

**BOROUGH OF WOODLAND PARK
PLANNING BOARD MINUTES**

December 6, 2010

Meeting called to order at 7:32 P.M. by Chairman Webb.

OPEN PUBLIC MEETING LAW: THIS MEETING IS CALLED TO ORDER PURSUANT TO THE NEW JERSEY PUBLIC MEETING LAW, AND AS STATED IN NOTICES OF THE TIME, PLACE AND DATE PUBLICIZED IN ACCORDANCE WITH THE STATUTE. IT WAS INCLUDED IN A LIST OF MEETINGS FORWARDED TO THE HERALD NEWS AND THE RECORD AS REQUIRED NOTICES. IN ADDITION, THIS LIST HAS BEEN POSTED IN A PUBLIC PLACE BY THE BOROUGH CLERK, AND A COPY OF THIS HAS BEEN FILED IN HIS OFFICE FOR PUBLIC INSPECTION. PROPER NOTICE HAVING BEEN GIVEN, THIS MEETING IS CALLED TO ORDER AND THE CLERK IS DIRECTED TO INCLUDE THIS STATEMENT IN THE MINUTES OF THE MEETING.

MEMBERS PRESENT: TOM WEBB, COUNCILMAN DI DOMENICO, GARY HOLLOWAY, RICHARD BERNSTEIN, BOB KASSAI, CARLO RENNE AND DORA DAVENPORT

ALSO PRESENT – JOSEPH WENZEL, BOARD ATTORNEY
TOM SOLFARO (BD.OF ADJ. ENGINEER) FOR
DON NORBUT, BOARD ENGINEER

FLAG SALUTE

A motion to approve the minutes of the November 8, 2010 meeting was made by Mr. Bernstein, second by Mr. Holloway and approved.

A motion to approve the minutes of the November 8, 2010 executive session was made by Mr. Bernstein, second by Ms. Davenport and approved.

ORDER OF BUSINESS

WOODLAND PARK BOARD OF EDUCATION – Review & recommendations of site plan for reconstruction/expansion of Charles Olbon School parking lot.

Mr. Wenzel read and explained the statute that provides for the Planning Board to review and recommend on any plans for any public entity which includes the Board of Education. There should be a resolution stating the Board's findings. It is not the Board's action to approve the project and is merely advisory and/or to provide recommendations. The school has the responsibility to comply with any Department of Education regulations and informing the appropriate authority of their plans and specifications.

Mr. Bernstein said normally there is a report from the engineer. He asked if there was a problem with the engineer. Chairman Webb said there was a conflict but Mr. Solfaro, Board

Engineer for the Board of Adjustment, is here and has looked over the plans. Mr. Bernstein asked if the conflict has been resolved. Chairman Webb said yes.

Tom DiFluri, Business Administrator/Board Secretary of the Woodland Park Board of Ed. Mr. Bill Chapin from T & M. Associates was present to represent the Board of Education as its engineer. The expansion of the parking lot was part of the original referendum presented to the voters. The only change that was made after that was the Board of Education decided to improve traffic circulation to make a road connection to Morley Dr. The project is necessary due to the fact that the original parking lot was constructed in 1965 and is now crumbling. It must be repaved and reconstructed but it is also just not big enough. The enrollment for the school has increased significantly and there are many more staff members. They did not increase the size of the parking lot when they did the additions in 2001.

Mr. Bill Chapin, engineer for the Bd. of Ed., stated there are traffic backups during the times when school is opening and closing. They felt if they could separate the incoming and outgoing traffic between the two potential entrances it would help with traffic flow. The issue at hand is they are proposing a connection to an existing street that has been there for a while. The people there are not used to having any traffic there. They have gone to the council with this to find out if it was worth pursuing and they had a good discussion with the council and seemed to be okay with it under certain conditions. They felt they should limit the times of traffic to an hour in the morning and an hour in the afternoon and the rest of the time it would be closed. It would stay closed during any activities at night. It is a one way out from the school and they would post do not enter signs. They would have a gate to make sure no one used the entrance except in the morning and the afternoon.

Mr. Chapin stated as part of this they are also expanding the parking lot and will be involved in some storm water management issues with it as a result of the increase. It is kind of a minor thing compared to the entrance but it will interact with they way they design the whole thing. They will come to the town with an in depth design.

