

**Stanhope Land Use Board
January 13, 2020
Reorganization Meeting
Minutes**

RECEIVED

FEB 11 2020

**STANHOPE
BOROUGH**

CALL MEETING TO ORDER:

The Board Attorney called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE:

STATEMENT:

Adequate notice for this meeting has been provided according to the Open Public Meetings Act, Assembly Bill #1030. Notice for this Reorganization Meeting was forwarded to the New Jersey Herald and Daily Record on January 15, 2019 and was placed on the municipal bulletin board.

In the event the Board has not addressed all the items on its agenda by 10:00 p.m., and it is of the opinion that it cannot complete the agenda in a reasonable period, the Board may exercise its option to continue this meeting at an agreed time and place.

At this time, please turn off all cell phones.

ROLL CALL:

Nicholas Bielanowski - absent
James Benson - absent
Raymond Cipollini - present
Rosemarie Maio - present
Thomas Pershouse - absent

John Rogalo - present
Joseph Torelli - present
Paula Zeliff-Murphy - present
John Maguire - present

Others present: Board Attorney Glenn Gavan and Board Secretary Ellen Horak

REORGANIZATION

Election of Chairman:

On nomination by Ms. Zeliff-Murphy, seconded by Mr. Rogalo, John Maguire was elected Land Use Board Chairman for 2020 on the following unanimous roll call vote:

ROLL CALL:

Mr. Cipollini – yes
Ms. Maio – yes
Mr. Rogalo – yes

Mr. Torelli - yes
Ms. Zeliff-Murphy - yes
Mr. Maguire - yes

Election of Vice-Chairman:

On nomination by Chairman Maguire, seconded by Ms. Maio, Paula Zeliff-Murphy was elected Land Use Board Vice-Chairman for 2020 on the following unanimous roll call vote:

ROLL CALL:

Mr. Cipollini – yes
Ms. Maio – yes
Mr. Rogalo – yes

Mr. Torelli - yes
Ms. Zeliff-Murphy - yes
Mr. Maguire - yes

Resolutions

Board Secretary

RESOLUTION OF THE STANHOPE LAND USE BOARD APPOINTING BOARD SECRETARY

WHEREAS, there exists the need within the Land Use Board (the “Board”) for the retention of personnel to perform such secretarial services/clerical duties and office work as required by the Board’s job description to hold a monthly public meeting, at the annual salary of \$9,795, and in addition, other such work as deemed necessary by the Board at a \$20.00 hourly rate or other rate negotiated per task;

WHEREAS, the annual salary of \$9,795 for the Board Secretary is the salary paid for the year 2019; and

WHEREAS, upon determination of the salary increase for Borough employees, the Board will provide the same salary increase for the Board Secretary, which increase shall be retroactive to January 1, 2020; and

WHEREAS, the funds for such duties and services are available for this purpose;

NOW, THEREFORE, BE IT RESOLVED by said Board that it hereby appoints Ellen Horak as the Board’s Secretary, to be retained for the calendar year 2020 to perform such duties and office work outlined in the Board’s job description, with reimbursement for all expenses, at the annual salary of \$9,795;

BE IT FURTHER RESOLVED, by said Board that, after a salary increase percentage has been determined for Borough employees, the Board shall determine the salary increase for the Secretary which salary increase shall be retroactive to January 1, 2020.

On motion by Ms. Maio, seconded by Ms. Zeliff-Murphy, and carried by the following unanimous roll call vote, the above resolution was adopted.

AFFIRMATIVE: Mr. Cipollini, Ms. Maio, Mr. Rogalo, Mr. Torelli, Ms. Zeliff-Murphy, Chairman Maguire

OPPOSED: None

ABSTENSIONS: None

Board Attorney:

RESOLUTION OF THE STANHOPE LAND USE BOARD APPOINTING BOARD ATTORNEY

WHEREAS, the Land Use Board of the Borough of Stanhope is in need of Professional Legal services; and

WHEREAS, R.S. 40A:11-5 specifically exempts professional services from this provision of the local public contracts law of 1971,

NOW, THEREFORE, BE IT RESOLVED that the firm of **Criscuoli & Gavan, LLC** is hereby appointed as Attorney for the Land Use Board of Stanhope for a period of for the period

January 1, 2020 through December 31, 2020, with the understanding that **Glenn Gavan, Esq.** will be primarily responsible for the work done for the Board.

