

RESOLUTION

SUBJECT: RULES AND REGULATIONS

WHEREAS, it is necessary for the Planning Board of the Township of Monroe, County of Gloucester and State of New Jersey, to establish rules and regulations for the conduct of business; and

WHEREAS, the Planning Board of the Township of Monroe, County of Gloucester and State of New Jersey, has authority by reason of N.J.S. 40:55D-8 to adopt said rules and regulations;

NOW, THEREFORE, BE IT RESOLVED BY THE Planning Board of the Township of Monroe, County of Gloucester and State of New Jersey, that the attached rules and regulations be adopted and govern the procedures of the Planning Board of the Township of Monroe, County of Gloucester and State of New Jersey for the year 2021.

ROLL CALL VOTE

AYES:

NAYS:

ABSTENTIONS:

SUBJECT: RULES AND REGULATIONS

I, _____, Secretary to the Planning Board of the Township of Monroe, do hereby certify that the foregoing is a true and correct copy of Resolution adopted by the Planning Board of the Township of Monroe, at a reorganization meeting held on January 7, 2021, by way of electronic communication/live streaming at remote locations connected by conferencing software provided by zoom.us.

Secretary, Monroe Township Planning Board

RULES AND REGULATIONS OF THE PLANNING
BOARD OF THE TOWNSHIP OF MONROE
IN THE COUNTY OF GLOUCESTER
AND STATE OF NEW JERSEY

1. Regular meetings of the Planning Board of the Township of Monroe shall be held in accordance with the resolution passed for this purpose and in accordance with the Open Public Meetings Act with the exception that special meetings may be called by the Chairman or on the request of any two members of said Board, which shall be held on notice to the members of said Board and the public in accordance with municipal regulations and the Open Public Meetings Act with reference to notices. Regular meetings of the Planning Board shall be scheduled unless cancelled for lack of applications.

2. The presence of five (5) members of the Board shall be necessary in order to constitute a quorum for the transaction of business. All actions shall be taken by a majority vote of the quorum except as otherwise required by the laws of the State of New Jersey.

3. All regular meetings and all special meetings shall be open to the public but shall not be open for public discussion unless the Planning Board votes to open the meeting up for public discussions. Hearings before the Planning Board shall be open to the public but shall be conducted in accordance with these Rules and Regulations and the Municipal Land Use Act. Notice of all such meetings shall be given in accordance with municipal regulations and the Open Public Meetings Act of New Jersey. An executive session for the purpose of discussing and studying any matters that come before the Planning Board of the Township of Monroe shall not be deemed a regular or special meeting within

the meaning of this Act, but shall be subject only to the applicable sections of the aforesaid Open Public Meetings Act of New Jersey.

4. Minutes of every regular or special meeting shall be kept and shall include:
 - a. The names of the persons appearing and addressing municipal agency and the persons appearing by way of attorney,
 - b. The action taken by the Planning Board,
 - c. The findings, if any, made by the Planning Board, and
 - d. The reasons for the Planning Board's findings.

These minutes will be made available for public inspection during normal business hours at the office of the Planning Board. Should any interested party request that the Planning Board minutes be reproduced, the charge for said reproduction shall be in accordance with the Open Public Records Act.

5. The testimony of all witnesses relating to an application for development at either a meeting wherein the Board agrees to open said meeting to the public or at all hearings before the Planning Board, shall be taken under the oath or affirmation by the presiding officer; said officer having the discretion to appoint someone, other than himself, who is either a member of the Board, the Planning Board Secretary or the Planning Board Solicitor, to administer the oath or affirmation. The right of cross examination shall be permitted to all interested parties, to their attorneys, if represented, or directly; if not represented, subject to the discretion of the presiding officer. The presiding officer shall, at the beginning of any public hearing or public discussion, set out any guidelines as to the number of witnesses that will be allowed to speak and a time limit placed upon each witness but in no event shall this initial statement preclude the presiding officer from

deviating from the initial number of witnesses or time limit should he deem it necessary throughout the public discussion or public hearing. The officer presiding at the Planning Board hearing or such person as he may designate shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant evidence, including witnesses and documents presented by the parties, and the provisions of "County and Municipal Investigations Law", P.L. 1953 c38 (C2A:67 A-1 et seq. shall apply).

6. Technical rules of evidence shall not be applicable to the Planning Board hearings, but the Planning Board may exclude irrelevant, immaterial or unduly repetitious evidence.

7. The Planning Board will provide for the verbatim recording of the proceedings by either a stenographer, mechanical or electronic means. On request made by any interested party, the Planning Board shall furnish a transcript or duplicate recording in lieu thereof, at the expense of the interested party.

8. The Planning Board shall hold a hearing on each application for development, or adoption, revision or amendment of the master plan. Any maps or documents for which approval is sought at a hearing before the Planning Board shall be on file and available for public inspection at least twenty days prior to the date of the hearing during normal business hours in the office of the Planning Board. The applicant may produce other documents, records or testimony at the aforesaid hearing to substantiate or clarify or supplement the previously filed maps and documents. The applicant shall place on file, copies of any maps or documents for which approval is being sought, the exact number to be in accordance with the Land Subdivision Ordinance of the Township of Monroe.

said documents and maps are to be filed with the Secretary to the Planning Board.

