

MINUTES

PLANNING BOARD

AUGUST 14, 2012

LONG HILL TOWNSHIP

CALL TO ORDER AND STATEMENT OF COMPLIANCE

The Chairman, Mr. Connor, called the meeting to order at 8:04 PM. He then read the following statement: Adequate notice of this meeting has been provided by posting a copy of the public meeting dates on the municipal bulletin Board, by sending a copy to the Courier News and the Echoes Sentinel and by filing a copy with the Municipal Clerk, all in January, 2012.

PLEDGE OF ALLEGIANCE

ROLL CALL

On a call of the roll, the following were present:

Christopher Connor, Chairman
Brendan Rae, Vice-Chairman
Charles Arentowicz, Member
Donald Butterworth, Member
Joseph Cilino, Member
Sandi Raimer, Member
Michael Smargiassi, Member
Jerry Aroneo, Mayor's Designee (arrived @ 8:26 pm)

Excused:
Guy Roshto, Member

Ashish Moholkar, 1st Alternate

Barry Hoffman, Bd. Attorney
Kevin O'Brien, Twp. Planner
Thomas Lemanowicz, Bd. Engineer
Dawn Wolfe, Planning & Zoning Administrator

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EXECUTIVE SESSION:

It was determined that there was no need to hold an executive session.

APPROVAL OF MINUTES

The minutes of March 13, 2012 were approved as written on motion by Mr. Cilino and seconded by Mr. Butterworth. Dr. Rae abstained as he was not present at that meeting. Mr. Moholkar abstained as he was not a member of the Board at that time.

The minutes of July 10, 2012 were approved as written on motion by Mr. Arentowicz and seconded by Mr. Butterworth. Mrs. Raimer abstained as she was not present at that meeting. Mr. Moholkar abstained as he was not a member of the Board at that time.

PUBLIC QUESTION OR COMMENTS

The meeting was opened to the public for questions or comments. There being none, the meeting was closed to the public.

**RESOLUTION OF MEMORIALIZATION
VALLEY & PLAINFIELD ASSOCIATES, L.P.**

977 Valley Road
Block 10501, Lot 8

**#12-05P
Minor Site Plan
Wall Sign Variances**

The Planning Board memorialized the annexed Resolution of Approval on motion by Mr. Butterworth and seconded by Mr. Smargiassi.

A roll call vote was taken. Those in favor: Dr. Rae, Mr. Arentowicz, Mr. Butterworth, Mr. Cilino, Mr. Smargiassi and Mr. Connor. Those opposed: None.

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**INFORMAL REQUEST
VALLEY SPORTS, INC. AND REGINA BATAILLE**

1202 Valley Road
Block 11501 Lots 3, 4

**#09-20P
Waiver of Necessity
for Deed Restriction
& Developers Agreement
(Conditions 4(p) & 5)**

Present: Marc Gettis, attorney for the applicant
Regina Bataille, applicant and principal of Valley Sports, Inc.

Sharon Palmer, certified shorthand reporter

Mr. Marc Gettis, attorney for the applicant, said he and his client were requesting that the applicant be relieved from the requirement/obligation of the applicant to submit to a deed restriction which would have required that a sidewalk be installed within 5 years and that the driveway entry/exit and the parking area be paved within 7 years. He said that this work has all been finished and Mr. Pidgeon advised him via e-mail that it has been done to the satisfaction of Paul Ferriero, Township Engineer.

Mr. Hoffman said that there was a separate communication from Mr. Ferriero which confirms that very statement, that, as far as he is concerned, the improvements that Mr. Gettis mentioned were completed to his satisfaction.

Mr. Gettis said that he and his client's position is that the relief is justified as all work which would have been the subject of a deed restriction has been completed, therefore obviating the need for a deed restriction.

Mr. Hoffman said that, once he received the two sign-offs indicating that there were no questions regarding the sufficiency of the work that was performed, he took the liberty of preparing a draft Resolution which does confirm that the work has been completed to municipal standards and waives or releases the applicant from any obligation that would otherwise have been imposed to file a deed restriction since the work has already been done.

There being no further discussion, Mr. Butter worth made a motion to approve the deed restriction waiver in accordance with the language of the draft Resolution as presented which was seconded by Mr. Arentowicz.

