

**Downe Township Combined Planning Board
Regular Meeting Minutes
December 11, 2018
At 7:00 p.m.**

The December meeting of the Downe Township Combined Planning Board was called to order at 7pm by the Planning Board Chairman Doug Cook and he read the Open Public Meeting Notice.

OPEN PUBLIC MEETING NOTICE: "Pursuant to the Open Public Meetings Act adequate notice of this meeting has been sent to the official newspaper and was posted on the Township Bulletin Board and Website."

FLAG SALUTE

The Board took a **Moment of Silence in Memory of the late Mr. Edward F. Duffy** in honor of his years of service as the Downe Township Combined Planning Board Solicitor (2005 -2018).

Introduction of Deana Walsh of the Ritter Law Office as the temporary Downe Township Combined Planning Board Solicitor filling in for the remainder of Mr. Duffy's term, which ends on Dec. 31, 2018.

ROLL CALL

Members in attendance: Mayor Robert Campbell, Mike Rothman, Steven Burt, Chairman Doug Cook, Brent Daly, Nancy Hartem, John Gilligan, & Jeff Sanza

APPROVAL OF MINUTES: October 9, 2018

A motion was made by Brent Daly and seconded by Nancy Hartem to approve the meeting minutes for the October 9, 2018 regular meeting.

Roll Call: Aye – Mike Rothman, Chairman Doug Cook, Brent Daly, Nancy Hartem, & John Gilligan
Nay – 0 Absent – 0
Abstained – Mayor Robert Campbell, Steven Burt, & Jeff Sanza
Vote: The minutes were approved.

PRESENTATION OF BILLS FOR PAYMENT

NJ Planning Officials – Invoice # 49458:	Mandatory Training:	\$ 50.00
Solicitor: Edward F. Duffy - October Invoice:	Solicitorship 2018:	\$ 288.00

APPROVAL OF BILLS

A motion was made by Mayor Robert Campbell and seconded by Brent Daly to approve the fees as described in the invoices submitted.

Roll Call: Aye – Mayor Robert Campbell, Mike Rothman, Steven Burt,
Chairman Doug Cook, Brent Daly, Nancy Hartem, John Gilligan,
& Jeff Sanza
Nay – 0 Abstained – 0 Absent – 0
Vote: The bills were approved for payment.

BOARD BUSINESS

Tedesco Engineering's 2019 Planning Board Engineer Proposal was the first line of business on the agenda. However, Mayor Campbell suggested and Chairman Cook agreed to discuss the matter after the Bear Swamp Properties Application.

Bear Swamp Properties' Minor Subdivision Application: Completeness & Technical Review

The Bear Swamp Properties' Minor Subdivision Application, regarding Block 23, Lots 165, 166, 170, 189, 190, 191, 192, 193, 195, 196, & 198 was presented to the Board for Completeness and Technical Review. The attorney representing Bear Swamp Properties Inc, Michael Fralinger, who is an attorney of Capizola, Pancari, Lapham, & Fralinger, addressed the Board to review the application and the plan. In his presentation, Mr. Fralinger expressed that this minor subdivision was not to create new lots, but rather to do a lot line adjustment so the land could be divided up properly amongst the 9 shareholders of the properties. The applicant's attorney listed several facts that were stated in the application, such as: the property was purchase in 2007 from US Silica, the 11 lots come to a total of about 830 acres, and none of the lots are smaller than 5 acres. Mr. Fralinger pointed out that in the Township Engineer's Report, Thomas Tedesco made the comment that there was a potential need for a variance since some lots don't have road frontage. Mr. Fralinger addressed this by saying that he doesn't believe a variance was needed and explained why. Then Mayor Campbell expressed that, after his homework, he found the application to be straight forward and Mike Rothman agreed. Brent Daly then inquired as to how they propose access to the landlocked lots that have no road frontage. Fralinger addressed his inquiry by stating that there is a 20ft. right-of-way, which is shown on the plans, provides access and each of the shareholders, who will have a landlocked lot, will also have an adjacent lot with frontage along the road. Kevin Nocon, who is one of the 9 shareholders, added further comment to Mr. Fralinger's explanation.

