



Borough of Woodbury Heights Planning/Zoning Board
500 Elm Avenue Woodbury Heights, New Jersey 08097

JULY 5TH REGULAR MEETING MINUTES

Chairman Phalines called the regular meeting to order at 7:04 pm. He asked that all rise and pledge allegiance to the flag. He stated that the meeting was duly advertised and posted on the bulletin board in the municipal building and conforms to the directives of the "Open Public Meetings Act" of New Jersey.

Roll call was taken with the following results; present was Mr. Conley, Mr. Deeck, Mr. Holmstrom, Mr. Flynn, Councilman Scull, Mr. Baresich, Mayor Elton, Mr. Smith, Mr. Tomasetti and Chairman Phalines. Absent was Joe Martino, Mr. Hart and Mrs. Sesko. Anne, secretary, stated that Mr. Hart and Mrs. Sesko had prior engagements.

There being no secretary's report, Chairman Phalines called on Gerald Sinclair, the Board Solicitor. Mr. Sinclair stated that since this is a combined meeting with Mayor & Council he deferred to Mayor Elton. Mayor Elton called the council meeting to order at 7:06 pm. He stated that the meeting has been duly advertised and posted on the bulletin board in the municipal building and conforms to the "Open Public Meetings Act". He asked Janet, Borough Clerk to take roll call and found the following present; Councilman Packer, Councilman Scull and Councilman Jacob. (Council Pheasant came in at 7:10). Mayor Elton then called on Mr. Lozuke, Borough Solicitor. Mr. Lozuke stated that the matters being discussed tonight; both publicly and privately are not being considered as a result of the developer pertaining to litigation. He further explained that in July 2009 the Age Restricted Conversion Act was passed that proposed affordable housing (work-force housing) for those with less than high income to be able to live closer to their work place. This Act will expire on July 31, 2011. (A copy of the Council meeting minutes are attached with the detail of Mr. Lozuke's statement). Mr. Lozuke stated that if a Planning/Zoning Board finds that due to poor economic conditions; they can extend the time period of the "Act". Chairman Phalines asked Mr. Lozuke if this is part of the initial legislation and subject to all conditions and Mr. Lozuke answered yes.

Chairman Phalines then called on Mr. Sinclair, Solicitor of the Board, who read Resolution 2011:07-A Resolution Excluding Public Participation. Chairman Phalines entertained a motion to adopt. It was moved by Mr. Deeck and seconded by Mr. Conley. The roll call vote was as follows; Mr. Conley, yes, Mr. Deeck, yes, Mr. Holmstrom, yes, Mr. Flynn, yes, Councilman Scull, yes, Mr. Baresich, yes, Mayor Elton, yes, Mr. Smith, yes, Mr. Tomasetti, yes and Chairman Phalines, yes.

Mayor Elton asked Mr. Lozuke if he (the Mayor) should call recess and Mr. Lozuke stated yes and once the Board has finished their non-public portion, Mayor and Council will reconvene. Mayor Elton then called the council meeting to recess at 7:26 pm.

Mr. Sinclair states that he feels Mr. Lozuke explained everything to do with the "Conversion Act" and he would not repeat it. He brought the members new to the Board up to speed. After the discussion; a motion was made by Mr. Conley, seconded by Mr. Holmstrom to close the executive session. It was passed by a favorable "Aye" vote. Chairman Phalines called a short recess before resuming the regular meeting.

Chairman Phalines called the regular meeting back to order at 8:17 pm. Chairman Phalines called on Mr. Sinclair to read Resolution 2011:08; A Resolution Extending the Time Period of NJSA 45:22A-46.11. Chairman Phalines entertained a motion to adopt and it was moved by Mr. Deeck and seconded by Mr. Conley. Chairman Phalines asked if there were any questions or discussions. There being none he requested a roll call vote which found the following; Mr. Conley, yes, Mr. Deeck, yes, Mr. Holmstrom, yes, Mr. Flynn, yes, Mr. Baresich, yes, Mayor Elton, yes, Mr. Smith, yes, Mr. Tomasetti, yes, Chairman Phalines, yes and Councilman Scull, no. The resolution was adopted.

Chairman Phalines then addressed Mr. Lozuke to see if Mayor & Council had any further business. Mr. Lozuke stated that they needed to call themselves back in session and open the meeting to the public. Mayor Elton entertained a motion to open the meeting to the public. (See attached copy of minutes).

Chairman Phalines entertained a motion to adjourn the planning/zoning board meeting. The motion was moved by Mr. Conley, seconded by (?) and passed with a favorable Aye Chairman Phalines declared the meeting closed at 8:31 pm.

Submitted by,

Anne L Deeck

Anne L Deeck, Secretary