A roll call vote was taken. Those in favor: Dr. Rae, Mr. Arentowicz, Mr. Butterworth, Mr. Cilino, Mrs. Raimer, Mr. Smargiassi, and Mr. Connor. Those opposed: None.

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FRANCES MASON
274 Main Avenue
Block 11604 Lot 15

#11-01P(A)
Minor Site Plan
Amended Development Permit

Present: Frances Mason, applicant
Sharon Palmer, certified shorthand reporter

Ms. Frances Mason, applicant, was sworn.

Mr. O'Brien said that the Board may recall that Final Minor Site Plan was approved by the Planning Board for the rebuilding of Ms. Mason's building on Main Ave. following a fire which destroyed the building. He said that the building was proposed to be rebuilt *substantially* similar to what it had been prior with a change to the upstairs residential quarters in that, prior to the fire, there were two residences on the second and third floors with a retail space on the first floor and some residential use on the first floor as well. He said that Ms. Mason presented a plan to leave the retail space on the first floor and to make the second and third floors as one residential apartment. There were some changes to the building itself which made it more livable for Ms. Mason's purposes. He said that that application was granted on September 13, 2011 and Ms. Mason came back to us a few months ago saying that she wanted to make a change to that approved site plan. Currently the site plans shows an open deck on the south (left) side which she now proposes to enclose and make it into a sunroom. The only change to the site plan is to take an approved outdoor space and enclose it. There is no change to the footprint, impervious cover or any bulk setbacks/requirements.

Mr. Connor referred to the plan and pointed out that, in addition, the exterior stairs are proposed to be modified to provide a landing, which he felt is a very minor change.

Mr. Lemanowicz said the stair is a little longer. He referred to the approved signed plans revised July, 2011 and said that looking at the left side elevation and the landing that is midway between the ground level and the deck, it is lower by a touch in the original plan than the proposed plan. He said that the staircase now extends a little bit more under the deck and there is a landing at the top of the stairs before going into the enclosed sunroom (because you need a flat spot to go into a door). In essence, when viewed from the top, he said that there is no change in impervious cover because the longer stairway is going *under* the old deck. He added that the reality of it is, according to the Ordinance, decks are impervious.

Ms. Mason said that she hoped that the Board would approve of the proposed amendment so that she could go forward. She said that the reason for the modification is that her architect didn't want to put a staircase up to the kitchen area where she had always had one before, so then the deck was proposed. After giving it more thought, she said that she really does not like decks and would prefer to have a sunroom.

In response to Mr. Arentowicz, Mr. Lemanowicz said that this project had received approval from the NJDEP because of its location in the flood plain and that the NJDEP. approved a specific set of plans and any change to those plans technically has to go to them. Although this is a *very small* change, he said that he asked the applicant to provide notification to the NJDEP advising of the change and giving them the opportunity to comment and the applicant's engineer has done that. He agreed that the Board could make an approval tonight with this as a contingency in the Resolution. He then noted for the record that A. Thomas Murphy, P.E., submitted a letter on August 2, 2012 to the NJDEP noting that, in accordance with Condition 16 of the Permit, he was forwarding revised copies of the site plan and advising that there would be no impact on the referenced Permit.

(Mr. Aroneo arrived at 8:26 P.M.).

The meeting was opened to the public for questions or comments. There being none, the meeting was closed to the public.

Mr. Hoffman said that he had prepared a draft Resolution which would adequately grant the requested modification with the added language at the bottom of the first page reading that Frances Ann Mason, the applicant, indicated that the purpose of the present application is to substitute an enclosed sunroom for an open deck with minor changes to the stairway. He also said that the applicant shall notify the NJDEP of the revisions to the plan and abide by any changes that may be required by that agency or, if it proceeds with work on the project prior to a response by the NJDEP, such work shall be performed at the sole risk of the applicant.

Mr. Arentowicz made a motion to adopt the draft Resolution as presented which was seconded by Mr. Butterworth.

A roll call vote was taken. Those in favor: Dr. Rae, Mr. Arentowicz, Mr. Butterworth, Mr. Cilino, Mrs. Raimer, Mr. Smargiassi, and Mr. Connor. Those opposed: None. Those abstaining: Mr. Aroneo

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ALL SAINTS EPISCOPAL CHURCH

5 Church Road
Block 12502 Lot 1

**#12-08P
Minor Site Plan
Bulk Variances
Parking Variances**

Present: Vincent Bisogno, attorney for the applicant
The Rev. Victoria McGrath, rector of All Saints Episcopal Church
David Smith, licensed professional engineer
Mark Allen Hewitt, licensed professional architect

Sharon Palmer, certified shorthand reporter

Due to a conflict of interest, Mr. Smargiassi, recused himself from this application.

