

Holland Township Planning Board

Minutes of the Regular Meeting

January 11, 2021 (Reorganization)

(Notice-The Chairman reserves the right to change or revise the order of the agenda as needed. Formal action may or may not be taken)

The meeting was called to order by the Secretary Kozak:

Secretary: "I call to order the January 11, 2021 Reorganization Meeting of the Holland Township Planning Board. Adequate notice of this meeting was given pursuant to the Open Public Meeting Act Law by the Planning Board Secretary by:

1. Posting such notice on the bulletin board at the Municipal Building.
2. Publishing the notice in the December 12, 2020 edition of the Hunterdon County Democrat
3. And faxing to the Express-Times for informational purposes only.
- 4.

HOLLAND TOWNSHIP PLANNING BOARD PUBLIC NOTICE TOWNSHIP OF HOLLAND

NOTICE OF CHANGE OF FORMAT OF REGULAR TOWNSHIP PLANNING BOARD MEETING AND PUBLIC PARTICIPATION FOR THE MEETING SCHEDULED FOR 7:30 PM MONDAY JANUARY 11, 2021

PLEASE TAKE NOTICE.

THE MEETING FORMAT HAS BEEN CHANGED FROM IN-PERSON ATTENDANCE AT THE MUNICIPAL BUILDING, 61 CHURCH ROAD, TO TELECONFERENCE DUE TO COVID-19 OUTBREAK AND THE STATE OF EMERGENCY DECLARED BY GOVERNOR MURPHY.

IN LIEU OF IN-PERSON ATTENDANCE, THE PUBLIC MAY ATTEND THIS MEETING VIA TELECONFERENCING AND COMMENT DURING THE DESIGNATED PUBLIC COMMENT PORTION IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT.

OFFICIAL ACTION TO BE TAKEN

Join Zoom Meeting

<https://zoom.us/j/98689201243?pwd=L21zcng3eEgrNEhHK0kydU50dytWUT09>

Phone: 1 646-558-8656

Meeting ID: 986 8920 1243

Passcode: 213081

Secretary: **The electronic communications used for this remote meeting have a function that allows the Board to mute the audio of all members of the public, as well as allow members of the public to mute themselves.**

Flag Salute

Secretary Kozak asked all to recite the Pledge of Allegiance

Appointments and Re-appointments

(The appointments and re-appointments were determined at the January 5, 2021 Township Committee Reorganization meeting)

Attorney Gallina administered the Oath of Office. All are to sign the Oath and return to Secretary Kozak.

Dan Bush – Class I Member for a one year term 12/31/21

Scott Wilhelm – Class III Member for a one year term 12/31/21

Ken Grisewood– Class IV – Member for a four year term 12/31/24

David Grossmueller – Class IV – Member for a four year term 12/31/24

Congratulations to our re-appointed Planning Board members.

The following positions are vacant:

- Class II Member for a one year term 12/31/21
- Alternate #2 – Member for a two year term 12/31/21

Nominations:

Secretary Kozak requested nominations for Chairman:

A motion was made by Dan Bush and seconded by Duane Young to nominate Dan Rader as Chairman. Dan Rader accepted the nomination as chairman. All present were in favor. Motion carried. Dan Rader is the 2021 Planning Board Chairman.

Secretary Kozak requested nominations for Vice-Chairman:

A motion was made by Dan Bush and seconded by Ken Grisewood to nominate Michael Keady as Vice-Chairman. Mike Keady accepted the nomination as Vice-Chairman. All present were in favor. Motion carried. Michael Keady is the 2021 Planning Board Vice-Chairman.

Secretary Kozak turned the meeting over to the Chairman:

Appointments:

A motion was made by Dan Bush and seconded by Duane Young to appoint John Gallina, Esq., as the 2021 Planning Board Attorney. All present were in favor. Motion carried.

Chairman Rader read the resolution to be adopted authorizing the award of a contract to the appointed professionals not utilizing the process defined in the third definition under N.J.S.A. 19:4A-20.7. These contracts are awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5-(1) (a) of the Local Public Contracts Law. This resolution shall be printed once in the Hunterdon County Democrat.

Appointment of the Planning Board Engineer. A motion was made by Dan Bush and seconded by Duane Young to appoint Maser Consulting as the 2021 Planning Board Engineer. All present were in favor. Motion carried.

Appointment of the Planning Board Professional Planner. A motion was made by Dan Bush and seconded by Mike Miller to appoint Darlene Green of Maser Consulting as the 2021 Planning Board Professional Planner. All present were in favor. Motion carried.

