MILLSTONE BOROUGH PLANNING BOARD REORGANIZATION and REGULAR MEETING AGENDA January 2022 7:30 p.m. (EDT)

CALL TO ORDER

SUNSHINE LAW

"The meeting of the Millstone Borough Planning Board will please come to order. Adequate notice of this meeting has been noticed to the Courier News and posted at Borough Hall. If any member of this body believes this meeting is being held in violation of the Open Public Meetings Act, please state your views at this time, stating the reason for which you feel the notice is improper. Hearing none, we proceed to the next item on the agenda."

ROLL CALL

NEW BUSINESS

Reorganization

- Nomination of Chairperson
- Nomination of Vice Chairperson
- Nomination of Board Secretary

Resolutions:

- Hiring of professionals for 2022
- Gerald Muller, Esq. Planning Board Attorney
- Carter Van Dyke, Planning Board Planner

Adoption of 2021 meeting schedule:

Proposed Schedule

February 1st	
March 1st	August 2nd
April 5th	September 6th
May 3rd	October 4th
June 14th (2nd Tuesday)	November 1st
July 5th	December 6th

OPEN TO THE PUBLIC

• Public comment on items not scheduled on the agenda.

APPROVAL OF INVOICES

Jerry Muller, Board Attorney	
• November 2021 Inv 14454 ESCROW	
Block 8.04, Lot 1, 2 Van Doren Drive, Weisenberger	\$84.00
• November 2021 Inv 14454 ESCROW	
Block 8.04, Lot 1, 2 Van Doren Drive, Weisenberger	\$840.00
• December 2021 Inv. 14498 ESCROW	
Block 8.04, Lot 1, 2 Van Doren Drive, Weisenberger	\$ 875.00

DISCUSSION ITEMS TBD

OPEN TO THE PUBLIC

• Public questions and comments on previous discussion

OPEN TO BOARD MEMBERS

OPEN TO THE PUBLIC

• Public questions and comments on previous discussion

MEETING ADJOURNED





40 Garden Alley Doylestown, Pennsylvania 18901-4325 Voice 215 345 5053 Fax: 215 345 4324 Web: www.CVDA.com

MEMORANDUM

DATE:	December 7, 2021
TO:	Millstone Borough Planning Board
FROM:	Carter van Dyke, AICP, PP #33LI00495200
SUBJECT:	Professional Planning Services Proposal for January 1, 2022 through December 31, 2022

1. <u>Scope of Services</u>. Within the limits of available appropriations, Planner will provide planning advice and assistance to the Board and to its committees; attend meetings and work sessions of the Board and its committees as required; participate in the deliberations of the Board; and perform other authorized services, such as the research and preparation of grants as requested, all under the policies and authorization of the Board.

The scope of services does not include any work which is outside the scope of general Board Services. Projects outside of general Board Services shall be the subject of separate professional services agreements.

<u>Compensation</u>. The compensation of the Principal Planner shall be at the rate of \$170.00 per hour and not to exceed \$10,000 for general board services or as authorized. The Consultant shall also be reimbursed for actual out-of-pocket expenses for postage. In addition to the "Board" requested services, the planning consultant shall provide services for planning services that are billed to escrow accounts established by the Planning Board Secretary. Such services and invoices are in additional to the above maximum amount for standard planning board functions.

2. Duplication and communications shall be reimbursed at a cost not to exceed those published by N.J.S.A.47:1A-5.b.

Rates for other categories of service shall be charged as follows:

Hourly Fee Schedule:

Principal Planner	170.00
Planner	110.00
Landscape Architect	140.00
Landscape Designer I	130.00
Landscape Designer II	120.00
Landscape Designer III	110.00
Project Management Coordinator	85.00

* For all expert witness testimony the hourly rate is 1.5 times the standard hourly rate.

Thank you for the opportunity to be of service.