Mr. Vincent Bisogno, attorney for the applicant, said that his client is the owner of two lots. One of the properties contains approximately 1/2 acre and is known as 15 Basking Ridge Road (the location of the All Saints Episcopal Church) and the other lot is located across the street and is known as 5 Church Rd (the location of the Parish Hall). He said that this application concerns the lot at 5 Church Rd. and that the proposal is to construct a 416 S.F. addition on the westerly side of the Parish Hall which will provide for handicapped access. He said that the Church is a conditional use in this zone and meets all the conditions in the Ordinance regarding conditional uses. He said that this is a minor site plan and there are some variances which are pre-existing conditions. The variances basically relate to the lot width (a pre-existing condition); accessory building which is too close to the principal building; the front yard setback (a pre-existing condition); 63 parking spaces when 77 spaces are required (a pre-existing condition); and there are 2 handicapped parking spaces when 3 are required. He said that the *only* variance that is being *created* as the result of this application is the fact that their impervious coverage is increasing from 43.2% to 43.7% caused by the proposed addition. He said that this is what is called in law an inherently beneficial use (or a use that serves the public) and, as such, it meets the positive criteria. He said that the conditional use aspect of this application is very general but Mr. O'Brien has pointed out the criteria on Pg. 5 of his report.

Mr. Hoffman noted that legal correspondence was circulated within the last week between Mr. Bisogno and himself. He said that he indicated that, to the extent that any variances needed for the fact that there is going to be this modification made in the conditional usage, in accordance with case law they did not give notice on that, but his client will bear whatever risk since they do not see that as an issue. He said that, if they don't see it as an issue, he was satisfied with it and totally agreed with counsel to the extent that anyone might take any exception to the subject, we have here not only an innocuous but what he would agree is a truly beneficial function and purpose being served by the application, namely the providing of more convenient and accessible entry access and egress to and from the Parish Hall through a new lift/elevator type structure to be appended to the main building.

Mr. O'Brien added that both he and Mrs. Wolfe reviewed the application for relief necessary and both realize that this is a conditional use, however it met all of the conditions of the Ordinance. Therefore, no specific relief from the conditional use ordinance was required and, therefore, was not noticed as such. He said that, although they agreed that this is a conditional use, they were saying that none of the conditions were violated, therefore it met all of the conditions required by the variance.

Mrs. Wolfe agreed.

Pastor Victoria McGrath was sworn. She said that she has been the rector of All Saints Episcopal Church for the last 10 1/2 years. She reviewed the different improvements located on both of the applicant's lots. She also indicated that the proposed lift will provide access for handicapped individuals at three separate levels. In addition, she stated that there are no plans to install motion detector or timer activated exterior lighting.

Mr. O'Brien questioned the relocation of the garbage storage area which is north of the existing basement entry and patio and was advised that the plan is to move it to the southerly side on a wood chipped area.

Mr. Connor asked for questions from the Board. There were none.

Mr. Mark Alan Hewitt, licensed professional architect, was sworn and reviewed his educational and professional background. He reviewed the features of the plans which he had prepared for the proposed vestibule addition to the Parish Hall. He said that the exterior color scheme for the proposed addition will be the same, or similar, to that which is on the outside of the Parish Hall itself.

Mr. Connor asked for questions from the Board. There were none.

Mr. David Smith, licensed professional engineer, was sworn and reviewed his educational and professional background. He discussed the parking lot to be available for parishioners and the drainage and landscaping for the site. He stated that the applicant does not plan on removing any trees. If a tree is damaged during the construction of the proposed facilities, he said that it will be replaced. A drywell will be installed which will pick up water from the proposed addition, as well as from the roof area.

Mr. Bisogno referred to a letter from Mr. O'Brien dated August 8, 2012 and asked Mr. Smith if there was anything in that letter that he would not be able to comply with or that he might have a question about.

Mr. Smith replied, "No", and felt that the report was very straight forward.

