

MAYWOOD PLANNING BOARD
MINUTES
April 28, 2022

A regular meeting of the Maywood Planning Board was held on Thursday, April 28, 2022 in the Council Chambers of the Maywood Municipal Building, 15 Park Avenue, Maywood, New Jersey at 7:30pm. “This Meeting was called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was published in the Our Town and The Record newspapers on or about December 16, 2021 and March 31, 2022. In addition, copies of this notice were posted on the bulletin board in the Maywood Municipal Building at 15 Park Avenue, filed with the Borough Clerk and distributed to all persons, if any, requesting copies of same pursuant to said act. This meeting is a judicial proceeding, any questions or comments must be limited to the issues that are relevant to what the Board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.”

Flag Salute

Call to Order

The meeting was called to order at 7:33pm with the following members present: Councilperson Ryan Ullman, Gary Neumann, Chairperson Charlotte Panny, Secretary Anthony Klymenko, Harry Hillenius, Douglas Herrick, Derek Eisenberg, Thomas Anzevino and Geoffrey Smith (left @ 7:56pm). Board Attorney Kara Kaczynski and Board Special Counsel Patrick McNamara were also present.

Reorganization of the Board

Election

Thomas Anzevino nominated Anthony Klymenko as Vice Chairperson of the Board and Derek Eisenberg seconded the nomination. All eligible members present voted in favor of the motion. Board Attorney Kara Kaczynski advised that the Secretary position does not need to be filled.

Approval of Minutes

Derek Eisenberg made a motion to accept the minutes from the April 7, 2022 meeting. Douglas Herrick seconded the motion. All eligible members present voted in favor of the motion.

Bills

Harry Hillenius made a motion to accept payment of the bills. Vice Chairperson Anthony Klymenko seconded the motion. All eligible members present voted in favor of the motion.

Correspondence

1. 4/13/22 letter from Board Engineer Gregory J. Polyniak Re: Arya Realty Holdings, LLC 138-140 West Pleasant Avenue Drainage Review
2. 4/20/22 letter from Eric V. Timsak of Bergen County Planning & Engineering Re: Maywood Sherwood Village, LLC 11 West Passaic Street No Further Action
3. 4/27/22 letter from Andrew M. Cimiluca Re: Marseppe, LLC 687 Elm Street Request for Approval Extension

- Board Attorney Kaczynski requested that Board members and professionals review the checklists and provide comments by Friday, 5/20/22
 - She will compile the comments and discuss with the Board at the Thursday, 6/2/22 meeting

New Business

- Distribution of:
 - Calendar #2020-12 SHDK, LLC, 24-30 West Pleasant Avenue, Block 79, Lot 4, Variance & Site Plan Applications
 - Calendar #2022-03 TRB Associates, 145 West Passaic Street, Block 83, Lots 15 & 16, Variance & Site Plan Applications
- Charge Up Your Town: Best Management Practices to Ensure Your Town is EV Ready
 - Board Attorney Kaczynski asked the Board to review and they will discuss at the 6/2/22 meeting
 - Chairperson Panny asked which type of charging station the Borough should install
 - Board Attorney Kaczynski stated that the Borough has adopted the State required ordinance
 - Gary Neumann explained that residential use is permitted and noted that the conduit was laid in recently paved Borough parking lots

Open Meeting to the Public

Closed Session

Harry Hillenius made a motion to go into Closed Session. Gary Neumann seconded the motion. All eligible members present voted in favor of the motion.

**BOROUGH OF MAYWOOD PLANNING BOARD
Closed Session Resolution # 2022-02**

BE IT RESOLVED by the Planning Board of the Borough of Maywood, pursuant to the provisions of the Open Public Meetings Act, that the Maywood Planning Board met in closed session to discuss the following subject matter(s): Pending litigation

which subject matter(s) is (are) permitted to be discussed in closed session pursuant to the following designated sub-section(s) of Section 7 of the Open Public Meetings Act:

- () Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law
- () Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds
- () Sub-section 3 involving disclosure of material that would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved

() Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions and negotiations thereof

() Sub-section 5 dealing with the acquisition of real property, the setting of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest

() Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law

(X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege

() Sub-section 8 concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof

() Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

BE IT FURTHER RESOLVED that the Planning Board of the Borough of Maywood

() Will return to open session after this meeting.

(X) Do not envision that they will return to open session after this meeting but reserves the right to do so.

Date of Passage: 4/28/22 Time: 8:09pm

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary