

# NJAPZA NEWS



New Jersey Association of Planning & Zoning Administrators  
[www.njapza.org](http://www.njapza.org)

## Spring Brings NJAPZA Events

By Ilene Cutroneo, NJAPZA President

Another year has begun and now that our respective Boards have completed the reorganization process, we all can get down to the matters at hand. Those of you who were fortunate to attend last year's League of Municipalities Convention were able to join us at our Hospitality Suite and Annual Luncheon & Education Meeting. Many thanks are extended to Mark McCloskey, our wonderful photographer and all-around go-to/for person; Kathy Dossena, Convention Chair; and Deb Rogers, Membership Chair. Kathy is already busy working on our event for this coming November 16. We are also planning to host another Hospitality Suite for Tuesday, November 15.

Speaking of Mark, we regret to announce that by the time you read this newsletter, Mark and his family will have relocated to North Carolina. While we are saddened that the organization has lost a

## Annual Convention Luncheon Scheduled

By Kathy Dossena, Convention Chair

Our convention luncheon, meeting, and seminar will be held on November 16, 2005 starting at 12:00 Noon. We will be at the Trump Plaza again and I will be finalizing the menu within the next few weeks. The gifts have been ordered and received. I have been watching this particular item for the last two years but it was too costly. In December they held a two-week sale and this item was a part of that therefore I jumped on it. So make sure that you plan to attend so you are able

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valuable member, we are happy for his good fortune and wish Mark and his family all the best. With his departure, the Recording Secretary position opened up, and, at our March meeting, the Executive Board elected Mike Proietti from North Brunswick to fill Mark's unexpired term through November 2005.

I am pleased to advise you that many of our northern members attended the Spring Satellite Continuing Education Session held on April 21 in

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to receive this wonderful item. I have not decided on the centerpieces as of yet but hope to do that within the next few weeks.

We will be having our Hospitality Suite again this year. That will be held on November 15, 2005 from 5:00 P.M. to 7:00 P.M. at Trump Plaza.

So, mark the dates and I hope to see you all at Trump Plaza in November. □

## Mandatory Training for Board Members Proposed

By Jackie Zelinka

Senator Ronald Rice (D-28) introduced a bill in the State Senate last December that would require municipal planning board and zoning board of adjustment members to complete a mandatory training program within one year of their date of appointment to the board. The bill, S-2133, would authorize the Commissioner of the Department of Community Affairs to prepare and offer a basic course in land use law and planning in cooperation with New Jersey Planning Officials. A companion bill has been introduced in the State Assembly by Assemblywoman Loretta Weinberg (D-37).

NJAPZA, along with the Center for Government Services at Rutgers, the New Jersey Chapter of the American Planning Association, New Jersey Future, The Municipal Land Use Center at the College of New Jersey, the Association of New Jersey Environmental Commissions and four other organizations have formed a coalition of “Partners for Municipal Land Use Education” that is seeking to amend the legislation in several significant ways.

The Partners would like to see the following changes to the bills:

- (1) Broaden the language to permit the Commissioner to work in conjunction with more organizations than NJPO in the development of the curriculum.

The Partners feel that other professional planning organizations, nonprofit planning groups and educational institutions should be

involved in the curriculum development process in addition to NJPO.

- (2) Extend the timeframe for training to twenty-four months for those who are sitting on boards at the time the legislation goes into effect.

The Partners have concluded that a twelve-month timetable for the initial group of trainees is unrealistic, given the number of people who would be subject to the requirement. Such a timetable would create a substantial financial and administrative burden on both municipal board members and administrative staffs.

- (3) Provide financial support for municipalities not available through the proposed funding mechanism.

The proposed funding source for the training program is a fee to be charged as part of the application fee for either board. The Partners are concerned that the variability in the number of applications from year to year within a single municipality may prove problematic and fail to generate sufficient funds to cover the cost of training in a given year.

For a copy of either the Senate or Assembly version of the bill, go to the State Legislature’s website at [www.njleg.state.nj.us](http://www.njleg.state.nj.us) and type in either bill number in the bill search box on the home page. □

## Ann MacKinnis, Former NJAPZA President, Retires

After almost 30 years with the Town of Morristown, Ann MacKinnis retired from her position as Manager, Division of Land Use Administration/Zoning Officer/Administrative Officer for the Planning Board and Zoning Board of Adjustment on May 1, 2005. She plans to remain active with NJAPZA, continuing to Chair the Education & Certification Committee and participating in Board of Directors meetings.

Ms. MacKinnis began her municipal career in August, 1975 in a secretarial role with Morristown, a position which also included performing housing inspections in connection with the HUD 312 Loan Program. The following year, responsibility for organizing various municipal programs on the Morristown Green, located in the center of town, including antique auto shows, art shows and heritage festivals was added to her job description. In 1978, she was hired as the clerk to the Planning Board, and in 1980, she was hired by the Board of Adjustment as its clerk as well. Both of these assignments resulted in her being appointed as the Administrative Officer for each Board in 1986.

