

**MUNICIPAL LAND USE BOARD MINUTES  
BOROUGH OF EMERSON  
JANUARY 7, 2016**

This meeting of the Emerson Land Use Board was held in the Municipal Building. Chairman Schwinder opened the meeting at 8:04 p.m. 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 Building.

**Pledge of Allegiance**

**Roll Call:**

Robert Adams	Absent
Thomas Callagee	Absent
Michael DeOrio	Present
Gary Goursky	Present
Louis Lamatina, Mayor	Present
Steven Malone	Present
Germaine Ortiz	Absent
Norman Rieger	Present
Thomas Sudano	Present
Vincent Tripodi, Councilman	Present
Gary Schwinder, Chairman	Present
Christopher Martin, MLUB Attorney	Present
Gary Ascolese, MLUB Engineer	Present
Bridgette Bogart, Borough Planner	Not Requested
Michael Sartori, CCO/Zoning	Not Requested
Joseph Solimando, DPW Superintendent	Not Requested
Robert Hoffmann, Borough Admin.	Not Requested
Kristi Giambona, Secretary	Present

**2016 REORGANIZATION**

Mr. Steven Malone was sworn in by Mayor Lamatina for a two-year term and by roll call vote as follows:

Mr. Goursky	Yes
Mr. Malone	Yes
Mr. DeOrio	Yes
Mr. Rieger	Yes
Mr. Sudano	Yes
Councilman Tripodi	Yes
Mayor Lamatina	Yes
Chairman Schwinder	Yes

A motion to appoint Mr. Gary Schwinder as the **Land Use Board Chairman** was made by Mr. Goursky, seconded by Councilman Tripodi. As there were no other nominations, the nomination was closed on a motion from Mayor Lamatina, seconded by Councilman Tripodi and carried by a roll call vote as follows:

Mr. Goursky	Yes
Mr. Malone	Yes
Mr. DeOrio	Yes
Mr. Rieger	Yes
Mr. Sudano	Yes
Councilman Tripodi	Yes
Mayor Lamatina	Yes
Chairman Schwinder	Yes

The meeting was now turned over to Mr. Gary Schwinder, Land Use Board Chairman from Mr. Christopher Martin, Land Use Board Attorney.

A motion to re-appoint Mrs. Kristi Giambona as the **Land Use Board Secretary** was made by Councilman Tripodi, seconded by Mr. Goursky. As there were no other nominations, the nomination was closed on a motion from Councilman Tripodi, seconded by Mr. Sudano and carried by a roll call vote as follows:

Mr. Goursky	Yes
Mr. Malone	Yes
Mr. DeOrio	Yes
Mr. Rieger	Yes
Mr. Sudano	Yes
Councilman Tripodi	Yes

Mayor Lamatina	Yes
Chairman Schwinder	Yes

A motion to re-appoint Gary Ascolese of Boswell Engineering as the **Land Use Board Engineer** was made by Mayor Lamatina, seconded by Councilman Tripodi. As there were no other nominations, the nomination was closed on a motion from Mr. Goursky, seconded by Mr. Malone and carried by a roll call vote as follows:

Mr. Goursky	Yes
Mr. Malone	Yes
Mr. DeOrio	Yes
Mr. Rieger	Yes
Mr. Sudano	Yes
Councilman Tripodi	Yes
Mayor Lamatina	Yes
Chairman Schwinder	Yes

A motion to re-appoint Mr. Christopher Martin of Morrison and Mahoney as the **Land Use Board Attorney** was made by Mr. Goursky, seconded by Mr. Malone. As there were no other nominations, the nomination was closed on a motion from Chairman Schwinder, seconded by Mayor Lamatina and carried by a roll call vote as follows:

Mr. Goursky	Yes
Mr. Malone	Yes
Mr. DeOrio	Yes
Mr. Rieger	Yes
Mr. Sudano	Yes
Councilman Tripodi	Yes
Mayor Lamatina	Yes
Chairman Schwinder	Yes

A motion to re-appoint Ms. Brigette Bogart of Bogart Planning and Design as the **Land Use Board Planner** was made by Chairman Schwinder, seconded by Mr. Goursky. As there were no other nominations, the nomination was closed on a motion from Chairman Schwinder, seconded by Mayor Lamatina and carried by all with a roll call vote as follows:

Mr. Goursky	Yes
Mr. Malone	Yes
Mr. DeOrio	Yes
Mr. Rieger	Yes
Mr. Sudano	Yes
Councilman Tripodi	Yes
Mayor Lamatina	Yes
Chairman Schwinder	Yes

Chairman Schwinder informed the board members that Mr. DeThomasis has resigned from the Land Use Board. Mr. DeThomasis was voted in as Vice Chairman of the board at the December 3, 2015 meeting. Chairman Schwinder requested that this matter be tabled until the next meeting.

A motion to continue with the existing Land Use Board budget until a new budget is submitted and approved was made by Mr. DeOrio, seconded by Mayor Lamatina and carried by a roll call vote as follows:

Mr. Goursky	Yes
Mr. Malone	Yes
Mr. DeOrio	Yes
Mr. Rieger	Yes
Mr. Sudano	Yes
Councilman Tripodi	Abstain
Mayor Lamatina	Abstain
Chairman Schwinder	Yes

The 2016 **Schedule of Meetings** was accepted by a motion from Mayor Lamatina, seconded by Mr. Malone and carried by all. The 2016 Land Use Board meeting schedule will be published in the Bergen Record and the Ridgewood News.

