

**TOWNSHIP OF WEST MILFORD  
PLANNING BOARD**

**MINUTES**

**January 12, 2012**

**REORGANIZATION**

Tonya Cubby, Secretary to Boards and Commissions, opened the meeting at 7:35 p.m. with the reading of the Legal Notice followed by the Pledge of Allegiance.

**ADMINISTER OATHS TO NEW/REAPPOINTED MEMBERS**

The Oaths of Office were administered to the following: Mayor Bettina Bieri, Class I Mayor; Linda Connolly, Class IV Citizen Member; Geoffrey Syme, Class IV Citizen Member. Michael Siesta, Class IV Citizen Member-Alternate #1 and Councilman Luciano Signorino, Class III Council Member were not in attendance and would be administered their oaths at the next scheduled meeting. The Class II Township Official position remains vacant.

**ROLL CALL**

**Present:** Mayor Bettina Bieri, Linda Connolly, Christopher Garcia, Andrew Gargano, Robert Nolan, Douglas Ott, Geoffrey Syme, Alternate #2 Steven Castronova, Secretary Tonya Cubby.

**Absent:** Councilman Luciano Signorino, Alternate Michael Siesta, Thomas Germinario, Esq., Paul Ferreiro, P.E./John Hansen, P.E., Charles McGroarty, P.P.

Steven Castronova was requested to sit on the Board in the vacant position.

**REORGANIZATION**

The following appointments were made for the period ending December 31, 2012 or until the next Reorganization Meeting of the Planning Board:

**APPOINTMENT OF CHAIRMAN**

**Motion** by Andrew Gargano to nominate **Geoffrey Syme** for the position of Chairman of the Planning Board, with a **second** by Steven Castronova.

There being no other nominations, Andrew Gargano made a **motion** to Close and Confirm the nomination for Geoffrey Syme as Chairman of the Planning Board, with a **second** by Linda Connolly.

The Secretary proceeded with a roll call vote on the nomination of **Geoffrey Syme** for the position of Chairman of the Planning Board.

**Roll Call:**

**Yes** - Mayor Bettina Bieri, Linda Connolly, Christopher Garcia, Andrew Gargano, Robert Nolan, Douglas Ott, Geoffrey Syme, Steven Castronova.

**No** – None.

Chairman Geoffrey Syme assumed the Chair for the remainder of the meeting.

**APPOINTMENT OF VICE CHAIRMAN**

**Motion** by Robert Nolan to nominate **Christopher Garcia** for the position of Vice Chairman of the Planning Board, with a **second** by Douglas Ott.

There being no other nominations, a **motion** by Douglas Ott to Close and Confirm the nomination for the position of Vice Chairman of the Planning Board, with a **second** by Robert Nolan.

The Secretary proceeded with a roll call vote on the nomination of **Christopher Garcia** for the position of Vice Chairman of the Planning Board.

**Roll Call:**

**Yes** - Mayor Bettina Bieri, Linda Connolly, Christopher Garcia, Andrew Gargano, Robert Nolan, Douglas Ott, Geoffrey Syme, Steven Castronova.

**No** – None.

**APPOINTMENT OF SECRETARY**

**Motion** by Andrew Gargano to nominate **Tonya Cubby** for the position of Secretary of the Planning Board, **seconded** by Robert Nolan.

There being no other nominations, Mayor Bettina Bieri **moved** to Close and Confirm, with a **second** by Andrew Gargano followed by a roll call vote.

**Roll Call:**

**Yes** - Mayor Bettina Bieri, Linda Connolly, Christopher Garcia, Andrew Gargano, Robert Nolan, Douglas Ott, Geoffrey Syme, Steven Castronova.

