

**Borough of Watchung
Planning Board Meeting Minutes
7:30 p.m. September 19th, 2017**

Chairwoman Schaefer 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 (present) Boyd (present) Desnoyers (present) Ellis (absent) Haveson (present) Sopko (present) Pennett (present) Pote (present) Speeney (present) Spingler (present) D'Annunzio (present)

Also present were attorney Frank Linnus and Engineer Tom Herits.

Chairwoman Schaefer indicated there was a quorum to conduct business and stated that this meeting was being held in compliance with N.J.S.A. 10:4-6 of the Open Public Meetings Act and proper notification of this meeting had been made.

Mr. Ellis arrived at 7:35p.m.

Madame Chair made motion to approve the minutes of June 20th 2017, it was moved by Mr. Desnoyers seconded by Mr. Haveson, 8 members voted aye, 0 voted nay. Mr. Speeney did not vote and the motion carried. Next she made a motion to approve the minutes of July 12, 2017, it was moved by Mr. Desnoyers, seconded by Mr. Haveson, 9 members voted aye, 0 voted nay and the motion carried.

Madame Chair asked the secretary to read resolution PB17-R9 Minor sub division into the record. Condition #14 was edited by adding the following: or the applicant shall enter into an agreement with Century Lane Assoc. satisfactory to the Planning Board attorney and Borough Engineer to ensure that maintenance, repair and snow plowing of Fischer Lane is accomplished. Chair Schaefer made motion to accept, it was moved by Mr. Haveson, seconded by Mr. Desnoyers and carried on a call of the roll: Mr. Boyd [yes], Mr. Desnoyers [yes], Mr. Haveson [yes], Councilman Sopko [yes], Mrs. Pennett [yes], Mayor Pote [yes], Mr. Speeney [not voting], Chairwoman Schaefer [yes]

The board secretary called resolution Seritage PB17-R10 (PB16-02) Redevelopment of Sears Retail Block 6101 Lot 5. Mr. Linnus said he prepared a draft resolution however a variance for the pylon sign may be required with regard to the set back. Pat McNamara, attorney for the applicant, stated his understanding is that the sign is set back the required distance and variance relief is not needed. The testimony was that it is 18 feet tall and set back 18 feet therefore it does comply. It will be shown on the final plans. The applicant's attorney is in agreement with all conditions set forth in the resolution and no changes were requested. The secretary read resolution PB17-R10 into the record. Madame Chair made motion to accept, it was moved by Mr. Haveson, seconded by Mrs. Pennett. Discussion was made on the mural. Our historical commission reported that they were able to remove it in one piece and it's being shipped to Philadelphia for storage. Motion carried on a call of the roll: Mr. Boyd [yes], Mr. Desnoyers [yes], Mr. Haveson [yes], Councilman Sopko [yes], Mrs. Pennett [yes], Mayor Pote [yes], Mr. Speeney [yes], Chairwoman Schaefer [yes]

The secretary called application PB16-03 preliminary approval for Seritage Growth Properties, variance relief and redevelopment of Block 6201 Lot 1 Sears Auto. Madame Chair stated that there has been on-going discussion between the applicant and our police chief with regard to security. The chief was called to provide testimony on the record to the board regarding his concerns. Mr. McNamara interjected that he wanted to clarify on the record that in the resolution where it references an elevated cabin, Cinemark does NOT supply the cabin. It's supplied by and staffed by the municipalities police department that supplies it to the landlord

(Seritage). Cinemark is responsible for securing their building and the sidewalk around it, not the parking lot.

Chief Cina stated for the record that the security concerns he outlined in his letter to the Planning Board on August 24th 2017 have not been alleviated by the applicant's proposal. Madame Chair asked if the off-duty officers assigned to patrol the cinema could take custody of the juveniles. The Chief said that he would be willing to discuss that option with the applicant. Madame Chair asked the chief what could be done to resolve his security concerns. The chief said he needs more full-time police officers assigned to patrol. The sitting and waiting at the station for an adult to take custody of the juvenile puts a drain on our resources. Chair asked where the juveniles are kept. There is a room that keeps them separated from any adult prisoners we may have in custody at the time. Chair called for questions from board members. Mr. Speeney asked the chief what security scenario would work for him in this particular case. The Chief said it would be security at the theatre (off-duty officers) and additional full-time officers on staff to handle juveniles taken into custody. After discussion, the Chair noted that there will be a condition set forth in the resolution with respect to an acceptable agreement between the applicant and the police department.

Mrs. Pennett asked the Chief if theaters in Bridgewater and Westfield have the same concerns. The Chief said he did not know and that question had come up before and he believes that comparison to those cinemas is unreliable because of the foot traffic we have in Watchung. What about Manville, asked Madame Chair and Bridgewater is in a mall where a lot of juveniles hang out. The chief said patrons from Plainfield and North Plainfield could potentially walk up to the theater. These are the juveniles we dealt with at Blue Star. Mr. D'Annunzio asked if there was something that could be done to keep the juveniles at the location rather than bring them to police headquarters and also what will the off-duty Watchung officers do if the juveniles go to the stores across the street? Madame Chair said we can talk about security and can put a condition in the resolution, but it's beyond our purview as to what the chief is requesting of the applicant. An internal meeting has been scheduled. For the record, this is zoned properly so based on zoning it complies.

The Chief said a sub-station could be done, but at headquarters there are cameras that protect us against any claim, and there's restrooms, heat etc. There is security there and if there was an emergency where everyone had to leave, we have a place to put them. Mr. Haveson asked if our officers could deal only with Watchung juveniles and respective municipalities could be called to deal with their juveniles. The chief said he could ask but the response would be nothing but laughter. We do have a reciprocal agreement with surrounding towns to assist in emergency situations and we work well together. Hearing no further questions from board members Madame Chair called for questions from the public, hearing none that portion was closed. She asked the chief with respect to the cabin who provides that. The chief said his department does not have one and he did not know. The Chair asked the chief how he handles security in the Blue Star and Watchung Square Malls. They hire off-duty officers to patrol the lots. Mr. Linnus asked the board clerk if Seritage or Cinemark had been invited to the meeting.

After discussion, it was determined that an internal meeting with borough officials, the mayor, the police chief and our board attorney was scheduled for Thursday. After that meeting the borough would contact Seritage to meet with them.

Madame Chair asked Mr. Butler, attorney for Weldon, if he would prefer to be heard in October as the first application, due to the anticipated time constraints with the hearing of Seritage this evening. Mr. Butler agreed and made notice to the public that the Weldon application is carried to October 17th 2017.

After discussion, Mr. Ellis suggested that the borough engineer attend the internal meeting for technical and or engineering related questions. For the preliminary approval being sought, Madame Chair reminded all that a security plan needs to be agreed upon between the applicant, the Borough of Watchung and the Police Department prior to final submission approval. She made motion to approve the preliminary site plan of PB16-03 with conditions, it was moved by Mr. Haveson, seconded by Mrs. Pennett and carried on a call of the roll: Mr. Boyd [yes], Mr. Desnoyers [yes], Mr. Ellis, [yes], Mr. Haveson [yes], Councilman Sopko [yes], Mrs. Pennett [yes], Mayor Pote [yes], Mr. Speeney [yes], Chairwoman Schaefer [yes]

Discussion: Chairwoman Schaefer appointed members for the Master Plan re-exam committee due in 2021.

Meeting adjourned at 9:00p.m.

Respectfully Submitted,

Maryann Amiano
Planning Board Clerk