CARTER VAN DYKE ASSOCIATES

Carter van Dyké, ASLA, AICP Founding Partner NJ PP#33LI00495200



RESOLUTION

NO. <u>PB-2022-01</u>

ADOPTED: JANUARY , 2022

WHEREAS, the Borough of Millstone Planning Board has a need to contract for Planning Board Planner ("Service"); and

WHEREAS, the Borough is permitted to acquire such Service through the "Alternate procurement" process (as defined by NJSA 19:44A-20.4) meaning the award is made by the Board in its judgment of which provider will best serve the interests of the citizens of the Borough, and not by a "fair and open" process (as defined by NJSA 19:44A-20.7) such as awarding to the lowest bidder; and

WHEREAS, a Proposal was submitted by Carter Van Dyke Associates ("Consultant") and the Board has determined that the Proposal meets the requirements of the Borough; and

WHEREAS, the projected cost for the Service is not anticipated to be over \$17,500.00, therefor the Consultant is not required to complete the Alternate Procurement Process documents and has therefor met the requirements of N.J.S.A. 19:44A-20.4 et seq. and N.J.S.A. 19:44A-20.7:

WHEREAS, the Chief Financial Officer has certified funds are available in the 2022 budget for this contract.

NOW THEREFORE BE IT RESOLVED, by the Planning Board that a contract for Planning Board Planner be awarded to Carter Van Dyke Associates, 40 Garden Alley, Doyelstown, PA 18901 for a contract term January 1, 2022 to December 31, 2022 in an amount not to exceed \$10.000.00 in accordance with their Proposal and the terms and conditions in the attached Contract with rates not to exceed \$170.00 for a Principal Planner, \$110.00 for Planner, \$140.00 for Landscape Architect, \$130.00 for Landscape Designer I, \$120.00 Landscape Designer II, \$110.00 for Landscape Designer I and \$85.00 for Project Manager Coordinator as listed in their Proposal.

ATTEST:

Board Secretary

Board Chairperson

ROLL CALL VOTE			
BOARD MEMBER	YES	NO	ABSTAIN
Clint Bowers	\checkmark		
Mathew Denne	\checkmark		
Dan Devoti	✓		
Dan Dixon	✓		
Jan Feger	✓		
Christine Fung	✓		
Ray Heck, Mayor	\checkmark		
Lawrence Tarantino	✓		

LAW OFFICES OF GERALD MULLER, P.C. 707 State Road, Suite 212 Princeton, New Jersey 08540

gmuller@geraldmullerlaw.com mbaillie@geraldmullerlaw.com

Telephone: 609/257-2424 Fax No. 609/212-2922

December 23, 2021

Matthew Denne, Chair and Members of Millstone Borough Planning Board 1353 Main Street Millstone, NJ 08844

Re: Proposal for 2022 Services

Dear Mr. Denne:

Gerald J. Muller

Martina Baillie

NJ & NY

I propose that legal services will be provided by my firm at the rate of \$210.00 per hour for my services and \$185.00 per hour for my associate Martina Baillie. Hourly billings will be in tenth of an hour increments, except that escrow billings will be in a quarter of an hour increments as required by the Municipal Land Use Law.

Sincerely,

Gerald /. miller

Gerald J. Muller

GJM/dh



RESOLUTION

NO. <u>PB-2022-02</u>

ADOPTED: JANUARY , 2022

WHEREAS, the Borough of Millstone Planning Board has a need to contract for Planning Board Attorney ("Service"); and

WHEREAS, the Borough is permitted to acquire such Service through the "Alternate procurement" process (as defined by NJSA 19:44A-20.4) meaning the award is made by the Board in its judgment of which provider will best serve the interests of the citizens of the Borough, and not by a "fair and open" process (as defined by NJSA 19:44A-20.7) such as awarding to the lowest bidder; and

WHEREAS, a Proposal was submitted by Miller, Porter & Muller, P.C ("Consultant") and the Board has determined that the Proposal meets the requirements of the Borough.

WHEREAS, the projected cost for the Service is not anticipated to be over \$17,500.00, therefor the Consultant is not required to complete the Alternate Procurement Process documents and has therefor met the requirements of N.J.S.A. 19:44A-20.4 et seq. and N.J.S.A. 19:44A-20.7; and

WHEREAS, the Chief Financial Officer has certified funds are available in the 2022 budget for this contract.