Appointment of the Planning Board Highlands Council Subcommittee Professional Planner. A motion was made by Dan Bush and seconded by Mike Keady to appoint Darlene Green of Maser Consulting as the 2021 Planning Board Highlands Council Subcommittee Professional Planner. All present were in favor. Motion carried.

Appointment of the Planning Board Secretary. A motion was made by Dan Bush and seconded by Duane Young to appoint Maria Elena Jennette Kozak as the 2020 Planning Board Secretary. All present were in favor. Motion carried.

Appointment of the Planning Board Court Reporter. A motion was made by Dan Bush and seconded by Mike Keady to appoint Lucille Grozinski as the 2020 Planning Board Court Reporter. All present were in favor. Motion carried.

Appointment of the Hunterdon County Democrat as the Official Newspaper. A motion was made by Dan Bush and seconded by Mike Keady. All present were in favor. Motion carried.

Announcement of the time, date, and location of monthly meetings. This was approved at a prior scheduled meeting. The schedule is posted on the bulletin board at the municipal building, has been published in the December 12, 2020 edition of the Hunterdon County Democrat and has been sent to the Express Times for information purposes only. A motion was made by Dan Bush and seconded by Mike Keady to announce the 2021 time, date, and location of monthly meetings. All present were in favor. Motion carried.

Township of Holland
Planning Board

2021 Meetings

PLEASE TAKE NOTICE that the Planning Board, Township of Holland, County of Hunterdon, New Jersey, will meet to discuss or act upon public business on each of the dates set forth below, at the Municipal Building, 61 Church Road, Milford, NJ. Meetings are open to the public.

Time: If necessary, a Work Session will begin at 7:00 P.M. to discuss the Agenda of the evening.

Public participation during the work session will be prohibited.

The regular meetings begin at 7:30 P.M.

The cut-off time for meetings is 11:00 P.M.

Meeting Dates

January 11, 2021
February 8, 2021
March 8, 2021
April 12, 2021
May 10, 2021
June 14, 2021
July 12, 2021
August 9, 2021
September 13, 2021
October 11, 2021
November 8, 2021
December 13, 2021
January 10, 2022

Agenda Deadline

December 21, 2020
January 18, 2021
February 15, 2021
March 22, 2021
April 19, 2021
May 24, 2021
June 21, 2021
July 19, 2021
August 23, 2021
September 20, 2021
October 18, 2021
November 22, 2021
December 20, 2021

By ordinance the meetings of the Holland Township Planning Board are held the second Monday of the month, with the agenda deadline three weeks prior to the meeting.

Identification of those at the podium

Present: Dan Bush, Ken Grisewood , Dave Grossmueller, Michael Keady, Nickolas Moustakas, Mike Miller, Dan Rader, Scott Wilhelm (arrived 7:33pm), Duane Young, John Gallina, Esq., and Maria Elena Jennette Kozak, Secretary.

Absent: N/A

Excused Absent: Rick Roseberry/Bill Burr, Engineer, Darlene Green, and Court Reporter Lucille Grozinski, CSR (professionals excused per the Chairman as the meeting was only reorg).

Let the record show there is a quorum.

Minutes

A motion was made by Mike Keady and seconded by Michael Miller to dispense with the reading of the minutes of the November 9, 2020 meeting and to approve the minutes as recorded. All present were in favor of the motion with the exception of Scott Wilhelm who abstained. Motion carried.

There was no 2020 Attorney report needed.

Old Business:

There was no Old Business scheduled at this time on the agenda.

New Business:

There was no New Business scheduled at this time on the agenda.

Completeness Review:

There is no completeness review to discuss at this time on the agenda.

Resolution

RESOLUTION ADOPTING EMERGENCY REMOTE MEETING, PROTOCOLS, PROCEDURES AND REQUIREMENTS FOR PUBLIC PARTICIPATION AT REMOTE MEETINGS – Prepared by Attorney Gallina. Distributed to the board for consideration. Board Action Needed.

Attorney Gallina explained that The Department of Community Affairs has adopted new regulations regarding remote meetings for local public bodies. They are discussed in the latest issue of the New Jersey Planner. He further explained that under the regulations, one new item requires the Chairman needs to state the following at the beginning of the meeting :

The electronic communications used for this remote meeting have a function that allows the Board to mute the audio of all members of the public, as well as allow members of the public to mute themselves.