A motion was made by Steven Burt and seconded by Mike Rothman to deem complete and approve the Bear Swamp Properties' Minor Subdivision Application.

Roll Call: Aye – Mayor Robert Campbell, Mike Rothman, Steven Burt,
Chairman Doug Cook, Brent Daly, Nancy Hartem, John Gilligan,
& Jeff Sanza
Nay – 0 Abstained – 0 Absent – 0
Vote: The Bear Swamp Properties' Minor Subdivision Application was
deemed complete & approved.

A discussion took place amongst the Board regarding the matter of Tedesco Engineering's 2019 Planning Board Engineer Proposal.

A motion was made by Mayor Robert Campbell and seconded by Brent Daly to appoint Thomas Tedesco of Tedesco Engineering LLC as the Planning Board Engineer for the 2019 term year, under the same terms, conditions, and rates as this current year 2018.

Roll Call: Aye – Mayor Robert Campbell, Mike Rothman, Steven Burt, Chairman Doug Cook, Brent Daly, Nancy Hartem, John Gilligan, & Jeff Sanza
Nay – 0 Abstained – 0 Absent – 0
Vote: Thomas Tedesco was appointed Planning Board Engineer for the 2019 term year, under the same terms, conditions, and rates as this current year 2018.

The Board proceeded to discuss the matter of who should be the Planning Board Solicitor for the term year 2019. Mayor Campbell started the discussion by stating that he had spoke with a couple solicitors regarding the position. He then stated that one of the attorneys he spoke with was Nathan Van Embden, who had been the Planning Board Solicitor in Downe Township for several years in the past. Mayor Campbell explained that Mr. Van Embden has agreed to take on the Planning Board Solicitor position for the same terms, conditions, and rates as Mr. Duffy for the past term year 2018, with no increases for the upcoming 2019 term year. The Mayor emphasized how much experience Mr. Van Embden has with past Downe Township Planning Board applications, especially the mining applications. Mayor Campbell advised the Board that they don't have to go out for an RFP; they can do a professional appointment instead. He also stated Mr. Van Embden would be his recommendation for the solicitor position. Brent Daly asked if Mr. Duffy had any kind of partner or successor. Mayor Campbell answered that he did not and explained that Mr. Duffy's office is being closed down, which was verified by the Planning Board's Temporary Solicitor, Deana Walsh. Ms. Walsh explained that Attorney Vincent Pancari is handling the closure of Duffy's office.

A motion was made by Mike Rothman and seconded by John Gilligan to appoint Nathan Van Embden, Esq. as the Planning Board Solicitor for the term year 2019, under the same terms, conditions, and rates as Mr. Duffy for the past term year 2018, with no increases for the upcoming 2019 term year.

Roll Call: Aye – Mayor Robert Campbell, Mike Rothman, Steven Burt, Chairman Doug Cook, Brent Daly, Nancy Hartem, John Gilligan, & Jeff Sanza
Nay – 0 Abstained – 0 Absent – 0
Vote: Nathan Van Embden, Esq. was appointed Planning Board Solicitor for the term year 2019, under the same terms, conditions, and rates as Mr. Duffy for the past term year 2018, with no increases for the upcoming 2019 term year.

Chairman Cook listed the correspondences.

PUBLIC COMMENT

On a motion by Mayor Robert Campbell and seconded by Nancy Hartem, the meeting was opened to the public for comment. A voice vote was called and the motion passed unanimously.

There being no comments from the public, the public comment segment was closed on a motion by Mayor Robert Campbell and seconded by Jeff Sanza. A voice vote was called and the motion passed unanimously.

NEXT SCHEDULED MEETING

Doug Cook informed the members the next meeting will be the Reorganization Meeting and it will be held on Tuesday, January 8, 2019.

ADJOURNMENT OF MEETING

A motion was made by Nancy Hartem and seconded by Mayor Robert Campbell to adjourn the meeting. A voice vote was called and the motion passed unanimously.

Meeting adjourned,

Respectfully submitted,



Prepared by Nicole Marlette
Planning Board Secretary

Approved: Jan. 8, 2019