

HILLSBOROUGH TOWNSHIP PLANNING BOARD
PUBLIC MEETING MINUTES
December 06, 2012

Chairman Sireci called the Planning Board meeting of December 06, 2012 to order at 7:30 p.m. All stood for the Pledge of Allegiance. The meeting took place in the courtroom of the Municipal Complex.

Chairman Sireci announced that the meeting had been duly advertised according to Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975 ("Sunshine Law").

ROLL CALL

Deputy Mayor Gloria McCauley - Present
Greg Burchette – Present
Committeeman Frank DelCore - Present
Steve Cohen, Vice Chairman - Present
Tod Mershon, *Secretary*- Present
Neil Julian - Present

Sam Conard - Absent
Steven Sireci, Jr., Chairman - Present
Marian Fenwick - Present
Daniel Marulli (Alt. #1) - Present
Robert Peason (Alt. #2) - Present

Also present: David Kois, Zoning Officer/Assistant Township Planner; Eric M. Bernstein, Esq., Board Attorney (Eric M. Bernstein & Associates); Albert Cruz, Esq., Township Attorney; William H.R. White, III, P.E., P.P., C.M.E., Board Engineer (Maser Consulting, P.A.); and Lucille Grozinski, C.C.R.

ACCEPTANCE OF MINUTES

October 04, 2012

Upon motion by Mr. Mershon, seconded by Ms. Fenwick, the minutes of the October 4, 2012 meeting were approved upon the call of the roll.

November 08, 2012

Upon motion by Vice Chairman Cohen, seconded by Mr. Burchette, the minutes of the November 8, 2012 meeting were approved upon the call of the roll.

ACCEPTANCE OF RESOLUTIONS

County of Somerset / Markowitz – File 12-PB-08-MRV

Upon motion by Mr. Burchette, seconded by Deputy Mayor McCauley, the Resolution was approved upon the call of the roll.

PLANNING BOARD BUSINESS

None

SPECIAL COMMITTEE REPORTS

None

BUSINESS FROM THE FLOOR

None

CONSIDERATION OF ORDINANCES

None

PUBLIC HEARING – SUBDIVISION/SITE PLAN APPLICATIONS

HARDING CORONA, LLC – File #12-PB-05-SR – Block 182, Lot 37 – 351 Route 206. Applicant seeking Preliminary and Final Major Site Plan approval with Waivers: 2-way parking lot aisle; parking lot rows; parking stall size; maximum front yard setback; pole lighting height; fencing; stream encroachment and an Economic Hardship Waiver requested to construct a 5 building extended care facility with medical and administrative offices totaling 34,115 SF in the HS District (*EC: 09-24-12*). ***Continued from October 04, 2012 without further notice.***

Counselor Jessica Sweet introduced the application and called her first witness, Georgette Jungels, a licensed substance abuse counselor and consultant to the applicant who was sworn in, and gave the following testimony in response to questions asked by Mrs. Sweet:

Ms. Jungels said I am licensed by the State of NJ as an alcohol and drug tester and own my own out-patient private practice for family consulting services. There are currently 3 facilities in New Jersey that cater to substance abuse and mental illness. However, none of them are long-term, in-patient facilities. General psychology facilities are usually out-

PLANNING BOARD MEETING MINUTES
December 06, 2012

patient programs that depend on the conditions and availability of the patient. The patient makes a schedule to go during the day and go home at night. In-patient facilities are mostly very short term in NJ. New Jersey needs a long-term facility so that residents no longer need to go to Pennsylvania or New York for treatment. It has not been determined if it will still be considered a general psychology facility or not.

The DAS licensing has procedures and requirements that must be completed in order to receive a license. You cannot treat patients unless you have a specific license for a specific division. All practitioners must have an individual license and the facility needs its own license. Each must also have an educational background in their field and training in their field. Once the licenses are received, the DAS will inspect the facility and make sure it is up to code. After the facility opens, the DAS inspects it again, to make sure that all requirements are being met and everything is running accordingly.

There are two types of enforcement for not following orders. The first pertains to lower violation which is when you have a certain time period in which to correct the problem before another inspection. The second is when there is a major problem and the facility is shut down immediately. The facility then loses its license and would have to reapply to the DAS in order to reopen.

The general psychology program is a "for profit" agency which means they accept payment through insurance companies, Medicare/Medicaid, and self-pay. There are no mandated programs through the State or court.

The patient population would consist of street addicts who would receive more of a disciplinary approach. Any professional addicts would receive more of an educational approach and both groups would attend activities daily as well as meet with doctors, therapists and attend relaxation method classes. No services will be provided to anyone under the age of 18. When admitting patients, each client would be screened to make sure they met insurance, age and eligibility requirements. Admittance would only be allowed during the day and there must be an appointment made prior to intake. Anyone with a criminal or violent history would be required to let the staff know in writing so that the facility would be made aware of the need to report to a parole officer, court or where ever necessary.

