

**Minutes Open Session
Allamuchy Land Use Board – May 26, 2016**

The Allamuchy Township Land Use Board held their regular meeting on Thursday, May 26, 2016 at the Allamuchy Elementary School. The meeting was called to order at 7:31 p.m., by Chairwoman Gibbs and she led the Board in the Pledge of Allegiance.

STATEMENT: Board Secretary Alfia Schemm announced that adequate notice for this meeting has been provided according to the “Open Public Meetings Act.”

ROLL CALL:

PRESENT: Cristianna Gibbs, Adam Baker, David Berkenbush, James Cote, Scott Churchill, Stacy Bockbrader, and Charles Zukoski.

ABSENT: Clara Bajc, Rick Lomonaco, Jeff McDonnell, and Keith DeTombour

ALSO PRESENT: Board Attorney Roger Thomas, Board Engineer/Planner Paul Sterbenz, and Board Secretary Alfia Schemm.

ANNOUNCEMENTS:

Chairwoman Gibbs stated that she has no announcements for this evening.

APPROVAL OF MINUTES:

The minutes of the April 28, 2016 meeting were distributed prior to the meeting.

Mr. Churchill made the motion to adopt the minutes of April 28, 2016. Motion seconded by Ms. Bockbrader. In a roll call vote, all were in favor.

OPEN TO THE PUBLIC:

Chairwoman Gibbs opened the meeting to the public for non-agenda items. With there being no public comment, the meeting was closed to the public.

OLD BUSINESS:

#16-001 Advanced Recovery Systems, LLC, Block 701.02, Lots 27 & 28

Board Attorney Thomas stated that he received correspondence from Thomas Vargo Esq., who is present this evening. He stated that Attorney Vargo is not only a township resident, but is also representing a group of individuals. He then reviewed the procedure for this evening. He stated that the application presently before the Board is for a use variance and not for a zone change. He stated that petitions are not admissible. He stated that Attorney Vargo has provided him with a list of the individuals who are members of the "group" and the members of the "group" will be represented by Attorney Vargo and Attorney Vargo will be doing the questioning on behalf of the "group".

Rich Schneider, Esq. was present on behalf of the Applicant. He stated Engineer Michael Finelli is out of the country and is not present this evening. He stated that he would be available at the June meeting.

Kevin Richard Wandler, MD was sworn in and he reviewed his education, qualifications, and experience as a psychiatrist and physician. The following was submitted and marked as an Exhibit:

A-12 Curriculum Vitae of Kevin Richard Wandler, MD

Doctor Wandler was accepted as an expert in the field of treatment, a medical doctor with an expertise in the field of substance abuse and eating disorders. Attorney Vargo

had no questions in regards to Dr. Wandler being accepted as an expert. Dr. Wandler gave a history of the five Advanced Recovery facilities. He stated that the first facility opened in 2013, the second facility in Colorado in 2015, the third and fourth facilities in Florida, and the fifth in Washington State. He reviewed their mission statement, which is to provide patient center care in an environment that empowers and aides individuals on their path to recovery. He reviewed the statistics nationwide and in New Jersey. He stated that patients find them through the internet, are referred to them by their insurance carriers, and are referred to them by a professionals or treatment program. He reviewed the age groups of their patients and he stated that they have more male than female patients. He stated that the patients in Allamuchy would be over the age of 18 and that they only accept voluntary patients. He stated that their fees would be paid by Insurance or by paying privately. He stated that the proposed site is very private and quiet and it is suitable as it is a beautiful healing place. The following was submitted and marked as an Exhibit:

A-13 General Treatment Schedule

Doctor Wandler addressed the check in/intake procedure, the detoxification process, and the general treatment schedule.

Mr. Berkenbush received an emergency call and left at 8:26 p.m.

Dr. Wandler continued to describe the weekly schedule and the levels of care. He stated that the average stay is 35 to 40 days. He stated that they also set up after-care programs for the patients when their treatment ends at Advanced Recovery. He described the recreational activities that will be provided. He then went on to describe the proposed operation. He stated that the maximum number of patients would be 125 and the maximum ratio would normally be one employee to three patients. He stated that they would have nurses and behavior health technicians employed 24/7. He stated that they would have different personnel on staff during different times of the day. He reviewed the variety of professionals and staff that would be hired: doctors, nurse practitioners, nurses, behavioral health technicians, psychologist, therapist, a clinical director and staff, recreational therapist, dieticians, an operations director, admissions staff, drivers, housekeeping, and a culinary staff. He then addressed the monitoring of patients and security measures in place. He stated that the program is voluntary and it is not a commitment facility. He also addressed the burden on emergency services. He stated that in speaking to the clinical director at their Umatilla facility, emergency services were called about 12 times in one year and the police were called three times in the past 12 months. He stated that they use a comprehensive prescreening assessment to determine who is appropriate for their facility.

Chairwoman Gibbs asked for a brief recess at 8:58 p.m. The meeting resumed at 9: 12 p.m.

Chairwoman Gibbs reviewed the procedure for the remainder of the evening. Mr. Berkenbush resumed his position at 9:14 p.m.

