

# INDEPENDENCE TOWNSHIP LAND USE BOARD

Minutes – January 13, 2020

The Independence Township Land Use Board met for a reorganization/regular meeting on Monday, January 13, 2020 in the Municipal Building on Rt. 46 in Great Meadows, NJ. Eric Bernstein, Esq. called the meeting to order at 7:30 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. Ulmer and Mr. Fernandez.

## **ROLL CALL:**

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

## **REORGANIZATION:**

### **Nominations for Chairman**

Attorney Bernstein called for nominations for Chairman. Mr. Feula made the motion to nominate Ricardo Fernandez as Chairman. Motion seconded by Mr. Ulmer. Mr. Cullen made the motion to close the nominations. Motion seconded by Ms. Carvino. In a voice vote, all were in favor of closing the nominations. Roll call vote for nomination of Mr. Fernandez as Chairman:

Ayes: Mr. Engels, Mr. Ulmer, Mr. Feula, Mr. Kelsey, Mr. Cullen, Ms. Carvino, Mr. Neumann, and Mr. Fernandez

Nays: None recorded

Abstain: None recorded

### **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 Mr. Ulmer. With there being no other nominations, Mr. Cullen made the motion to close the nominations. Motion seconded by Mr. Kelsey. In a voice vote, all were in favor, of closing the nominations. Roll call vote for nomination of Mr. Engels as Vice Chairman:

Ayes: Mr. Engels, Mr. Ulmer, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Neumann, Ms. Carvino, and Mr. Fernandez

Nays: None recorded

Abstain: None recorded

### **Appointment of Board Professionals/Adoption of Resolution:**

Mr. Ulmer made the motion to appoint Eric Bernstein of Bernstein & Associates, as the Board Attorney; Michael Finelli, of Finelli Engineering as the Board Engineer; and David Banisch, of Banisch and Associates as the Board Planner. Motion seconded by Mr. Cullen. Roll call vote:

Ayes: Mr. Engels, Mr. Ulmer, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Neumann,  
Ms. Carvino, and Mr. Fernandez  
Nays: None recorded  
Abstain: None recorded

**Appointment of Board Secretary:**

Mr. Kelsey made the motion to appoint Alfia Schemm as the Board Secretary. Motion seconded by Mr. Cullen. Roll call vote:

Ayes: Mr. Engels, Mr. Ulmer, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Neumann,  
Ms. Carvino, and Mr. Fernandez  
Nays: None recorded  
Abstain: None recorded

**Annual Meeting Resolution:**

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

Ayes: Mr. Engels, Mr. Ulmer, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Neumann,  
Ms. Carvino, and Mr. Fernandez  
Nays: None recorded  
Abstain: None recorded

**Rules and Regulations:**

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

Ayes: Mr. Engels, Mr. Ulmer, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Neumann,  
Ms. Carvino, and Mr. Fernandez  
Nays: None recorded  
Abstain: None recorded

**MINUTES:**

The minutes from the October 21, 2019 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. Ulmer, Mr. Feula, Mr. Kelsey, Mr. Neumann, Ms. Carvino, and Mr.  
Fernandez  
Nays: None recorded  
Abstain: Mr. Cullen and Mr. Engels.

**OPEN TO THE PUBLIC:**

Chairman Fernandez opened the meeting to the public, for non-agenda items. With there being no public, Chairman Fernandez made the motion to close meeting to the public.

**RESOLUTIONS:**

**#13-003 Pio Costa Enterprises, Block 21, Lot 38**

Board Attorney Bernstein noted a correction in the header of the Resolution. Mr. Neumann made the motion to adopt the Resolution, as corrected. Motion seconded by Mr. Ulmer. Roll call vote:

Ayes: Mr. Ulmer, Mr. Feula, Mr. Kelsey, Mr. Neumann, and Ms. Carvino.  
Nays: None recorded  
Abstain: Mr. Cullen, Mr. Engels, and Mr. Fernandez

**NEW BUSINESS:**

**#19-002 Pio Costa Enterprises, Block 21, Lot 38-Completeness-Solar Application**

Kevin Krystopik, Esq., Frank Matarazzo, and Carmen Pio Costa were present. Board Engineer Finelli reviewed his completeness report on the bifurcated application, along with the concerns raised by Board Planner Banisch, which were discussed with the Applicants. The Applicant addressed the possible resubmission and the scheduling for completeness and a hearing.

Mr. Cullen made the motion to deem the application incomplete and to authorize the scheduling of a hearing, once the application is deemed administratively complete, by the Board Professionals. Motion seconded by Mr. Ulmer. Roll call vote:

Ayes: Mr. Engels, Mr. Ulmer, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Neumann, Ms. Carvino, and Mr. Fernandez

Nays: None recorded

Abstain: None recorded

**DISCUSSION:**

**Build Out Analysis**

Chairman Fernandez stated that he will be requesting the Build Out Analysis from Board Planner Banisch.

**Budget for 2020**

The Board reviewed the 2019 budgeted line items and they discussed whether there were any recommended changes for 2020 and getting estimates, for the Master Plan, from the Board Professionals. The Board discussed the Board obligations. Board Engineer Finelli stated that he will reach out to Board Planner Banisch to get a Master Plan estimate, as soon as possible and prior to the next meeting.

**Site Plan Subcommittee (Feula, Neumann, Engels)**

None

**Ordinance Subcommittee (Feula, Cullen, Rafalko)**

None

**Redevelopment Subcommittee (Pennington, Feula, Engels)**

Mr. Engels suggested meeting as a subcommittee when a Land Use Board meeting is canceled.

**Master Plan Subcommittee Update**

None

**Other**

Mr. Feula briefly discussed his attendance at a Farmland Bureau meeting. He also introduced a member of the public, who is interested, in serving the Township.

Mr. Ulmer briefly discussed Soil Conservation and the merger of both the Warren and Sussex County Soil Conservation Boards.

**BILLS:**

**Eric Bernstein**

Re: General	300.00
Re: Coladarci	1245.00
Re: Woodmont	45.00

Re: Pio Costa	60.00
Re: Pio Costa	270.00
<b><u>NJPO</u></b>	
Re: Dues	325.00
<b><u>Finelli Consulting</u></b>	
Re: Woodmont	855.00
Re: Woodmont	65.00
Re: Woodmont	1422.50
Re: Pio Costa	65.00
Re: Pio Costa	32.50
Re: Coladarci	97.50
Re: General	260.00

Mr. Ulmer made the motion to approve the bills. Motion seconded by Mr. Neumann. Roll call vote: Ayes: Mr. Engels, Mr. Ulmer, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Neumann, Ms. Carvino, and Mr. Fernandez  
Nays: None recorded  
Abstain: None recorded

**ADJOURNMENT**

In a motion made and seconded the Board adjourned the meeting at 8:38 p.m. Voice vote:  
Ayes: Mr. Engels, Mr. Ulmer, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Neumann, Ms. Carvino, and Mr. Fernandez  
Nays: None recorded  
Abstain: None recorded

Respectfully submitted,

Alfia Schemm  
Board Secretary  
4/30/20