Because this is a private facility, they can reject anyone that is not eligible. Also, patients would not have access to their own vehicles. If they wanted to leave, the facility would provide transportation. No one is held there unwillingly.

Sundays would be visitation day. Each patient would be limited to 3 visitors per day. No talk of work, bills or phone calls would be allowed. This facility is a stress free environment. Visitors would have to be approved by the patient and the facility. Once approved they would have to attend a visitation educational meeting.

Lastly, the layout of the buildings is very new and innovative for this type of facility. It would consist of 5 main buildings across a lawn. Patients would have 15 minutes between activities to get from building to building and must attend every activity.

Ms. Jungels then answered questions from the dais clarifying population, security, funding, and DAS requirements in more detail.

Counselor Jessica Sweet asked Ms. Jungels to walk through State inspections and regulations.

Ms. Jungels stated when DAS comes in to inspection they do a review of the physical plant, architectural plant, and review of all paperwork. If a problem is found, DAS must notify the facility in writing within 5 business days. The facility then has 30 days in which to respond in writing to propose how to correct the problem(s) as well as appear before an appeal board or bring it to court. If this does not happen, the facility may be lowered to a provisional license or their license can be suspended. The facility may also be shut down.

Open to the Public

Linda Kenyhercz –Flanders Drive

Ms. Kenyhercz asked multiple questions regarding the facility, including the question of how long patients would typically stay at the facility and if there would be any outpatient work going on.

Ms. Jungels responded, anywhere from two weeks to eighteen months. This is strictly an in-patient service facility.

Ms. Kenyhercz asked if when referring to "professionals", that term means actual "working professionals" or anyone who has insurance?

Ms. Jungels answered, anyone who has insurance and is not mandated by the court can voluntarily attend the facility.

Ms. Kenyhercz asked for information on the process of a transfer of ownership.

**PLANNING BOARD MEETING MINUTES
December 06, 2012**

Ms. Jungels stated if the current owners wanted to sell the company, the new owners would then have to go through the licensing process all over again.

Ms. Kenyhercz asked whether staff would be full-time or needed per class or program.

Ms. Jungels responded that some staff will be hired on full-time. Some class and program teachers may be hired as needed per class.

David Fritz – Flanders Drive

Mr. Fritz asked how people would be screened if there are no criminal background checks.

Ms. Jungels stated there would be psychiatric screenings as well as around the clock security to protect the facility and the surrounding neighborhoods.

Mr. Fritz asked Ms. Jungels if the existing facility has gone through any DAS inspections.

Ms. Jungels responded saying the Bridgewater facility already had a DAS inspection which passed without any violations.

Mr. Fritz asked about a Lebanon law suit and if Ms. Jungels had testified at it.

Ms. Jungels said she attended the township meetings but cannot provide testimony because she does not know what is going on regarding a law suit.

Myrna Lieberman

Ms. Lieberman asked for clarification between prescription drug addicts and other drug addicts. She expressed her concern that all types of addicts would be attending the facility.

Ms. Jungels responded by explaining the two different types of treatment approaches based on the clientele and recent studies.

Laurie Lamb – Flanders Drive

Ms. Lamb asked what treatment methods the facility would be using.

Ms. Jungels restated that the Hillsborough facility would be an educational based facility, focusing on prescription drug users.

Ron Potter – Flanders Drive

Mr. Potter asked if everyone attending the facility is a United States citizen.

Ms. Jungels said she could not testify to that. However, marketing will not be restricted to NJ residents.

Mr. Potter asked what would happen if a patient managed to get drugs inside the facility.

Ms. Jungels stated the client would be discharged from the program immediately. If it was an illegal drug or criminal offense, the Police would be notified.

Committeeman DelCore suggested that a different witness should be able to talk more about the business side of the facility and not just the licensing and treatment plans.

Richard Feldman – Flanders Drive

Mr. Feldman asked for a review of the procedures on locating someone that did not attend class.

Ms. Jungels explained that not only are there 3 nurses on duty per every 57 patients, but there are also other doctors and teachers as well as security guards to locate the patients.

Jeff Harris - Flanders Drive

Mr. Harris asked if there are any reports where the facilities in other places have affected a town's school district, housing re-salability etc.

PLANNING BOARD MEETING MINUTES
December 06, 2012

Ms. Jungels responded by saying I currently resides near a facility and it has not affected my housing profits.

Sue Roake – Flanders Drive

Ms. Roake asked if the facility would be giving out drugs to the patients.

