

MINUTES

PLANNING BOARD

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Special Meeting

April 9, 2014

Oath of Public Officers – Newly appointed members

Mr. Rick Beal – replacement of unexpired term to end 12/31/2015

The oath of office was administered to Mr. Beal prior to the start of the meeting.

The Special Meeting of the Planning Board was called to order at 7:30 PM by Michael Einbinder in the Public Meeting Room.

Mr. Einbinder confirmed that the meeting was being held in conformance with all regulations of the SUNSHINE LAW and proper notice had been given to the Courier News; also, the Agenda had been posted in Town Hall, Board Office, and supplied to the Township Clerk at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue significantly past 10:30 PM.

Roll Call:

Members present were Mr. Einbinder, Mr. Johnson, Mr. Niceforo, Mr. Beal, and Mr. Bocchino. Mr. Bruno, Mr. Monaco, Mr. Graziano, Mr. Hall, Mr. Cunningham and Ms. Perna were absent. Mr. Cruz, Board Attorney, was also present.

Mr. Einbinder welcomed new member, Mr. Rick Beal, to the Planning Board.

Adoption of Minutes:

Special Meeting March 26, 2014

A motion was made by Mr. Einbinder, seconded by Mr. Johnson, to adopt the Minutes of the Special Meeting of March 26, 2014 as presented. The voice vote was unanimous.

Mr. Einbinder asked the secretary which members present were eligible to vote on the Resolution. The eligible voters were stated to be Mr. Einbinder, Mr. Johnson, Mr. Niceforo, and Mr. Bocchino.

At this point Albert Cruz, Planning Board Attorney, explained that before the meeting started, Mrs. Matula provided him with a list of objections that she wanted to have introduced into the record. Mr. Cruz noted that in the Resolution, Page 2, fourth WHEREAS clause, it is stated that the Board did not receive any written comments or objections to the Study prior to or during the public hearing on March 26, 2014, and at the beginning of that meeting, Mr. Cruz advised the Board that no written objections or public comments had been received.

Mr. Cruz further explained that New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-6, Paragraph D4, states that at the hearing which may be adjourned from time to time, the Planning Board shall hear all persons who are interested in or would be affected by a determination that the delineated area is a redevelopment area. All objections to such determination and evidence in support of those objections given orally or in writing shall be received and considered and be made part of the public hearing. Mr. Cruz mentioned this referred to the “hearing” which was concluded on March 26, 2014, and the hearing was closed at the end of that meeting. Mr. Cruz noted that while Ms. Matula has submitted a list of objections, they need not be considered by the Board because they were not submitted on a timely basis (i.e. before the hearing was closed on the 26th).

Mr. Cruz then explained the changes that had been made to the resolution draft since it was previously circulated to the Board members. Mr. Cruz concluded that with these comments and changes to the Resolution, a motion to approve the Resolution as presented and drafted would be appropriate.

Adoption of Resolution:

Planning Board determination, based on the findings of the preliminary investigation presented by Harbor Consultants, Inc., that the municipal property is in need of non-condemnation redevelopment as defined by the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

A motion was made by Mr. Einbinder, seconded by Mr. Niceforo, to adopt the above Resolution. The motion was carried by voice vote 4 - 0 – 1 (abstain Mr. Beal).

Mr. Cruz handed the statement of objections from Ms. Matula to the Secretary, Connie Valenti, for placement into the file.

In closing, Mr. Einbinder mentioned that the proposed reconstruction project at Columbia Middle School would come before the Board as a Courtesy Review. The Board asked that the secretary send out an email with information about the meeting to be held on April 16, 2014. The project would not require Board approval as the Board of Education does not fall under jurisdiction of the Planning Board.

Adjournment:

A motion was made by Mr. Einbinder, seconded by Mr. Johnson, to adjourn the meeting. The voice vote was unanimous and the meeting adjourned at 7:50 p.m.

Connie Valenti, Secretary