

# **BERNARDS TOWNSHIP**

## **PLANNING BOARD**

### **MINUTES v3**

Regular Meeting  
September 22, 2020

Chairwoman Piedici called the meeting to order at 7:35 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, Whippany, NJ, and to the Courier News, Bridgewater, NJ, on January 8, 2020; and was electronically mailed to those people who have requested individual notice.

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.

### **OATH OF OFFICE**

Mr. Drill stated that the Oath of Office had been administered to Gary Baumann, Class IV, Alternate 2, filling unexpired 2-year term of Kathleen Mastrangelo expiring 12/31/20, prior to the meeting.

### **ROLL CALL:**

Members Present: Baumann, Crane\*, Damurjian, Esposito\*, Harris, Hurley, Manduke, Mastrangelo, Piedici  
Members Absent: Asay, McNally  
Also Present: Board Attorney, Jonathan E. Drill, Esq.; Township Planner, David Schley, PP, AICP;  
Board Planner, David Banisch, PP, AICP; Board Secretary, Cyndi Kiefer

\*Present via telephone

Moved by Ms. Manduke, seconded by Mr. Hurley, all in favor and carried, that the absence of Mr. McNally be excused.

### **APPROVAL OF MINUTES**

September 8, 2020 – Regular Session- On motion made by Mr. Hurley and seconded by Mr. Damurjian, all eligible in favor and carried, the minutes were adopted as drafted. Abstention for absence: Baumann, Crane, Harris

### **EXECUTIVE SESSION**

[Resolution authorizing Executive Session](#) for: Discussion of the Master Plan amendment process.

Chairwoman Piedici read the resolution in its entirety into the record. On motion made by Ms. Mastrangelo and seconded by Ms. Manduke, all in favor and carried, the resolution was approved as read and the Open Session of the meeting was recessed at 7:40 PM. To summarize, they authorized an executive session to discuss matters falling within the attorney-client privilege where confidentiality is required for the Board Attorney, Jonathan E. Drill, Esq., to exercise his ethical duties as a lawyer, namely legal advice regarding the Master Plan amendment process.

\* \* \* \* \*

On motion made by Ms. Mastrangelo, seconded by Committeewoman Harris, all in favor and carried, the Executive Session of the meeting was adjourned, and the Open Session was reconvened at 8:52 PM.

### **OPEN SESSION**

Ms. Mastrangelo moved to: instruct Mr. Schley and Mr. Banisch to identify the relevant organizations outside of the Planning Board who could provide information about the Master Plan elements identified by the Board as

requiring outside input and to prepare a memo requesting that information; instruct Mr. Schley and Mr. Banisch to obtain updated data for the Community Facilities and Parks and Recreation Elements; that the Board shall review the elements in the following order: Goals and Objectives, Land Use, Circulation, and Utility Services; and that the Board would utilize the second meeting of each month to work on the Master Plan unless public hearings for applications preempted that schedule. Committeewoman Harris seconded.

Roll call: Aye: Baumann, Crane, Damurjian, Esposito, Harris, Hurley, Manduke, Mastrangelo, Piedici  
Nay: NONE

Motion carried.

**COMMENTS FROM STAFF OR BOARD MEMBERS**

After confirming with Ms. Kiefer that there are no applications scheduled to be heard on October 6, 2020, Chairwoman Piedici cancelled that meeting. Mr. Crane welcomed the new member, Mr. Baumann, to the Board.

A discussion ensued as to whether to conduct the October 20<sup>th</sup> meeting via Zoom. A straw poll indicated that the majority preferred to hold the meeting in person.

**ADJOURN**

Committeewoman Harris moved, Mr. Damurjian seconded, all in favor and carried, and the meeting was adjourned at 9:05 PM.

Respectfully submitted,

Cyndi Kiefer, Secretary  
Township of Bernards  
Planning Board

*Adopted as drafted 10-20-2020*

10/08/2020 dskpjd

**BERNARDS TOWNSHIP PLANNING BOARD**

**RESOLUTION AUTHORIZING CLOSED SESSION**

**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 legal advice regarding the review standards applicable to the Master Plan 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 September 22, 2020 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.

The above Resolution was adopted on September 22, 2020, by the following vote of the members of the Board:

AYES: Baumann, Crane, Damurjian, Esposito, Harris, Hurley, Manduke, Mastrangelo, Piedici

NAYES: NONE

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 September 22, 2020.

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**CYNDI KIEFER, Board Secretary**