A motion to **close** the Reorganization portion of the meeting was made by Mr. Goursky and seconded by Mr. Sudano and carried by a roll call vote as follows:

Mr. Goursky	Yes
Mr. Malone	Yes
Mr. DeOrio	Yes

Mr. Rieger	Yes
Mr. Sudano	Yes
Councilman Tripodi	Yes
Mayor Lamatina	Yes
Chairman Schwinder	Yes

**Vouchers:**

The following vouchers were approved on a motion from Mr. Rieger, seconded by Mayor Lamatina, and carried by all.

- DePerto – refund of escrow - \$609.07
- Morrison Mahoney – Attorney fees - \$350.00
- Bogart Planning & Design – Master Plan - \$837.72
- Bogart Planning & Design – COAH Plan - \$797.50

**Approval of Minutes:**

The minutes from the December 3, 2015 meeting were approved on a motion from Mr. Malone, seconded by Mr. DeOrio and carried by all.

**Resolutions:**

**Bernius - 4' fence variance  
183 Palisade Avenue, Block 726, Lot 2**

The resolution was read by all and approved on a motion from Mr. Goursky, seconded by Mayor Lamatina and carried by roll call vote as follows:

Mr. Goursky	Yes
Mr. Malone	Yes
Mr. DeOrio	Yes
Mr. Rieger	Yes
Mr. Sudano	Yes
Councilman Tripodi	Yes
Mayor Lamatina	Yes
Chairman Schwinder	Yes

The resolution will be published as required, distributed and kept on file at Borough Hall.

**Home for the Armenian Aged, Inc. – Extension for Site Plan Approval  
70 Main Street, Block 702, Lots 2, 6 & 7**

The resolution was read by all and approved on a motion from Mayor Lamatina, seconded by Mr. Malone and carried by roll call vote as follows:

Mr. Goursky	Yes
Mr. Malone	Yes
Mr. DeOrio	Yes
Mr. Rieger	Yes
Mr. Sudano	Yes
Councilman Tripodi	Yes
Mayor Lamatina	Yes
Chairman Schwinder	Yes

The resolution will be published as required, distributed and kept on file at Borough Hall.

**Northern Valley Developers – Amended Resolution  
36 First Street, Block 725, Lot 4**

The resolution was read by all and approved on a motion from Mr. Goursky, seconded by Mr. Sudano and carried by roll call vote as follows:

Mr. Goursky	Yes
Mr. Malone	Yes
Mr. DeOrio	Yes
Mr. Rieger	Yes
Mr. Sudano	Yes
Councilman Tripodi	Yes
Mayor Lamatina	Yes
Chairman Schwinder	Yes

The resolution will be published as required, distributed and kept on file at Borough Hall.

**Correspondence:**

The Board Secretary read aloud an email of thanks to the board from Mr. Paul Bernius.

Chairman Schwinder handed out to the board the Proposed Budget for 2016 and there was a brief discussion.

Chairman Schwinder handed out a copy of a first reading resolution from the Town Council meeting on January 5, 2016 regarding a Review of the Borough Ordinance for Businesses with Drive-Thrus. Mr. Schwinder read aloud a paragraph from the 2015 Master Plan Amendment (sealed on December 13, 2015) regarding drive-thrus on page 3, paragraph 3C. The section stated that north of Chestnut Street and the Westwood border, west of Kinderkamack Road would be the only zone drive-thrus would be appropriate. The purpose of reviewing the Council's resolution was for the Municipal Land Use Board to affirm that the wording was consistent with the 2015 Amendment to the Master Plan. All Municipal Land Use Board members were in agreement that the Council resolution was indeed consistent with the 2015 Amendment to the Master Plan.

**The meeting's public session was opened** on a motion from Mayor Lamatina, seconded by Councilman Tripodi and carried by all. As there were no comments from the public, the public portion was closed on a motion from Mr. Goursky, seconded by Mr. Sudano and carried by all.

**Any Board Member:**

Councilman Tripodi thanked all of the Land Use Board members for all of their time, efforts and dedication.

Mayor Lamatina told all members that the RFP for Kinderkamack Road was approved and will be published in the Bergen Record on January 8, 2016.

Mr. Ascolese, Borough Engineer informed the board that NJ Transit has the county submission for the Kinderkamack Road project and should have a conclusion by the middle of the following week. Then the borough will be ready to go out to bid. Mr. Ascolese showed the board the architectural plans of the Kinderkamack Road project and led the board in a discussion of the plans.

Mr. Rieger asked if the Board Secretary could inquire with the Borough Clerk as to adding information to the Land Use Board section of the website.

**Good and Welfare:**

Mr. Martin explained that having the Mayor and a councilman on the Land Use Board is a good and consistent asset to the board.

**A motion to adjourn** was made by Mayor Lamatina, seconded by Councilman Tripodi, and carried by all.

Meeting adjourned at 9:30.

Respectfully submitted,  
Kristi Giambona, Secretary