NOW THEREFORE BE IT RESOLVED, by the Planning Board that a contract for Planning Board Attorney be awarded to Law Offices of Gerald Muller, 707 State Road, STE 212, Princeton, NJ 08540, for a contract term January 1, 2022 to December 31, 2022 in an amount not to exceed \$10.000.00 in accordance with their Proposal and the terms and conditions in the attached Contract with rates not to exceed \$210.00 per hour for Mr. Mullers services and \$185.00 per hourr for associate Ms. Baillie as listed in their Proposal.

ATTEST:

Board Secretary

Board Chairperson

ROLL CALL VOTE			
BOARD MEMBER	YES	NO	ABSTAIN
Clint Bowers	✓		
Mathew Denne	\checkmark		
Dan Devoti	✓		
Dan Dixon	\checkmark		
Jan Feger	\checkmark		
Christine Fung	\checkmark		
Ray Heck, Mayor	\checkmark		
Lawrence Tarantino	\checkmark		



1353 Main Street Millstone Borough, New Jersey 08844

Mayor Raymond S. Heck

Main number: 908-281-6893 Fax: 908-281-6504 Mayors line: 908-359-5783 Emergency: 911

PAYMENT VOUCHER

Borough Number:

Vendor Name: Law Offices of Gerald Muller, P.C.

Address: 707 State Road, Suite 212

City, State, Zip: Princeton, NJ 08540

FOR PROMPT PAYMENT – BE SURE TO RETURN THIS VOUCHER SIGNED WHERE INDICATED WITH AN INVOICE TO THE BOROUGH PLANNING BOARD AT THE ABOVE ADDRESS.

Date of Service	Descripti	on of Good or Service Rendered, Iter	nize Fully		Amount	Total
	1	Description of Services see attached bill W .04, Lot 1,				\$84.00
	2 Van L Weisen)oren Drive, berger				
	NT'S CERTIFICATIO	ON & DECLARATION	Borou	TOTAL:	ation:	\$84.00
		ties of the Law that the within e articles have been furnished	1	W L	A SI A	P.A.
or services rende received by any claimant in conne justly due and ov Sign and Return	red as stated therein; they person or persons we ection with the above claving; and that the amount with and Invoice to Reconstructed and Invoice to Reconstructe	at no bonus has been given or ithin the knowledge of this aim; that the amount therein is nt is a reasonable one.	and	ving knowled supplies have	(sign CERS CERTIFIC dge of the facts, certi e been received or th being based on sign	nature) ATION fy that the materials e services rendered,
12/20/2021		g Board Attorney	X		Dia	in Developin
	(officia PRIATION OR NT CHARGED	l position) Signature of Mayor, Council Pres Borough Clerk	and the second se		Plan PAYMENT AUTH was approved for pa the Borough Counc	syment at the
		Certification of Availability of	Funds:	Date:	PAYMENT RECO	

NOTICE: Regular meeting are held on the third Monday of each month. Bills to be considered for payment must be presented to the Finance Officer properly signed and certified to on this form 7 days prior to the regular meeting day.

Law Offices of Gerald Muller, P.C. 707 State Road, Suite 212 Princeton, NJ 08540 (609) 257-2424

Millstone Borough 1353 Main Street Millstone, NJ 08844 December 20, 2021 In Reference To: general planning board services November 2021 Invoice #14454 **ESCROW** Block 8.04, Lot 1, **Professional Services** 2 Van Doren Drive, Weisenberger Hours Amount 11/17/2021 GJM Emails from Denne re R1 setbacks; reviewing Code re same 0.40 84.00 For professional services rendered 0.40 \$84.00 Previous balance \$84.00 Balance due \$168.00

Please make check payable to: Law Offices of Gerald Muller



1353 Main Street Millstone Borough, New Jersey 08844

Mayor Raymond S. Heck

Main number: 908-281-6893 Fax: 908-281-6504 Mayors line: 908-359-5783 Emergency: 911

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PAYMENT VOUCHER

Borough Number:

Vendor Name: Law Offices of Gerald Muller, P.C.

Address: 707 State Road, Suite 212

City, State, Zip: Princeton, NJ 08540

FOR PROMPT PAYMENT – BE SURE TO RETURN THIS VOUCHER SIGNED WHERE INDICATED WITH AN INVOICE TO THE BOROUGH PLANNING BOARD AT THE ABOVE ADDRESS.

