

**MUNICIPAL LAND USE BOARD MINUTES
BOROUGH OF EMERSON
October 3, 2019**

This meeting of the Emerson Land Use Board was held in the Municipal Building. Land Use Chairman Bischoff opened the meeting at 7:30 pm. In compliance with the Open Public Meeting Act, the Clerk has notified The Record and The Ridgewood News of this meeting and notice has been posted in the Municipal Building.

Pledge of Allegiance

Roll call was taken:

Mayor DiPaola	Present
Stephanie Clark	Absent
Councilwoman Jill McGuire	Present
Chairman Jeff Bischoff	Present
Vice-Chairman Gary Schwinder	Present
Don Pierro	Arrived Late (7:55pm)
Evan Kutzin	Present
Mike Myers	Present
Bill Loschiavo	Present
Doug McKendry	Absent
Paul Hulburt	Present
Michael Timmerman	Arrived Late (7:40pm)
Mike Cimino	Present
Christopher Martin, LUB Attorney	Present
Caroline Reiter, Planner	Not Requested
David Atkinson, LUB Engineer	Not Requested
Richard, Silvia, CCO/Zoning	Not Requested
Perry Solimando, DPW Interim Super. Borough Administrator	Not Requested
Marie Shust, Secretary	Present

Chairman Bischoff asked if there were any questions or comments on the minutes of September 19th. Vice Chairman Schwinder said there were some grammar errors which he gave to Ms. Shust (bottom of page one remove 'a'; p4, add period after penalties at the end of the 3rd paragraph, in the beginning of the 8th paragraph change My. to Mr., in the 9th paragraph add "Municipal Bldg." (before birthday party). Vice Chairman Schwinder made a motion to approve the minutes with the corrections he submitted, second was offered by Mr. Myers, by roll call vote all were in favor.

Chairman Bischoff told the members they had received soil removal notifications from the County of Bergen in regard to Block 419 and 148 Ackerman Ave. He then asked Ms. Shust to read the vouchers, which were broken down as follows:

Regarding block 419

2-Sep	19-01555	Neglia Eng.	Emerson Station	\$ 750.00
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Mr. Myers made a motion to approve the voucher for payment, second was made by Mr. Kutzin.

Chairman Bischoff, Vice Chairman Schwinder, Mr. Myers, Mr. Kutzin, Mr. Loschiavo, Mr. Hulburt and Mr. Cimino voted to approve the vouchers. Due to the nature of the invoices the Mayor and Councilwoman abstained.

Additional vouchers were read

10-Sep	19-01499	North Jersey Media	Ad re 97 Seneca, Chavez Res.	\$ 51.33
27-Sep	19-01555	Neglia Eng.	156 Palisade Ave.	\$ 300.00
27-Sep	19-01555	Neglia Eng.	1 Vivian	\$ 220.98
27-Sep	19-01563	Morrison Mahoney	Review and update Ordinance recommendations	\$ 210.48
26-Sep	19-01554	North Jersey Media	Ad regarding 178 Colonial Rd.	\$ 67.61
24-Sep	19-01544	North Jersey Media	Ad regarding 178 Colonial Rd.	\$ 103.95
				\$ 954.35

Mayor DiPaola asked for an explanation for the invoice from Morrison Mahoney in regard to review and update of Ordinance recommendations. Mr. Martin replied that before the decision had been made by the Governing Body to have the entire Code book brought up to date, his office was asked to update the walks and curbs. After he had started the update, the decision to review the entire codebook was made. His office was asked to complete their review and recommendations, since so much work had already been done by them.

Mayor Di Paola made a motion to approve the vouchers for payment, second was made by Mr. Myers. Mayor DiPaola, Councilwoman McGuire, Chairman Bischoff, Vice Chairman Schwinder, Mr. Myers, Mr. Kutzin, Mr. Loschiavo, Mr. Hulburt, and Mr. Cimino voted in favor.

RESOLUTIONS:

Maietti Residence, 5 Munsey Rd., Block 1022, Lot 1

Chairman Bischoff asked if there were any questions about the Resolution which approved the addition of a roof over the desk. Mr. Martin added the Resolution included the pre-existing non-conforming rear setback.

