

MINUTES OF THE
REORGANIZATION MEETING
OF THE LAND USE BOARD
THURSDAY, JANUARY 19, 2023

THE REORGANIZATION MEETING OF THE LAND USE BOARD OF THE BOROUGH OF MANVILLE, COUNTY OF SOMERSET, STATE OF NEW JERSEY, WAS HELD ON JANUARY 19, 2023 IN THE BOROUGH OF MANVILLE MEETING ROOM, 325 NORTH MAIN STREET, MANVILLE AT 6:30 P.M.

The Secretary called the Reorganization Meeting to order at 6:30 p.m. and read the Open Public Meetings Act Statement.

SALUTE TO THE FLAG

Everyone present participated in the Salute to the Flag.

ROLL CALL

John Bentz, absent
Matthew Brown, absent
Dayna Camacho, present
Ted Camacho, present
Amanda Gorbatuk, present
Vince LoMedico, present
Bob Kojko, arrived at 6:33 p.m.
Gilbert Lorenzo, absent
Mayor Richard Onderko, present
Jim Powers, present
Councilman Branden Agans, present

Also present:

Matthew Flynn, Esq., Board Attorney
Stan Schrek, Borough Engineer
Joseph Brosnan, Borough Engineer

Board Secretary

Chairman Powers, seconded by Vice-Chair Gorbatuk, made a motion to nominate Nancy Kagan as Board Secretary.

ROLL CALL: AYES: T. CAMACHO, GORBATUK, LOMEDICO,
ONDERKO, POWERS, AGANS, D. CAMACHO
ABSENT: BENTZ, BROWN, KOJKO, LORENZO

Bob Kojko arrived at 6:33 p.m.

MOTION TO ADOPT BY-LAWS

Chairman Powers, seconded by Vice-Chair Gorbatuk, made a motion to adopt the By-Laws of the Joint Land Use Board.

All present were in favor.

APPROVAL OF MINUTES

Chairman Powers, seconded by Ted Camacho, made a motion to adopt the minutes of the meeting of December 8, 2022.

ROLL CALL: AYES: T. CAMACHO, KOJKO, ONDERKO, POWERS,
AGANS
ABSENT BENTZ, BROWN, LORENZO
ABSTAIN: GORBATUK, D. CAMACHO, LOMEDICO

RESOLUTIONS

Resolution #2023-1

**BOROUGH OF MANVILLE JOINT LAND USE BOARD
REPORT ON VARIANCE APPLICATIONS - 2022**

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-70.1, requires that each Zoning Board of Adjustment review, on an annual basis, its decisions on variance applications and appeals, and prepare and adopt by resolution a report describing its findings on zoning ordinance provisions and recommendations, if any, for amendments or revisions to the zoning ordinance and forward that report to the governing body; and

WHEREAS, the Borough of Manville Joint Land Use Board, in the calendar year 2022 reviewed and acted on applications and/or appeals; and

WHEREAS, at a meeting held on January 19, 2023, the Board reviewed a report on the applications and/or appeals presented in calendar year 2022; therefore

NOW, THEREFORE, BE IT RESOLVED, on the 19th day of January, 2023 by the Borough of Manville Joint Land Use Board that the report entitled: Report on Variance Applications – 2022 be, and the same hereby is, adopted, included in this resolution as Exhibit A, and that a copy of said report be forwarded to the governing body.

Chairman Powers, seconded by Vice-Chair Gorbatuk, made a motion to adopt the report on variance applications for 2022.

ROLL CALL: AYES: T. CAMACHO, GORBATUK, KOJKO,
 LOMEDICO, ONDERKO, POWERS, AGANS
 ABSENT: BENTZ, BROWN, KOJKO, LORENZO
 ABSTAIN: D. CAMACHO

Resolution #2023-2

**RESOLUTION SETTING THE MEETING DATES FOR THE BOROUGH OF MANVILLE JOINT LAND USE BOARD FOR CALENDAR YEAR 2023
DECIDED: JANUARY 19, 2023
MEMORIALIZED: JANUARY 19, 2023**

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6 et. seq., requires that public bodies provide adequate notice of meetings.

THEREFORE, BE IT RESOLVED, by the Borough of Manville Joint Land Use Board that during the calendar year 2023, meetings shall be held by Board to discuss or act upon official business at 6:30 p.m. prevailing time, at 325 N. Main Street, Manville, N.J. 08835, as follows:

1. Regular Meetings of the Borough of Manville Joint Land Use Board for the year 2023 will be held on the first or second Thursday, at 6:30 p.m. prevailing time, at Borough Hall, 325 N. Main Street, in the Borough of Manville, on the following dates:

February 9th
March 9th
April 6th
May 11th
June 8th
July 13th
August 10th
September 7th
October 5th
November 2nd
December 7th

2. Notice is hereby given that an executive (closed) session may be convened at any of the herein referenced Board meetings.