The draft resolution is as follows:

**HOLLAND TOWNSHIP PLANNING BOARD
RESOLUTION ADOPTING EMERGENCY REMOTE MEETING
PROTOCOLS, PROCEDURES AND REQUIREMENTS FOR PUBLIC
PARTICIPATION AT REMOTE MEETINGS**

WHEREAS, the purpose of N.J.A.C. 5:39-1 et. seq. entitled “Emergency Remote Meeting Protocols for Local Public Bodies”, is to ensure that local public bodies can continue to conduct official business in an open and transparent manner whenever a declared emergency exists that prohibits physical attendance by members of the public; and

WHEREAS, a “declared emergency” means a public health emergency pursuant to the Health Power Act, N.J.S.A. 26:13-1, et. seq., or a state of emergency pursuant to P.L. 1942, c. 251 or both, or a state of local disaster emergency which has been declared by the Governor and is in effect; and

WHEREAS, N.J.A.C. 5:39-1.3 permits a local public body to hold a remote public meeting to conduct public business during a declared emergency if the emergency reasonably prevents a public body from safely conducting public business at a physical location with members of the public present; and

WHEREAS, if during a declared emergency the Holland Township Planning Board (“the Board”) holds a physical meeting in a location where, pursuant to State/Federal guidelines meant to mitigate risk, capacity restrictions are required to reduce the number of individuals that can be present in a meeting, the Board shall either:

1. Hold the public meeting at another location with adequate capacity for the reasonable expected attendance by the public or;
2. Hold the public meeting as both an in person and a remote public meeting; and

WHEREAS no in person meeting shall proceed if the room capacity does not permit any members of the public to attend; and

WHEREAS, a public meeting held solely in person without a remote access alternative provided shall not prohibit members of the public from attending in person; and

WHEREAS, adequate notice of the remote public meeting shall also include, in addition to the Open Public Meetings Act requirements, clear and concise instructions for accessing the remote public meeting, the means for making public comment and how to access any public documents on the Township’s website in the manner set forth in N.J.A.C. 5:39-1.5; and

WHEREAS at the commencement of the remote public meeting, the Chair or the Chair’s designee or in his or her absence, the Secretary, shall announce and shall cause to be entered into the minutes an accurate statement regarding adequate and electronic notice or an explanation of the reason or reasons such notice was not adequately provided as set forth in N.J.S.A.C. 5:39-1.5(g); and

WHEREAS, prior to the commencement of a remote public meeting, the Board shall make a copy of the agenda available to the public for download on the Township’s website and shall post a copy of the agenda on the public bulletin board in the building where the meeting will be held, including posting of same at any designated and clearly delineated handicap access entrance to the building, and posted on the main access door of the building where the meeting would routinely be held ; and

WHEREAS, the electronic communications used for a remote public meeting shall have a function that allows the Board to mute the audio of all members of the public, as well as allow members of the public to mute themselves, and same shall be announced at the beginning of every remote public meeting; and

WHEREAS, pursuant to N.J.A.C. 5:39-1, if the Board holds a remote meeting to conduct public business, it shall use electronic communication technology routinely used in academic, business and professional settings that can be accessed by the public at no cost and with participant capacity consistent with reasonable expectations of the Board for the type of public meeting being held, and such participant capacity shall be at minimum, not be limited to fewer than 50 public participants (not including persons required to be present to conduct business at the meeting such as Board members, Board professionals and all members of the Applicant’s team); and

WHEREAS, remote public meetings may be held by the Board in a format as selected by the Board, by means including, but not limited to electronic communications platforms with video and audio or live streaming via the internet and shall additionally provide a telephonic conference line to allow members of the public to dial in by telephone to listen and to provide public comments; and

WHEREAS, when the Board holds a remote public meeting, it shall allow members of the public to ask questions by audio and video if the meeting is being held over both; and

WHEREAS, any remote public meeting where sworn testimony is being taken shall be broadcast by video, as well as audio, and all individuals giving sworn testimony shall appear by video; and

WHEREAS, any presentation or documents that would otherwise be viewed by, or made available to members of the public physically attending an in person public meeting shall be made available on the internet website of the Township, or made visible during the video broadcast of the remote public meeting; and

WHEREAS, except for quasi-judicial hearings on land development applications or similar public hearing, in addition to making public comments at any remote public meeting, the Board, in advance of the

remote meeting shall allow public comments to be submitted to the Secretary by electronic mail and in written form by a reasonable deadline to be established and posted on the website in advance of the remote public meeting; and

WHEREAS, except for quasi-judicial hearings on land development applications or similar public hearings, public comments submitted prior to the remote public meeting through electronic or regular mail shall be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public; and

WHEREAS, a reasonable time limit shall be placed on the reading of individual written comments, all of which shall be read from the beginning until the established time limit is reached; and