Date of Service	Descriptio	on of Good or Service Rendered, Ite	mize Fully		Amount	Total
	Month of Service: <u>No</u> <u>Invoice #'s</u> 14455 Weisenberger	wember 2021 Description of Services see attached bill ESCROW Block 8.04, Lot 1, 2 Van Doren Drive, Weisenberger				\$840.00
		-		TOTAL:		\$840.00
I do so declare an bill is correct in a or services rende received by any claimant in conne justly due and ow Sign and Return	d certify under the penalti ill its particulars; that the red as stated therein; that person or persons wi ection with the above cla ving; and that the amoun with and Invoice to Reco MACA . MA	cive Payment:	I, ha and said	aving knowled supplies have	CERS CERTIFIC. dge of the facts, certi been received or th being based on sign	fy that the materials e services rendered,
12/20/2021	Planning	Board Attorney	X			
(date)	(official PRIATION OR	position) Signature of Mayor, Council Pre	A STATE OF THE OWNER	nature)	Plan PAYMENT AUTH	ning Board Chair
	VT CHARGED	Borough Clerk			was approved for pa the Borough Counc	ayment at the il held on: , 20
		Certification of Availability of	Funds:	Date:	PAYMENT RECO	

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Law Offices of Gerald Muller, P.C. 707 State Road, Suite 212 Princeton, NJ 08540 (609) 257-2424

Millstone Bo 1353 Main S Millstone, N	street	9.			
December 2	0, 202 ⁻	1			
In Reference	e To:	Weisenberger			
Invoice #144	55				
	Profe	ssional Services November 2021	ESCROW Block 8.04, Lot 1, 2 Van Doren Drive, Weisenberger		
			Weisenberger	Hours	Amount
11/3/2021 11/4/2021 11/5/2021 11/8/2021	GJM MB GJM	Call and correspondence with Devoti re hearing Email to Denne and Devoti Call with G. Muller re application Email to Devoti and Denne; reviewing Piszkows Reviewing application materials; drafting emails notice defect; drafting letter to Board re same; o Muller re same	to applicant and Devoti re	0.25 0.25 0.25 0.25 2.25	43.75 52.50 43.75 52.50 393.75
11/9/2021	GJM MB	Email correspondence with municipal staff and E	Baillie Board members re status of	0.50 0.25	105.00 43.75
11/30/2021	GJM	hearing Telephone conversation with Baillie Reviewing Devoti email and notice materials		0.25 0.25	52.50 52.50
	For pr	ofessional services rendered		4.50	\$840.00
	Previo	<mark>us bala</mark> nce			\$358.75
	Balan	ce due			\$1,198.75

Please make check payable to: Law Offices of Gerald Muller



1353 Main Street Millstone Borough, New Jersey 08844

Mayor Raymond S. Heck

Main number: 908-281-6893 Fax: 908-281-6504 Mayors line: 908-359-5783 Emergency: 911

PAYMENT VOUCHER

Borough Number:

Vendor Name: Law Offices of Gerald Muller, P.C.

Address: _____707 State Road, Suite 212

City, State, Zip: Princeton, NJ 08540

FOR PROMPT PAYMENT – BE SURE TO RETURN THIS VOUCHER SIGNED WHERE INDICATED WITH AN INVOICE TO THE BOROUGH PLANNING BOARD AT THE ABOVE ADDRESS.

Date of Service	Descripti	on of Good or Service Rendered, Iter	nize Fully		Amount	Total
	E 2	ecember 2021 Description of Services Weisenberg - see attached bill ESCROW Block 8.04, Lot 1 Van Doren Drive Veisenberger				\$875.00
		······································		TOTAL:		\$875.00
I do so declare an bill is correct in a or services render received by any claimant in conne justly due and ow Sign and Return of X Gerald J. Mulle 1/4./2022	d certify under the penal II its particulars; that the red as stated therein; that person or persons w section with the above clav- ving; and that the amour with and Invoice to Rec <u>USUL</u>	eive Payment:	I, ha and said othe	aving knowled supplies have certification er reasonable	(sign CERS CERTIFIC/ dge of the facts, certific been received or the being based on sign procedures.	fy that the materials e services rendered, ed delivery slips or
(date)		position)		nature)		ning Board Chair
	RIATION OR NT CHARGED	Signature of Mayor, Council Pres Borough Clerk	ident or	This claim	PAYMENT AUTH was approved for pa the Borough Counci	yment at the
	· · · · · · · · · · · · · · · · · · ·	Certification of Availability of I	Funds:	Date:	PAYMENT RECO	

NOTICE: Regular meeting are held on the third Monday of each month. Bills to be considered for payment must be presented to the Finance Officer properly signed and certified to on this form 7 days prior to the regular meeting day.