3. In the event a change to this schedule is necessary due to anticipated lack of quorum, holiday, or discretion of the Board, further notice will be provided.

4. Certified copies of this resolution shall be mailed to the official newspapers of the municipality and posted on the bulletin board outside the office of the Borough Clerk and filed in the Office of the Administrator.

5. A copy of this resolution shall be sent to any interested person who has requested that they be sent copies of notices of the Board meetings pursuant to N.J.S.A. 10:4-19, and who has paid the required fee.

A copy of this resolution shall be sent to any interested person who has requested that they be sent copies of notices of the Borough Joint Land Use Board meetings pursuant to N.J.S.A. 10:4-19, and who has paid the required fee.

Vote to Adopt Schedule:

Chairman Powers, seconded by Dayna Camacho, made a motion to adopt the Meeting Schedule for 2023.

ROLL CALL: AYES: T. CAMACHO, GORBATUK, KOJKO,
LOMEDICO, ONDERKO, POWERS, AGANS,
D. CAMACHO
ABSENT: BENTZ, BROWN, LORENZO

Vote to Adopt Resolution:

Chairman Powers, seconded by Dayna Camacho, made a motion to adopt Resolution #2023-2 Setting Meeting Dates.

ROLL CALL: AYES: T. CAMACHO, GORBATUK, KOJKO,
LOMEDICO, ONDERKO, POWERS, AGANS,
D. CAMACHO
ABSENT: BENTZ, BROWN, LORENZO

Resolution #2023-3

**MEMORIALIZING RESOLUTION OF THE LAND USE BOARD OF THE
BOROUGH OF MANVILLE APPOINTING BOARD PROFESSIONALS FOR THE
2023 CALENDAR YEAR**

**DECIDED: JANUARY 19, 2023
MEMORIALIZED: JANUARY 19, 2023**

WHEREAS, there exists a need for the Borough's Land Use Board to employ and contract for professional services for the year 2023; and

WHEREAS, the Board desires to employ and contract with certain professionals for the purposes carrying out their respective duties; and

WHEREAS, the Borough of Manville ("Borough") desired to undertake a "Fair and Open" process for awarding contracts for professional services and

B/ Michael Tafil
1 South 10th Avenue
Block 78 Lots 29 & 30
Use Variance; Bulk Variance

Chairman Powers, seconded by Ted Camacho, made a motion to memorialize the Resolution of Michael Tafil.

ROLL CALL: AYES: T. CAMACHO, KOJKO, POWERS,
 ABSENT BENTZ, BROWN, LORENZO
 ABSTAIN: GORBATUK, D. CAMACHO, LOMEDICO
 ONDERKO, AGANS

C/ FX Holdings, LLC
1702 North Street
Block 64, Lots 35-39
Zoning Interpretation – Pre-Existing Non-Conforming Use

Chairman Powers, seconded by Ted Camacho, made a motion to memorialize the Resolution of FX Holdings, LLC.

ROLL CALL: AYES: T. CAMACHO, KOJKO, POWERS,
 ABSENT BENTZ, BROWN, LORENZO
 ABSTAIN: GORBATUK, D. CAMACHO, LOMEDICO
 ONDERKO, AGANS

COMMENTS BY BOARD MEMBERS

Mayor Onderko thanked everyone for their service on the Board. He noted that there are two projects occurring this year: Stormwater Management for drainage of the turf field at the High School and a grant to demolish 401 South Main Street. He also noted that he reached out to the Army Corps of Engineers, and they are still not offering flood mitigation assistance to Manville. He also reported that Hillsborough has six applications for warehouse, and he plans to attend their meetings.

Stan Schrek noted that Somerset County has awarded the contract for the “road diet” on Main Street to Green Construction. He also asked if the Board would continue to hear Public Comment in the beginning of the meeting.

Chairman Powers thanked everyone for their services. He noted he would like to get packets to the members as soon as possible prior to each meeting. He also asked that when a member votes “no” to an application, they should clearly voice their reasons for denial.

Attorney Flynn stated that he will comment if a denial is not appropriate. He also stated member comments should be vocal and inclusive. He noted that he received a dismissal for the Kontos lawsuit.

ADJOURNMENT

When no one else wished to comment, Chairman Powers, seconded by Vice-Chair Gorbatuk, made a motion to adjourn the meeting.

The meeting was adjourned at approximately 6:55 p.m.

Respectfully submitted,



Nancy Kagan
Land Use Board Secretary