Mr. Bisogno referred to a letter from the Shade Tree Commission dated August 5, 2012 and asked if there was anything in that letter, other than what he had addressed that he felt he could not comply with.

Mr. Smith replied that there was a comment which suggested moving the dry well. He did not agree with moving the drywell closer to the building because of the lower level in the building and the possibility of seepage into the building. In his opinion, the proposed location is a better location for it.

Mr. Connor asked if there was any additional planting proposed for the project and was advised that there was not.

Mr. Bisogno referred to a letter from Mr. Lemanowicz dated July 23, 2012 and asked Mr. Smith if there was anything in that letter that they are unable to comply with or that he had a question about.

Mr. Smith replied that he felt he could comply with everything,

Mr. Bisogno referred to a report from the Police Department dated July 10, 2012 indicating that they had no comment. He then said that he had no more questions of this witness.

Mr. Connor asked for questions from the Board's consultants.

Mr. Lemanowicz asked Mr. Smith asked what the net increase in lot coverage was and what the design of the dry well was based upon.

Mr. Smith replied that the lot coverage would be increased by 361 S.F. He said that the drywell was based on 756 S.F. of roof area which incorporates the vestibule and part of the existing roof area. There is an existing drywell system that will collect the other side of the Parish Hall which is shown on Sheet 3.

To clarify, Mr. Lemanowicz asked Mr. Smith if he was saying that the drywell is going to collect water off a surface area that is more than double the size of the addition.

Mr. Smith concurred.

Mr. Lemanowicz referred to the Shade Tree Commission's comment about the silt fence vs. the hay bales. To explain the issue, he said that a silt fence is buried 6" into the ground so, as muddy water hits it, it doesn't go *under* it. He said that hay bales are placed in a 4" deep trench so theoretically if you use hay bales instead of silt fencing you don't have to dig so deep. He did not have issue with whatever is installed as long as it is installed in accordance with the Morris County Soil Conservation District detail. With respect to the drywell, he understood about not wanting it to be closer to the building, however the Shade Tree Commission seems to believe that the system is threatening the existing Magnolia and the Maple Trees. He noted that the Magnolia tree is not in that great of shape. He asked if Mr. Smith thought there would be that much of a difference to shorten up the pipe and move the drywell in a northerly direction. He said that it doesn't appear like it will be much more than 10' which is horizontal to the face of the building - it will not come toward the building.

Mr. Smith said that would be fine and that, rather than damaging two trees, there would only be one.

Mr. Connor asked for questions from the Board.

Mr. Cilino said that a lot of time was spent talking about a shade tree. He said that has listened to a group who is presenting for a religious institution who are proposing to accommodate handicapped people and we are making an issue

out of a tree which he felt was appalling. He felt sure that the applicant will take whatever steps are necessary to try to save the tree, but if it doesn't come to pass, he could not see exchanging the tree for the services being rendered.

Mr. Arentowicz said that he observed that the Magnolia tree has lost a major branch and this project, or anything close to it, is not going to bring it back. He said that the applicant has agreed that if a tree is damaged they will attempt to plant another tree, so he felt that the discussion is moot and he agreed with Mr. Cilino.

Mr. Connor opened the meeting to the public for questions or comments. There being none, the meeting was closed to the public.

Mr. Lemanowicz wished to make a point of clarification. He said that the issue of moving the drywell was not to save the Magnolia tree but to save the 24" Maple tree.

Mr. Cilino said that he was looking at the cost of doing these projects and did not know what the cost to make that change would be. He said that, whatever the cost is to a religious institution, it is great in today's environment. He felt that, if a tree has to go, and he was sure these people would not do something intentionally to destroy the tree, then it has to go.

Discussion continued on cost savings of a drainage realignment.

Mr. Bisogno had no further witnesses.

Mr. Connor said he would entertain a motion of approval for the minor site plan with the variances requested subject to the conditions as discussed.

Mr. O'Brien reviewed the conditions discussed as follows:

- No motion or time activated lighting to be installed;
- Hay bales to be permitted rather than silt fencing, to be installed as per MCSC regulations;
- Provide three handicapped spaces with signage;
- Replace any damaged trees per Shade Tree Commission approval;
- Move the drywell by some 10' to the north and to the satisfaction of the Board Engineer.

