

BOROUGH OF BOUND BROOK
PLANNING BOARD
MARCH 12, 2009

CALL TO ORDER

The meeting was called to order by Vice Chairman Dick Shive at 7:30 p.m. at Borough Hall.

ROLL CALL

Present were: Mayor Pilato, Mr. Thompson, Mr. Shive, Ms. Ackerman, Ms. Brnicevic, Mr. Gayeski.

Also present were the following staff members: Mrs. Malone, recording secretary; Mr. Rodgers, board attorney; Nancy Weaver-Smith for Mrs. Doyle, planner and Mr. Miller, engineer.

COMPLIANCE STATEMENT

This meeting is being held in compliance with the "Open Public Meetings Law." The requirements of the Law have been met. The Annual Meeting Notice has been posted in the Municipal Building, filed with the Municipal Clerk, and forwarded to the Courier-News and Star-Ledger in January, 2009.

SALUTE TO THE FLAG

MINUTES OF PREVIOUS MEETING(S): Motion to accept the minutes of the February 12, 2009 meeting by Mr. Thompson, seconded by Ms. Brnicevic and carried. Mr. Pilato abstained.

MAYOR AND BOROUGH COUNCIL

Mayor Pilato addressed flood control. The Star Ledger listed items in the budget bill for the current fiscal year; Bound Brook received ten million dollars. Bound Brook is also in good shape in relation to the stimulus project. The West Main Street project is progressing nicely.

At 100 West Main (Brook Industrial), authorities have taken the business owner to court to force them to remove the pile of dirt by April to be out of the way for the flood control project. The judge ruled in our favor, and they were forced to provide a plan to remove the soil by the end of April. Some has been removed, but they are in contact with the DEP on a daily basis to make sure the ruling is enforced.

Governor Corzine's budget contains many unpopular provisions. He is keeping municipal funding flat, in theory, but the plan has to go before the legislature. The Extraordinary Aid was only reduced by \$500,000 from last year. There will probably be more applicants for this year. Bound Brook has had a spending freeze in place, and employees have been alerted that there will be no raises. Some of our professionals have reduced their fees as well.

Tax books are pretty much completed. Residents are invited to appeal through the county tax board. Bound Brook now has to figure out an appropriate rate for the same amount of taxation that was needed last year. The Board of Education has received more aid than they expected, and they have a large expenditure anticipated for mandatory preschool. Bound Brook has five excellent providers of preschool care. If the voters reject the school budget it will come to the council.

The PPS report has been reviewed by the economic development subcommittee as well as the citizen committee. They will make recommendations, starting with an ordinance to ratify the report.

The Land Use Ordinance for impervious coverage will be on the agenda, and the engineer was asked for input.

Historic Preservation – the mayor has conferred with Bob Fazen regarding potential appointees.

Stimulus Grants – the borough is a candidate for 4-5 grants under the stimulus program. There is a block grant. Money has been budgeted for weatherization and efficiency of the borough complex. There are grants available for arts, police, economic development and transportation. New Jersey got a low amount of money for transportation (651 million including transit) considering how many roads and people there are in the state.

The sign ordinance is moving along. At a council meeting, the mayor asked Councilman Pranzatelli when it will be completed. They will continue to work on it.

Mr. Shive asked what will happen to the roads under the Army corps trucks and truckloads of dirt. The mayor explained the routes to be used to minimize the traffic as much as possible. It is being monitored very closely because the street is not built to take such traffic. The Corps will reconstruct that street, and the borough will require it to be 30 feet wide with curbing and sidewalks.

COMMITTEES:

Approval of Bills – they will be left for Mr. Fazen's return

By-Laws – Discussion scheduled for March 26.

Redevelopment – .Area Two, the mayor has already discussed. It is a joint ordinance, and it will emanate either from the board or the council. The council will adopt after a second reading.