Also in 1986, Ms. MacKinnis was hired as the Zoning Officer for the Town, in addition to her Board responsibilities. Since that time, her staff has grown to include an Assistant Zoning Officer, an Administrative Assistant/Escrow Coordinator and a Clerk Typist. During her municipal career, Ms. MacKinnis completed her studies and earned a B.A. in Business Administration from the College of St. Elizabeth in 1988, graduating summa cum laude.

Ms. MacKinnis is a charter member of NJAPZA and has served the association as Morris County Treasurer, President-Elect, and President from 1996-1999. She has been active in promoting the goals of NJAPZA through its education program. She has taught the Rutgers courses for the Board Secretary and Land Use Administrator certificate programs, and



she has worked with her Committee on promoting and organizing a certificate program for Zoning Officials and has taught those courses as well.

During her years with Morristown, Ms. MacKinnis has received awards from NJPO and the Morristown Town Council. Thanks to the opportunities provided to her both in her work with the Town of Morristown and her activities with NJAPZA, Ms. MacKinnis has been included in the Marquis Who's Who in America for several years. □

### MacKinnis Retirement Dinner Scheduled

A retirement dinner will be held in Ann's honor on Friday, June 10 at the Terrace Room of Headquarters Plaza in Morristown, NJ. The cost per person is \$75, which includes a cocktail hour, dinner, entertainment and a gift. Please contact John Fugger at (973) 644-4360 or send checks made payable to MacKinnis Retirement Dinner to John Fugger at: Town of Morristown, 200 South Street, CN 914, Morristown, NJ 07960.

## “Ask Lou”

In the last issue of the newsletter, we asked readers to submit their questions for Lou Rago, Esq., NJAPZA Legal Counsel. We received the following question from Arlene Volkay, Board Secretary, Township of Woodbridge:

I am a secretary to the Zoning Board of Adjustment. I had a meeting at which only three members and two alternates were present. We heard a site plan application with use variance. The decision was reserved until a full Board could be present, with the absent members reading the transcript. My question is: Who votes? Do the alternates vote because they were present at the hearing or do full members vote after having read the transcript? If the alternates vote, which of the full members vote, assuming the four absent members all read the transcript? This recently happened and I couldn't find an answer in Cox' Zoning and Land Use or in the Municipal Land Use Law.



Lou Rago's Response to Ms. Volkay:

If the full Board of Adjustment is present at the meeting when a decision will be made regarding the application, the seven regular members will vote. This assumes that all of the regular members have either been present at the hearings or the absent Board members had available to him or her the transcript or recording of the hearing from which they were absent, and have certified in writing to the Board that he or she has read such transcript or listened to such recording. If each of the regular members satisfy those conditions they will vote and the alternates will not. I refer you to the Municipal Land Use Law, more specifically, N.J.S.A. 40:55D-10.2 which discusses voting by Board members who are absent from hearings. I would also refer you to N.J.S.A. 40:55D-69 which indicates that alternate members may participate in all matters, but may not vote except in the absence or disqualification of a regular member. I thank you for your inquiry.□

## Membership Directory Due Out in May

By Deb Rogers, Membership Chair

Well, spring has sprung...FINALLY...and that means it's time for the 2005 edition of the NJAPZA Membership Directory to go to print. If all goes well, the Directory should be mailed out by the beginning of May. Anyone who has returned a membership application along with a voucher and/or payment will be listed in the Directory. Anyone who has not sent in their application or did not send either a voucher and/or payment with their application will not be listed in the Directory; however, you will be listed in the updated membership section on our website when we receive a voucher and/or

payment. If you have any questions or concerns, please feel free to contact me anytime at (609) 921-1359, ext. 228. I hope to see you all on June 3 at Cook College.□

Our membership is growing, as is awareness of NJAPZA. As a result, membership processing has become more than one person can handle. We are looking for someone who would be willing to help out with data entry, using Microsoft Word and Access databases. If this is something that you are interested in, please contact Deb Rogers at (609) 921-1359, ext. 228.□

## NJAPZA Members Express Appreciation

Ilene Cutroneo, NJAPZA President, wanted to share the following letters with all NJAPZA members.

Dear Ilene and Members of NJAPZA,

Better late than never? I had at least hoped to write this letter before the New Year, but... Thank you all so much for the beautiful gold, monogrammed calculator and very nice wishes. What a complete surprise---you girls (and guys) are always thoughtful.

A few days ago I got my letter asking me for 2005 dues for the Association---I hope I can still remain a member although retired? I would like to attend the northern regional meetings if they still have them---if it is allowed, I could try to get meetings together if there is no one else. Please let me know.

I can't quite tell you what I have done since September 1<sup>st</sup>, but I have been keeping very busy---a week at my daughter's new Pennsylvania cottage, had the condo painted (took much longer than anticipated due to extensive plastering), golf lessons at adult school, dog sitting, root canal, Curves, lunches, and this month doing a temporary job at a local engineering firm. Of course, after the holidays, am planning to sign up for Weight Watchers TODAY. The holidays were great and I spent lots of happy times with my kids and their friends.

