

# **BERNARDS TOWNSHIP**

## **PLANNING BOARD**

### **Minutes**

Regular Meeting  
February 20, 2018

Chairwoman Piedici called the meeting to order at 7:34 PM.

### **FLAG SALUTE**

### **OPEN PUBLIC MEETING STATEMENT**

Chairwoman Piedici read the following open meeting and procedural statement:

"In accordance with the requirements of the Open Public Meetings Law of 1975, notice of this regular 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 sent to the Bernardsville News, Bernardsville, NJ, and to the Courier News, Bridgewater, NJ, on January 19, 2017 and was electronically mailed to 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 PM and no new witnesses or testimony heard after 10:30 PM."

### **ROLL CALL:**

Members Present: Asay, Bianchi, Coelho, Crane, Moschello, Piedici, Ross, Surano, Zaidel.  
Members Late: NONE  
Members Absent: Malay  
Also Present: Board Attorney Jonathan Drill, Esq.; Township Planner David Schley, PP, AICP;  
Township Engineer, Thomas Timko, PE, CME; Board Secretary, Cyndi Kiefer.

Mr. Ross moved to excuse the absence of Mr. Malay. Mr. Surano seconded and by unanimous Voice Vote, the motion was carried.

### **APPROVAL OF MINUTES**

**February 6, 2018 - Regular Session** - Dr. Coelho moved approval of the minutes as drafted.  
Second by Mr. Ross.

Roll Call:

Aye: Asay, Bianchi, Coelho, Crane, Moschello, Piedici, Ross, Surano, Zaidel.  
Nay: NONE  
Abstain: NONE

Motion carried.

**February 6, 2018 - Closed Session** - Mr. Zaidel moved approval of the minutes as drafted.  
Second by Dr. Coelho.

Roll Call:

Aye: Asay, Bianchi, Coelho, Crane, Moschello, Piedici, Ross, Surano, Zaidel.  
Nay: NONE  
Abstain: NONE

Motion carried.

**EXECUTIVE SESSION #1**

**Resolution authorizing a closed session for the purpose of:** discussion of (1) the status of the Request for Proposal (RFP) for the Board's professional engineering expert; and (2) matters falling within the attorney-client privilege where confidentiality is required for the Board Attorney to exercise his ethical duties as a lawyer, namely legal advice regarding the RFP.

Chairwoman Piedici read the resolution in its entirety into the record.

Mr. Moschello moved approval, Mr. Ross seconded.

Roll Call:

Aye: Asay, Bianchi, Coelho, Crane, Moschello, Piedici, Ross, Surano, Zaidel.

Nay: NONE

Abstain: NONE

Motion carried.

**EXECUTIVE SESSION #2**

**Resolution authorizing a closed session for the purpose of:** Attorney-Client Privileged Advice regarding the Municipal Land Use Law where confidentiality is required for the Board Attorney to exercise his ethical duties as a lawyer.

Chairwoman Piedici read the resolution in its entirety into the record.

Mr. Surano moved approval, Mr. Moschello seconded.

Roll Call:

Aye: Asay, Bianchi, Coelho, Crane, Moschello, Piedici, Ross, Surano, Zaidel.

Nay: NONE

Abstain: NONE

Motion carried.

The Open Session of the February 20, 2018 Planning Board meeting was recessed at 7:41 PM.

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Mr. Surano moved, Mr. Moschello seconded, and by unanimous Voice Vote, the Open Session of the February 20, 2018 Planning Board meeting was reconvened at 10:07 PM.

**COMMENTS FROM STAFF**

Chairwoman Piedici stated that final interviews for the position of Board Engineer and a potential public contract award should be conducted during the April 3, 2018 meeting in order to stay on schedule to meet the June 30, 2018 deadline.

**COMMENTS FROM MEMBERS**

Mr. Crane offered to meet with any board member who would like further instruction on blue print reading. Also, after taking the State mandated stormwater training course, he expressed disappointment about the quality of the educational material.

**ADJOURN**

Having no further business to conduct, Chairwoman Piedici asked for a motion to adjourn. Mr. Moschello moved, Dr. Coelho seconded and by unanimous Voice Vote, the meeting was adjourned at 10:12 PM.

Respectfully submitted,



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Cyndi Kiefer, Secretary  
Township of Bernards  
Planning Board

**BERNARDS TOWNSHIP PLANNING BOARD**

**RESOLUTION AUTHORIZING CLOSED SESSION #1**

**WHEREAS,** N.J.S.A. 10:4-12 (the Open Public Meeting Act) authorizes this Board to exclude the public from that portion of a meeting at which this Board discusses certain matters:

**WHEREAS,** the Board is about to discuss such matters, specifically the status of the Request for Proposal for the Board's professional engineering expert;

**WHEREAS,** this Board believes the public should be excluded from those discussions;

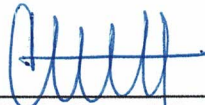
**NOW, THEREFORE,** be it resolved by the Bernards Township Planning Board on February 20, 2018 that the Board now go into closed session and the public be excluded and that the Board believes that the discussions conducted in the closed session may not be disclosed to the public because they will involve attorney-client privileged advice and information.

The above Resolution was adopted on February 20, 2018, by the following vote of the members of the Board:

AYES: 9

NAYES: 0

I, Cyndi Kiefer, Secretary to the Planning Board of the Township of Bernards in the County of Somerset, do hereby certify that the foregoing is a true and correct copy of the memorializing resolution duly adopted by the said Planning Board on February 20, 2018.



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**CYNDI KIEFER, Board Secretary**

**BERNARDS TOWNSHIP PLANNING BOARD**

**RESOLUTION AUTHORIZING CLOSED SESSION #2**

**WHEREAS,** N.J.S.A. 10:4-12 (the Open Public Meeting Act) authorizes this Board to exclude the public from that portion of a meeting at which this Board discusses certain matters:

**WHEREAS,** the Board is about to discuss such matters, namely Attorney-Client Privileged Advice regarding the Municipal Land Use Law, with emphasis on site plan and subdivision review, where confidentiality is required for the Board attorney to exercise his ethical duties as a lawyer;

**WHEREAS,** this Board believes the public should be excluded from those discussions;

**NOW, THEREFORE,** be it resolved by the Bernards Township Planning Board on February 20, 2018 that the Board now go into closed session and the public be excluded and that the Board believes that the discussions conducted in the closed session may not be disclosed to the public because they will involve attorney-client privileged advice and information.

The above Resolution was adopted on February 20, 2018, by the following vote of the members of the Board:

AYES: 9

NAYES: 0

I, Cyndi Kiefer, Secretary to the Planning Board of the Township of Bernards in the County of Somerset, do hereby certify that the foregoing is a true and correct copy of the memorializing resolution duly adopted by the said Planning Board on February 20, 2018.



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**CYNDI KIEFER, Board Secretary**