BE IT FURTHER RESOLVED that the aforesaid is a member in good standing of his profession.

BE IT FURTHER RESOLVED that this Resolution is contingent upon receipt of a fully executed professional service contract with attached fee schedule established for Criscuoli & Gavan, LLC's professional services.

BE IT FURTHER RESOLVED that this Resolution is contingent upon the receipt of a completed C.271 Political Disclosure Form pursuant to N.J.S.A. 19:44A-20.4 et. seq., commonly known as the Pay-to-Play Law.

On motion by Ms. Zelif-Murphy, seconded by Mr. Rogalo, and carried by the following unanimous roll call vote, the above resolution was adopted.

AFFIRMATIVE:	Mr. Cipollini, Ms. Maio, Mr. Rogalo, Mr. Torelli, Ms. Zelif-Murphy, Chairman Maguire
OPPOSED:	None
ABSTENSIONS:	None

Board Engineer: **RESOLUTION OF THE STANHOPE LAND USE BOARD APPOINTING BOARD ENGINEER**

WHEREAS, the Land Use Board of the Borough of Stanhope is in need of Professional Engineering Services; and

WHEREAS, R.S. 40A:11-5 specifically exempts professional services from the provisions of public bidding as provided in the Local Public Contracts Law;

NOW, THEREFORE, BE IT RESOLVED that the firm of Bowman Consulting is hereby appointed as Engineer for the Land Use Board of Stanhope for the period January 1, 2020 through December 31, 2020, with the understanding that **Eric Keller, P.E.** will be primarily responsible for the work done for the Board;

BE IT FURTHER RESOLVED, that the aforesaid is a member in good standing of his profession;

BE IT FURTHER RESOLVED, that this Resolution is contingent upon receipt of a fully executed professional services contract with attached fee schedule established for Bowman Consulting professional services, and

BE IT FURTHER RESOLVED, that this Resolution is contingent upon the receipt of a completed C.271 Political Disclosure Form pursuant to N.J.S.A. 19:44A-20.4 et. seq., commonly known as the Pay-to-Play Law.

On motion by Ms. Maio, seconded by Ms. Zelif-Murphy, and carried by the following majority roll call vote, the above resolution was adopted.

AFFIRMATIVE: Mr. Cipollini, Ms. Maio, Mr. Rogalo, Mr. Torelli, Ms. Zelif-Murphy, Chairman Maguire
OPPOSED: None
ABSTENSIONS: None

Board Planner: **RESOLUTION OF THE STANHOPE LAND USE BOARD APPOINTING BOARD PLANNER**

WHEREAS, the Land Use Board of the Borough of Stanhope is in need of Professional Planning services; and

WHEREAS, R.S. 40A:11-5 specifically exempts professional services from this provision of the local public contracts law of 1971,

NOW, THEREFORE, BE IT RESOLVED the firm of **Bowman Consulting** is hereby appointed as Planner for the Land Use Board of Stanhope for a period of one year from January 1, 2020 to December 31, 2020, with the understanding that **William Hamilton, P.P.** will be primarily responsible for the work done for the Board.

BE IT FURTHER RESOLVED, that the aforesaid is a member in good standing of his profession.

BE IT FURTHER RESOLVED, that this Resolution is contingent upon receipt of a fully executed professional service contract with attached fee schedule established for Bowman Consulting professional services.

BE IT FURTHER RESOLVED, that this Resolution is contingent upon the receipt of a completed C.271 Political Disclosure Form pursuant to N.J.S.A. 19:44A-20.4 et. seq., commonly known as the Pay-to-Play Law.

On motion by Ms. Zelif-Murphy, seconded by Ms. Maio and carried by the following unanimous roll call vote, the above resolution was adopted.

