

A SPECIAL PUBLIC MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ORADELL HELD IN THE COUNCIL CHAMBERS OF THE ORADELL BOROUGH HALL, 355 KINDERKAMACK ROAD, ORADELL, NEW JERSEY, ON JANUARY 22, 2019.

In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. The Annual Notice, which details the meetings dates for the year, has been sent to The Record and Ridgewood News, placed on two Municipal Bulletin Boards and is on file in the Office of the Borough Clerk.

1. CALL TO ORDER- OPEN PUBLIC MEETINGS ACT – ROLL CALL

Mayor Dianne Camelo Didio called the meeting to order at 7:00 pm and read Statement of Compliance with the Open Public Meeting Act.

Salute to the Flag: Pledge of Allegiance led by Council President Schoenberg.

At roll call, the following were present:
Mayor Dianne Didio

Councilmembers:
Tracy Schoenberg
Stephen Carnevale
Rob Jannicelli
Tom Kelly
Miriam Yu

Borough Administrator/Municipal Clerk Laura J. Lyons
Borough Attorney Andrew Oddo, Esq.

Absent:
Roger Tashjian
Borough Engineer David Atkinson

Public Comment:

Lou Esler, 746 Amaryllis Ave., asked if the Van Buskirk home (465 New Milford Ave.) is still part of the Affordable Housing designated area. Councilman Carnevale replied in the affirmative. Mr. Esler gave a brief history of the Van Buskirk home. He asked that the Mayor and Council consider removing it from the affordable housing designated area as it is an historic house in Oradell.

Mr. Oddo stated that at this juncture it would be difficult to remove the home from the designated area since the Borough has already negotiated with Fair Share Housing Center and entered into an agreement with them. He said the affordable housing zone is an overlay zone and the underlying zone remains in tact.

Mr. Esler confirmed that the home is not included on the national historical register.

Sam Tripsas, 327 Maple Ave., asked how Van Buskirk home got included in the affordable housing zone. Mr. Oddo responded that Fair Share and the Special Master toured the town with the guidance of the Borough Planner. Council President Schoenberg added that she, too, participated in the tour and advocated for the protection of significant homes in town. Councilman Carnevale suggested adding the Van Buskirk home to the Historical Committee's agenda for Monday and perhaps the owner of the property may consider adding the home to the national historic register.

Upon motion by Council President Schoenberg, seconded by Councilman Jannicelli, and unanimous consent among council, the meeting closed to the public.

Ordinances

Councilman Robert Jannicelli

Councilman Jannicelli stated that Ordinance 19-01 is ready for introduction.

Borough Clerk read the ordinance into record by title only:

**AN ORDINANCE TO AMEND SECTION 240-6.5.L OF CHAPTER 240 OF THE
ORADELL BOROUGH CODE, ENTITLED "LAND DEVELOPMENT," TO CLARIFY
LANGUAGE PERTAINING TO THE DEED RESTRICTION PERIOD OF
AFFORDABLE UNITS CREATED IN THE AHO OVERLAY ZONE AND MODIFY
MAXIMUM COVERAGE STANDARDS**

The Borough Clerk read the summary of the ordinance.

Councilman Jannicelli made a motion to approve Ordinance 19-01 upon first reading, to be published in the Record on Friday, January 25, 2019. Councilman Carnevale seconded the motion.

Roll Call Vote:

Ayes: Carnevale, Jannicelli, Kelly, Yu

Nays: None

Absent: Tashjian

Abstain: Schoenberg

Councilman Jannicelli stated that Ordinance 19-02 is ready for introduction.

Borough Clerk read the ordinance into record by title only:

AN ORDINANCE OF THE BOROUGH OF ORADELL ADDING CHAPTER 61 TO THE ORADELL BOROUGH CODE, WHICH WILL BE ENTITLED “AFFORDABLE HOUSING ORDINANCE” TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE BOROUGH’S AFFORDABLE OBLIGATIONS

The Borough Clerk read the summary of the ordinance.

Councilman Jannicelli made a motion to approve Ordinance 19-02 upon first reading, to be published in the Record on Friday, January 25, 2019. Councilman Carnevale seconded the motion.

Roll Call Vote:

Ayes: Schoenberg, Carnevale, Jannicelli, Kelly, Yu

Nays: None

Absent: Tashjian

Abstain: None

Councilman Jannicelli stated that Ordinance 19-03 is ready for introduction.

Borough Clerk read the ordinance into record by title only:

AN ORDINANCE TO AMEND CHAPTER 240 OF THE ORADELL BOROUGH CODE ENTITLED “LAND DEVELOPMENT” AND THE ORADELL BOROUGH ZONING MAP TO CREATE THE “AFFORDABLE HOUSING 1 RESIDENTIAL ZONE” AND “AFFORDABLE HOUSING 2 RESIDENTIAL ZONE” AND THE STANDARDS ASSOCIATED WITH THEM IN THE BOROUGH OF ORADELL

The Borough Clerk read the summary of the ordinance.

Councilman Jannicelli made a motion to approve Ordinance 19-03 upon first reading, to be published in the Record on Friday, January 25, 2019. Councilman Carnevale seconded the motion.

Roll Call Vote:

Ayes: Schoenberg, Carnevale, Jannicelli, Kelly, Yu

Nays: None

Absent: Tashjian

Abstain: None

Councilman Jannicelli stated that Ordinance 19-04 is ready for introduction.