Again, thank you for the recognition and the gift!

Fondly,

*Gail Marie-Stewart*

Former Northern Regional Director

Dear Members of the New Jersey Association of Planning and Zoning Administrators,

Congratulations on your 15<sup>th</sup> Anniversary. Those of us who founded this organization did so in the hopes of bringing educational opportunities as well as professionalism to and for the positions of Planning and Zoning Administrators and Secretaries. In that we succeeded.

Best wishes for many more successful years. I wish I could be with you to celebrate.

Sincerely,

*Diane J Chmelik*

Co-Founder and First President - NJAPZA

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## Spring Seminar Focuses on the Highlands

On April 21, approximately 40 Planning and Zoning professionals attended an informative half-day seminar sponsored by the Rutgers University Center for Government Services on “Current Issues in Planning and Zoning” at the scenic Crystal Springs Resort and Minerals Hotel in Vernon, NJ. The topics of the seminar included “The Highlands Protection Initiative” and a “Case Law Update.”

The speakers, Tom Collins, Esq., NJAPZA Counsel Emeritus, and David Troast, PP/AICP, provided an overview of the initiative, reviewed exemptions and grandfathering to the Highlands Water Protection and Planning Act and discussed how the initiative will impact individual municipalities and Boards. The “Case Law Update” portion of the seminar covered recent decisions relating to floor area ratios, the Residential Site Improvement Standards and height variances.□

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Dear Ilene,

I’m writing to let you know how appreciative, and surprised, I was to receive the “catch-up” award at our luncheon last Wednesday, November 17<sup>th</sup>. The NJAPZA has grown into a truly wonderful organization because of the efforts of its officers, both past and present, and its overall membership. It has been my pleasure to work both with you and for you, and I hope to continue to do so in the future. Again, I thank you.

Ilene, I would appreciate your providing a copy of this letter to all officers, and to anyone else who had any input as to my receiving the Association’s very generous gift.

Thank you.

Sincerely,

*Louis P. Rago, Esq.*  
Weiner Lesniak, LLP

**Is there something  
you’d like to “Ask Lou”  
for our next issue? Lou  
Rago, Esq., NJAPZA  
Legal Counsel, will  
answer your burning  
questions. Don’t miss  
out! Send your  
submissions to:  
Cindy Phillips  
Newsletter Editor  
Township of Long Hill  
915 Valley Road  
Gillette, NJ 07933**

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*Visit us at:*

[www.njapza.org](http://www.njapza.org)

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Vernon Township, NJ. We have also scheduled a half-day session for the southern region with a program specifically designed for Zoning Officials. The topic of the session is "Certificates of Non-Conforming Uses: Section 68 of the M.L.U.L." and is scheduled for Friday, June 17 at The Flanders in Ocean City, NJ. Further details about the seminar will be forthcoming. We hope to continue these half-day sessions in the northern and southern regions this coming fall and winter.

This is also a great opportunity to remind you that our Annual Spring Continuing Education Seminar is scheduled for Friday, June 3 at Cook College. Our annual seminar provides an excellent opportunity to earn 5 CEU's in one day. Last year's format was very popular and we will be presenting the material in the same manner. In the morning we have

scheduled Judge Lawrence Lawson from Monmouth County Superior Court to address our group on Land Use Issues and Lou Rago, Esq., NJAPZA Legal Counsel, will provide us with our annual Case Law Update. One of the afternoon breakout sessions will address COAH issues. "Working with the New Requirements" will be presented by former Executive Director of COAH Shirley Bishop, PP, and Elizabeth McKenzie, PP. Please watch our website for more information on this program.

If any of you have an idea or a topic that you would like to see covered as part of a future Continuing Education Seminar, please let us know by using our contact link on our website, [www.njapza.org](http://www.njapza.org).

I am looking forward to seeing all of you on June 3. □

## Chase Offers Financial Services to NJAPZA Members

Chase Workplace Financial Services is about you: the tools you need, the deals you want, the services you deserve----for now, and in the future. Learn about these valuable benefits---and many others---today.

- Free Better Banking Checking and High Yield Savings, with no monthly fees (regardless of your balance), no Chase ATM charges or transaction fees for as long as you are employed with your company when you enroll in Direct Deposit to your Chase Checking account
- Reduced minimum balance requirements on Select Banking---a relationship offering Premium Rates, specialized service and a variety of complimentary extras.

- Free Chase Online banking with bill payment, plus a free debit card.
- Variety of loans and credit card offers
- Special offers on mortgages, home equity, IRAs and more
- Help planning for the things that are important to
- You like education and retirement---with tax-friendly solutions to help grow your investment, including a complimentary financial consultation with a Chase Retirement Expert
- And more.....

For more information about Chase, please contact Andrew Cohen at (609) 683-6072 or via email at [andrew.j.cohen@jpmchase.com](mailto:andrew.j.cohen@jpmchase.com). □

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