



BOROUGH OF NEW MILFORD

**PLANNING BOARD
REORGINIZATION MEETING**

January 17, 2017

Chairman DeCarlo called the meeting of the Planning Board to order at 7:35 p.m. The Chairman read the Open Public Meeting Act, The Pledge of Allegiance was recited.

ROLL CALL

Chairman DeCarlo	Present
Mayor Subrizi	Present
Secretary Thomas	Present
Councilwoman Grant	Present
Mr. Colucci	Present
Vice Chairman Pecci	Present
Mrs. Prisendorf	Absent
Mr. DaCosta	Absent
Mr. Mottola	Absent
Mr. Seymour Alt. 1	Present
Mr. Cottiers Alt. 2	Present
Mr. Leibman - Attorney	Present
Mrs. Batistic – Engineer	Present
Mr. Grygiel – Planner	Excused

Chairman DeCarlo distributed certificates to Matt Seymour for successful completion of course.

Chairman DeCarlo dissolved all offices and standing committees from last year and thanked everyone for their service. Most everyone from last year will continue. Welcome Ray Cottiers, Alternate 2 and welcome back Hedy as councilwoman. Dominic Colucci is filling in the unexpired class 4 term of Tomy Thomas, Tomy is moving to Class II Secretary. Defer to attorney for swearing in of new members and positions. Mr. Leibman conducted the swearing in process. Hedy Grant, Class III; Matthew Seymour, Alt 1; Ray Cottiers, Alt 2; Tomy Thomas, Class II and Dominic Colucci, Class IV (unexpired) recited the Oath as led by Mr. Leibman and signed the Oath of Alliance and Office. Chairman DeCarlo noted Mr. DaCosta and Mr. Mottola were not able to be present tonight and they will take the oath at the next meeting.

Phone and email list was distributed and requested all updates to be handed back for corrections. It was noted by the Mayor borough emails should be used for all communication and not personal. Next order of business is election of Chairman and Vice Chair. Chairman Angelo DeCarlo turned over the meeting to Vice Chairman Chris Pecci to elect new Chairman. Vice Chairman Pecci asked to entertain a motion for Chairman, Dominic Colucci made motion to elect Angelo DeCarlo as Chairman seconded by Hedy Grant, all voted in favor. The meeting was turned back over to Chairman DeCarlo where he entertained a motion for nomination of Vice Chairman. Mayor Subrizi nominated Chris Pecci seconded by Dominic Colucci. There were no other nominations, all were in favor.

2017 ROLL CALL

Chairman DeCarlo	Present
Mayor Subrizi	Present

Secretary Thomas	Present
Councilwoman Grant	Present
Mr. Colucci	Present
Vice Chairman Pecci	Present
Mrs. Prisendorf	Absent
Mr. DaCosta	Absent
Mr. Mottola	Absent
Mr. Seymour Alt. 1	Present
Mr. Cottiers Alt. 2	Present
Mr. Leibman - Attorney	Present
Mrs. Batistic – Engineer	Present
Mr. Grygiel – Planner	Excused

Next item under reorganization is review of RFQ's. Chairman DeCarlo indicated there were a couple for the attorney, asked if everyone had the chance to review, there were no questions. Chairman DeCarlo asked to entertain a motion to accept Mr. Leibman. Mayor Subrizi made a motion to continue the appointment of Marc Leibman as our Planning Board attorney, second by Chris Pecci. Approved by roll call – Mayor Subrizi, Secretary Thomas, Councilwoman Grant, Mr. Colucci, Vice Chairman Pecci, Mr. Seymour, Mr. Cottiers and Chairman DeCarlo; none opposed.

Chairman DeCarlo then asked to entertain a motion for the Planning Board engineer. Mayor Subrizi made a motion to retain Margita Batistic & Boswell as our engineer second by Mr. Colucci. Approved by roll call – Mayor Subrizi, Secretary Thomas, Councilwoman Grant, Mr. Colucci, Vice Chairman Pecci, Mr. Seymour, Mr. Cottiers and Chairman DeCarlo; none opposed.

Last professional is the Board Planner, Mayor Subrizi indicated that the Borough nominated Paul Grygiel as the Planner and would like to do the same for the Planning Board, second by Hedy Grant. Approved by roll call – Mayor Subrizi, Secretary Thomas, Councilwoman Grant, Mr. Colucci, Vice Chairman Pecci, Mr. Seymour, Mr. Cottiers and Chairman DeCarlo; none opposed

Chairman DeCarlo thanked everyone for reaffirming and continued on to new business. The official minutes from November 29, 2016 were reviewed, there being no comments or corrections the Chairman entertained a motion to adopt as printed. Mr. Colucci made the motion second by Mayor Subrizi. Approved by roll call – Mayor Subrizi, Secretary Thomas, Mr. Colucci, Vice Chairman Pecci, Mr. Seymour and Chairman DeCarlo; none opposed; Councilwoman Grant and Mr. Cottiers abstained.

