

**Borough of Watchung
Planning Board Meeting
February 18th, 2014**

REORGANIZATION

Minutes

Chairman Speeney called the meeting to order at 7:30 p.m. Salute to the flag. The Chair called for a roll call. Present at the call of the roll were: Schaefer (X) Boyd (A) Desnoyers (X) Ellis (X) Haveson (A) Nehls (A) Pennett (X) Pote (A) Speeney (X) Hartmann(A) Linnus (X) Herits (X) Mayor Pote arrived at 8:04.

Mr. Speeney assumed the role of Chairman pro-tem and indicated that he had been previously sworn in at Borough Hall and that there was a quorum to conduct business. Mr. Speeney stated that this meeting was being held in compliance with N.J.S.A. 10:4-6 of the Open Public Meetings Law and proper notification of this meeting has been made.

Mr. Linnus, Board Attorney, swore in Mr. Hartman as Alternate #1 for a two year term ending on December 31st, 2015. Mr. Speeney said that Mr. Hartman would be eligible to vote at this meeting.

Mr. Speeney nominated Tracee Schaefer as Chairman. Mrs. Schaefer accepted the nomination and was unanimously approved by voice vote. Motion carried.

Chairman Schaefer thanked Don Speeney for all his years as Chairman and for his important role on this Board.

Chairman Schaefer nominated Mr. Speeney for Vice-Chair. Mr. Speeney accepted the nomination and was unanimously approved by voice vote. Motion carried.

Chairman Schaefer asked for a nomination for Secretary. Mr. Speeney nominated Mr. Desnoyers for Secretary. Mr. Desnoyers accepted the nomination and hearing no more nominations, was unanimously approved by voice vote.

Motion carried.

Chairman Schaefer announced the subcommittee appointments for 2014 as follows:

Site Plan and Subdivision Committee - Schaefer, Speeney, Haveson, Hartmann

Ordinance Committee - Haveson, Speeney, Linnus, Nehls, Schaefer

County Planning Liaison - Ellis, Pote, Speeney and Schaefer

Environmental Commission Liaison - Pennett

Finance Committee - Taylor, Schaefer

Chairman Schaefer asked for a motion to approve the minutes of November 19th, 2013, as published, and waiver of the reading of those minutes. Motion was made by Mr. Speeney, seconded by Mr. Desnoyers and approved unanimously by voice vote.

Motion carried.

Desnoyers called PB14-R1: Resolution to determine meeting dates.

Chairman Schaefer accepted as motion to approve, seconded by Mrs. Pennett. Roll call as follows:

Desnoyers (yes) Ellis (yes) Pennett (yes) Speeney (yes) Hartmann (yes) Schaefer (yes)

Motion carried.

Desnoyers read PB14-R2: Resolution to accept By-Laws.

Chairman Schaefer accepted a motion to approve, seconded by Mrs. Pennett. Roll call as follows:

Desnoyers (yes) Ellis (yes) Pennett (yes) Speeney (yes) Hartmann (yes) Schaefer (yes)

Motion carried.

Desnoyers read PB14-R3: Resolution to accept Official Newspapers.

Chairman Schaefer accepted as motion to approve, seconded by Mrs. Pennett. Roll call as follows:

Desnoyers (yes) Ellis (yes) Pennett (yes) Speeney (yes) Hartmann (yes) Schaefer (yes)

Motion carried.

Desnoyers read PB14-R4: Resolution to accept Board Professionals.
Chairman Schaefer accepted as motion to approve, seconded by Mr.
Speeney. Roll call as follows:
Desnoyers (yes) Ellis (yes) Pennett (yes) Speeney (yes) Hartmann (yes)
Schaefer (yes)
Motion carried.

Mr. Linnus swore in Board Engineer Tom Herits for the 2014 year.

Mayor Pote arrived.

