

# INDEPENDENCE TOWNSHIP LAND USE BOARD

Minutes – January 10, 2022

The Independence Township Land Use Board met for a reorganization/regular meeting on Monday, January 10, 2022 via Zoom. Mr. Fernandez 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 NJ Herald and the Express Times-NJ Zone Edition.

**OATH OF OFFICE:** Attorney Dominic DiYanni administered the oath of office to: Mrs. Kelsey, Mr. Engels, Mr. Rafalko, Ms. Milano, and Mr. Cogle.

## **ROLL CALL:**

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

## **REORGANIZATION:**

### **Nominations for Chairman**

Attorney DiYanni called for nominations for Chairman. Mr. Cullen made the motion to nominate Ricardo Fernandez as Chairman. Motion seconded by Mr. Feula. Mr. Cogle made the motion to close the nominations. Motion seconded by Ms. Kelsey. 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. Cogle, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Rafalko, Ms. Milano, Ms. Kelsey, and Mr. Fernandez

Nays: None recorded

Abstain: Alt #3 Ms. Carvino and Alt #4 Mr. Neumann

### **Nominations for Vice Chairman**

Attorney DiYanni called for nominations for Vice Chairman. Mr. Feula made the motion to nominate Donald Engels as Vice-Chairman. Motion seconded by Chairman Fernandez. With there being no other nominations, Mr. Cogle made the motion to close the nominations. Motion seconded by Mr. Feula. 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. Cogle, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Rafalko, Ms. Milano, Ms. Kelsey, and Mr. Fernandez

Nays: None recorded

Abstain: Alt #3 Ms. Carvino and Alt #4 Mr. Neumann

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

Mr. Feula 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. Cogle. Roll call vote:

Ayes: Mr. Engels, Mr. Cogle, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Rafalko, Ms. Milano, Ms. Kelsey, and Mr. Fernandez

Nays: None recorded

Abstain: Alt #3 Ms. Carvino and Alt #4 Mr. Neumann

**Appointment of Board Secretary:**

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

Ayes: Mr. Engels, Mr. Cogle, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Rafalko, Ms. Milano, Ms. Kelsey, and Mr. Fernandez

Nays: None recorded

Abstain: Alt #3 Ms. Carvino and Alt #4 Mr. Neumann

**Annual Meeting Resolution:**

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

Ayes: Mr. Engels, Mr. Cogle, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Rafalko, Ms. Milano, Ms. Kelsey, and Mr. Fernandez

Nays: None recorded

Abstain: Alt #3 Ms. Carvino and Alt #4 Mr. Neumann

**Rules and Regulations:**

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

Ayes: Mr. Engels, Mr. Cogle, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Rafalko, Ms. Milano, Ms. Kelsey, and Mr. Fernandez

Nays: None recorded

Abstain: Alt #3 Ms. Carvino and Alt #4 Mr. Neumann

**MINUTES:**

The minutes from the November 15, 2021 meeting were distributed prior to the meeting. Mr. Engels made the motion to adopt the minutes. Motion seconded by Ms. Carvino. Roll call vote:

Ayes: Mr. Engels, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Rafalko, Ms. Carvino, and Ms. Kelsey

Nays: None recorded

Abstain: Mr. Cogle, Mr. Fernandez, Ms. Milano, and Mr. Neumann.

**OPEN TO THE PUBLIC:**

Chairman Fernandez opened the meeting to the public, for non-agenda items. With there being no public, Mr. Cogle made the motion to close meeting to the public. Motion seconded by Mr. Cullen. Roll call vote:

Ayes: Mr. Engels, Mr. Cogle, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Rafalko, Ms. Milano, Ms. Kelsey, and Mr. Fernandez

Nays: None recorded

Abstain: Alt #3 Ms. Carvino and Alt #4 Mr. Neumann

**OTHER BUSINESS:**

**Land Use Committee-Highlands/Affordable Housing-Deferred**

**Master Plan Discussion-Deferred**

**Checklists-Deferred**

**RESOLUTIONS:**

**#21-002 Naomi Rapp (Omi's Coffee House Trailer), Block 11, Lot 34**

Attorney DiYanni reviewed the draft Resolution. Ms. Kelsey stated that it is her recollection that the Board agreed to Monday - Friday as days of operation and she "may" operate instead of "can".

Mr. Engels made the motion to adopt the Resolution as amended. Motion seconded by Ms. Kelsey. Roll call vote:

Ayes: Mr. Engels, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Rafalko, Ms. Carvino, and Ms. Kelsey

Nays: None recorded

Abstain: Mr. Cogle, Mr. Fernandez, Ms. Milano, and Mr. Neumann.

**DISCUSSION:**

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

None

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

None

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

None

**Master Plan Subcommittee Update (Ulmer, Feula, Rafalko)**

None

**BILLS:**

	<b>Finelli</b>	
Re: OMIS		340.00
	<b>Eric Bernstein</b>	
Re: General		330.00

Ms. Kelsey made the motion to approve the bills. Motion seconded by Chairman Fernandez. Roll call vote:

Ayes: Mr. Engels, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Rafalko, Ms. Milano, Ms. Kelsey, and Mr. Fernandez

Nays: None recorded

Abstain: Mr. Cogle, Alt #3 Ms. Carvino and Alt #4 Mr. Neumann

**OTHER:**

Ms. Milano stated her concern over the brightness of the Township digital sign, which the Board discussed. The Board Secretary will communicate with the Township Clerk.

The Board discussed the scheduling of the February meeting and it was agreed to continue to Zoom for February due to the COVID spike.

**ADJOURNMENT**

In a motion made and seconded the Board adjourned the meeting at 8:10 p.m. Voice vote:

Ayes: Mr. Engels, Mr. Cogle, Mr. Feula, Mr. Kelsey, Mr. Cullen, Mr. Rafalko, Ms. Milano, Ms. Kelsey, and Mr. Fernandez  
Nays: None recorded  
Abstain: Alt #3 Ms. Carvino and Alt #4 Mr. Neumann

Respectfully submitted,

Alfia Schemm  
Board Secretary  
2/10/22