**No** – None.

**APPOINTMENT OF SUBCOMMITTEES**

Chairman Geoffrey Syme advised that he was not making any appointments to the Site Plan Committee at this time, adding that the Board professionals provide review of the applications and plans. The Board concurred with this decision. He then asked members to indicate their interest in serving on the various subcommittees, and the following members were appointed for 2012:

**Ordinance Committee:** Linda Connolly, Robert Nolan, Michael Siesta, and Chairman Geoffrey Syme.

**Master Plan Committee:** Christopher Garcia, Andrew Gargano, Douglas Ott, and Chairman Geoffrey Syme.

**Design Standards Committee:** Steven Castronova, Linda Connolly, Councilman Lou Signorino, and Chairman Geoffrey Syme.

**Site Plan Committee:** N/A.

**PLANNING BOARD ATTORNEY**

The Chairman announced the appointment of Planning Board Attorney:

**Motion** by Steven Castronova to appoint **Thomas Germinario, Esq.** for Planning Board Attorney, **seconded** by Andrew Gargano.

**Roll Call:**

**Yes** - Mayor Bettina Bieri, Linda Connolly, Christopher Garcia, Andrew Gargano, Robert Nolan, Douglas Ott, Geoffrey Syme, Steven Castronova.

**No** – None.

The Chairman announced the following resolution approving the appointment:

**Resolution No. 2012-1**

**Ratifying And Authorizing The Award Of A Contract For Professional Services To Thomas J. Germinario, Esq., For Planning Board Attorney In The Amount Of \$10,500.00 For Non-Escrow, Non-Litigation Matters, Excluding Amounts Charged To Escrow Accounts, Without Further Action By The Board; And An Amount Not To Exceed \$14,000.00 For Litigation Matters, Without Further Action By The Board**

**Motion** by Andrew Gargano to approve Resolution No. 2012-1, **seconded** by Robert Nolan.

**Roll Call:**

**Yes** - Mayor Bettina Bieri, Linda Connolly, Christopher Garcia, Andrew Gargano, Robert Nolan, Douglas Ott, Geoffrey Syme, Steven Castronova.

**No** – None.

**PLANNING BOARD ENGINEER**

Chairman Syme announced the appointment of Planning Board Engineer:

**Motion** made by Steven Castronova to appoint **Paul Ferriero, P.E. of Ferriero Engineering** for the position of Planning Board Engineer, **seconded** by Douglas Ott.

**Roll Call:**

**Yes** - Mayor Bettina Bieri, Linda Connolly, Christopher Garcia, Andrew Gargano, Robert Nolan, Douglas Ott, Geoffrey Syme, Steven Castronova.

**No** – None.

Chairman Syme announced the following resolution approving the appointment:

**Resolution No. 2012-2**

**A Resolution Authorizing The Award Of A Non-Fair And Open Contract For The Position Of Planning Board Engineer To Paul W. Ferriero, P.E., Ferriero Engineering In The Amount Of \$3,500.**

**Motion** by Mayor Bettina Bieri to approve Resolution No. 2012-2, **seconded** by Robert Nolan.

**Roll Call:**

**Yes** - Mayor Bettina Bieri, Linda Connolly, Christopher Garcia, Andrew Gargano, Robert Nolan, Douglas Ott, Geoffrey Syme, Steven Castronova.

**No** – None.

**PLANNING BOARD PLANNER**

Chairman Syme announced the appointment of Planning Board Planner:

**Motion** by Robert Nolan to appoint **Charles McGroarty of Banish Associates** for Planning Board Planner, **seconded** by Andrew Gargano.

The Chairman announced the following resolution approving the appointment:

**Resolution No. 2012-3**

**A Resolution Authorizing The Award Of A Professional Services Contract Without Competitive Bidding For The Position Of Planning Board Planner To Charles McGroarty, P.P. Of Bansich Associates Inc. In The Amount Of \$12,500.**

**Motion** by Mayor Bettina Bieri to approve Resolution No. 2012-3, **seconded** by Robert Nolan.

**Roll Call:**

**Yes** - Mayor Bettina Bieri, Linda Connolly, Christopher Garcia, Andrew Gargano, Robert Nolan, Douglas Ott, Geoffrey Syme, Steven Castronova.