Borough Clerk read the ordinance into record by title only:

AN ORDINANCE TO AMEND CHAPTER 240 OF THE ORADELL BOROUGH CODE ENTITLED “LAND DEVELOPMENT” AND THE ORADELL ZONING MAP TO CREATE THE “CENTRAL BUSINESS DISTRICT OVERLAY ZONE” AND THE STANDARDS ASSOCIATED THEREWITH IN THE BOROUGH OF ORADELL

The Borough Clerk read the summary of the ordinance.

Councilman Jannicelli made a motion to approve Ordinance 19-04 upon first reading, to be published in the Record on Friday, January 25, 2019. Councilman Carnevale seconded the motion.

Roll Call Vote:

Ayes: Schoenberg, Carnevale, Jannicelli, Kelly, Yu

Nays: None

Absent: Tashjian

Abstain: None

Councilman Jannicelli stated that Ordinance 19-05 is ready for introduction.

Borough Clerk read the ordinance into record by title only:

AN ORDINANCE ADDING A NEW ARTICLE IX-A TO BE ENTITLED “AFFORDABLE HOUSING MANDATORY SET ASIDE” TO CHAPTER 240 “LAND DEVELOPMENT” OF THE ORADELL BOROUGH CODE

The Borough Clerk read the summary of the ordinance.

Councilman Jannicelli made a motion to approve Ordinance 19-05 upon first reading, to be published in the Record on Friday, January 25, 2019. Councilman Carnevale seconded the motion.

Roll Call Vote:

Ayes: Schoenberg, Carnevale, Jannicelli, Kelly, Yu

Nays: None

Absent: Tashjian

Abstain: None

Councilman Jannicelli stated that Ordinance 19-06 is ready for introduction.

Borough Clerk read the ordinance into record by title only:

AN ORDINANCE AMENDING THE BOROUGH OF ORADELL'S DEVELOPMENT FEE ORDINANCE AT CHAPTER 240 ARTICLE IX OF THE BOROUGH CODE

The Borough Clerk read the summary of the ordinance.

Councilman Jannicelli made a motion to approve Ordinance 19-06 upon first reading, to be published in the Record on Friday, January 25, 2019. Councilman Carnevale seconded the motion.

Roll Call Vote:

Ayes: Schoenberg, Carnevale, Jannicelli, Kelly, Yu

Nays: None

Absent: Tashjian

Abstain: None

Public Comment:

Mayor Didio opened the meeting to the public.

Paul Latsounas, 50 Beverly Rd., asked if the 2010 Planning Board proposed an Historical Element to the Master Plan. Administrator/Clerk Lyons is investigating whether the 2010 Planning Board memorialized the Historical Element in a resolution and, if so, the element would have been included into the Master Plan. Mrs. Lyons said that the Mayor and Council did not approve a historic zone element because no such ordinance was passed. Councilman Carnevale added that the Historical Element that was discussed by the 2010 Planning Board did not create a zone, but rather strengthened the historical preservation in town.

The resident asked the Mayor and Council to consider the video tapes as a supplement to the minutes. Administrator/Clerk Lyons responded that by statute, minutes are permanent records, however, videos of the meetings are also maintained.

Mr. Latsounas requested that agendas and resolutions be posted at least 2 days ahead of time.

Greg Trass, Maple Ave., said there are omissions in the minutes and his concern is that they become public record once approved. He feels the minutes should be more thorough.

Theresa Trass, Maple Ave., was confused by the start time of tonight's meeting as Mayor and Council meetings usually start at 7:30 pm. Mrs. Lyons replied that a poll was taken among the governing body and the consensus was to start the meeting at 7:00 pm tonight. Furthermore, the meeting was properly noticed.

Mrs. Trass inquired as to the timeframe when the public can comment on the ordinances that were introduced this evening. Mr. Oddo explained that tonight the Mayor and Council passed the ordinances after first reading. Next, the ordinances will be referred to the Planning Board for their consideration and comment at their February 5th meeting. If the Planning Board certifies the ordinances, then the ordinances will be considered for passage by the Mayor and Council at their February 12th meeting. The public may comment on the ordinances at the February 12th meeting. Mrs. Trass urged fellow members of the public to scrutinize the ordinances prior to the February 12th meeting.

John Falcone, Demarris Pl., said that government transparency is important. He is also a proponent of protecting small businesses. He wants what is best for Oradell.

Sam Tripsas, 327 Maple Ave., asked the deadline to satisfy the agreement with Fair Share Housing. Mr. Oddo replied mid-February. If the deadline is not met, and no further extension is granted, then the protections would be lost and would open the Borough to a builder's remedy lawsuit. The agreement with Fair Share Housing protects the Borough until 2025. Councilman Carnevale added that the borough will only be protected through 2025 if the obligations in the agreement are fulfilled.

Mr. Tripsas asked the Planning Board minutes be updated on the website as they only go through March 2018.

Greg Trass, Maple Ave., asked if the litigation with White Beeches has any effect on the consideration of the ordinances. Mr. Oddo responded that it does not.

Council President Schoenberg moved to close public, seconded by Councilman Carnevale. All in favor.

Mayor Didio asked for a moment of silence to remember former councilman Ray Eckel who will be sorely missed.

Upon motion by Councilman Carnevale, seconded by Council President Schoenberg, and affirmation by council, the meeting adjourned at 7:52 pm.

Laura J. Lyons, CPM, RMC, RPPO
Borough Administrator/Municipal Clerk