Desnoyers called PB13-R5:
PB13-03 Avalon Bay
Continuation of hearing

The hearing was almost concluded at the November 19th, 2013 meeting, at which time Mr. Linnus asked Mr. Zimmerman to forward a reciprocal emergency access agreement between the properties for emergency personnel for the Avalon and shopping center properties. Mr. Herits reviewed this agreement. Mr. Herits recommended an emergency breakaway gate with a Knox box. Mr. Linnus said he has drafted a resolution in the affirmative. Mr. Zimmerman reviewed this draft resolution and recommended some changes that were incorporated. Mr. Speeney asked if all board members were at all three meetings of this application. Mr. Zimmerman said that his recollection was that all were. Mrs. Pennett said she wasn't sure if she missed one. Mr. Linnus indicated that there was a quorum of people who were at all three meetings. Mr. Zimmerman said that if Mrs. Pennett had any doubts that she was at all three meetings, he would prefer she wouldn't vote.

Mr. Linnus asked Mr. Zimmerman if he had any more presentation. Mr. Zimmerman said that he had completed his case. Chairman Schaefer asked if there were questions from the Board. Hearing none, Chairman Schaefer opened the meeting to questions from the public. Hearing none, she closed the public portion of the meeting. Chairman Schaefer then opened up to comments from board members. Hearing none, closed to board members.

Mr. Linnus said he prepared the resolution in the affirmative, and the resolution has been circulated to board members, as well as the Applicant's attorney. Chairman Schaefer asked for a motion to accept resolution PB14-R5 and its conditions. Mr. Speeney made a motion to approve, seconded by Mayor Pote. Mr. Desnoyers read the conditions into the record. Mr. Linnus announced that Mayor Pote has signed an eligibility to vote form for the meeting he missed. Mr. Speeney brought up condition # 10 regarding periodical inspections of the equipment. It was offered to inspect the equipment annually. It was changed to *"the applicant will inspect the fencing no less than once annually around the property and will make any necessary repairs as promptly as possible and when there is reason to believe that the fence may have been breeched."*

Mr. Ellis asked Mr. Zimmerman what the status was with the application to North Plainfield. Mr. Zimmerman said that they have submitted an application, have been declared complete, and have a hearing date of March 12, 2014.

Hearing no more comments, Chairman Schaefer sought a motion in the affirmative to accept PB14-R5 and its conditions as amended. That motion was made by Mr. Speeney, seconded by Mr. Desnoyers. Hearing no more discussion, the Chair asked for a call of the roll. The roll call vote was as follows:

Desnoyers (yes) Ellis (yes) Pote (yes) Speeney (yes) Hartmann (yes)
Schaefer (yes)
Motion carried.

Mr. Zimmerman thanked the Board for their time and patience and Chairman Schaefer thanked the applicant and Mr. Zimmerman. Mr. Zimmerman said pertaining to the Developer's agreement amendment, once approval is given by North Plainfield he will address the requirement of the Developer's agreement amendment.

Chairman Schaefer said that she and Don Speeney had attended a Chair's meeting at the County in December where they spoke about COAH. She indicated that in a 3 to 2 vote, the Supreme Court invalidated the third round of COAH. Mr. Speeney said that new regulations are expected in

February which will include a new methodology for low cost housing. Chairman Schaefer also discussed new lines for a dual fuel train system for commuters or if they will be operating for people in this area.

Chairman Schaefer asked for a motion to approve a purchase order for Gray's Florist. That motion was made by Mr. Ellis, and seconded by Mrs. Pennett. Hearing no discussion, the Chairman asked for a call of the roll. The roll call was as follows:

Desnoyers (yes) Ellis (yes) Pote (yes) Pennett (yes) Speeney (yes)

Hartmann (yes) Schaefer (yes)

Motion carried.

Hearing no more discussion, Chairman Schaefer adjourned the meeting at 8:30 until the next meeting of March 18th, 2014.

Respectfully Submitted,

Carolyn Taylor
Planning Board Clerk