

REORGANIZATION
&
REGULAR MEETING

Re-Organization Meeting called to order by Mayor Dan Mahler with a salute to the flag at 7:37pm.

READING: Opening Public Meeting Announcement

This is a Reorganization And Regular Meeting of the Wanaque Planning Board and adequate notice has been given and it has been duly advertised by the placement of a notice in the Suburban Trends and Herald News on December 28, 2014 and a notice thereof has been posted on the bulletin board in the Municipal Building in the Borough of Wanaque and a copy thereof has been on file with the Borough Clerk.

Mayor Mahler swore in Reappointed Members Joseph Graceffo and Kevin Platt.

ROLL CALL: Gilbert Foulon, Joseph Graceffo, Mayor Dan Mahler, Councilman Dominick Cortellessa, Marc Demetriou, Kevin Platt, Mark Reuter, Michael Ryan and David Slater.

ABSENT: Eugene Verba.

NOMINATION FOR CHAIRMAN: Member Platt nominated Gilbert Foulon, seconded by Member Graceffo. No other nominations heard. Nominations closed.

ROLL CALL ON NOMINATION FOR CHAIRMAN: Voting yes were Members Foulon, Graceffo, Mayor Mahler, Councilman Cortellessa, Members Demetriou, Platt, Reuter, Ryan and Slater.

NOMINATION FOR VICE CHAIRMAN: Member Foulon nominated Joseph Graceffo, seconded by Member Platt. No other nominations heard. Nominations closed.

ROLL CALL ON NOMINATION FOR VICE CHAIRMAN: Voting yes were Members Foulon, Mayor Mahler, Councilman Cortellessa, Members Demetriou, Platt, Reuter, Ryan and Slater. Member Graceffo abstained.

NOMINATION FOR BOARD ATTORNEY: Councilman Cortellessa nominated Steven Veltri, seconded by Member Demetriou. No other nominations heard. Nominations closed.
ROLL CALL ON NOMINATION FOR BOARD ATTORNEY: Voting yes were Members Foulon, Graceffo, Mayor Mahler, Councilman Cortellessa, Members Demetriou, Platt, Reuter, Ryan and Slater.

NOMINATION FOR BOARD ENGINEER: Member Foulon nominated Alaimo Engineering, seconded by Member Reuter. No other nominations heard. Nominations closed.

ROLL CALL ON NOMINATION FOR BOARD ENGINEER: Voting yes were Members Foulon, Graceffo, Mayor Mahler, Councilman Cortellessa, Members Demetriou, Platt, Reuter, Ryan and Slater.

NOMINATION FOR BOARD PLANNERS: Member Slater nominated both Alaimo Engineering and Kenneth Albert as Planners, seconded by Councilman Cortellessa. No other nominations heard. Nominations closed.

ROLL CALL ON NOMINATION FOR BOARD PLANNERS: Voting yes were Members Foulon, Graceffo, Mayor Mahler, Councilman Cortellessa, Members Demetriou, Platt, Reuter, Ryan and Slater.

MOTION TO RECESS RE-ORGANIZATION MEETING AT 7:44PM: made by Member Slater, seconded by Councilman Cortellessa. Voting yes were Members Foulon, Graceffo, Mayor Mahler, Councilman Cortellessa, Members Demetriou, Platt, Reuter, Ryan and Slater.

REGULAR MEETING

Regular Meeting called to order by Chairman Foulon at 7:45pm.

READING: Opening Public Meeting Announcement

This is a Regular Meeting of the Wanaque Planning Board and adequate notice has been given and it has been duly advertised by the placement of a notice in the Suburban Trends and Herald News on December 28, 2014 and a notice thereof has been posted on the bulletin board in the Municipal Building in the Borough of Wanaque and a copy thereof has been on file with the Borough Clerk.

ROLL CALL: Chairman Foulon, Vice Chairman Graceffo, Mayor Mahler, Councilman Cortellessa, Members Demetriou, Platt, Reuter, Ryan and Slater

PRESENT: Attorney Steven Veltri and Engineer Michael Cristaldi

ABSENT: Member Eugene Verba

MINUTES: from the December 18, 2014 Meeting.

MOTION TO APPROVE: made by Member Demetriou, seconded by Vice Chairman Graceffo. Voting yes were Chairman Foulon, Vice Chairman Graceffo, Member Demetriou, Reuter and Slater.
Mayor Mahler, Councilman Cortellessa and Members Platt and Ryan abstained.

