

INDEPENDENCE TOWNSHIP LAND USE BOARD

Minutes – February 12, 2018

The Independence Township Land Use Board met for a reorganization/regular meeting on Monday, February 12, 2018 in the Municipal Building on Rt. 46 in Great Meadows, NJ. Ricardo Fernandez called the meeting to order at 7:33 p.m. and he stated that the meeting is being held in accordance to 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 and Express Times.

OATH OF OFFICE: Attorney Eric Bernstein administered the oath of office to: Mr. Feula, Mr. Ulmer, Mr. Engels, Mr. Rafalko, Mr. Pennington, Mr. Best, and Mr. Cullen.

ROLL CALL:

Present:	Muriel Walter	Carmen Feula
	George Ulmer	Donald Engels
	Geoffrey Cullen	Lucy Carvino
	Robert Best	Ricardo Fernandez
	Mark Rafalko	Michael Pennington
Absent:	Glen Cogle	Melissa Milano
	James Kelsey	
Also Present:	Eric Bernstein, Esq.	Kevin Smith, P.E.

REORGANIZATION:

Nominations for Chairman

Attorney Bernstein called for nominations for Chairman. Mrs. Walter made the motion to nominate Ricardo Fernandez as Chairman. Motion seconded by Mr. Ulmer. Mr. Best made the motion to close the nominations. Motion seconded by Mr. Ulmer. In a voice vote, the nominations were closed. Roll call vote:

Ayes: Mrs. Walter, Mr. Engels, Mr. Pennington, Mr. Ulmer, Mr. Best, Mr. Feula,
Mr. Cullen, Mr. Rafalko, and Mr. Fernandez
Nays: None recorded
Abstain: Not eligible - Ms. Carvino, Alt# 4

Nominations for Vice Chairman

Mr. Fernandez called for nominations for Vice Chairman. Mr. Feula made the motion to nominate Donald Engels as Vice-Chairman. Motion seconded by Mrs. Walter. With there being no other nominations, the nominations were closed. Roll call vote:

Ayes: Mrs. Walter, Mr. Engels, Mr. Pennington, Mr. Ulmer, Mr. Best, Mr. Feula,
Mr. Cullen, Mr. Rafalko, and Mr. Fernandez
Nays: None recorded
Abstain: Not eligible - Ms. Carvino, Alt# 4

Appointment of Board Professionals:

Chairman Fernandez noted that Eric Bernstein was retained, as the Board Attorney, at the Board's November meeting.

Mrs. Walter acknowledged the appointment of Eric Bernstein, as the Board Attorney, and she made the motion to appoint Kevin Smith, of Finelli Engineering as the Board Engineer; and David Banisch, of Banisch and Associates as the Board Planner. Motion seconded by Mr. Ulmer. Roll call vote: Ayes: Mrs. Walter, Mr. Engels, Mr. Pennington, Mr. Ulmer, Mr. Best, Mr. Feula,
Mr. Cullen, Mr. Rafalko, and Mr. Fernandez

Nays: None recorded
Abstain: Not eligible - Ms. Carvino, Alt# 4

Appointment of Board Secretary:

Mr. Ulmer made the motion to appoint Alfia Schemm as the Board Secretary. Motion seconded by Mrs. Walter. Roll call vote:

Ayes: Mrs. Walter, Mr. Engels, Mr. Pennington, Mr. Ulmer, Mr. Best, Mr. Feula,
Mr. Cullen, Mr. Rafalko, and Mr. Fernandez
Nays: None recorded
Abstain: Not eligible - Ms. Carvino, Alt# 4

Annual Meeting Resolution:

Mr. Feula made the motion to adopt the Annual Meeting Resolution. Motion seconded by Mr. Ulmer. Roll call vote:

Ayes: Mrs. Walter, Mr. Engels, Mr. Pennington, Mr. Ulmer, Mr. Best, Mr. Feula,
Mr. Cullen, Mr. Rafalko, and Mr. Fernandez
Nays: None recorded
Abstain: Not eligible - Ms. Carvino, Alt# 4

Adoption of the Professionals Resolution:

Chairman Fernandez noted a typographical error with the appointment of the Board Attorney and he made the motion to adopt the Resolution, as amended. Motion seconded by Mr. Ulmer. Roll call vote:

Ayes: Mrs. Walter, Mr. Engels, Mr. Pennington, Mr. Ulmer, Mr. Best, Mr. Feula,
Mr. Cullen, Mr. Rafalko, and Mr. Fernandez
Nays: None recorded
Abstain: Not eligible - Ms. Carvino, Alt# 4

Rules and Regulations:

Mr. Feula made the motion to adopt the Rules and Regulations. Motion seconded by Mr. Ulmer. Roll call vote:

Ayes: Mrs. Walter, Mr. Engels, Mr. Pennington, Mr. Ulmer, Mr. Best, Mr. Feula,
Mr. Cullen, Mr. Rafalko, and Mr. Fernandez
Nays: None recorded
Abstain: Not eligible - Ms. Carvino, Alt# 4

MINUTES:

The minutes from the November 20, 2017 meeting were distributed prior to the meeting. Mr. Feula made the motion to adopt the minutes. Motion seconded by Mr. Ulmer. Roll call vote:

Ayes: Mr. Engels, Mr. Ulmer, Mr. Best, Mr. Feula, Ms. Carvino, Mr. Cullen, Mr.
Rafalko, and Mr. Fernandez
Nays: None recorded
Abstain: Mr. Pennington, and Mrs. Walter, who were not present at the November
meeting and are not eligible to vote on the minutes.