Mr. Aroneo made a motion to approve the application with the conditions discussed which was seconded by Mr. Cilino.

A roll call vote was taken. Those in favor: Dr. Rae, Mr. Arentowicz, Mr. Aroneo, Mr. Butterworth, Mr. Cilino, Mrs. Raimer and Mr. Connor. Those opposed: None.

Mr. Connor called for a 10 minutes recess.

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Mr. Connor reopened the meeting and requested that Mr. O'Brien provide a summary of what the Board will be addressing in the next two meetings.

Mr. O'Brien said the Board received a work calendar dated June 28, 2012 which listed all of the open items with possible meeting dates. He said that the Chairman, Vice Chairman, Mr. Lemanowicz and he looked at that this evening and a secondary work that they looked at was the Planning Initiative Status Report No. 6A, dated July 6, 2012, which they shared with the Board back in the beginning of July. He said that they looked at the work calendar, in particular, and discussed what would be lined up for September. At this moment, he said that the Valley Mall is supposed to come back on September 11th for their ground sign, however they have not brought in their plans as yet and have until the end of the month. If they do *not* come in with their plans and are not prepared to proceed on September 11th, he said that the Chair and Vice Chair have proposed that the Board review the revised Conservation Element to the Master Plan which Committeeman Roshto has revised and that will be distributed to the Board, followed by discussion of draft responses to the Township Committee of their inquiries on the Meyersville proposed Ordinances and the proposed Building Height Ordinance. If Valley Mall *does* come in on the 11th, he said that this program will be slid back to the 25th of September. Again, proceeding with the assumption that Valley Mall is *not* in on the 11th of September, he said that we will work on that material on the 25th of September and we would work on the Open Space Element (which has been revised), a copy of which will be distributed to the Board.

If Valley Mall comes up on September 11th, Mr. Arentowicz asked Mr. O'Brien if he felt that it will take the whole meeting, as we are just speaking of a landscape plan and a sign.

Mr. O'Brien replied that we can be prepared to do these items – it is just a matter of time and whether we have time to do it.

Mr. Hoffman said that he was sure that Mr. Croman, who is the principal of that applicant, will not wish to attend any meetings on the holiday of Yom Kippur and was sure he would want it carried to the October meeting.

Mr. O'Brien replied that he has got the 11th of September (which does not conflict), but if it went back to the 25th, it would.

Mr. Connor felt he was motivated to have it on the 11th and thought the Board could consider putting the Conservation Element as a second agenda item, assuming that we will not take the entire meeting for the signage. If it turns out that it takes an entire meeting, he said we can reschedule.

Mr. O'Brien said we will be prepared to discuss the other two items, the Meyersville response and the Building Height response on the 11th, but if Valley Mall is on that meeting we will slide them back to the 25th.

Mr. Connor said that we probably won't put anything on for the 25th that would require our attorneys to attend, basically because neither of them can.

Mr. O'Brien clarified that on the 25th *possibly* the Meyersville and Building Height will slide back on the 11th and, if not, then the Open Space Element, followed by an initial draft of the Valley Road Ordinances. He said that the Board may recall with the Master Plan being adopted, the Ordinances must be brought up to date to reflect what the Master Plan has written. He said that he would be taking a first crack at the Ordinances that were written by the Board last year and revised them in accordance with the new Master Plan, giving them to the Board and getting direction on how to proceed. He said that the other two items in September, if all are in agreement on the 18th of September, which is a Zoning Board of Adjustment night, a Millington Subcommittee meeting would occur before that Board Meeting. On the 25th of September, the Ordinance Subcommittee would meet in order to discuss the fee and escrow proposal.

Mr. Connor said he would consider appointing a public member or two to that committee. He said that he would work on that over the next couple of weeks to see who is available, the idea being that we will have a subcommittee and if we can include a couple of residents from that area, it might provide additional input that will be useful.

Mr. O'Brien clarified that in the meantime the Chair and Vice Chair will meet with Mr. Lemanowicz and himself to lay out the rest of the year.

In response to Mrs. Raimer, Mr. O'Brien said that Dr. Behr has asked to address the architectural standards in October.

Mr. Connor asked Mr. O'Brien when he would have a draft for the Board to review.

Mr. O'Brien said that he would update the Status Report and the work calendar before the end of the week.

Mr. Connor asked if there were any items the members would like to discuss.