COMMUNICATIONS REPORT:

E-Mail on Permit Extension Act until 12/31/2015
2015 Meeting Dates

APPLICATION STATUS REPORT: Eng. Cristaldi reported no new applications.

PUBLIC DISCUSSION: Anyone in the audience wishing to address the Planning Board on any Planning Board matter, please step forward.

Let the record show no one was present in the audience to come forward.

RESOLUTIONS: None

VOUCHERS: None

DISCUSSION: Mountain Lakes Estates & Lakeside Manor Developments (Rodriguez) Mayor Mahler advised the Board that he and the Borough Administrator met with the DEP on December 23rd to determine if Mountain Lakes' permits expired and they did. Some expired prior to the Highlands Act of 2004 and others had expired afterwards. There was a long discussion about this project and one of the two Deputy Commissioners present made a comment that the DEP may have a major problem with Phase II and Rodriguez may have a problem getting those permits refreshed since nothing has been disturbed, but since Phase I has been started and disturbed, they will refresh these permits.

Phase I is the 47 condominiums. There are 6 condos presently built; a foundation for 6 condos with walls; and then there are footings for 4 or 5 other ones there.

Phase I also includes 13 single-family homes on the right side of Mountain Lakes Drive. There are 3 houses on the top of the hill that are substantially completed and a few foundations and then a few footings.

We have a tentative agreement with the developer of Parkside, David Gunia, and once he has the permits from the State (probably within the next 4 to 5 months), he is going to tear down the condos and is going to re-build condos on the same footing just redesign them a little bit. We are not sure if he has to come back to the Board on the redesign. Mr. Gunia is buying the 47 condos in one contract and in the second contract he will be buying the 13 homes. With the homes, I believe he is going to buy a couple, fix them and sell them and then buy a few more.

Chairman Foulon questioned the infrastructure and bonding. Mayor Mahler stated that, once he gets his State permits, before we issue a building permit, he has to give us escrow money so our engineer can review the project and prepare a list of what his bonding is so he can get new bonding.

We had declared Rodriguez in default of the Developer's Agreement and he counter sued the Borough. We are basically settling the suits with him, giving him time to get the permits from the State and move forward. If we declare him totally in default, and tell him to tear down the buildings, we are going to wind up back in court with him. We are just trying to get this phase of the project done. If he wanted to continue with Phase II of the additional 115 houses, Rodriguez has to get additional permits from the State and we told the DEP we were not there on his behalf, but only to discuss the Phase I project.

The only problem we have with all this is Rodriguez broke the dam on Stephens Lake and, per the Developer's Agreement, the dam was supposed to be fixed with Phase II. The dam just got broke again about a year ago because the neighbor's up there dammed it back up. Chairman Foulon questioned if it is that critical that the dam be built? We have been without the dam for how many years. Mayor Mahler stated the dam has been gone for 12 or 14 years and, actually, Rodriguez was told to break the dam by someone in Trenton because they thought the dam was unsafe. Chairman Foulon stated that he does not think the dam should influence us to approve Phase II. If in Phase II he is going to repair the dam, I don't think we should say we are in favor of Phase II because the dam is going to be fixed.

There will be no new Developer's Agreement with the new developer. They will adhere to the old Developer's Agreement. Mr. Gunia didn't want a new agreement. He believed the old agreement should be in force and we agreed as did the judge, since we just want the project built.

Mayor Mahler believes all 47 condos will be built since the market for condos is stronger, and only a few of the single-family homes may built. These are three-bedroom condos. They have more than enough sewer rights since the project was downgraded from original approvals and plenty of water. They only thing the developer has to do is upgrade the

pump station on Conklintown Road by the medical building since it is included in the original Developer's Agreement.

If Gunia takes over the project, the first thing we are going to do is obtain escrow money; have the engineer determine how much the bond is; have the sewer line tv'd to see if there are any breaks in the sewer line; have the water line pressure tested but, because the fire hydrants work up there, we believe the water lines to be okay.

MOTION TO ADJOURN AT 8:05PM: made by Member Slater, seconded by Member Demetriou. Carried by a voice vote.

**Jennifer A. Fiorito
Planning Board Secretary**