Chairman Webb said he answered his first question by saying the gate will be closed except for the morning and afternoon. He asked if traffic could still exit on to Lincoln Lane. Mr. Chapin said it will remain two-way.

Councilman DiDomenico asked if the portion of existing grass area would remain. Mr. Chapin said if it is grass now it would stay grass. There are some wetlands there and they would have to go to the DEP. Councilman DiDomenico said there is a portion there that is macadam.

Mr. Bernstein asked the dimensions of the parking spaces. Mr. Chapin said they are 9' X 18'.

Chairman Webb asked about he proposed building addition that is shown on the plan and asked if it was part of the referendum. They will be adding 3 kindergarten classrooms. Mr. Wenzel said the proposed building addition is shown on the plan and asked if it was presented to the Planning Board. They could consider the whole thing this evening. Mr. DiFluri said the Board of Education did not formally asked to be put on an agenda but a

letter was sent to the Planning Board stating the plans were sent to the DOE. The Board Secretary said she was sent one plan and there was no request to be listed on an agenda. Mr. Wenzel said if they cover a little more about the addition they could add it to the review and recommendations.

Councilman DiDomenico asked if the Code Enforcement office saw the plans. He said typically if there is an issue he will call it out. The Board Secretary said he did not review it extensively. The letter only stated they had sent it to the DOE. Mr. Wenzel said to cover the requirements it would be appropriate for the Board to review the addition also.

Chairman Webb asked if it was the only addition being done to Charles Olbon School. Mr. DiFluri said it was but there were additions proposed at Beatrice Gilmore School also. The Board Secretary said they should send a letter and plans requesting to be put on an agenda for the addition to Beatrice Gilmore. Mr. DiFluri asked if that was required. Mr. Wenzel suggested the School Board attorney call him and they will discuss the Beatrice Gilmore School additions.

Mr. Kassai asked if the proposed addition would have an impact on the parking or was it included in this overall plan. Mr. DiFluri said they made the parking lot as big as they possibly could and have expanded to the limit.

Chairman Webb asked for some testimony on the addition. Mr. DiFluri said there will be a hallway adjacent to the gym where the new addition connects. There is a ramp to the new entrance for that addition. It will be a secondary entrance and exit and they expect most people to still use the main entrance. Mr. DiFluri said the additional classroom space is greatly needed due to an increase in enrollment.

Mr. Solfaro, Board Engineer, said they mentioned storm water management and asked if this disturbance be more than a ¼ acre impervious than what is existing. Mr. Chapin said it would. They will be designing in conformance with the new storm water management regulations for quality, quantity and recharging. They are headed but are not at that level yet. They will be applying for land use permits through the state. Mr. Solfaro asked the height of the proposed retaining wall. Mr. Chapin said it will be about 10' and will taper off to about 6'. Mr. Solfaro said there is a manhole right inside the curb line and sidewalk and asked what type of utility it was. Mr. Chapin said it was a storm drain that runs at kind of an angle. Mr. Solfaro asked if the wall would impact the utility. Mr. Chapin said their drainage will probably impact it.

Mr. Solfaro asked if there are any proposed signs. Mr. Chapin said they will put up any appropriate signage to avoid any confusion for the parents. Mr. Solfaro said he knows this is a conceptual plan but noted there would be additional signage. Mr. Solfaro asked what the accessible travel path would be for people using ADA parking stalls. Mr. Chapin said they would be coming toward the new addition and up the sidewalk to the depressed curb and ramp.

Mr. Solfaro said they are proposing 87 parking spaces and thought any thing over 76 would require 4 ADA parking spaces. He said he could be incorrect but they should check that.

Mr. Chapin agreed to check. Mr. Solfaro asked about bus parking. Mr. DiFluri said there is no bus parking. They do have a small bus for pick up and drop off only. There are times the larger buses come in for field trips but they do not stay there.

Chairman Webb said he has seen the letter the Borough sent and it seems they have incorporated all the items into the plan. Mr. Wenzel said he would prepare a resolution outlining any recommendation which includes the engineer's comments on 4 ADA parking spaces and additional signage. The resolution would be provided to the school for them to provide to the state. The resolution will be memorialized at next month's meeting.

