

CALL TO ORDER: Chairman Shivas called the meeting to order at 7:30 p.m.

ROLL CALL: Mss. DeMagistris, and Colligan; Mayor Rubenstein; Messrs. Proctor, McElroy, Morytko, Smith, Walsh, and Chairman Shivas

Members Absent: Ms. Raffay, Mr. Serrilli

Also Present: Attorney Alyse Hubbard, Secretary Caitlin Phillips

OPENING STATEMENT: Adequate notice of this meeting has been published specifying the time and place in compliance with the provisions of the Open Public Meetings Act.

FLAG SALUTE: led by Chairman Shivas

MINUTES: December 5, 2024. Motion of Mr. McElroy to approve the minutes, second by Mr. Morytko.

Ayes: Mss. DeMagistris, Colligan; Mayor Rubenstein; Messrs. McElroy, Morytko, Walsh, Chairman Shivas

Abstaining: Messrs. Proctor, Smith

Absent: Ms. Raffay, Mr. Serrilli

None opposed. Motion carried.

RESOLUTIONS

Z19-2024 Alan Tedesco, 25 The Rotunda, Block 281 Lots 487 and 428, R5 Zone

Application for subdivision of lots

Mr. Morytko motioned to approve the resolution, seconded by Ms. Colligan.

Ayes: Mss. DeMagistris, Colligan; Mayor Rubenstein; Messrs. McElroy, Morytko, Smith, Walsh, Chairman Shivas

Abstaining: Mr. Proctor

Absent: Ms. Raffay, Mr. Serrilli

None opposed. Motion carried.

Z21-2024 Gregory Smith, 26 Crescent Drive South, Block 279 Lot 328.02, R5 Zone

Application for 8-foot fence, ex post facto approval for pergola, wood storage, and certificate of nonconformity

Mr. Morytko motioned to approve the resolution, seconded by Ms. Colligan.

Ayes: Mss. DeMagistris, Colligan; Mayor Rubenstein; Messrs. McElroy, Morytko, Walsh, Chairman Shivas

Abstaining: Messrs. Proctor, Smith

Absent: Ms. Raffay, Mr. Serrilli

None opposed. Motion carried.

OLD BUSINESS

Z14-2024 Rupesh Patel (Kyosis LLC), 1 Catalina Drive, Block 337 Lot 9.14, R2 Zone

Application for new home construction

Mr. McElroy motioned to carry the application to 01/16/2025, seconded by Mr. Proctor.

Ayes: Mss. DeMagistris, Colligan, Mayor Rubenstein, Messrs. Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas

Absent: Ms. Raffay, Mr. Serrilli

Motion carried.

DISCUSSION ITEM: Review of Revised Board Application

Chairman Shivas noted on page 7, it says to have remaining escrow released, the applicant needs to submit a letter to ask for the money back. The town should tell them if there is money left. Ms. Phillips explained they need something in writing that requests for the money to be released. Ms. Hubbard and Mayor Rubenstein worked on the language for that section. Ms. Hubbard noted the checklists should be in different areas of the application. Chairman Shivas said the application and instructions should be separate. He said to move page nine and on up to where page three is. Ms. Hubbard said when the checklists are approved they should be put at the end.

Ms. Hubbard said the Council noted the fees need to be evaluated. They asked Ms. Hubbard and Mr. Stoner to review other towns' fees and come up with a proposal. The Council also asked the Board to define a minor site plan, and provide this with a draft ordinance. They also went through the ARC language and design standards and want an ordinance that eliminates the ARC but puts in the design standards the Board wants in the code so the Board can deal with them at the meetings. Chairman Shivas said there should be a subcommittee that goes through all the standards. Ms. Hubbard noted the Council wants to get started on this as soon as possible. She can have a draft of these items for the reorganization meeting, but they don't need to act on it that night. Mayor Rubenstein confirmed the ordinance will be brought back to the Board for consistency after the Council reviews it.