AFFIRMATIVE: Mr. Cipollini, Ms. Maio, Mr. Rogalo, Mr. Torelli, Ms. Zelif-Murphy, Chairman Maguire
OPPOSED: None
ABSTENSIONS: None

Official Newspaper: **RESOLUTION DESIGNATING OFFICIAL NEWSPAPER FOR THE 2020 CALENDAR YEAR**

BE IT RESOLVED, by the Land Use Board of the Borough of Stanhope that they New Jersey Herald is hereby designated the official newspaper of the Land Use Board for the calendar year 2020 and

BE IT FURTHER RESOLVED, that the New Jersey Herald and the Daily Record are hereby designated to receive all notices of Land Use Board meetings in the calendar year 2020 as required under the Open Public Meetings Act.

On motion by Mr. Rogalo, seconded by Ms. Zelif-Murphy, and carried by unanimous voice vote, the above resolution was adopted.

Meeting Dates: **RESOLUTION ESTABLISHING MEETING DATES FOR THE
CALENDAR YEAR 2020**

BE IT RESOLVED by the Land Use Board of the Borough of Stanhope that the following schedule of dates for Regular Meetings be established for 2020 and that all scheduled meetings shall convene at 7:00 p.m. at the Stanhope Municipal Building, 77 Main Street, Stanhope, NJ:

January 13
February 10
March 9
April 13
May 11
June 8
July 13
August 10
September 14
October 19
November 9
December 14

BE IT FURTHER RESOLVED, that the Annual Reorganization Meeting shall be on January 11, 2021, at 7:00 p.m.

On motion by Ms. Maio seconded by Ms. Zeliff-Murphy and carried by unanimous voice vote, the above resolution was adopted.

MINUTES

November 18, 2019 Regular Meeting – On motion by Mr. Torelli, seconded by Ms. Maio the Minutes of the November 18, 2019 Meeting were approved on majority voice vote. Mr. Cipollini abstained.

CORRESPONDENCE

- 11-18-19 Stanhope Environmental Commission – Juntos Holdings, LLC, Blk 11205, Lot 1 and 4.01
- 11-19-19 New Jersey Planning Officials – New Jersey Planner (Sept/Oct)
- 12-09-19 Corey Kirk – Request for Extension of Variance Approval re: 30 Linden Ave, Blk 11304, Lot 6
- 12-12-19 Paulus, Sokolowski & Sartor, LLC – Notice of Application for Freshwater Wetlands General Permit No 1 to permit vegetative maintenance re: JCP&L
- 12-13-19 Glenn Gavan, Esq. – Resolution of Memorialization re: Lusardi Variance, Blk 11007 Lot 9.05
- 12-18-19 Eric Keller – Resolution Compliance Review #2 re: 7th Heaven Market and Delta Gas, Blk 11703, Lot 1; Blk 11703.01, Lot 1
- 12-30-19 Eric Keller – Resolution Compliance #1 re: Adam Lusardi Variance, Blk 11007, Lot 9.05
- 12-30-19 Eric Keller – Comments to Resolution of Memorialization re: Adam Lusardi Variance, Blk 11007, Lot 9.05
- 01-08-20 New Jersey Planning Officials – The New Jersey Planner (Nov/Dec)

On motion by Ms. Zeliff-Murphy, seconded by Mr. Torelli, and carried by unanimous voice vote, the Correspondence List was accepted and placed on file.

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:

Chairman Maguire opened the meeting to the public for non-agenda items. Seeing no one from the public wishing to speak, Chairman Maguire closed the public portion of the meeting.

RESOLUTION OF MEMORIALIZATION:

19-03, Adam Lusardi

Block 11007, Lot 9.05, Variance

Approval Granted: 11/18/19

Attorney Gavan advised he incorporated the comments of the Board Engineer into the final draft of the Resolution of Memorialization. On motion by Ms. Maio, seconded by Mr. Rogalo and carried by the following roll call vote, the Resolution of Memorialization for 19-03 Adam Lusardi, Variance Application re: Block 11007, Lot 9.05 was adopted, as revised.