Board Attorney Thomas asked Dr. Wandler about the term "hospital" as the proposed facility is not a trauma center. Dr. Wandler reviewed the services that they provide at their "treatment center". Board Attorney Thomas asked about the nature of the police

and ambulance calls. Dr. Wandler stated that he does not have the specifics on those specific calls; however, in the past the police were called for a psychiatric commitment. He stated that he can get that information. He stated that the majority of the ambulance calls were for non-urgent clinical transport to a higher level of care. He stated that he does not recall any episodes of patients going AWOL and the patients in the Allamuchy facility would be over the age of 18. Board Engineer Sterbenz questioned whether the facility will be licensed, the licensing process, whether the facility will have a relationship or affiliation with any local medical practices or hospitals, and whether the administration plans to meet with the local agencies to review the services in the operation of the facility. Dr. Wandler stated that they will begin the licensing process as soon as they get approval to build. He stated that they generally have relationships with local medical practices, they have transfer agreements with local hospitals, they hope to hire some physicians for consultations and they would certainly meet with local agencies. Chairwoman Gibbs questioned the age restriction for patients, the use of Lot 27, visitation schedules, family weekends, the prevention of contraband, whether the maximum number of beds would be controlled by the facility, and the success rate of people staying the prescribed time. Dr. Wandler stated that the facility would be restricted to patients over the age of 18, he stated that they do have family weekends and visitations although they do have family therapy by phone or Skype, most visitors support the patients so contraband is a minimum and there is screening. He stated that their license would be for 125 licensed beds and data shows that the longer patients stay the better the outcome. Chairwoman Gibbs asked that the Applicant provide data on the success rate of patients staying the prescribed time recommended for their facilities along with the national average. Mr. Churchill asked about the type of sexual issues and/or mental issues in patients, patients with active warrants, and pre-screening. Dr. Wandler stated they do not have a program for sex addiction and they do pre-screen their patients. Mr. Berkenbush asked if there are third party back ground checks. Dr. Wandler stated that they do not utilize third party back ground checks, they ask for self-reporting. Mr. Churchill asked how much contraband is found and what would happen if the facility were to be sold. Dr. Wandler stated that there is little contraband found. Board Attorney Thomas stated that any approval granted would be very specific and any modification of significance would require Board review. Mr. Churchill asked about the purchasing of cigarettes, the segregation of males and females, the outdoor activities, and what are the beneficial benefits of this facility to Allamuchy. Dr. Wandler stated that cigarettes would need to be purchased off site as there will be no commissary on site, they try and keep males and females as separate as possible and cottages will be single sex cottages, and outdoor activities will depend on the season. He stated that benefits to the Township would be the tax revenue, employment/jobs, and education. Board Attorney Thomas questioned the monitoring of visitation and searches. Dr. Wandler stated that visitation is monitored and there are random searches.

With there being no further Board questions, the hearing was opened to the public.

Thomas Vargo, was present on behalf of the residents, Allamuchy Residents Against Rezoning. He asked why this site is particularly suitable for the proposal. Dr. Wandler stated that the location is a beautiful place, the property is 150 acres, and it is very suitable for their purpose. Attorney Vargo continued to question Dr. Wandler on whether additional sites were looked at, the proposed location and the location of necessary services. He asked how many beds would be occupied by New Jersey residents.

Dr. Wandler stated that he anticipates 50 to 60 percent of the beds would be occupied by New Jersey residents. Attorney Vargo asked how many beds would be occupied by Warren County residents or Allamuchy residents. Dr. Wandler stated that he did not know. The following was submitted and marked as an Exhibit for identification purposes:

0-1 NJ Drug & Alcohol Abuse Treatment Substance Abuse Overview 2014

Attorney Vargo touched on the county statistics and he questioned the inherently beneficial use. Board Attorney Thomas stated that the case law is clear in his mind, that inherently beneficial uses are not local but a regional concept. Attorney Vargo questioned the detrimental effects of the proposal and the proximity of emergency services to the proposed facility. He questioned the security and what happens when patients want to leave. Board Attorney Thomas clarified that O-1 is for identification purposes only and it has not been authenticated. The following was submitted and marked as an Exhibit:

O-2 Mendham Chester Patch Article from May 14, 2016

Attorney Vargo reviewed the article where two 16 year old juveniles departed the Daytop facility in Mendham, stealing a car. He asked about the security at the facility. He also asked if the information provided by Dr. Wandler in regards to the police calls was accurate and if he had contacted the Lake County Sheriff's department dispatch office to ascertain that information. He stated that the information that he has is different than what was presented. Information was provided to him that show that 62 calls were made in 2013, 139 calls in 2014 and 166 calls in 2015. He stated his concern over the impact on emergency services. Attorney Vargo stated that he has no further questions this evening. Board Attorney Thomas stated that the information provided will need to be authenticated.

Chairwoman Gibbs stated that it is now 10:15 p.m. and she asked how many people in the public have questions. With there being a number of people, it was agreed that this matter would be carried to the Board's June 23rd meeting without further public notice. Dr. Wandler along with the Engineer Finelli will be available at that meeting.

ADJOURNMENT:

In a motion made and seconded the meeting adjourned at 10:12 p.m.

Respectfully Submitted:

Alfia Schemm
Board Secretary
6/21/16