WHEREAS, in support of, and respect for an open, fair and informed decision making process, the Board recognizes that civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and

WHEREAS, in an effort to preserve the intent of open government and maintain a positive environment for citizen input and Board decision making, policies and rules shall be established to promote civility and maintain decorum at in-person public meetings and remote public meetings in accordance with N.J.A.C. 5:39-1.4(f) to (h); and

WHEREAS, if a member of the public becomes disruptive during remote public meeting, including during any period of public comment, the Chair or the Chair's designee or in their absence the Board Secretary, shall mute or continue muting or direct appropriate staff to mute or continue muting the disruptive member of the public and warn that continued disruption may result in the member of the public being prevented from speaking during the remote public meeting or removed from the remote public meeting; and

WHEREAS, disruptive conduct at an in-person public meeting or remote public meeting includes sustained inappropriate behaviors including, but not necessarily limited to shouting, interruption and use of profanity; and

WHEREAS, any member of the public who continues to act in a disruptive manner at a remote public hearing after receiving an initial warning, may be muted while other members of the public are allowed to proceed with their questions or comments; and

WHEREAS, if time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make comment and, if the person still remains disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed from the remote public meeting;

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Township of Holland, County of Hunterdon on this _____ day of _____, 2021, as follows:

1. That the standards and procedures for emergency remote meetings, as set forth above in this Resolution and codified in N.J.A.C. 5:39-1 et. seq. are hereby established and adopted.
2. That the procedures and requirements for public participation are hereby established and adopted in order to safeguard public participation in any in-person or remote public meetings in the Township of Holland and shall apply to all members of the public in attendance at any in person or remote meeting in the Township of Holland.
3. The forgoing recital as set forth above in this Resolution are incorporated by reference as if set forth in full and at length herein.
4. This Resolution shall take effect immediately.

Motion carried.

The foregoing Resolution was duly adopted by the Holland Township Planning Board at a regular meeting held on _____, 2021

ATTEST:

Maria Elena Jennette Kozak, Secretary
Holland Township Planning Board

Dan Rader, Chairperson
Holland Township Planning Board

Discussion took place. Mike Keady asked if this information was applicable for all boards and commissions and Attorney Gallina responded that this is for the Planning Board. Dan Bush shared that the Township Committee has a hybrid meeting of in person and on Zoom. He believes the Planning Board should do the same style of meeting and asked if that is possible, Attorney Gallina shared that it is not really possible for a public meeting if there is not room capacity. He further explained that you cannot have a meeting if the room capacity is met and there are more people who want to participate even if it is available on Zoom. You cannot just turn someone away from the meeting because you met capacity. As long as no one complains that they are excluded then you could do that but it is not really how the meeting should be conducted. You really cannot exclude the public. Dan Bush explained that the township wants in person meetings following protocol. Scott Wilhelm also stated that the township is trying to encourage people to the building as soon as possible with protocol. Attorney Gallina reminded the board that you want to be careful with applications before the board. Mike Keady questioned the submittal of comments to the board secretary and Attorney Gallina

reminded everyone that public comments for a public hearing are not to be submitted in advance of the meeting. Public comments are to be in person during the hearing. Ken Grisewood stated that we need to remind everyone in a hearing that they must appear with the video on. That also applies to board members. Dan Bush and Scott Wilhelm shared their feelings that content is missing during Zoom meetings and we need to move on and open as soon as possible and as safe as possible.

A motion was made Dan Bush and seconded by Mike Miller to memorialize the resolution as presented. At a roll call vote, all present were in favor of the motion. Motion carried.

Planning Board Roll Call Vote

Board Member	Motion	Second	Ayes	Nays	Abstain	Absent/Ineligible
Dan Bush	X		X			
Ken Grisewood			X			
David Grossmueler			X			
Michael Keady			X			
Michael Miller		x	X			
Dan Rader			X			
Duane Young			X			

Public Hearings

There are no Public Hearings to discuss at this time on the agenda.

Sub-Committee Status and Updates:

Holland Township Highlands Council Subcommittee –update – Mike Keady reported that everything is quiet at the moment but there is anticipation that additional funding will be available in the future.

Public Comment

There were no public comments offered at this time. John Byk was unmuted and responded that he did not have a comment.

Executive Session

There was no Executive Session scheduled at this time.

Adjournment

Dan Bush made a motion to adjourn. Motion approved. The meeting ended at 7:55 p.m.

Respectfully submitted,
Maria Elena Jennette Kozak
 Maria Elena Jennette Kozak
 Secretary