Mr. Arentowicz said that he still wanted to discuss going out to bid for the Board's professional services for 2013.

Mr. Connor asked Mrs. Wolfe to describe the process that the Board used in the past.

Mrs. Wolfe said the only instance that she could recall this happening was under a different scenario when Justin Lizza, former Township Engineer and Board Engineer (for each Board), resigned his position about 3 years ago. The Municipal Clerk advertised for requests for proposals (RFP's) for the positions of Township Engineer and Engineer for both Boards (as one package). She said that a subcommittee was formed consisting of two Planning Board Members, two Zoning Board Members, the Mayor, the Township Administrator and herself. The subcommittee met and whittled down the resume packets to a manageable number. Interviews were held with a representative from each engineering firm and the particular engineer that would be assigned to Long Hill in attendance. After each interview, she said that the subcommittee members offered their opinions amongst themselves. Although the Boards then narrowed then their selection to two candidates, the Township Committee appointed Mr. Ferriero as Township Engineer *and* a member of his firm, Robert Brightly, as the engineer for both Boards. The Planning Board and Zoning Board were not in agreement with the Township Committee's selection of the Board Engineer and a decision was then made to separate the positions. Due to the miscommunication, it was decided that Mr. Robert Brightly (of Ferriero Engineering) and Mr. Thomas Lemanowicz (of Maser Consulting) would each serve a trial period working for both Boards. After the conclusion of the trial period, the Boards met jointly and held interviews with both Mr. Lemanowicz and Mr. Brightly. The unanimous decision of both Boards was in favor of Mr. Lemanowicz who was then formally appointed as Planning Board Engineer and Zoning Board of Adjustment Engineer.

Mr. Aroneo said that the Township Committee went through a similar process last year for the Township professionals and used an RFP process which he felt is healthy and good policy to do periodically even though he, personally, did not have a problem with any of the Board's professionals. He felt that, if the Board is going to go through this process, it should be started early with an appointed subcommittee such as was mentioned earlier.

Mr. Hoffman recalled that, sometime in the not too distant past, he was requested to submit a request for proposal based upon certain criteria such as familiarity with the Township as well as knowledge in the land use field, experience, etc.

Mr. Connor felt that a key to the process is an RFP with the criteria pre-established in what you are expecting in the proposal. He said that the other key is that the Board has been working fairly well having independent engineering because their jobs really don't overlap and are significantly different. He said that that is not true with the Zoning Board and, therefore, asked Mrs. Raimer to give her opinion. He added that, in his opinion, if it is decided to go with an RFP process, it should be done jointly with the Zoning Board.

Mrs. Raimer thought that, when the Boards were searching for a replacement engineer, the process was a convenient and efficient one because both Boards were searching. She said that she couldn't say if at this time the Board of Adjustment is searching to replace any of its professional without conferring with them and that that would be something taken up

separately with them and a consideration on the Planning Board's part, depending upon what the outcome of that decision is. She said that should it come to pass, hypothetically, that the Zoning Board is *not* looking to replace any of their professionals but perhaps the Planning Board *is*, she questioned if it is quite as efficient to have different Board professionals, or is it cost effective? She felt that the first step needs to be to find out if the Zoning Board wants to be participating to the same extent.

Mr. Arentowicz asked who the consultants are for the Zoning Board.

Ms. Raimer said that they are the same consultants as the Planning Board's.

Mr. Arentowicz said that, if that is the case, maybe a recommendation is that rather than try to select three new consultants, we utilize a rotating basis. For example, this year we can go out for an RFP for the Planner, next year for the Engineer, and the following year for the Attorney, so that we are not hung up with 300 proposals.

Ms. Raimer asked Mr. Aroneo what he thought was a fair period of time for each position to be revisited?

Mr. Aroneo replied that he had no time period in mind but, obviously, if there are any performance issues they should be handled immediately in private session. He felt that you would have to give people a few years (3-5) to get into the position. He felt that changing professionals yearly would be terrible for the Township and you would lose continuity. He suggested perhaps 3-5 years.

Mrs. Raimer agreed that there should be some extended period of time.

Mr. Arentowicz felt that you need at least 3 years before going out to bid but thought in all situations the incumbents truly have an advantage which is fine as they bring a lot to the table and you want to leverage that.