Mr. Loschiavo made a motion to approve the Resolution, second was made by Mr. Myers. Mayor DiPaola, Councilwoman McGuire, Chairman Bischoff, Vice Chairman Schwinder, Mr. Myers, Mr. Loschiavo, Mr. Hulburt, Mr. Cimino all voted in favor. Mr. Kutzin was not eligible to vote as he had not been present at the meeting when the application was presented.

BOARD BUSINESS:

Chairman Bischoff asked Mayor DiPaola to explain the requirement of a copy of the driver's license of each member. Mayor DiPaola explained that this is the first year for this requirement, which is required as protection for the Borough if any employee or volunteer including Board members are involved in an accident while on Borough business. It does not insure the driver, but does protect the Borough. Mr. Martin explained that "JIF" is being enforced by insurance carriers, which resulted in this request. And this is one of many measures being taken to protect governments. Recently a memo had been distributed regarding the use of Social Media, which is also protection for the Borough/government.

Mr. Martin also commented that there are cases where the Borough covers Workman's Compensation for certain volunteers, especially the members of the Fire Dept. Mr. Kutzin remarked that members of the Fire Dept. would receive maximum compensation. Mayor DiPaola said she would have to check that out with the Borough Administrator.

The Mayor continued that a new Administrator had been hired. Robert Hammonton would start somewhere around the end of the month. Mr. Sheola's last day is October 11th. However, he will remain as a liaison during the transition, off premise, as needed.

OPEN TO PUBLIC:

Chairman Bischoff asked for a motion to open the floor to the public, which was made by Vice Chairman Schwinder, second was made by Mayor DiPaola, all were in favor. Seeing no public, the Chairman asked for a motion to close the floor, which was made by Mayor DiPaola, second by Vice Chairman Schwinder, all were in favor.

ANY BOARD MEMBER:

Vice Chairman Schwinder wanted to know the status of the Armenian Home. He said he had been approached by several residents, who were concerned a fence was up, but no work was being done. Chairman Bischoff advised the Board that test pits had been dug to monitor water levels. He said he believed that would have to be tested for several months before any construction could begin. It was necessary for the stability and safety of the construction.

Mayor DiPaola said the fencing was a safety precaution, but suggested the Engineer be directed to investigate and report the progress back to the Board. Chairman Bischoff made note that the complaints and lack of communication will only get worse as time goes by.

Chairman Bischoff stated the lack of hours put in by members of the Building Department is causing items to slip through the crack. Mayor DiPaola replied it is a trend for towns to share these inspectors to reduce costs, but still keep capable inspectors on staff. She asked what matters had not been covered. Chairman Bischoff replied the status of the Armenian Home; the tree issue for Northern Valley Developers, Mayor DiPaola told the members that the Code Official works 12-15 hours a week, which would increase once construction of Block 419 begins.

Chairman Bischoff commented that Block 419 would not be the only project. There was the Armenian Home, and the Board of Education. Mayor DiPaola said the Borough was working on a plan to improve coverage.

Mayor DiPaola suggested Chairman Bischoff reach out to the Construction Official before the Engineer. Perhaps, Mr. Silvia has the answers.

Mayor DiPaola directed Councilwoman McGuire to relay the information to the Governing Body at the next meeting.

Mr. Martin told the Board he had an extensive conversation with Mr. Silvia recently, and found him to be knowledgeable and cooperative. Mayor DiPaola told the Board the Mr. Silvia was full time.

Mayor DiPaola wanted to alert the Board that the developers for Block 419 had received their County soil removal permit, but the Borough permit had not yet been issued. She did expect that to happen within the next week. She continued that the area would be fenced on Monday 10/7. The commuter parking would remain open until December 1, at which time the lot the Borough purchased on Locust would be gravel paved for commuter use. The contractor was in the middle of asbestos abatement, and plans would be submitted shortly.

Mr. Cimino told the Board he would not be in attendance at the October 17th meeting as it was the Fire House open house. Chairman Bischoff confirmed it was open to school children. Mr. Martin remembered a few years back there was also a dinner. Mr. Cimino said it had become too much for the women's auxiliary, so was discontinued.

Since there was no other business Chairman Bischoff asked for a motion to adjourn the meeting. Mayor DiPaola made the motion to adjourn, second was made by Mr. Cimino, all were in favor.

The meeting was adjourned at 7:58 pm.

Respectfully submitted
M. Marie Shust
Board Secretary