Law Offices of Gerald Muller, P.C. 707 State Road, Suite 212 Princeton, NJ 08540 (609) 257-2424

Millstone Borough 1353 Main Street Millstone, NJ 08844

January 4, 2022

In Reference To: Weisenberger

Invoice #14498

ESCROW Block 8.04, Lot 1, 2 Van Doren Drive, Weisenberger

Professional Services

ervices December 2021

	_	Hours	Amount
12/3/2021		0.25	52.50
12/6/2021	GJM Telephone conversations with Baillie MB Reviewing notice items and site plan drawing office conference with Muller re hearing; reviewing local ordinance requirements; email correspondence with Applicant re application materials	0.50 1.00	105.00 175.00
12/7/2021		0.25	52.50
	MB Reviewing application materials and addendum; preparing for and attending Planning Board hearing	2.50	437.50
12/8/2021	GJM Telephone conversation with Baillie	0.25	52.50
	For professional services rendered	4.75	\$875.00
	Previous balance		\$1,198.75
	Total payments		(\$358.75)
	Balance due	_	\$1,715.00

Please make check payable to: Law Offices of Gerald Muller

DRAFT

MILLSTONE BOROUGH PLANNING BOARD REGULAR MEETING MINUTES December 7, 2021

In Compliance with the recent NJ State Executive Orders, the meeting will be held virtually. The meeting was held via the Zoom Meeting program

The meeting will begin at 7:30 pm

Join the meeting from your computer, tablet or smartphone.

https://us02web.zoom.us/j/9734499136 Meeting ID: 973 449 9136

or dial in via your phone. +1-929-205-6099 Meeting ID: 973 449 9136

Mr. Denne called the meeting to order at 7:35 pm. There were two members of the public present.

Mr. Denne . Piszkowski, read the following statement:

"The regular meeting of the Millstone Borough Planning Board will please come to order. Adequate notice of this meeting has been noticed to the Courier News and posted at Borough Hall. If any member of this body believes this meeting is being held in violation of the Open Public Meetings Act, please state your views at this time, stating the reason for which you feel the notice is improper. Hearing none, we will proceed to the next item on the agenda."

Roll Call:

Board Member	Present	<u>Absent</u>
Clint Bowers		X
Dan Devoti	X	
Matthew Denne	X	
Dan Dixon		X
Jan Feger	X	
Christine Fung	X	
Robert Galli	X	
Ray Heck	X	
Lawrence Tarantino		X
Also Present:	Present	Absent
Denise Piszkowski, Board Secretary	X	

OPEN TO THE PUBLIC

There being no public comment the Board opened and closed the meeting to the public.

DRAFT

APPROVAL OF MINUTES

On a motion by Mr. Devoti, seconded by Ms. Fung and with an aye vote, by all expect for Mr. Galli who was ineligible to vote, the January 12, 2021 minutes were adopted.

On a motion by Mr. Devoti, seconded by Ms. Fung and with an aye vote, by all expect for Mr. Galli who was ineligible to vote, the February 2, 2021 minutes were adopted.

On a motion by Mr. Devoti, seconded by Ms. Fung and with an aye vote, by all expect for Mr. Galli and Mayor Heck who were ineligible to vote, the March 2, 2021 minutes were adopted.

On a motion by Mr. Devoti, seconded by Ms. Fung and with an aye vote, by all expect for Mr. Galli who was ineligible to vote, the May 4, 2021 minutes were adopted.

On a motion by Mr. Devoti, seconded by Ms. Fung and with an aye vote, by all expect for Mayor Heck who was ineligible to vote, the July 6, 2021 minutes were adopted.

On a motion by Mr. Devoti, seconded by Mr. Denne and with an aye vote, by all expect for Ms. Fung who was ineligible to vote, the August 2, 2021 minutes were adopted.