The Board was updated on 1225 McBride Ave. regarding a question about a maintenance bond. Mr. Wenzel stated there was a performance bond issue. A performance bond is usually returned when the project is nearing completion and then a maintenance bond is posted for a lesser amount. Borough ordinance allows them to issue a requirement for both a performance and a maintenance bond. He sees no reason why they could not make a requirement for the bonds on 1225 McBride Ave. The problem with a performance bond at this point is that the project is nearly completed. The maintenance bond would be for things that needed to be completed in the future. Mr. Bernstein said the law says they need to post the bond and why should they not do that. Mr. Wenzel said the way it works you have a performance bond and as the site is completed the bond is reduced. When complete at that point you have the maintenance bond going forward. Mr. Bernstein asked what the Board's options were in order to get them to put up a bond. Mr. Wenzel said the ordinance allows them to place the requirement so you could or you could not ask for the bond. The maintenance bond is usually there so if they do not complete it the money is in place to complete it. At this point the Board has to decide if it is feasible to ask for a performance bond. It seems most of the work is being done and there are no major site improvements to be done. The real issue is what affect the bond has on this project going forward. Mr. Bernstein said he did not want the Board to be remiss in not getting both bonds. Chairman Webb said he does not recall putting it in to a resolution. The Board Secretary said it is usually in the engineer's report which is usually a condition of approval. Mr. Wenzel said it is the engineer who sets the amount of these bonds.

Mr. Kassai asked Mr. Wenzel if when this project started would it be appropriate to require the performance bond and the maintenance bond. Mr. Wenzel said if there was a performance bond from day one by this time it would be substantially paid down. Mr. Kassai said what if issues come up that should have been part of the bond. Mr. Wenzel said he believes you can impose a maintenance bond at this point but not a performance bond and felt it would be at a minimum now. Mr. Kassai felt the maintenance bond should be there to cover any future issues.

Councilman DiDomenico asked the Code Enforcement for a report about performance bonds. The Board Secretary said they do not oversee performance bonds which are done by the engineer and held by the Finance office. Councilman DiDomenico does not remember incorporating bonds into any approvals.

Mr. Bernstein felt it would be important to get a maintenance bond. Mr. Wenzel said a bond only lasts for 2 years and is limited to 15%. The amount is set by the Board Engineer. Councilman DiDomenico suggested asking the Board Engineer for his recommendation on a

maintenance bond. Mr. Bernstein asked for that information to be provided to the Board for January's meeting. Councilman DiDomenico asked if it was up to 15%. Mr. Wenzel said the statute states the amount is limited to up to 15%. The question is what the cost of the maintenance bond would be. The Board Secretary will request recommendations and amounts from the Board Engineer.

A motion to enter executive session was made by Chairman Webb, second by Mr. Bernstein. All in favor, motion approved.

EXECUTIVE SESSION

Mr. Holloway stated this is his last Planning Board meeting and commended the Chairman on his leadership. He will be serving as a councilman in 2011. He thanked his fellow board members and the Board Secretary.

Chairman Webb informed the Board that Mr. Randazzo has had a stroke. He is out of the hospital and doing well. He hoped to see him at the next meeting.

A motion to adjourn was made by Councilman DiDomenico, second by Mr. Holloway. All in favor, meeting adjourned.

PLANNING BOARD EXECUTIVE SESSION MINUTES 12/6/10

MEMBERS IN ATTENDANCE: Mr. Bernstein, Mr. Renne, Ms. Davenport, Councilman DiDomenico, Mr. Holloway, Mr. Kassai and Chairman Webb.

Also in attendance: Joseph Wenzel Board Attorney

The purpose of the executive session was for the Board Attorney to discuss the settlement in the O. Kaplinsky, 51 Ryle Park Ave. case. The Board discussed the court order Mr. Wenzel provided in their packets. The application and plans for the project have been submitted and will be placed on the January agenda.

Mr. Wenzel has been contacted by Garret Pointe's attorney, Mr. Pitman. He is requesting that the Board consider another extension of time on their site plan. The Board discussed the permit extension act and how it applies. The application for an extension of time will be placed on the January agenda.

Executive workshop session was closed.