



MUNICIPAL LAND USE BOARD
EMERSON, NEW JERSEY
MAY 6, 2010

This meeting of the Municipal Land Use Board was held in the Municipal Building on Thursday, May 6, 2010. Mr. Bischoff opened the meeting at 8:00 PM, and invited Mayor Lamatina to lead the assembly in the Pledge of Allegiance.

In compliance with the Open Public Meetings Act, the clerk has notified all officially published newspapers of this meeting, and notice has been posted in the Municipal Office. In case of a fire, follow the Fire Exit signs above the doors to your right and left in the Council Chambers, and please exit calmly.

REORGANIZATION OF THE MUNICIPAL LAND USE BOARD:

BOARD SECRETARY: A motion was made to appoint Barbara Looney as Board Secretary by Councilman Bair, seconded by Ms. DiPaola, and carried, with all members voting in the affirmative, none opposed.

CHAIRPERSON OF THE BOARD: Mr. Martin requested a nomination for Chairperson of the Board. Councilman Bair nominated Mr. Bischoff, seconded by Ms. DiPaola, and carried. With no other nominations, a motion was made to close the nominations by Mayor Lamatina, seconded by Ms. DiPaola, and carried, with all members voting in the affirmative, none opposed.

VICE CHAIRPERSON OF THE BOARD: Chairman Bischoff requested a nomination for Vice Chairperson of the Board. Councilman Bair nominated Ms. DiPaola, seconded by Mr. Orecchio, and carried. With no other nominations, a motion was made to close the nominations by Mr. Schwinder, seconded by Mayor Lamatina, and carried, with all members voting in the affirmative, none opposed.

BOARD ATTORNEY: A motion was made to appoint Mr. Christopher Martin as Board Attorney by Chairman Bischoff, seconded by Ms. DiPaola, and carried, with all members voting in the affirmative, none opposed.

BOARD ENGINEER: A motion was made to appoint Mr. Paul Niehoff of Maser Consulting as Board Engineer by Chairman Bischoff, seconded by Mayor Lamatina, and carried, with all members voting in the affirmative, none opposed, with Councilman Bair abstaining.

ROLL CALL:

Councilman Steven Bair – Present
Chairman Jeff Bischoff – Present
Mr. Tom Callagee – Present
Ms. Danielle DiPaola – Present
Mr. Gary Goursky – Absent
Mr. Brian Lacey – Present
Mayor Lou Lamatina – Present
Mr. Christopher Leins – Absent
Mr. Tommy Monahan – Present

Mr. Mark Orecchio – Present
 Mrs. Germaine Ortiz – Present
 Mr. Gary Schwinder – Present
 Mr. Christopher Martin – Present
 Mrs. Barbara Looney – Present
 Mr. Michael Sartori – Construction / Zoning Officer – Absent – attendance not requested
 Mr. Paul Niehoff – Borough Engineer – Absent – attendance not requested
 Mr. Joe Solimando – Absent – attendance not requested

MINUTES:

A motion was made to approve the minutes for the meeting held on April 1, 2010 by Mr. Schwinder, seconded by Councilman Bair, and carried.

CORRESPONDENCE:

- Memo from Maser Consulting – dated 4/5/10 – Re: 200 KMACK Properties
- Memo from Maser Consulting – dated 4/7/10 – Re: Aramini
- Memos from Carol Dray – dated 4/8/10 – Re: Appointments of Brian Lacey and Thomas Monahan
- Memo from Maser Consulting – dated 4/13/10 – Re: 58 Kinderkamack, LLC
- Memo from Kaufman, Bern, Deutsch & Leibman – dated 4/19/10 – Re: Stavrou Family
- Borough of Emerson Adopted Ordinance # 1396-10 – dated 4/6/10 – Dissolving the Board of Adjustment
- Flyer from New Jersey Planning Officials – Re: Affordable Housing Conference 4/23/10

VOUCHERS:

- \$2,478.75 – Maser Consulting – Re: Grand Investments IV, LLC
- 580.00 – Maser Consulting – Re: MSH Management, LLC
- 72.50 – Maser Consulting – Re: Aramian soil movement
- 307.50 – Maser Consulting – Re: 31 Emerson Plaza, LLC
- 507.50 – Maser Consulting – Re: 200 KMACK Properties
- 140.21 – Maser Consulting – Re: PNC Bank
- 497.50 – Maser Consulting – Re: 58 Kinderkamack Road, LLC
- 397.50 – Maser Consulting – Re: Pascack Valley Shopping Center
- 72.50 – Maser Consulting – Re: Turn Key Laundromat
- 275.00 – Morrison Mahoney – Re: Metro PCS New York
- 1,000.00 – Morrison Mahoney – 2nd quarter retainer
- 225.00 – Morrison Mahoney – Re: Aramini
- 122.58 – Morrison Mahoney – Re: Grand Investments, IV, LLC
- 20.79 – North Jersey Media – Re: Mullins (legal ad)

A motion was made to approve these vouchers by Councilman Bair, seconded by Mayor Lamatina, and carried.

GINA DONUTS INC – DUNKIN DONUTS – SHOPRITE PLAZA – SIGN APPLICATION

Mr. Scott Mooney was present and is representing the applicant. Proof of notice was submitted, reviewed, and deemed complete by Mr. Martin. Mr. Mooney stated the applicant is here this evening to reinstall a sign 45 square feet, which was removed due to the facade being replaced at the shopping center. The sign was originally installed in 2003 and permits were obtained.

A motion was made to open public session by Councilman Bair, seconded by Mr. Orecchio, and carried, with no comments.

A motion was made to close public session by Mr. Schwinder, seconded by Mrs. Ortiz, and carried.

A motion was made to approve the sign application by Mayor Lamatina, seconded by Mr. Orecchio, and carried. Roll call vote as follows:

Mrs. Ortiz – yes
 Mr. Schwinder – yes
 Mr. Callagee – yes
 Ms. DiPaola – yes
 Councilman Bair – yes
 Mr. Monahan – yes
 Mr. Lacey – yes
 Mr. Orecchio – yes
 Mayor Lamatina – yes
 Chairman Bischoff – yes

Mr. Mooney thanked the Board for their time and consideration. Mr. Martin will prepare a Resolution for our next meeting.

200 KMACK PROPERTIES – 200 KINDERKAMACK ROAD – CONTINUED

A motion was made to continue the application by Councilman Bair, seconded by Ms. DiPaola, and carried, with all members voting in the affirmative, none opposed.

ANY BOARD MEMBER:

Chairman Bischoff advised the Board that he would like to form a Site Plan Committee to visit properties and take photographs – Mr. Lacey, Mr. Monahan, and Mr. Schwinder agreed to serve on this committee along with Chairman Bischoff.

Mayor Lamatina stated the Puddingstone Group has backed out of the contract with Dr. Carunchio with regard to 129 Kinderkamack Road. Mr. Schwinder expressed his concerns with an “all night” convenience store and the element it may bring.

GOOD AND WELFARE:

A motion was made to open public session by Mayor Lamatina, seconded by Mr. Schwinder, and carried.

A motion was made to close public session by Ms. DiPaola, seconded by Mayor Lamatina, and carried.

ADJOURNMENT:

A motion was made to adjourn the meeting by Councilman Bair, seconded by Mr. Lacey, and carried.

Respectfully submitted,


 Barbara Looney