

CHATHAM BOROUGH PLANNING BOARD

January 5, 2011

7:30 p.m.

Chairman Richard Crater called the Chatham Borough Planning Board meeting of January 5, 2011 to order at 7:35 p.m. in the Council Chambers, Chatham Municipal Building. Mr. Crater announced that all legal notices have been posted for this meeting.

Members Present

Mayor V. Nelson Vaughan*, Councilman Bruce Harris, Chairman Richard Crater, John Bitar, Donna Cali-Charles, H.H. Montague, Susan Favate, James Mitchell, Joseph Mikulewicz, Matthew Wagner.

*arrived at 7:45 p.m. Mayor Vaughan was late because he had to attend the Freeholders' Re-Organization Meeting earlier in the evening.

Anne Marie Rizzuto, Esq., attorney for the Board, was present.

Members Absent

Vincent DeNave

Open to the Public

There were no comments or questions from the public.

Adoption of Minutes

The second draft of the minutes of December 14, 2010 meeting was approved. The following abstained from voting: Joseph Mikulewicz, John Bitar, Susan Favate, and Chairman Crater. They were absent from that meeting.

Annual Reorganization for 2011

Election of Chairperson

Councilman Harris made a motion to nominate Richard Crater as Chairman of the Board for 2011. Mr. Montague seconded the motion. A voice vote was taken. Mr. Crater was unanimously elected.

Election of Vice Chairperson

Mr. Montague made a motion to nominate John Bitar as Vice Chairman of the Board for 2011. Mr. Mitchell seconded the motion. A voice vote was taken. Mr. Bitar was unanimously elected.

Election of Board Secretary

Mrs. Favate made a motion to nominate Donna Cali-Charles as Board Secretary for 2011. Mr. Bitar seconded the motion. A voice vote was taken. Mrs. Cali-Charles was unanimously elected.

Appointment of the Borough Sign Committee

Mr. Crater noted that Resolution 2011-8 is appointing the Sign Committee members for 2011. These members have done a good job in previous years. Mr. Crater would like to see these members retained.

Councilman Harris suggested a member of the Historic Preservation Commission (HPC) be included on the Sign Committee. The HPC can decide which member will be on the Sign Committee. This suggestion was made as an amendment to Resolution 2011-8.

The Board reviewed the proposed members listed in the Resolution and what their designation was. After further discussion, Ms. Rizzuto suggested that Patricia Leithead be excused from Sign Committee membership.

Councilman Harris read aloud Resolution 2011-8, Appointment of Sign Committee. He made a motion to approve Resolution 2011-8 as amended. Mrs. Favate seconded the motion. A voice vote was taken. Resolution 2011-8 was unanimously approved.

Mrs. Favate read aloud Resolution 2011-1: Naming the Planning Board Officers elected for 2011. Mrs. Favate made a motion to approve Resolution 2011-8. Councilman Harris seconded the motion. A voice vote was taken. Resolution 2011-1 was unanimously approved.

Mrs. Cali-Charles read aloud Resolution 2011-2: Establishing the Board's meeting dates, times and locations for 2011 and January 2012. Mrs. Cali-Charles made a motion to approve Resolution 2011-2. Councilman Harris seconded the motion. A voice vote was taken. Resolution 2011-2 was unanimously approved.

Mr. Bitar read aloud Resolution 2011-5: Appointing Anne Marie Rizzuto, Esq. as Planning Board Attorney for 2011. Mr. Bitar made a motion to approve Resolution 2011-5. Mrs. Cali-Charles seconded the motion. A voice vote was taken. Resolution 2011-5 was unanimously approved. Ms. Rizzuto swore herself in as attorney for the Planning Board for 2011. Ms. Rizzuto's son, Michael, came up from the audience and presented his mom with a lovely bouquet of roses.

Mr. Montague summarized Resolution 2011-4: Designating the Chatham Courier and the Morris County Daily Record as the official newspapers to receive notices of meetings of the Chatham Borough Planning Board and fixing charges for notices of Board meetings during 2011. Mr. Montague made a motion to approve Resolution 2011-4. Councilman Harris seconded the motion. A voice vote was taken. Resolution 2011-4 was unanimously approved.

Mr. Mitchell read aloud Resolution 2011-5: Appointing John Hansen, P.E. as Consulting Engineer for the Planning Board during the year 2011. Also, Ms. Rizzuto will review and revise the contract for necessary services. Mr. Mitchell made a motion to approve Resolution 2011-5. Mrs. Favate seconded the motion. A voice vote was taken. Resolution 2011-5 was unanimously approved.