OPEN TO PUBLIC: NON-AGENDA ITEMS

Stacey Pilato, 222 W. Franklin Street, appeared to discuss the Villani property. She presented photographs to the board. Mr. Rodgers warned that there is a

hearing pending and the board cannot address the subject since it is not on the agenda. Mrs. Pilato requested that the board declare the existing subdivision approval invalid because it was not perfected in a timely manner. The board, through its acting chairman, instructed her to submit a letter setting forth in detail exactly what she wants the board to do, her reasons why the board should do it, and why the board has the authority to do it. After the board receives the letter they will decide what to do next.

John Cave, of 20 Talmage, asked if the contractor does not meet his obligations what would happen to the dirt pile. The mayor explained it would be hauled to a hazardous waste site and the charges would be billed back to Brook Industrial and G&A Holdings. The judge was totally sympathetic to the borough. Their progress is being closely monitored because of the time constraints.

PUBLIC HEARINGS:

#02-09, Maiella & LaSerna, 21 W. Main Street

Ms. Weaver-Smith explained that this is a new application and recommended that it be deemed incomplete. No one on the board has seen the current application. The applicant has seen all the letters from Mrs. Doyle, but the board received the last of them today. Mr. Miller said a letter was sent on February 19 asking that a few issues be addressed.

Mr. Rodgers asked if more materials were submitted in response to the review letters. They were not. The applicant's attorney, Robert Ferb, introduced himself and explained that Mr. Lauterwald has brought revisions this evening. The architect, Mr. Walmer's associate, said the drawings were submitted but they never got to Mrs. Doyle until today. Since the board has not seen anything, they cannot take action on either completeness or the application.

The application will be on the agenda for March 26, and no further notice will be required. Richard Maiella introduced himself as the property owner and asked some questions about the timelines.

COMPLETENESS REVIEWS

#22-08, Brook Industrial Park

Ms. Weaver-Smith indicated there is a deficiency in the escrow funds; therefore, she recommended the application remain incomplete. Mr. Miller said some supplemental information was submitted, and the owner is planning to hire an engineer or surveyor to address the missing items.

#23-08, Bound Brook Apartments

This application also remains incomplete. No new application was filed, but new plans were submitted to change it back to the original plan. Mr. Shive indicated they need a new application. Mrs. Malone will include a copy of the February 23 recommendation in a letter to advise them of the board's decision.

Verizon

Mr. Shive suggested putting this on the agenda for completeness and hearing for March 26. The planner's recommendation of February 23 suggested deeming the application incomplete. They have not received all the required responses. Mr. Miller noted they owe an additional \$700 for the bulk variance, and he seconded the recommendation that the application not be deemed complete.

Mr. Thompson asked about 2008 applications #19 and #20, which were deemed incomplete. He suggested disposing of them in one way or another. Mr. Rodgers noted that they were never declared complete and they can be removed from the agenda. Mrs. Malone will send a letter to Mr. Gleason, who represents both applicants, asking about the status.

Ms. Ackerman indicated she was embarrassed that an applicant appeared, he was on the agenda and had hired his experts, and the board had not received his application and so could take no action. She feels a system is needed to make sure the board gets such paperwork in a timely manner. Mr. Shive will discuss the problem with Mr. Fazen.

Mr. Rodgers reported that the board is required to review their approvals at the end of the year. They do it informally, and Mrs. Doyle has a conversation with the board. Ms. Brnicevic will ask Mr. Fazen to put it on the agenda.

For the purpose of signing resolutions, Ms. Brnicevic was appointed temporary secretary for this meeting.

RESOLUTION**#17-08, Gomero**

Motion by Ms. Brnicevic, seconded by Mr. Gayeski, to approve the resolution. Only those two were allowed to vote because they were present at the hearing. Passed unanimously.

ADJOURNMENT:

Mr. Thompson presented a motion to adjourn the meeting at 9:10 p.m., seconded by Ms. Ackerman and carried unanimously.

Respectfully submitted,

Barbara A. Malone
Recording Secretary