

**BERNARDS TOWNSHIP  
PLANNING BOARD  
RE-ORGANIZATION MEETING  
JANUARY 5, 2010**

The Board Secretary called the meeting to order at 7:30 p.m.

**FLAG SALUTE**

The Board Secretary read the following open meeting and procedural statements:

**OPEN MEETING STATEMENT**

“In accordance with the requirements of the Open Public Meetings Law of 1975, notice of this special meeting of the Planning Board of the Township of Bernards was posted on the bulletin board in the reception hall of the Municipal Building, Collyer Lane, Basking Ridge, NJ, was mailed to the Bernardsville News, Bernardsville, and to the Courier News, Bridgewater on December 9, 2009 and was mailed to all those people who have requested individual notice and paid the required fee.”

“The following procedure has been adopted by the Bernards Township Planning Board. There will be no new cases heard after 10:00 p.m. and no new witnesses or testimony heard after 10:30 p.m.”

**OATHS OF OFFICE:**

Stuart Koenig, Esq., Board Attorney, swore in the following members:

Scott Spitzer, Class I Member, one-year term expiring 12/31/10  
Kevin Orr, Class II Member, one-year term expiring 12/31/10  
John Malay, Class III Member, one-year term expiring 12/31/10  
Randy Santoro, Class IV Member, four-year term expiring 12/31/13  
Richard Huckins, Class IV Member, filling the unexpired term of Carolyn  
Gaziano, term expiring 12/31/12  
Carol Bianchi, Class IV Member, Alternate 1, two-year term expiring 12/31/11  
Gwenn Gilmore, Class IV Member, Alternate 2, filling the un-expired term of  
Richard Huckins, expiring 12/31/10

**ROLL CALL:**

Members Present: Del Vento, Fonde, Huckins, Malay, Orr, Parsekian, Santoro,  
Spitzer, Winter, Bianchi, Gilmore

Members Absent: none

Also Present: Board Engineer Thomas Quinn,  
Assistant Township Planner David Schley,  
and Board Attorney Stuart Koenig

**CHAIRMAN**

The Board Secretary called for nominations for Chairman of the Board for 2010.

Mr. Orr nominated Mr. Peter Winter for the position of Chairman of the Board for 2010.

Hearing no further nominations, the Board Secretary closed the nominations

Roll call:

Del Vento, Fonde, Huckins, Malay, Orr, Parsekian, Santoro, Spitzer, Winter

Mr. Winter thanked all of the Board for volunteering their time.

**VICE-CHAIRMAN**

Chairman Winter called for nominations for Vice-Chairman of the Board for 2010.

Ms. Parsekian nominated Ms. Karen Del Vento for the position of Vice-Chairman of the Board for 2010.

Roll call:

For Ms. Del Vento -  
Del Vento, Fonde, Huckins, Malay, Orr, Parsekian, Santoro, Spitzer, Winter

**ENGINEER**

Chairman Winter called for nominations for Engineer for the Board for 2010.

The Chair advised the Board that the motion involves a contract for professional services which would be exempt from public bidding under the Local Public Contracts Law, that the Township Treasurer has provided a Certificate that municipal funds are available for this purpose, and that the approval be subject to a written contract.

***[Resolution 10-01 reads as follows:]***

WHEREAS, the Planning Board requires the services of Mr. Thomas J. Quinn, P.E. of EKA Associates, PA in order to offer professional engineering support to the Planning Board; and

WHEREAS, such professional services are exempt from public bidding under the Local Public Contracts Law; and

WHEREAS, the Treasurer's Certificate appended hereto certifies that municipal funds are available for same.

**NOW THEREFORE**, be it **RESOLVED** by the Planning Board of the Township of Bernards that this contract for service is awarded, subject to a written contract to be concluded.

Be it further resolved that a copy of this resolution be published according to law.

The motion was made by Mr. Orr and seconded by Mr. Malay to nominate Mr. J. Thomas Quinn, EKA Associates, P.A., Engineer to the Board for the year 2010 and that the resolution [Resolution 10-01] be adopted as drafted.

Roll call:

Aye: Del Vento, Fonde, Huckins, Malay, Orr, Parsekian, Santoro,  
Spitzer, Winter  
Motion carried.

## **PLANNER**

Chairman Winter called for nominations for Planner for the Board for 2010.

The Chair advised the Board that the motion involves a contract for professional services which would be exempt from public bidding under the Local Public Contracts Law, that the Township Treasurer has provided a Certificate that municipal funds are available for this purpose, and that the approval be subject to a written contract.

### ***[Resolution 10-02 reads as follows:]***

WHEREAS, the Planning Board requires the services of David Banisch, P.P., of Banisch Associates, Inc. in order to offer professional planning support to the Planning Board; and

WHEREAS, such professional services are exempt from public bidding under the Local Public Contracts Law; and

WHEREAS, the Treasurer's Certificate appended hereto certifies that municipal funds are available for same.

