

INDEPENDENCE TOWNSHIP LAND USE BOARD

Minutes – October 17, 2016

The Independence Township Land Use Board met for a regular meeting on Monday, October 17, 2016 in the Municipal Building on Rt. 46 in Great Meadows, NJ. Vice Chairman Engels called the meeting to order at 7:30 p.m. and he stated that the meeting is being held in accordance with the Open Public Meetings Act by posting said notice of this meeting on the bulletin board in the Municipal Building and notifying the Municipal Clerk. Advertisement of notice was placed in the Star Gazette of Hackettstown, NJ and sent to the Express Times of Easton, PA. Tonight's meeting was advertised as a Joint Meeting with the Township Committee. Also present this evening: Mayor Giordano.

ROLL CALL:

Present:	Muriel Walter	George Ulmer
	Tim Norton	Melissa Milano
	Robert Best	Mark Rafalko
	Geoffrey Cullen	Glen Cogle
	Donald Engels	James Kelsey
Absent:	Carmen Feula	Ricardo Fernandez

Also Present: William Gold, Esq. Kevin Smith, PE

MINUTES:

The minutes from the August 15, 2016 meeting were distributed prior to the meeting.

Mrs. Walter made the motion to adopt the minutes. Motion seconded by Mr. Ulmer. Roll call vote: Ayes: Mrs. Walter, Mr. Ulmer, Mr. Norton, Mr. Cullen, and Ms. Milano

Nays: None recorded

Abstain: Mr. Kelsey, Mr. Cogle, Mr. Best, Mr. Engels, and Mr. Rafalko, who were not present at the August meeting and they are not eligible to vote on the minutes.

OTHER BUSINESS:

Kittatinny Valley State Park, Kenco/Wetlands Mitigation, Block 29, Lot 28

Board Attorney Gold provided a summary and overview of tonight's presentation of the Kenco/Wetlands Mitigation project.

David Golden was present on behalf of the DEP and he reviewed the purchase of the subject property back in 2012 and the funding to do restoration on the tract. He reviewed the process of obtaining the property and the management of the property by the Division of Fish and Wildlife. He stated that his staff oversees the management of the property and their mission/goal is to enhance habitat for wildlife and wildlife related recreation. He reviewed the funding, obtained in 2014 through the State Mitigation Council, for habitat restoration. He displayed the plan and he described the property and gave a detailed overview of the project. He then went on to introduce the other individuals also present this evening to answer questions: Kerry Kirk Pflugh, Scott Crans, Nick Zemlachenko, Laura Tessieri, and Craig Metzger.

The Board and Mayor Giordano had many questions in regards to the project. Mayor Giordano stated his concern over the proposal and the increased burden on the Township. Mr. Golden addressed the questions and he reviewed the wild life recreation and access to the site. It was stated that although they may not have the answers, this evening, to some of the questions; they can provide the answers. Mr. Golden continued to address the value of the project.

Mr. Crans spoke about mosquito control and the resources and programs available. Mayor Giordano expressed his concerns about the impact of the project and Mr. Golden stated that they have modified projects in the past in response to concerns raised, while still carrying out their mission.

The meeting was opened to the public.

Ed Smith asked if a topographical map has been submitted. He questioned the adaptive management, the wetlands mitigation, the wetlands restoration, and the funding. Mr. Golden addressed the questions and he reviewed the evaluation of properties that apply to the State and the criteria.

Juanita Barna prepared a presentation, in opposition to the project, that she read into the record.

Mr. Golden addressed the questions regarding DEP and Fish and Wildlife funding, future projects, the maintenance of the site, and access to the site. Fencing / No-Fencing was discussed.

Vice-Chairman Engels thanked Mr. Golden and his team for coming this evening. He then listed some future follow up items: access to Alphano Road, details of the maintenance program and inspections, and the broader acquisition plan for the Township.

At 10:06 p.m. the meeting took a brief recess. The meeting resumed at 10:18 p.m.

OTHER:

Board Attorney Gold updated the Board on the status of the litigation. He stated that the Judge has not rendered a decision as of yet.

MINUTES:

The executive session minutes from the August 15, 2016 meeting were distributed.

Mr. Ulmer made the motion to adopt the minutes. Motion seconded by Mrs. Walter. Roll call vote: Ayes: Mrs. Walter, Mr. Ulmer, Mr. Norton, Mr. Cullen, and Ms. Milano

Nays: None recorded

Abstain: Mr. Kelsey, Mr. Cogle, Mr. Best, Mr. Engels, and Mr. Rafalko, who were not present at the August meeting and they are not eligible to vote on the minutes.

MEMORIALIZING RESOLUTION:

#16-004 Jonathan Beyer, Block 22, Lot 44

Board Attorney Gold briefly reviewed the Resolution, the Board Members eligible to vote on the matter, and the designation of a Board Member to sign the Resolution.

Mr. Norton made the motion to approve the Resolution and to designate Mr. Ulmer to sign the Resolution. Motion seconded by Mr. Ulmer. Roll call:

Ayes: Mrs. Walter, Mr. Ulmer, Mr. Norton, Mr. Cullen, and Ms. Milano

Nays: None recorded

Abstain: Mr. Kelsey, Mr. Cogle, Mr. Best, Mr. Engels, and Mr. Rafalko, were not present at the August meeting and they are not eligible to vote on the minutes.

OLD BUSINESS:

#11-001 Woodmont Independence LLC (formerly Bilby Estates) Block 3, Lot 6.02

Mr. Cogle stated that the Township is proceeding ahead on the matter. This matter continues to be carried on the agenda until the next meeting.

DISCUSSION:

Site Plan Committee Report

None

Ordinance Subcommittee Update

None

Ordinance Discussion

None

Master Plan Subcommittee Update

None

BILLS:

Finelli Consultants

Re: General	180.00
Re: Beyer	496.25

NJ Advanced Media

Re: Notice	11.67
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William Gold

Re: General	429.00
Re: Beyer	288.75
Re: Burd	63.00
Re: General/Litigation	948.75

Mr. Norton made the motion to approve the vouchers. Motion seconded by Mr. Ulmer. Roll call vote in favor:

Ayes: Mrs. Walter, Mr. Ulmer, Mr. Norton, Mr. Cullen, Mr. Kelsey, Mr. Cogle, Mr. Best, Mr. Engels, and Rafalko.

Nays: None recorded

Abstain: Alternate-Ms. Milano not eligible to vote on the Bills.

ADJOURNMENT

In a motion made and seconded the Board adjourned the meeting. Voice vote:

Ayes: Mrs. Walter, Mr. Ulmer, Mr. Norton, Mr. Cullen, Mr. Kelsey, Mr. Cogle, Mr. Best, Mr. Engels, and Rafalko.

Nays: None recorded

Abstain: Alternate-Ms. Milano

Respectfully submitted,

Alfia Schemm
Board Secretary
11/17/16