investigation of soil movement on 419 Franklin Avenue.

**ADJOURNMENT**

Motion to adjourn.

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Denean Probasco, Board Secretary

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Date adopted