On a motion by Mr. Devoti, seconded by Mr. Denne and with an aye vote, by all expect for Mr. Feger who was ineligible to vote, the September 7, 2021 minutes were adopted.

On a motion by Mr. Devoti, seconded by Ms. Fung and with an aye vote, by all expect for Mayor Heck who was ineligible to vote, the October 5, 2021 minutes were adopted.

On a motion by Mr. Devoti, seconded by Ms. Fung and with an aye vote, by all the November 9, 2021 minutes were adopted.

APPROVAL OF INVOICES

The Board discussed the invoices submitted by Mr. Muller, Board Attorney.

On a motion by Mr. Denne, seconded by Ms. Fung and with a roll call vote, the following invoices submitted by Mr. Muller were approved.

- October 2021 Inv. 14442 Block 8.04, Lot 1, 2 Van Doren Drive, Weisenberger ESCROW \$358.75
- October 2021 Inv. 14441 Block 8.04, Lot 1, 2 Van Doren Drive, Weisenberger ESCROW \$84.00

Roll Call: Ayes: Devoti, Denne Feger, Galli, Fung, Feger, Heck Nays: Abstain:

The Board discussed the invoices submitted by Mr. Van Dyke, Board Planner.

On a motion by Mr. Denne, seconded by Mr. Devoti, and with a roll call vote, the following invoices submitted by Mr. Van Dyke were approved.

• July 2021 Inv. 18864 Plan Endorsement

\$289.00

Roll Call:	Ayes:	Devoti, Denne Feger, Galli, Fung, Feger, Heck
	Nays:	
	Abstain:	

VARIANCE

'C' Variance: Block 8.04, Lot 1, 2 Van Doren Drive, Weisenberger

Ms. Martina Baillie, Esq., Law Offices of Gerald Muller, P.C., introduced herself and informed the Board that she was filling in for Jerry Muller, Board Attorney.

DRAFT

Ms. Baillie informed the Board that she had reviewed the proof of notification sent by the Applicants, Mr. and Mrs. Weisenberger and they were in order. Ms. Baillie then explained to the Board what a 'C' Variance was and what criteria they should consider when voting on this Application. She then swore in Mr. Donald Weisenberger and Mrs. Angela Weisenberger.

Mr. and Mrs. Weisenberger explained to the Board that they were requesting the 'C' Variance from the 20 foot setback requirement so that they could extend their sunroom off the side of their home. They further explained that the home was built at an angle on the lot and due to this they were asking for a 15 foot setback from the property line. They provided a site plan, which was marked as Exhibit A-1, and showed the Board the location of the 'C' Variance request.

The Board discussed the Application and on a motion by Mr. Gallli, seconded by Mr. Feger, and with a roll call vote, the Board approved the Application.

Roll Call: Ayes: Devoti, Denne Feger, Galli, Fung, Feger Nays: Abstain: Heck

Ms. Ballie informed the Weisenberger's that she would prepare the accepting resolution for final approval at the next Board meeting/

OPEN TO THE PUBLIC

There being no public comment the Board opened and closed the meeting to the public.

OPEN TO THE BOARD MEMBERS

Mr. Denne

- asked the Mayor if Council could consider amending the setback ordinance for this zone to a 15 foot setback. He will send an email for consideration at the next Council Meeting.
- Asked the Mayor if 2022 meeting could be held in person. It was discussed that this was preferable to Zoom meetings. The January meeting will be scheduled and held at Borough Hall.

Ms. Fung

- Informed the Board that there were some projects that would need to be done in 2022. This includes the Complete Streets project and the Towns Center Development
- Stated that Mr. Van Dyke was researching grant programs for the Borough
- Asked about the status of the home based business violations. A Discussion ensued and it was determined that this was the responsibility of the Borough Marshall and Mr. Devoti would also look into it.
- Asked about the 3-family home on Main Street. It was discussed that this is a legal 3-family and DCA approval was posted on the front door.

OPEN TO THE PUBLIC

There being no public comment the Board opened and closed the meeting to the public.

With an aye vote by all, the Board adjourned the meeting at 8:20 pm.

Denise Piszkowski