

TOWNSHIP OF DENVILLE
PLANNING BOARD
MINUTES

January 19, 2011

The Planning Board of the Township of Denville held its reorganization meeting on Wednesday, January 19, 2011. 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** – Mayor Hussa, Chr. Susan Filauro, Vice Chr. Lou Maffei, Glenn Buie, Marilyn Kuntz, Don Kuser, Kurt Schmitt, James Schoner
 Absent – Peter Nienstadt
 Professionals present – Ed Buzak, Esq., Nicholas Rosania, PE, William Denzler, PP

OATH OF ALLEGIANCE

Secretary Probasco acknowledged the new appointment of Gene Fitzpatrick as Council Liaison and Mark London as 2nd Alternate to the Planning Board. Sue Filauro, Peter Nienstadt and Kurt Schmitt were all reappointed.

Mark London was previously sworn in by Donna Costello. Gene Fitzpatrick and Kurt Schmitt were sworn under oath by Ed Buzak, Esq. Peter Nienstadt and Susan Filauro will be sworn in at a future date.

NOMINATION OF OFFICERS

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

A motion was made to nominate **Sue Filauro** to serve as Board **Chairperson** by Mayor Hussa and seconded by Mbr. Maffei. No other nominations were heard and the nominations were closed.

Roll Call: **Ayes** – Hussa, Maffei, Buie, Fitzpatrick, Schmitt, London, Filauro
 Abstain - Kuntz

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

A motion was made to nominate **Lou Maffei** to serve as Board **Vice Chairperson** by Mbr. Buie, and seconded by Mbr. Schmitt. No other nominations were heard and the nominations were closed.

Roll Call: **Ayes** – Buie, Schmitt, Kuntz, Fitzpatrick, London, Hussa, Filauro, Maffei

MINUTES

November 10, 2010

Motion to adopt the minutes as amended was made by Mbr. Kuntz, seconded by Mbr. Maffei and unanimously approved by all members able to vote.

December 8, 2010

Motion to adopt the minutes as amended was made by Mbr. Kuntz, seconded by Mbr. Maffei and unanimously approved by all members able to vote.

PURCHASING

Motion to pay vouchers submitted by Denzler & Associates (dated December 7, 2010) subject to the availability of funds, was made by Mbr. Buie, seconded by Mbr. Maffei and unanimously approved by all Members present and able to vote.

Motion to pay vouchers submitted by The Buzak Law Group (dated December 2, 2010 and December 30, 2010) subject to the availability of funds, was made by Mbr. Buie, seconded by Mbr. Maffei and unanimously approved by all Members present and able to vote.

CORRESPONDENCE

Chr. Filauro referenced the correspondence received by the board, including the League of Municipalities magazine. Chr. Filauro acknowledged Ed Buzak's membership to the league as an expert in the area of COAH, among others. The Briar Rose Group trial outcome was discussed. The judge ruled in favor of the Township of Denville's Planning Board.

PROFESSIONAL COMMENTS

Nick Rosania, Township Engineer had no comments.

Bill Denzler, Township Planner had no comments.

Mayor Hussa said only that he hoped to have another good year and thanked everyone.

RESOLUTIONS

Appointment of Board Attorney

A motion was made to appoint **Edward J. Buzak, Esq.**, as Board Attorney for the year 2011 was made by Mbr. Buie, seconded by Mbr. Fitzpatrick 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. Fitzpatrick and unanimously approved by all Members present.

Designation of Newspapers and Notices

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

Schedule of Meeting Dates 2011

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

Adequate Notice of Meetings

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

Minutes of Meetings

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

MS 10-04: Eugene & Margaret Feyl

Block 50407, Lot 21

13 Snyder Avenue

A motion to adopt the memorializing resolution of **approval** as submitted for the above property was made by Mbr. Buie, seconded by Mbr. Kuntz and unanimously agreed upon by all members present and eligible to vote.

Roll Call: Ayes – Buie, Kuntz, Maffei, Hussa, Filauro

NEW BUSINESS

Chr. Filauro referenced the memo from Steve Ward to the Nick Rosania regarding conditions of approval and asked Mr. Rosania if he was satisfied with the outcome. Mr. Rosania responded to having sought to make the existing process better and that there had been a misinterpretation but that he had no problem continuing as we have been all these years, helping where he can to see that conditions are fulfilled. Stating that the problem was, the engineer didn't have jurisdiction over other department heads that may have been named in the conditions of the resolution. Nick indicated that we still need to go ahead with the plan with both boards. Chr. Filauro replied that this was an internal matter that Mr. Rosania would have to discuss with Mr. Ward. Nick Rosania replied, if required but that administration isn't involved with the workings of the board. Voiced the Administrators comments were appreciated and that we will continue to ensure that everything gets done. Further stating that the Mayor indicated a memo would be sent to the other department heads reminding them to be aware and attentive to the conditions of approval that do come by their desk.

Chr. Kuntz inquired about tomorrow's interview scheduled for the township planner. Members Filauro, Schmitt and Maffei will be in attendance on behalf of the Planning Board. Chr. Filauro indicated that any questions should be directed to the mayor so that the applicant can address them. The interview is to be held in council chambers at 7 p.m. Mbr. Buie voiced disappointment regarding the year already having commenced and this being done without a courtesy of knowing by the existing township planner.

Mbr. Maffei commented on the hotel overlay zone. Stating that if he had read the minutes from the ZBOA meeting on that application that he would not have given it any consideration. Back-door potential from one board to another. Would have looked at the zone and rezoning differently.

ADJOURNMENT

Motion to adjourn.

Denean Probasco, Board Secretary

Date adopted