Ms. Jungels stated it would be up to the psychiatrist and the treatment plan for each individual.

Ms. Roake asked if only NJ residents would be allowed into the facility.

Ms. Jungels noted it would be marketed towards NJ residents but if someone had family in another state that they wanted closer, as long as they met the eligibility, they could also attend.

Ms. Roake asked if patients would be allowed to smoke cigarettes.

Ms. Jungels stated currently there are designated smoking areas for smokers at in-patient facilities. This may change as of December 12, 2012.

Kim LoPresti - Flanders Drive

Ms. LoPresti asked what the definition of a “professional addict” verses a street addict.

Ms. Jungels explained that in order to be considered a professional, you must meet the requirements from DAS.

Jim Scheflen - Flanders Drive

Mr. Scheflen asked what the actual name of the facility will be.

Ms. Jungels replied, a final determination has not been made yet.

Mr. Scheflen asked how Megan’s Law would affect patients at the facility.

Both Ms. Jungels and Township Attorney, Albert Cruz, stated under Megan’s Law, a registered sex offender must alert the facility or anyone when there is a change of address.

Mr. Scheflen asked if Medicare and Medicaid would be accepted.

Ms. Jungels said no.

A motion by Committeeman DelCore, seconded by Vice Chairman Cohen, was made to extend the meeting until 11:00pm and approved upon the call of the roll.

Neva Post - Flanders Drive

Ms. Post asked how a person would be rated by the psychiatrist.

Ms. Jungels explained a rating system would be used to determine the level of “functioning”, based on the GAF Axis Rating.

Nick LoPresti –Flanders Drive

Mr. LoPresti asked whether Ms. Jungels had any reviews from patients or other places of employment.

Ms. Jungels said she could not provide testimony to that.

Joanne Dipietro - Flanders Drive

Ms. Dipietro said NJ seems to be very generous in providing insurance coverage to 24-hour facilities. How will the money be dispersed so that there is always money to cover the facility fees?

Ms. Jungels stated more money will be spent on addiction and health, not just on medical problems.

Ms. Dipietro asked about cell phone use.

PLANNING BOARD MEETING MINUTES
December 06, 2012

Ms. Jungels said phone calls must be requested. Cell phones will be confiscated upon entry into the facility.

Ms. Dipietro asked if the patients would be free to leave at any time.

Ms. Jungels stated all patients can technically leave at any time. However, they must notify staff members so that transportation from the facility can be arranged.

Ms. Dipietro asked Ms. Jungels if she will be the Director of the facility. Do you have any experience running a 24-hour facility?

Ms. Jungels explained Dr. Odunlami's intent is to have me run the facility. However, I do have my own practice. The fruition of this project is still two years away so no final decisions have been made yet. I have never run a full 24-hour facility but have worked at one and assisted the Director.

Art Barkman –Flanders Drive

Mr. Barkman asked if someone that is on a pre-trial investigation would have to notify the facility if they wanted to attend.

Ms. Jungels stated, being on pre-trial would be considered a court mandated sentence since the court was involved, even if the person had not been assigned to a facility yet.

Mr. Barkman asked is there a potential for the State to come in and run the facility in a way that Hillsborough does not want.

Ms. Jungels explained that DAS is a licensing board. It cannot come in and take over the facility.

Patrick Vogt - Hamilton Road

Mr. Vogt asked what benefit this facility would bring to Hillsborough.

Ms. Jungels explained if someone in your family had an addiction problem, having them close to home would be a great benefit.

John Jesurajan - Flanders Drive

Mr. Jesurajan thanked Ms. Jungels for her passion for substance abuse and asked if her home was within 70 feet of a facility.

Ms. Jungels replied no.

Jacqueline Van Cleef – Hockenbury Road

Ms. Van Cleef asked if the applicant has received approvals from all of the other agencies necessary.

Counselor Jessica Sweet explained we are continuing our ongoing process of obtaining approvals from outside agencies. All approvals must be in before the facility can be constructed.

Ms. Van Cleef asked about underground criminals getting through the cracks.

Ms. Jungels again reviewed that patients are screened through phone calls and psychiatrists in order to be considered.

Township Attorney, Albert Cruz asked the applicant to sign an extension of time until March 31, 2013 and that the hearing be continued until February 7, 2013.

A motion to extend the hearing until February 7, 2013 was made by Mr. Burchette, seconded by Vice Chairman Cohen and approved upon the call of the roll.

CORRESPONDENCE

None

ADJOURNMENT

The meeting adjourned at 7:41 p.m.

PLANNING BOARD MEETING MINUTES
December 06, 2012

Submitted by:
Megan Troeller

Editing of the Submitted by:
Debra Padgett
Planning Board/Board of Adjustment Clerk

Approved