Mr. Aroneo said the last time the Township Committee looked at resumes for Township Planner, the applicants did not have the familiarity with our Township that Mr. O'Brien has. He said that money was not the major issue, it was about the process. He said that they talked about *all* of the professional positions within the Township. For the same money, he asked why would we go with someone that we are not that familiar with? He said that the knowledge was worth something at that point.

Mr. Connor said that one of the criteria is what the cost is but that is not the only criteria. He said that what he would want to see, if we do that, is establish an evaluation criteria which not only includes cost, but familiarity, and there may be some other things that would be in the selection criteria. He said that it is hard to measure, but during an interview you get certain feelings on what the candidate can do and how articulate the candidate is in presenting himself, but in the case of the Planning Board and Zoning Board Engineer (more than the Township Engineer) is that the professionals here have to be able to deal with the audiences which sometimes are very supportive but other times can be more confrontational and will, in fact, challenge the professional. He said that you need professionals who can represent the Board and, in some cases, a really important criteria is how well they deal with the public. Do they deal with them in such a way that engenders trust? He said that some people are well qualified but their people skills are somewhat limited.

Ms. Raimer said that, in accordance with public procurement law, you would be required to establish your selection criteria and, given that it is a service and not a commodity, it would be a publicly notified established set of criteria that do not amount to price loan. It is a conglomeration of a lot of different factors, and the weights to be accorded each of those factors, are things that should be published as well so that it is a fair and open transparent process for anyone that is participating.

Mr. Cilino asked if there were objectives that the Board has outlined for consultants.

Mr. Connor thought that objectives were created when the Board selected its Engineer and recalled that they made their evaluation based on very specific criteria. He said that we could research what the last subcommittee did and what criteria they may have published as a starting point and perhaps adopt the criteria at a public meeting.

Mrs. Raimer said that the RFP would be a public document and, if you want a more open process to establish criteria, that would be your prerogative, although she did not know if that is efficient given the Planning Board agendas.

Mr. Cilino said that he was looking at it from the private sector as well as a governmental sector that there were actually two different criteria. One is the criteria to go out and solicit individuals for specific positions, so you would have to know what that position is and what its criteria is for an individual to fill that position. The second criteria is, once that position is filled, there should be objectives that are clear and discernible for the candidate or the employed consultant to follow. In any given situation like this, where there is an employer and employee, he said that there has to be a set of objectives for the employee for guidance. He noted that in January when the Board had this discussion, Mr. Aroneo had mentioned that the healthy part of having this process is that we are sending a message to the Township that we are not locked into just people that are here all the time and we accept who are here without taking a look at them periodically. He said that in any government entity the bidding process is a healthy process and that we may have the best people on board right now, which is a good thing, but if we don't go out and look, he felt that people would question whether or not we were doing what we need to do.

Mr. Arentowicz asked Mr. Connor how we would proceed to see if the Zoning Board is interested in possibly going out to request for bid for one of the positions and do it on a rotating basis. He also suggested, for example, if our Planner is preparing a major element or performing work for Long Hill, his colleague would come in, evaluate the project and as

part of that process talk to the people on the committee and ask how he did or what he did *not* do. Those recommendations would be fed back to the evaluator who would then give us and the consultant a report to improve the quality, objectivity and the services that their firm is providing the Township.

Hearing no objections, Mr. Connor felt that the next thing to do is ask the representative of the Zoning Board to see if they are interested in this process. He asked Ms. Raimer to get this discussion on an upcoming Board of Adjustment agenda.

Mrs. Raimer addressed Mr. Arentowicz's first question about what the Zoning Board wants to do. She said the only thing for her to do is to take it back to the Board and ask them. She thought they could meet the first week in September with this on the agenda and discuss if it makes sense for the Board to do. She said that she felt there will be some resistance on the part of the Board of Adjustment in reviewing any professional that was hired in recent years given that we just went through this process and there have been no expressed objections to his performance in the time that we have had him, not that she was aware of any expressed objections that she was aware of with respect to any of the professionals. She said she would report back to the Board via email as to the Board of Adjustment's decision.

