

**MUNICIPAL LAND USE BOARD MINUTES
BOROUGH OF EMERSON
January 9, 2020**

This meeting of the Emerson Land Use Board was held in the Municipal Building. Land Use Chairman Bischoff opened the meeting at 7:55pm. 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	Leave of Absence
Councilwoman Jill McGuire	Present
Chairman Jeff Bischoff	Present
Vice-Chairman Gary Schwinder	Present
Don Pierro	Present
Bill Loschiavo	Present
Mike Myers	Present
Paul Hulburt	Absent
Michael Timmerman	Present
Mike Cimino	Present
Andy Sarkisian	Present
Carl Carbo	Absent
Christopher Martin, LUB Attorney	Absent
Neil Tortora 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.	Not Requested
Borough Administrator, Richard Hermansen	Not Requested
Marie Shust, Secretary	Present

Chairman Bischoff asked if there were any questions or comments on the minutes of December 5, 2019. Seeing no hands, the Chairman asked for a motion to approve the minutes, which was made by Mr. Myers, second was offered by Mr. Cimino, by roll call vote all were in favor. The Mayor abstained as she had not been able to review the minutes.

Ms. Shust was asked to read the vouchers

Redevelopment:

12/23/19	19-01988	Morrison Mahoney	Re Block 419	\$ 1,512.32
12/16/19	19*01953	Neglia engineering	Emerson Station	\$ 300.00
12/12/19	19-01932	Statile Planning	Emerson Station	\$ 375.00
			Total	\$ 2,187.32

Chairman Bischoff asked if there were any comments in regard to these bills. Hearing none, he asked for a motion to approve, which was made by Vice-Chairman Schwinder, second was

offered by Mr. Myers. Mayor DiPaola and Councilwoman McGuire abstained due to the nature of the bills. Mr. Sarkisian was ineligible to vote. Chairman Bischoff, Vice-Chairman Schwinder, Mr. Loschiavo, Mr. Myers, Mr. Pierro, Mr. Cimino and Mr. Timmerman voted to approve the vouchers for payment.

Vouchers for standard Land Use matters:

12/19/19	19-01953	Neglia Eng.	221 Palisade Ave.	\$ 99.00
12/12/19	19-01943	Statile Planning	General Planning Svcs.	\$ 1,050.00
12/23/19	19-01987	Simoff Eng.	Wenesco/Wendy's	\$ 2,370.00
		Conflict Eng.		
1/3/20	20-00006	North Jersey Media	221 Palisade Ave.	\$ 48.40
1/6/20	20-00021	New Jersey Planning	Membership Dues	\$ 325.00
			Total	\$ 3,892.40

Mayor DiPaola asked why there was a conflict engineer for the Wenesco/Wendy's application. Vice-Chairman Schwinder could not remember the exact circumstances. Mr. Cimino believed there was a conflict as Boswell also represented Westwood in the matter.

Mayor DiPaola made a motion to table the Simoff Eng. invoice until clarification was provided. Ms. Shust was asked to research the matter. The invoice was removed from the above listing, reducing the total to \$ 373.40

Mr. Myers made a motion to approve the adjusted total, second was offered by Mayor DiPaola, all were in favor.

Chairman Bischoff asked if there was any other correspondence. Ms. Shust said she had a request from Mr. Maietti for a refund on the balance of his Escrow Funds. Chairman Bischoff said in the past he had not received requests for refunds and would like to review the matter with the Chief Financial Officer and the Building Department. Vice-Chairman Schwinder wanted to know if the Board could conditionally approve the refund once the Chairman had clarification. Chairman Bischoff said he wanted to table the matter until he had clarification, which might indicate the Land Use Board may not have to approve the refund, as other procedures could be in effect.

RESOLUITION:

Maddolin Residence, 90 Hartland, Block 217, Lot 19
Application for 6 ft. fence.

Chairman Bischoff asked if there were any questions or comments in regard to the Maddolin Resolution, hearing none he asked for a motion to approve, which was made by Mr. Myers, second was offered by Vice-Chairman Schwinder. By roll call vote all were in favor.

Mayor DiPaola noted there was no allowance for Good and Welfare or Member comment on the Agenda. She made a motion to add both, second was offered by Mr. Myers, all were in favor.

BOARD BUSINESS:

Mr. Tortora clarified the reason for bringing this matter before the Board. He said that in November of 2019, the Board had recommended some changes to the Governing Body. On review the Governing Body and the Borough Attorney found some language that needed to be changed. There was no change to the recommendations, only in the way they were worded. Vice-Chairman Schwinder made a motion that the recommended language changes be forwarded to the Governing Body, second was offered by Mr. Myers. Mayor DiPaola and Councilwoman McGuire abstained. Chairman Bischoff, Vice-Chairman Schwinder, Mr.

Loschiavo, Mr. Myers, Mr. Pierro, Mr. Cimino, and Mr. Timmerman voted yes. Mr. Sarkisian was not eligible to vote. Chairman Bischoff advised the Board that Ms. Shust would prepare a letter of transmittal.

Chairman Bischoff advised the Board that Ms. Reiter would be present at the meeting of January 23 to review the changes of allowed uses in non-residential areas. These changes would apply to the Master Plan. The chairman reminded the members that if they had any ideas for businesses that would enhance the brick and mortar stores they should advise him or Ms. Shust who would forward to Ms. Reiter.

Mayor DiPaola added that the total overview of businesses had to be updated, to minimize or eliminate vacancies in the non-residential areas. She advised the Board that Ms. Reiter was being thorough and an extensive list was being prepared,

BOARD MEMBERS:

Mr. Myers asked the Mayor to review the program that was being offered regarding drug overdose.

The Mayor replied that River Dell High School was offering a program on Thursday the 16th between 6:30 and 8:00 pm in regard to signs, systems, rescue, and other indications/remedies -- for drug use/overuse. RSVP's should be made to 201-615- 4783.

Chairman Bischoff welcomed the newest member of the Board Mr. Andy Sarkisian.

Chairman Bischoff asked the Mayor for an update on the redevelopment. She told the Board that the Governing Body had grudgingly condemned the building where Cork & Keg is currently located. The developer and the Borough are working to find a suitable place for Cork and Keg to move without causing too much of an interruption in their operations.

The Mayor continued that the Police Dept. and Construction Official would be advised of any road closures and arrangements for detours.

Vice Chairman Schwinder wanted to know what arrangements are being made for the Chinese restaurant. The Mayor replied that is an "owner" situation and is treated through different channels than a tenant.

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

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

The meeting was adjourned at 8:25 pm

Respectfully submitted
M. Marie Shust
Board Secretary