9. It shall be the responsibility of an applicant to the Planning Board to ascertain from said Board whether official forms exist to be used in applying to the Planning Board. If such official forms exist, it shall be mandatory that the applicant uses said forms and complete them in their entirety.

10. Notices of all hearings before the Planning Board, including hearings on applications for development and for the adoption of master plans, shall be given in accordance with N.J.S. 40:55D-12 and the Land Subdivision Ordinance of the Township of Monroe; and shall include the date, time and place of the hearing as well as the nature of the matters to be considered and in the case of applications for development, an identification of the property proposed for development and the location and times at which any maps or documents for which approval is sought are available for inspection in accordance with paragraph 8 of these Rules and Regulations. All such notices must be given at least ten (10) days prior to the date set for hearing before the Planning Board. The applicant shall also be required to give such notices that are required by the Ordinances of the Township of Monroe, if such Ordinances shall exist.

11. After giving such notice in accordance with these Rules and Regulations, the applicant shall file an affidavit of proof of service with the Planning Board prior to the initial hearing on the application. Any notice made by certified mail shall be deemed complete upon mailing.

12. Should any hearing before the Planning Board carry over two or more meetings, a member of the Board who was absent for one or more of the meetings, at which the hearing was held, shall be eligible to vote on the matter on which the hearing was

conducted, notwithstanding his absence from one or more of the meetings; provided, however, that such Board member has available to him a transcript or recording of the meeting from which he was absent, and certifies in writing to the Planning Board that he has read such transcript or listened to such recording.

13. In accordance with N.J.S. 40:55D-24, the Planning Board shall elect a Chairman and Vice Chairman from the members of Class IV, select a secretary who may or may not be a member of the Planning Board or a municipal employee, create and fill such other offices as established by Ordinance.

14. Each decision on any application for development before the Planning Board shall be in writing and shall include findings of fact and conclusions based thereon. A copy of the decision of the Planning Board shall be mailed by the Planning Board within ten (10) days of the date of the decision to the applicant, or if represented, then to the attorney, without separate charge, and to all who request a copy of the decision for a fee in accordance with the Open Public Records Act. A copy of the decision shall also be filed by the Planning Board in the Office of the Secretary to the Planning Board. The Secretary to the Planning Board shall make a copy of such filed decision available to any interested party, upon payment of the aforesaid fee; said decision shall be available for public inspection at the office of the Planning Board Secretary, during reasonable hours. The notice of decision of the Planning Board shall be published in the official newspaper of the Township of Monroe, if there be one, or any newspaper of general circulation in the municipality. Such publication shall be arranged by the Planning Board Secretary.

15. The period of time within which an appeal of a decision may be made shall run from the first publication.

16. No person holding office, position of employment, under the Township of Monroe, in the County of Gloucester and State of New Jersey, or any other public body, board of agency of or under the Township of Monroe, shall appear before this Board and act as counsel, attorney or agent, advocate or representative of any petitioner, plaintiff, applicant, defendant or other party in interest appearing before this Board; provided however, that such person shall not be precluded from acting in his or her behalf when he or she shall be such petitioner, plaintiff, applicant, defendant or other party in interest.

17. A copy of these Rules and Regulations will be furnished when persons requesting same have paid the sum set out in the Monroe Township Ordinances for the reproduction of municipal documents. Copies of all Rules and Regulations and amendments thereto shall be maintained in the office of the Township Clerk and/or Secretary to the Planning Board.

18. If at any time during the review of submitted preliminary or final plans it has been determined by the Planning Board that certain revisions are necessary, then it shall be the duty of the applicant to return all revised plans to the Planning Board Secretary at least 20 days prior to the meeting at which said plans are to be considered. Should the revised plans not be in the hands of the Planning Board Secretary twenty (20) days prior to said meeting, then the agenda for that meeting shall be amended automatically to exclude the subdivision/site plan application involving the amended plans. This regulation shall apply in all instances except where the Planning Board, at a regularly scheduled meeting, allows a waiver of its requirement.

19. A public portion, at which time questions may be asked from members of the public on matters not on the agenda for that evening, shall not be held at the first meeting

of each month, nor in the alternative, the work meeting of the Planning Board, unless at the beginning of said meeting, the Planning Board Chairman specifically announces the allowance of a public portion

20. The conduct and standard procedure for all Public Hearings shall be as follows: a) Introduction of application, purpose of hearing, proper notice, etc.; b) Brief presentation by applicant or his attorney/professionals; c) Opportunity for Board members to ask any questions of applicant; d) Open public portion of hearing to the public; e) Close public portion; f) Act on application as appropriate.

21. The Planning Board office will be open to the public during the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday.

22. The transportation of final plans, for the purpose of obtaining signatures, shall be done by official representatives of the township, only.

23. Any member who votes in the negative shall state, for the record, the reason why they are voting as such.

24. It is hereby stated, as a means of reinforcement, that everything is to be submitted through the Planning Board office.

25. For the purpose of maintaining order and decorum at all meetings, the Chairman may remove or have removed, any person or persons who violate the order and decorum of said meeting.