AFFIRMATIVE: Mr. Cipollini, Ms. Maio, Mr. Rogalo, Mr. Torelli, Ms. Zeliff-Murphy
OPPOSED: None
ABSTENSIONS: Chairman Maguire

NEW HEARING:

19-02, Juntos Holdings LLC

Block 11205, Lots 1 and 4.01, Use Variance Application and Site Plan

Deemed Complete: 7/08/19 120 Days: 11/05/19 (Extension Granted)

Virginia Liotta, attorney for the applicant came forward. Ms. Liotta stated the applicant is not prepared to move forward due to additional purchases of property and no available traffic report. Attorney Gavan said the Board has no enforcement authority and since this matter is an extremely old matter and the applicant is not moving forward, he recommends the application be dismissed and the matter returned to the Zoning Official to report it to the Municipal Court. Attorney Gavan expressed his opinion that this matter should require a new notice. Attorney Gavan noted the Board cannot force the applicant to come back and they should not continue this matter any longer.

On motion by Mr. Torelli, seconded by Mr. Rogalo and carried by the following majority roll call vote, the Board dismissed application 19-02, Juntos Holdings, LLC Use Variance and Site Plan re: Block 11205, Lots 1 and 4.01 and referred the matter back to the Zoning Official to refer it back to the Municipal Court:

AFFIRMATIVE: Mr. Cipollini, Ms. Maio, Mr. Rogalo, Mr. Torelli, Chairman Maguire
OPPOSED: None
ABSTENSIONS: Ms. Zeliff-Murphy

BILLS:

	Criscuoli & Gavan LLC	
11/18/19	Re: Juntos Holdings, LLC	\$610.50
11/18/19	Re: Land Use Board General	\$ 82.50
12/12/19	Re: Lusardi Variance	\$396.00
	Bowman Consulting Group Ltd.	
12/30/19	Re: Lusardi Variance	\$360.00

On motion by Ms. Zeliff-Murphy, seconded by Ms. Maio, the aforesaid bills were approved on the following unanimous roll call vote.

AFFIRMATIVE: Mr. Cipollini, Ms. Maio, Mr. Rogalo, Mr. Torelli, Ms. Zeliff-Murphy, Chairman Maguire
OPPOSED: None
ABSTENSIONS: None

NEW BUSINESS:

Corey Kirk – Request for Variance Extension – Chairman Maguire invited Corey Kirk to come forward. Mr. Kirk stated he purchased property at 30 Linden Avenue that received variance approval by the Board. The variance expired this past October and he is requesting an extension of the variance. Attorney Gavan asked Mr. Kirk to explain why he needs the extension. Mr. Kirk said he had an architect who was coordinating with Cube Living but that architect disappeared and he heard nothing from him. He hired another architect and had to start the process all over again. The layout of the home was already generated by Cube Living. The new architect started working on the project, but during the process his wife had a baby causing another delay in the project. Attorney Gavan noted the hardship that caused the delay and recommended the one-year extension be granted retroactive to October 2019.

On motion by Ms. Zeliff-Murphy, seconded by Mr. Cipollini and carried by the following unanimous roll call vote, the Board granted a one-year extension to October 2020 of the variance approval for property located at 30 Linden Avenue, and designated as Block 11304, Lot 6:

AFFIRMATIVE: Mr. Cipollini, Ms. Maio, Mr. Rogalo, Mr. Torelli, Ms. Zeliff-Murphy, Chairman Maguire
OPPOSED: None
ABSTENSIONS: None

Annual Report – Chairman Maguire stated the Board is required to prepare an annual report listing all variance applications received during the year. The Secretary has prepared the annual report which shows the Board received one variance application during the year 2019. On motion by Ms. Zeliff-Murphy, seconded by Mr. Rogalo and carried by unanimous voice vote, the Board approved the Annual Report and directed the Secretary to forward a copy to the Mayor and Council.

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:

Chairman Maguire opened the meeting to the public for non-agenda items. Seeing no one from the public wishing to speak, Chairman Maguire closed the public portion of the meeting.

ADJOURNMENT:

On motion by Ms. Maio, seconded by Ms. Zeliff-Murphy, it was the consensus of the Board to adjourn the meeting at 7:20 P.M.

Respectfully submitted,


Ellen Horak, Board Secretary