Mr. Connor said that there has not been any formal rigorous evaluation process and felt that that is something that would normally happen in a corporation. Given the way we are organized here, he said that there have been certain agreements when we talk about the contract each year and the Professionals come in and, essentially, we look at their contracts and have a discussion in private as to what the feeling is as to the performance of the three consultants and, if no one has objections, we essentially just go forward. He said that it is an informal evaluation. He said that, in Mrs. Wolfe's case, the Administrator does that with both Board Chairman having input, which is appropriate. Whether or not the Board wants to set up a formal evaluation process is a different issue and something the Board can consider.

Mrs. Raimer said the Board of Adjustment conducts informal evaluations of its professionals on an as needed basis. She said that when they see that there is a trend toward a particular type of activity, they see if there is a way to work with their professionals to rein it in or make adjustments to how they conduct their internal process so that they can make the procedure for the applicant a little less erroneous. She said that they visit it on an ad hoc base and, to some extent, that is a type of informal evaluation because it is a collaborative effort with our professionals and our Board in trying to make what it is that we do a little better.

Mr. Hoffman said he has been through this go round before and what he found was that most towns that engage in a formal review of RFP's do so based upon a set criteria that they author which a committee of designated professionals contribute toward formulating to avoid the responses from being all over the place and deal with various extraneous topics that may be of interest but of little real relevancy to the position at hand.

Mr. Connor felt that the next step is to get some feedback from the Board of Adjustment.

Mrs. Raimer asked for clearer guidance.

Mr. Arentowicz replied that he felt that the consensus is that we obviously don't want whole new Boards. He felt that what is needed on a rotating basis is to work with the professionals at least 3-5 years to effectively judge how things are going before we switch out. He suggested a rotation basis every 2 years with the Planner the first year, the third year would be the Engineer, and the fifth year would be the Attorney, and the 7th year would be the Planner again. He stressed that he felt the Boards need to do this together.

Mrs. Raimer thought it would be more efficient if the opinion of the Board of Adjustment is to proceed is to do it together. She just wanted to make sure that what she was asking them for is something that will make the process along quicker and not more back and forth.

Mr. Connor felt that it is open for discussion. He said that, if we get to the Board of Adjustment and they are willing to do that, then we need to figure out between the two Boards which is the first position to be considered. He said that, if the Zoning Board thinks that is a reasonable approach then we need to appoint a subcommittee to start the process.

Mrs. Raimer agreed to take the message back to the Board of Adjustment and report back to the Planning Board.

Mr. Arentowicz asked if there was a way to obtain and share the criteria used in the past when the Board Engineer was appointed.

Mr. Connor thought that if Mrs. Wolfe did not have a copy, he felt fairly confident that Dr. Behr does. He asked Mrs. Wolfe to look in any records that she might have.

Mr. Cilino agreed that the document would be a good reference. He cautioned that in this process things change and we may need a fresh approach to move forward. He also questioned what if the Planning Board is alone in this venture?

Mr. Connor suggested not begging that question until the Board finds out what the Zoning Board's recommendation will be.

Mr. Cilino said that he tries to anticipate all of the different avenues so that the Board is prepared for discussion and thought process when and if that situation arises. Without that preparation, he said that the Board will be sitting here questioning, "Now what are we going to do?"

Mr. Connor said that his guess was that every Board member sitting here has thought of that and, as things go forward, either they will say that they don't have to think about it or that the thought process will have to go forward. He suggested waiting to hear back from the Zoning Board and that the Planning Board not do anything formally until it knows what the Zoning Board is going to do.

Mr. O'Brien said an evaluation was mentioned. He noted that this Board itself has changed and many of the members present this evening were not here previously. In the past, he said that he and his colleagues have actively sought out feedback and guidance from previous Boards, the Chairmen and Vice Chairmen to ensure that they do their jobs better and regardless of whether you replace people or not, if you do retain people, he suggested that it be formalized and towards the end of the year, you sit down individually, jointly, or in executive session and give feedback, guidance and suggestions to the staff which would make them a better staff to the Board.

Mr. Cilino said that that echoed his earlier point. He said that if you are seeking guidance that means that the Board is not providing you with a clear roadmap as to what we need on a large degree and that we are actually doing a disservice to you by not sitting down quarterly or every 6 months and saying here is where we are, what do you see? He said that you cannot do your work without a readable map and/or without a clear set of objectives and he was not clear that the Board has given its consultants the clearest road map.

There being no further comments, the meeting adjourned at 10:35 P.M.

DAWN V. WOLFE
Planning & Zoning Administrator