

MINUTES

7:30 PM

PRESENT: C. Ely
D. Haywood (7:32 PM)
J. Mathieu
L. Riggio
M. Syrnick
L. Voronin
S. Harris, Alt #1
D. Pierce, Attorney

ABSENT: R. Dodds
L. Frank
S. McNicol
K. Kocsis, Alt #2

CALL TO ORDER

The meeting was called to order by L. Riggio at 7:30 pm.

NOTIFICATION

In order to ensure full public participation at this meeting, all members of this Board, and members of the public are requested to speak only when recognized by the Chair so that there is no simultaneous discussion or over-talk. Your cooperation is appreciated. Due to continuing COVID19 precautions, the Planning Board meeting is a virtual meeting held online. The meeting is hosted on Zoom at the following URL address:
<https://zoom.us/j/96081450117?pwd=aDlVaEE0TE5YQVFzZUx5SjVwNW00Zz09>.

Notification of the time, date and place of this meeting has been published in the Hunterdon County Democrat and Courier News on January 21, 2021, and has been posted in the Kingwood Township Municipal Building on January 21, 2021 and has been filed with the Municipal Clerk.

NEW AND PENDING MATTERS

Cost Estimate – D. Banisch – Review of Commercial Zones

L. Riggio tabled to the November meeting.

Permitted/Prohibited Uses in Commercial Zones

D. Pierce stated in light of the discussion the Board had with changes to the proposed uses in the Business Park (BP) and Highway Commercial (HC) zones the Board should think about the uses they do not want in the zones. It is much easier to include very broad language in the ordinance and specifically exclude certain uses rather than to try and list every use that is allowed in the zone.

S. McNicol – Stream Corridor Ordinances (ANJEC)

The matter was tabled to the November meeting.

Proposed Ordinance No. 21-21-2021

D. Pierce stated the ordinance establishes the escrow fees for the Board of Adjustment. He informed the Board that any changes to the zoning ordinance have to be referred to the Planning Board for a review and a finding that the changes are consistent with the Master Plan and they recommend the ordinance be adopted.

It was moved by J. Mathieu, seconded by C. Ely and carried to determine proposed Ordinance No. 21-21-2021 is consistent with the Master Plan and recommends adoption to the Township Committee. All members present voted **AYE** on **ROLL CALL VOTE**.

Approval of Minutes

August 12, 2021

L. Riggio stated at last month's meeting there was some follow up for the statements made in the minutes regarding the discussion on the Board of Health (BOH) ordinance amendments.

L. Voronin stated D. Pierce had mentioned that the Planning Board could not do anything about the ordinance. She stated the statement was omitted.

D. Pierce stated the Planning Board does not have any jurisdiction or power to amend the ordinance.

L. Voronin stated maybe she misunderstood that the Board couldn't do anything. She stated the Board could do something such as write a letter to the BOH or participate in a meeting. This Board cannot change the ordinance but it could give the BOH their opinion.

D. Pierce stated he never intended to imply that the Board couldn't do something just that they did not have the authority to actually affect the ordinance.

J. Mathieu stated he attended the last BOH meeting and a suggestion was made to have a representative from the EC and Planning Board to re-examine the changes in the ordinance.

It was moved by L. Voronin, seconded by S. Harris and carried to approve the minutes of August 12, 2021 and place on file. All members present voted **AYE** on **ROLL CALL VOTE**, except C. Ely, J. Mathieu and M. Syrnick, who **ABSTAINED**.

It was moved by C. Ely, seconded by L. Voronin and carried to approve the minutes of September 9, 2021 and place on file. All members present voted **AYE** on **ROLL CALL VOTE**, except D. Haywood and S. Harris, who **ABSTAINED**.

CORRESPONDENCE

Environmental Commission – Annual Report;
NJ Planner – July/August 2021;

PRIVILEGE OF THE FLOOR

J. Mathieu stated the BOH wanted to reconsider the changes made to the BOH ordinance earlier this year. The BOH members suggested that the PB and EC each appoint someone to a task force or form a subcommittee that would re-examine the changes. He recommended L. Voronin due to her credentials

After a brief discussion by the Board members, it was moved by J. Mathieu, seconded by D. Haywood and carried to appoint L. Voronin as the representative from the PB to serve on either the BOH task force or subcommittee. All members present voted **AYE**, except M. Syrnick, who **ABTAINED**.

The secretary was requested to inform the BOH of the Planning Board's decision of choosing L. Voronin as their representative for either the BOH task force or subcommittee.

Planning Board Engineer

L. Voronin inquired how the Planning Board engineer is chosen.

D. Pierce stated it is generally the Township Engineer that is appointed as the Planning Board engineer as he/she would have familiarity with what is happening in the Township.

L. Voronin inquired if the Township sends out a notification that it is in need of an engineer.

D. Pierce responded he did not know. The Township can send out a Request for Proposal (RFP) or contract with someone without proposals.

J. Mathieu inquired if the Township has to perfunctory place an ad that there is an annual appointment available and anyone can apply.

D. Piercer responded municipalities are exempt from the requirement of the Fair and Open process and bidding if services are less than \$30,000 per year.

L. Voronin stated the salary of the engineer is \$80,000 per year.

D. Pierce responded he doesn't monitor the Township Committee meetings.

L. Voronin inquired how the Township selects their engineer.

M. Syrnick stated the Township Committee discusses the position and makes appointments at the January Re-Organization meeting.

L. Voronin inquired if there is a posting that the Township is in need of an engineer.

D. Pierce responded that is a question for the Township Committee.

L. Voronin stated the firm selected by the Township Committee is affecting the Planning Board as the same engineer is utilized for the Planning Board.

L. Riggio stated the Planning Board would not want to be in misalignment with the Township. The proper place to discuss it is with the Township Committee.

L. Voronin stated the Planning Board always votes on the Planning Board engineer.

L. Riggio agreed that the Planning Board does vote on it and the Board can discuss it when it comes up at the Re-Organization meeting in January but there should be a conversation with the Township Committee.

L. Voronin stated she wants to participate in the discussion of choosing an engineer.

J. Mathieu stated he agrees with L. Riggio and that it is the Township Committee's responsibility. The Board should follow proper procedure.

L. Riggio asked for any other comments on the discussion of Township engineer.

L. Voronin stated she didn't want to separate the position of Township and Planning Board Engineer but wanted to know the process for the selection of an engineer for the Planning Board.

L. Riggio inquired if when the Township Committee makes its call for the Township Engineer and the Planning Board, when it's time for them to vote, they would then leverage that same engineer for the Planning Board.

D. Pierce responded yes.

L. Riggio stated that is when someone can comment on the appointment.

M. Syrnick stated the Township Committee appoints at the Re-Organization meeting in January. She stated it is an open meeting with a section of Privilege of the Floor.

L. Riggio inquired if L. Voronin attends the January meeting she would be able to make her comments.

M. Syrnick stated it seems that L. Voronin has some objections to the current engineer.

L. Voronin stated its not that she objects to the current engineer but just wanted to know the process.

M. Syrnick stated if she would like to have a discussion on the Township Engineer earlier would be better, probably before the January meeting.

ADJOURNMENT

It was moved by J. Mathieu, seconded by L. Voronin and carried to adjourn the meeting at 8:00 pm. All members present voted **AYE**.

Respectfully submitted,

Diane Laudenschick, Secretary