**No** – None.

**LANDSCAPE ARCHITECT**

Chairman Syme announced the appointment of Board Landscape Architect.

**Motion** by Steven Castronova to appoint **Hakim Associates** as Planning Board Landscape Architect, **seconded** by Robert Nolan.

**Roll Call:**

**Yes** - Mayor Bettina Bieri, Linda Connolly, Christopher Garcia, Andrew Gargano, Robert Nolan, Douglas Ott, Geoffrey Syme, Steven Castronova.

**No** – None.

The Chairman announced the following resolution approving the appointment:

**Resolution No. 2012-4**

**A Resolution Ratifying and Authorizing the Award of a Contract for Professional Services to Hakim Associates.**

**Motion** by Mayor Bettina Bieri to approve Resolution No. 2012-4, **seconded** by Robert Nolan.

**Roll Call:**

**Yes** - Mayor Bettina Bieri, Linda Connolly, Christopher Garcia, Andrew Gargano, Robert Nolan, Douglas Ott, Geoffrey Syme, Steven Castronova.

**No** – None.

**ADOPTION OF 2012 MEETING SCHEDULE**

Chairman Syme announced the adoption of the Planning Board Meeting Schedule for January 1, 2012 to December 31, 2012 that was reviewed and approved in the prior year:

**Motion** made by Andrew Gargano, **seconded** by Robert Nolan, to adopt the 2012 Planning Board Meeting Schedule as presented. The Board approved the schedule by **unanimous consent**.

## **DESIGNATION OF OFFICIAL NEWSPAPERS**

**Motion** made by Robert Nolan, **seconded** by Linda Connolly, to designate the Herald News and Suburban Trends as the official newspapers of the Planning Board. The majority of the Board approved the designation, with one negative vote.

## **PUBLIC PORTION**

Chairman Geoffrey Syme opened the Re-organization meeting to the public for comment. The following addressed the Board:

Richard Randazzo, Wooley Road read from a written statement, advising that he was, once again, submitting recommendations to the Board for review and comments regarding proposed amendments to the Township's existing well ordinance. He also stated that he supported the closed status of the Braemar (Greene Valley Estates) application and submitted documents to the Board in support of this:

Letter from West Milford Health Dept., dated September 21, 2011, listing conditions that must be met by the applicant who was seeking a Certificate of Compliance and Individual Well Water Approval for Block 10001; Lot 19, requiring an NJDEP LOI, Flood Hazard Area Applicability Determination, a current Highlands Exemption, well testing for individual wells and proof that the standards of the NJAC-7:10 were met, COC for ISSDS, and final aquifer testing results to confirm sufficient well yields for the proposed subdivision.

Letter from the NJDEP, dated June 27, 2011, advising that the Freshwater Wetlands general permit had expired, resulting in the expiration of the HAD.

Letter from Braemar at West Milford, LLC, dated August 8, 2006, requesting approval for excavation, inspection and construction of approved disposal fields and installation of wells prior to the filing of the final map and creation of the lots, noting that the applicant would be proceeding at their own risk.

Mr. Randazzo offered his opinion that the applicant proceeded at his own risk in this business venture, and that it should not be the concern of the Township that a financial hardship was created by the decisions and business practices of the applicant.

With no one else wishing to address the Board, the Public Portion was **closed** on a **motion** by Robert Nolan with a **second** by Andrew Gargano.

## **ADJOURNMENT**

Prior to adjourning, the Planning Board Secretary apprised the Board of matters that will be before them at the January 26, 2012 Regular Meeting.

The Reorganization meeting was **adjourned** by unanimous consent at **8:30 p.m.** on a **motion** by Robert Nolan with a **second** by Andrew Gargano.

Approved: February 23, 2012

Respectfully submitted by,

Tonya E. Cubby, Secretary