OPEN TO THE PUBLIC:

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

OTHER BUSINESS:

Land Use Committee-Affordable Housing

Chairman Fernandez stated that he believes that Board Planner Banisch will have an Affordable Housing update for the next meeting.

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

Deferred .

DISCUSSION:

Budget for 2018

The Board reviewed the 2017 budgeted line items and they discussed whether there were any recommended changes for 2018.

Chairman Fernandez made the motion to recommend, for 2018, the same budgeted line items, as approved for 2017. Motion seconded by Mr. Cullen. Roll call vote:

Ayes: Mrs. Walter, Mr. Engels, Mr. Pennington, Mr. Ulmer, Mr. Best, Mr. Feula,
Mr. Cullen, Mr. Rafalko, and Mr. Fernandez

Nays: None recorded

Abstain: Not eligible - Ms. Carvino, Alt# 4

Site Plan Subcommittee

Chairman Fernandez asked who are the Board Members sitting on this Committee. Board Secretary Schemm stated that she will review the prior minutes.

Ordinance Subcommittee

Mr. Engels asked if the Township would want to consider other Redevelopment areas. Chairman Fernandez suggested establishing a Redevelopment Subcommittee. Mr. Feula, Mr. Cullen and Mr. Rafalko agreed to remain on the Ordinance Committee.

Redevelopment Subcommittee

Mr. Pennington, Mr. Feula, and Mr. Engels agreed to sit on the Redevelopment Committee.

Master Plan Subcommittee

None

Other

Mr. Feula stated his concern over the nullification by the Legislature of the Highland Preservation Zone septic density regulation, which was discussed by the Board. It was suggested that strongly worded correspondence be drafted and sent out urging a reconsideration.

Mr. Feula made the motion to authorize the Board Attorney to draft a letter to be sent to the Legislators, voicing the Land Use Board's disapproval with the nullification of the less dense septic regulation. Motion seconded by Mr. Best. Roll call vote:

Ayes: Mrs. Walter, Mr. Engels, Mr. Pennington, Mr. Ulmer, Mr. Best, Mr. Feula,
Mr. Cullen, Mr. Rafalko, and Mr. Fernandez

Nays: None recorded

Abstain: Not eligible - Ms. Carvino, Alt# 4

Board Attorney Bernstein stated that he will prepare a draft Resolution for the Board's consideration.

Mr. Best questioned the expiration of development approvals, which was briefly discussed.

Board Secretary Schemm stated that looking back in the minutes, the Site Plan Subcommittee consisted of: Mr. Fernandez, Mr. Saville, and Mr. Engels. It was agreed that this matter would be revisited at the next meeting.

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

Mr. Best questioned the status of this project and whether it is concluded, which was discussed with the Board.

Cellular Tower

Ms. Carvino questioned the status of the Cell Tower being constructed on the Township Property. Mr. Pennington stated that the Township will be getting an update on the matter tomorrow night.

BILLS:

	<u>NJPO</u>	
Re: Dues		325.00
	<u>Finelli Consultants</u>	
Re: Woodmont		891.25
Re: Woodmont		4153.75
	<u>William Gold</u>	
Re: General		247.50
	<u>Star Gazette/Express Times</u>	
Re: Notice		12.34
Re: Notice		12.34
Re: Notice		82.40

Mr. Engels made the motion to approve the vouchers. Motion seconded by Mr. Cullen. Roll call vote: Ayes: Mrs. Walter, Mr. Engels, Mr. Pennington, Mr. Ulmer, Mr. Best, Mr. Feula, Mr. Cullen, Mr. Rafalko, and Mr. Fernandez
 Nays: None recorded
 Abstain: Not eligible - Ms. Carvino, Alt# 4

ADJOURNMENT

In a motion made and seconded the Board adjourned the meeting at 8:23 p.m. Voice vote:
 Ayes: Mrs. Walter, Mr. Engels, Mr. Pennington, Mr. Ulmer, Mr. Best, Mr. Feula, Mr. Cullen, Mr. Rafalko, and Mr. Fernandez
 Nays: None recorded
 Abstain: Not eligible - Ms. Carvino, Alt# 4

Respectfully submitted,

Alfia Schemm
 Board Secretary
 3/19/18