Ms. Hubbard reminded the Board there is pending legislation to allow noticing to be done virtually. There will be a temporary measure if it passes, because the Star Ledger is going digital in the new year. Ms. Hubbard noted they can elect the Herald and the Star Ledger so it can be done digitally. Ms. Phillips confirmed publishing in either newspaper would count.

Mayor Rubenstein noted the Board can motion to resolve to ask the Council to act on these items. Ms. Hubbard will work on the checklist and fees. The Board can act on the application. Ms. Phillips noted the application doesn't need to be reviewed by the Council, just the checklist. Chairman Shivas noted the application should start being used the first of the new year.

Mr. Smith motioned to authorize the use of the new application with changes discussed tonight, as of January 2nd, seconded by Mr. Walsh.

Ayes: Mss. DeMagistris, Colligan, Mayor Rubenstein, Messrs. Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas

Absent: Ms. Raffay, Mr. Serrilli

Mr. Smith motioned to authorize Ms. Hubbard to do the work on checklist, the fees, and definition, seconded by Mr. Morytko.

Ayes: Mss. DeMagistris, Colligan, Mayor Rubenstein, Messrs. Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas

Absent: Ms. Raffay, Mr. Serrilli

EXECUTIVE SESSION: Discussion of Professionals

Ms. Hubbard read the executive session resolution. Mayor Rubenstein motioned to approve the application as amended, seconded by Mr. Proctor.

Ayes: Mss. DeMagistris, Colligan, Mayor Rubenstein, Messrs. Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas

Absent: Ms. Raffay, Mr. Serrilli

Motion carried. Ms. Hubbard left the meeting at this time.

The Board re-opened the meeting. Mayor Rubenstein said the Board should indicate to the Council that they are in favor of Mr. Bloch. There will be a formal action at the reorganization appointing him as the Planner for the Board and Council. He noted they will also appoint Mr. Gleitz as a consultant to the township; the Board is appointing him as a conflict Planner.

Mr. McElroy motioned to list on the reorganization meeting items to appointment Mr. Bloch as the Planner and Mr. Gleitz as the conflict Planner, seconded by Mr. Walsh

Ayes: Mss. DeMagistris, Colligan, Mayor Rubenstein, Messrs. Proctor, McElroy, Morytko, Smith, Walsh, Chairman Shivas

Absent: Ms. Raffay, Mr. Serrilli

BILLS:

Maraziti Falcon (8) \$2,992.50. A motion to approve the bill was made by Mr. Smith, seconded by Mr. Morytko. All were in favor. Motion carried.

REPORTS FROM COMMITTEES

Environmental Commission: Mr. McElroy said they met last night. Saturday is the winter solstice, so there is a hike at 2pm at Cranberry Ledge Road. They talked about the Musconetcong River Management Council; there is an area in Byram where they're concerned about river contaminants possibly from septic tanks. They may recommend to the Council to look at a more robust septic pumping program rather than just the lake areas. One goal for 2025 is education and doing more with invasive species and making sure people plant native species. He asked about reviewing the buffer planting plan reference; he wants them to review it for any comments.

Open Space: Mr. Morytko said they met on the 9th and talked about forest stand improvements and a potential timber sale. They also discussed 2025 goals including invasive species. Chairman Shivas asked about dying trees. Mayor Rubenstein said there was a change to the code so that if trees are within the right-of-way, the property owner is responsible. There has been a lot of activity on this with the zoning office. He noted if people see trees, they should tell Nick so that he can have the property owner handle it.

Township Council: Mayor Rubenstein said they awarded the holiday house decorating contest winners. They will do renovations to the DPW breakroom which was constructed in 1974 and has not been renovated since. The tennis courts were accepted. They discussed the project for the police department and grant.

Zoning Report: Everyone has a copy.

OPEN TO THE PUBLIC

Chairman Shivas opened to the public. No one was present, so Chairman Shivas closed to the public.

ADJOURNMENT

A motion to adjourn the meeting was made at 8:35pm by Mr. McElroy, seconded by Ms. Colligan. All were in favor. Motion carried. The meeting was adjourned.

Respectfully submitted by Caitlin Phillips