

INDEPENDENCE TOWNSHIP LAND USE BOARD

Minutes – March 19, 2018

The Independence Township Land Use Board met for a regular meeting on Monday, March 19, 2018 in the Municipal Building on Rt. 46 in Great Meadows, NJ. Chairman Fernandez called the meeting to order at 7:31 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: Board Attorney Bernstein administered the oath of office to Mr. Cogle.

ROLL CALL:

Present:	Muriel Walter	Carmen Feula
	George Ulmer	Donald Engels
	Geoffrey Cullen	Lucy Carvino
	Robert Best	Ricardo Fernandez
	Mark Rafalko	Michael Pennington
	Glen Cogle	Melissa Milano
	James Kelsey	

Also Present: Eric Bernstein, Esq. David Banisch, PP

MINUTES:

The minutes from the February 12, 2018 meeting were distributed prior to the meeting. Mrs. Walter noted a correction in the minutes, where she made the motion to elect Mr. Fernandez as the Chairman.

Mr. Ulmer made the motion to adopt the minutes as amended. Motion seconded by Mr. Cullen. Roll call vote:

Ayes: Mr. Pennington, Mrs. Walter, Mr. Engels, Mr. Ulmer, Mr. Best, Mr. Feula, Ms. Carvino, Mr. Cullen, Mr. Rafalko, and Mr. Fernandez
Nays: None recorded
Abstain: Ms. Milano, Mr. Cogle, and Mr. Kelsey, who were not present at the February 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.

PUBLIC HEARING:

Housing Element and Fair Share Plan

Board Planner Banisch presented the Housing Element and Fair Share Plan and the Township's obligation, which was discussed with the Board, at great length.

Mr. Cogle made the motion to open the hearing to the public. Motion seconded by Mr. Kelsey. Discussion on the motion: Mr. Ulmer noted an address correction. Board Planner Banisch stated that the address information is in the deed and not in the Element. In a voice vote:

Ayes: Mr. Pennington, Mrs. Walter, Mr. Engels, Mr. Ulmer, Mr. Best, Mr. Feula, Mr. Kelsey, Mr. Cogle, and Mr. Fernandez
Nays: None recorded
Abstain: Mr. Cullen, Ms. Milano, Ms. Carvino, and Mr. Rafalko, who are Alternates, this evening.

With there being no public comment, Mr. Cogle made the motion to close the hearing to the public. Motion seconded by Mr. Kelsey. In a voice vote:

Ayes: Mr. Pennington, Mrs. Walter, Mr. Engels, Mr. Ulmer, Mr. Best, Mr. Feula, Mr. Kelsey, Mr. Cogle, and Mr. Fernandez

Nays: None recorded

Abstain: Mr. Cullen, Ms. Milano, Ms. Carvino, and Mr. Rafalko, who are Alternates, this evening.

Mr. Ulmer made the motion to adopt the Housing Element and Fair Share Plan and the Resolution. Motion seconded by Mr. Cogle. Roll call vote:

Ayes: Mr. Pennington, Mrs. Walter, Mr. Engels, Mr. Ulmer, Mr. Best, Mr. Feula, Mr. Kelsey, Mr. Cogle, and Mr. Fernandez

Nays: None recorded

Abstain: Mr. Cullen, Ms. Milano, Ms. Carvino, and Mr. Rafalko, who are Alternates, this evening

OTHER BUSINESS:

Land Use Committee-Affordable Housing Ordinances

Board Attorney Bernstein asked if there are any compliance Affordable Housing Ordinances that need to be addressed by the Board at this time. It was noted that the Board may have to review an Ordinance in the future.

Build Out Analysis

Chairman Fernandez asked if Board Planner Banisch can revisit the Build Out Analysis.

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

Mr. Cogle updated the Board and he stated that "plantings" should be planted in the Spring and he will continue to keep the Board updated.

Senate Bill 3233

Board Attorney Bernstein reviewed the modifications to the law requiring certain items to be changed in the checklists and additional requirements pertaining to Performance and Maintenance guarantees that will need to be done by the Township Committee.

RESOLUTIONS:

Highlands Preservation Zone Resolution

Mr. Feula stated that he shared the proposed Resolution with the Mayor and it was recommended that the Board adopt it.

Mr. Feula made the motion to adopt the Resolution. Motion seconded by Mrs. Walter. Roll call vote:

Ayes: Mr. Pennington, Mrs. Walter, Mr. Engels, Mr. Ulmer, Mr. Best, Mr. Feula, Mr. Kelsey, Mr. Cogle, and Mr. Fernandez

Nays: None recorded

Abstain: Mr. Cullen, Ms. Milano, Ms. Carvino, and Mr. Rafalko, who are Alternates, this evening

Board Attorney Bernstein stated that the Resolution will be distributed once the Board Secretary fills in this evening's vote.

DISCUSSION:

Other:

Mr. Ulmer reviewed the concerns that have been raised regarding the proposed Route 46 Barrier Wall in Knowlton and Hardwick Township.

Mr. Ulmer made the motion to have the Board adopt a Resolution supporting the Townships of Knowlton and Hardwick in their opposition of the Route 46 Barrier Wall. Motion seconded by Mr. Best. Roll call vote:

Ayes: Mr. Pennington, Mrs. Walter, Mr. Engels, Mr. Ulmer, Mr. Best, Mr. Feula, Mr. Kelsey, Mr. Cogle, and Mr. Fernandez

Nays: None recorded

Abstain: Mr. Cullen, Ms. Milano, Ms. Carvino, and Mr. Rafalko, who are Alternates, this evening

Board Attorney Bernstein asked that the Board Secretary contact Hardwick and Knowlton to see if they have a Resolution that can be used as a template.

Budget

Mr. Cogle asked if the Board budgeted for a Master Plan Reexamination, as one may be due. The Board discussed the time frame to adopt a Reexamination.

Cellular Tower

Mrs. Walter questioned the status of the Cellular Tower. Mr. Cogle stated that the Township is working on it.

Site Plan Subcommittee (Fernandez, Saville, Engels)

Chairman Fernandez asked if anyone would like to sit on the Site Plan subcommittee. With there being no volunteers, this matter was deferred until the next month.

Ordinance Subcommittee (Feula, Cullen and Rafalko)

None

Redevelopment Subcommittee (Pennington, Feula, Engels)

None

Master Plan Subcommittee

None

BILLS:

Finelli Consultants

Re: Top of the Hill	115.00
Re: General	115.00
Re: Woodmont	977.50

Advanced Media

Re: Notice	161.40
Re: Notice	133.75

Eric Bernstein

Re: General	180.00
-------------	--------

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

Ayes: Mr. Pennington, Mrs. Walter, Mr. Engels, Mr. Ulmer, Mr. Best, Mr. Feula,
Mr. Kelsey, Mr. Cogle and Mr. Fernandez

Nays: None recorded

Abstain: Mr. Cullen, Ms. Milano, Ms. Carvino, and Mr. Rafalko, who are Alternates,
this evening

ADJOURNMENT

In a motion made and seconded the Board adjourned the meeting at 9:15 p.m. Voice vote:

Ayes: Mr. Pennington, Mrs. Walter, Mr. Engels, Mr. Ulmer, Mr. Best, Mr. Feula,
Mr. Kelsey, Mr. Cogle, and Mr. Fernandez

Nays: None recorded

Abstain: Mr. Cullen, Ms. Milano, Ms. Carvino, and Mr. Rafalko, who are Alternates,
this evening

Respectfully submitted,

Alfia Schemm
Board Secretary
4/9/18