**NOW THEREFORE**, be it **RESOLVED** by the Planning Board of the Township of Bernards that this contract for service is awarded, subject to a written contract to be concluded.

Be it further resolved that a copy of this resolution be published according to law.

The motion was made by Mr. Malay and seconded by Ms. Del Vento to nominate Mr. David Banisch of Banisch Associates, Inc. Planner to the Board for the year 2010 and the resolution [Resolution 10-02] be adopted as drafted.

Roll call:

Aye: Del Vento, Fonde, Huckins, Malay, Orr, Parsekian, Santoro,  
Spitzer, Winter

Motion carried.

**SECRETARY**

Chairman Winter called for nominations for the office of Secretary of the Board for the year 2010.

The motion was made Ms. Del Vento and seconded by Mr. Malay to nominate Frances Florio Secretary of the Board for the year 2010.

Roll call:

Aye: Del Vento, Fonde, Huckins, Malay, Orr, Parsekian, Santoro,  
Spitzer, Winter

Motion carried.

**LEGAL COUNSEL**

Chairman Winter called for nominations for Legal Counsel of the Board for the year 2010.

The Chair advised the Board that the motion involves a contract for professional services which would be exempt from public bidding under the Local Public Contracts Law, that the Township Treasurer has provided a Certificate that municipal funds are available for this purpose, and that the approval be subject to a written contract.

***[Resolution 10-03 reads as follows:]***

WHEREAS, the Planning Board requires the services of Stuart R. Koenig, Esq., of Stickel, Koenig & Sullivan to offer legal counsel in order to offer advice to the Planning Board; and

WHEREAS, such professional services are exempt from public bidding under the Local Public Contracts Law; and

WHEREAS, the Treasurer's Certificate appended hereto certifies that municipal funds are available for same.

**NOW THEREFORE**, be it **RESOLVED** by the Planning Board of the Township of Bernards that this contract for service is awarded, subject to a written contract to be concluded.

Be it further resolved that a copy of this resolution be published according to law.

The motion was made by Mr. Malay and seconded by Mr. Orr to nominate Stuart R. Koenig, Esq. of the firm Stickel, Koenig & Sullivan Legal Counsel of the Board for the year 2010 and the resolution [Resolution 10-03] be adopted as drafted.

Roll call:

Aye: Del Vento, Fonde, Huckins, Malay, Orr, Parsekian, Santoro,  
Spitzer, Winter

Motion carried.

**TREE PROTECTION COMMITTEE REPRESENTATIVE**

Chairman Winter called for nominations for the position of Planning Board Representative to the Tree Protection Committee for the year 2010.

The motion was made by Mr. Spitzer and seconded by Mr. Malay to nominate Mr. Randy Santoro Planning Board Representative to the Tree Protection Committee for the year 2010.

Roll call:

Aye: Del Vento, Fonde, Huckins, Malay, Orr, Parsekian, Santoro,  
Spitzer, Winter

Motion carried.

**OFFICIAL NEWSPAPERS**

The motion was made by Mr. Malay and seconded by Mr. Huckins to designate the Bernardsville News, Bernardsville, New Jersey, the Courier News, Bridgewater, New Jersey, and the Star-Ledger, Newark, New Jersey as the official newspapers for the Board for 2010.

Roll call:

Aye: Del Vento, Fonde, Huckins, Malay, Orr, Parsekian, Santoro,  
Spitzer, Winter

Motion carried.

**MEETING DATES**

The motion was made by Mr. Malay and seconded by Ms. Parsekian that the regular meetings of the Planning Board be scheduled on the first and third Tuesday after the first Monday of the month, at 7:30 p.m. in the Municipal Building, Collyer Lane, Basking Ridge. Special meetings, if necessary, will be scheduled accordingly.

Board members discussed reducing the number of scheduled meetings. It was decided to include all of these dates in the public notice as drafted [Resolution 10-04] and cancel meetings when needed.

[Resolution 10-04]

|              |                          |
|--------------|--------------------------|
| 1st Tuesday: | 3 <sup>rd</sup> Tuesday: |
| January 5    | January 19               |
| February 2   | February 16              |
| March 2      | March 16                 |
| April 6      | April 20                 |
| May 4        | May 18                   |
| June 8       | June 22                  |
| July 6       | July 20                  |
| August 3     | August 17                |
| September 7  | September 21             |

October 5  
\*\*  
December 7

October 19  
November 16  
December 21

*\*\* no meeting on November 2, Election Day*

Notice of revisions or additions to the above schedule will be posted and advertised as required by law.

Roll call:

Aye: Del Vento, Fonde, Huckins, Malay, Orr, Parsekian, Santoro,  
Spitzer, Winter

Motion carried.

### **ADJOURNMENT**

The motion was made by Mr. Santoro and seconded by Mr. Malay to close the organization meeting of the Planning Board.

Motion carried by unanimous consent.

The reorganization meeting adjourned at 7:55 p.m.

Respectfully submitted,

Frances Florio  
Secretary to the Board