The meeting schedule which was reviewed November 29, 2016 is straight forward. Chairman DeCarlo stated we will continue to meet twice a month and will adjust the schedule as needed. It was verified there are no conflicts with the municipality, that being Chairman DeCarlo asked to entertain a motion to adopt as printed. The motion was made by Mayor Subrizi and second by Dominic Colucci. All in favor and none opposed.

Item number 8 is Planning and Zoning Board Applications. This is required by statute to summarize our actions and those of the Zoning Board. Reason that we should be reviewing the Zoning Ordinances to see if any changes are needed. The Zoning Report will be available next month. There were no questions or discussion except it was a quiet year.

Update regarding Gramercy Development Agreement, Escrow and Bonds. At this time Chairman DeCarlo recused himself and turned the meeting over to Vice Chair Pecci. Mr. Leibman indicated we need to authorize the Amendment of the Developer Agreement. Since the 2009 agreement the owner has changed and with so much time passed there were items needing to be addressed. The fees were reviewed along with the sewer connection. Mrs. Batistic addressed the fees in the agreement indicating

there is no change in the engineering fee of \$14,500 and that the balance is attorney and/or other professionals. Mrs. Batistic also indicated the plans & utilities are the same as previously approved. The sanitary line is a concern of the DPW as almost 10 years has passed. They would prefer the sewer connection to be to the back of the property, the Canterbury line which is owned by the Borough. Mrs. Batistic does not think it is feasible. The lateral needs to be 2% slope with the length of the pipe needed the slope will not be possible. The suggestion is to line the existing sewer main in front of the property. Mayor Subrizi asked if this would be written into the agreement. Mr. Leibman stated it would be a change to the site plan and needs to be agreed upon and put into the plan. They are protected by the original plans which have been approved. Mrs. Batistic was not aware that the original connection was not good and Mr. Leibman suggested it be T.V.ed so it is clear of the condition. Mayor Subrizi asked about signing the agreement, if the original agreement needed to be resigned. Mr. Leibman replied that the Amendment only needs a signature.

Mr. Leibman then addressed a question by Councilwoman Grant about COAH. The original agreement and resolution do not comply with COAH. After some investigating and conversations it was agreed to the 2nd Round Rules. They did consent to 3 two bedrooms and 1 three bedroom. It is expected a final architectural will be submitted, Mr. Grygiel will review and sign off on the bedroom counts if accurate. An additional amendment will be needed to include the changes in the COAH obligation and sewer. Permits have not been issued at this time and will not until all items have been addressed. Very common with affordable housing, to hire an agency to manage the affordable housing component or sell or turn over to the county. During this time questions by the brought up by board members were discussed.

At this time Mr. Leibman recommends that a motion be made to adopt the first amendment to the agreement.

With further questions/discussions including the property not being subject to COAH Fees as this is an inclusionary property and at the time of approvals COAH was not being collected; additional amendments will be needed and the review from Mr. Grygiel not completed at this time. With the board questioning the addition of amendments and perceived hesitation Mr. Leibman suggested we could hold off and do one amendment after Mr. Grygiel approval and engineering time to review. Mayor Subrizi stated she would like to table the amendment until we have all the amendments together. This motion was second by Mr. Colucci. All in favor and none opposed, note Chairman DeCarlo had recused himself.

The next item is the settlement agreement of the NMRA LLC, Vice Chairman Pecci and Mr. Leibman continued with this portion of the meeting. Mr. Leibman recommended the board endorse and sign the agreement by resolution because it does impact the Planning Board. It will require adoption of zoning, housing plan, and master plan consistency review. Mr. Eisdorfer asked for a resolution endorsing the settlement agreement and directing the board to sign the settlement agreement. Mr. Kelly is aware of that. Copies were provided to the board at the meeting by the recording secretary Lisa Sereno but she was advised all pertinent documents need to be emailed to all members ahead of the meeting for proper review. Mayor Subrizi outlined the next step would be to draft a resolution to endorse. Mr. Leibman will prepare a resolution in advance of the next meeting with exhibits included to be sent to all board members. Mr. Colucci made a motion to direct Mr. Leibman to prepare the resolution needed to endorse the settlement agreement with NMRA LLC, second by Mayor Subrizi.

Approved by roll call – Mayor Subrizi, Secretary Thomas, Councilwoman Grant, Mr. Colucci, Vice Chairman Pecci, Mr. Seymour, Mr. Cottiers; none opposed; note Chairman DeCarlo had recused himself.

Chairman DeCarlo rejoined the meeting at this time. He asked Mr. Leibman regarding the ordinance review with the Master Plan if he should be involved. Mr. Leibman advised Chairman DeCarlo to not be involved until his conflict has been resolved.

Ray Cottiers was informed there is a class on March 25 which is mandatory for planning board members. If there is a conflict there are other locations/times available.

Next week Chairman DeCarlo will not be available for the meeting, Mr. Pecci will be here.

There is a possibility next week's meeting could be cancelled.

Motion to adjourn made by Councilwoman Grant, second Mayor Subrizi. All in favor. Meeting adjourned 8:25 p.m.

Respectfully submitted,

Lisa C. Sereno