Councilman Harris read aloud Resolution 2011-6: Re-adoption of the Rules and Regulations as amended for the operation of the Planning Board. Councilman Harris made a motion to approve Resolution 2011-6. Mrs. Cali-Charles seconded the motion. A voice vote was taken. Resolution 2011-6 was unanimously approved.

Mr. Bitar read aloud Resolution 2011-7: Re-adopting Site Plan Waiver Procedures. Mr. Bitar made a motion to approve Resolution 2011-7. Mr. Mitchell seconded the motion. A voice vote was taken. Resolution 2011-7 was unanimously approved.

Applications

There were none.

Pending Business

Sign Ordinance – Revised ordinance from Board attorney (incorporating portable board signs, etc.)

Ms. Rizzuto explained the draft ordinance which was distributed tonight to the Board. She briefly reviewed the latest revisions suggested by the Board now included in this draft.

Ms. Rizzuto reviewed the regulation for political signs, focusing on the language stating: “Each tax lot shall be limited to no more than one political sign per candidate per governmental race, except this restriction on quantity shall not apply to any tax lot within a residential district”. She recalled the Board did not feel political signs on private property should be regulated.

Ms. Rizzuto stated that she will be including a definition for portable (sandwich board) signs in this ordinance. She will circulate this definition by e-mail to Board members. Councilman Harris felt that sandwich board signs should not be allowed on sidewalks. The Board and Ms. Rizzuto reviewed the portable sign situation in the business districts. After further discussion, Ms. Rizzuto and the Board decided to eliminate the sentence: “All portable signs must be located at least a minimum of two (2) feet away from any public street or public sidewalk”. In its place, Ms. Rizzuto will insert language stating “that no portable sign shall be located on any public sidewalk or public street”.

Mr. Crater requested that the Board vote on this draft ordinance tonight with the agreed upon revisions.

Mr. Montague made a motion to approve this ordinance establishing new regulations for signs in the Borough and forwarding said ordinance to the Mayor and Borough Council for their consideration. Mrs. Cali-Charles seconded the motion.

A roll call vote was taken:

Mayor Vaughan	-	yes
Councilman Harris	-	yes
Mrs. Cali-Charles	-	yes

Mr. Bitar	-	yes
Mr. Montague	-	yes
Mrs. Favate	-	yes
Mr. Mitchell	-	yes
Mr. Mikulewicz	-	no
Mr. Wagner	-	yes
Chrmn. Crater	-	yes

Checklists for Application – under review – Ordinance changes and revised Checklists A, B, C, D and E

Ms. Rizzuto reported that she will be finishing her review of Mr. Montague’s document submitted at the last meeting. She and Mr. Montague will then finalize both the checklist and the ordinances involved. Ms. Rizzuto said the final checklist should be ready for the Board’s review at their first meeting in February.

RFP for the Planner – Report on RFP responses for a Consulting Planner received on December 20, 2010

Mr. Crater reported that a number of responses have been received by the Building Department. He noted that a month ago a sub-committee consisting of Mr. DeNave, Mr. Wagner, Mrs. Favate, and Mr. Montague will be reviewing the submitted RFPs.

Mr. Montague reported that ten RFPs have been submitted. Mr. DeNave had suggested to Mr. Montague that the sub-committee review the ten RFPs and select two or three top candidates for the Board to interview.

Ms. Rizzuto reminded the Board that this position will involve a public bid. It will be a competitive process. If a defect is found in any of the submittals, the sub-committee should discuss the defect with Ms. Rizzuto. Ms. Rizzuto will then make a legal determination as to whether or not that particular candidate should be eliminated. Ms. Rizzuto said she was under the impression that the sub-committee will do all the interviewing. Mr. Montague had a different impression.

Mr. Crater suggested that Mr. Montague and the sub-committee see how things work out after the first round of reviews and interviews. In a couple of weeks, the sub-committee can submit a report of what has been accomplished and their recommendations. If the sub-committee feels there seems to be two equally qualified Planner candidates, the full Board will interview them. If one candidate seems like an excellent choice, the Board will interview that sole candidate.

New Business

There was none.

Closed Session

At 8:35 p.m. the Board went into Closed Session to discuss the matter of Cougar Field litigation.

At 9:06 p.m. the Board returned to Public Session.

At 9:07 p.m. the Board adjourned its regular meeting for the night.

The next Planning Board meeting will be held on Wednesday, January 19, 2011, 7:30 p.m., Chatham Municipal Building.

Respectfully submitted:

Elizabeth Holler
Recording Secretary