

REGULAR MEETING OF THE PLANNING BOARD OF THE BOROUGH OF KENILWORTH HELD ON THURSDAY EVENING, JUNE 11, 2020. CHAIRMAN RICH PICERNO PRESIDED.

In compliance with the Open Public Meetings Act (Chapter 231, P.L. 1975), adequate notice of this meeting has been provided by mailing the Annual Schedule of Meetings and by electronic advanced notice of at least 48 hours pursuant to N.J.S.A. 10:4-9.1 as permitted during a declared emergency to the Star Ledger, Union County Local Source, Kenilworth web site, by posting such Annual Meeting Schedule on the bulletin board in Borough Hall reserved for such announcements and by the proper filing of said Notice with the Borough Clerk. Formal action may be taken at this meeting.

**If you wish to attend this virtual meeting, please click on the following link and/or call into the number provided. Clicking on the link provides visual and audio access and will allow you to comment and/or ask questions at the proper time during the meeting. Calling the number will allow you to hear the meeting and also comment and/or ask questions at the proper time.**

**URL Link for Meeting:**

[https://us02web.zoom.us/join/joinMeeting/tZ0sce6gri0iHdJOnBDTPre7FZnec\\_fQduxA](https://us02web.zoom.us/join/joinMeeting/tZ0sce6gri0iHdJOnBDTPre7FZnec_fQduxA)

**1-908-276-9090**

This meeting is a judicial proceeding. Any questions or comments must be limited to 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 time.

Pledge of Allegiance was led by Chairman Picerno.

**ROLL CALL**

Mr. Picerno, Mr. Schielke, Mr. David, Mr. Grimaldi, Mr. Pantina, Mr. Mazzeo, Mr. Laudati, Mr. Scuderi, Mr. Herbolario, Mr. Zacharczyk, and Mr. McMahon. Also present were Planning Board Attorney Mr. Lou Rago and Planner Kevin O'Brien and Christian Cueto, Engineer.

**Approval of February 13, 2020 Meeting Minutes**

Motion was made by Mr. Grimaldi, seconded by Mr. Scuderi. All in favor.

**Communications:** None

**Resolution:** Resolution for Legal Services for Planning Board Attorney  
Introduced by David.  
Seconded by Grimaldi. Upon roll call all in favor.

**Old Business:** Application #2 – Certificate of Non-Conformity  
Carmela Arale  
409 North 15<sup>th</sup> Street  
Block 4, Lot 26

REGULAR MEETING OF THE PLANNING BOARD OF THE BOROUGH OF KENILWORTH HELD ON THURSDAY EVENING, JUNE 11, 2020. CHAIRMAN RICH PICERNO PRESIDED.

Lou Rago said as the Board may recall, we started this application right before the pandemic hit for a Certificate of Non-Conformity and since then we have not met. The applicant was scheduled for tonight, we received a letter from Steven Hehl, he currently had an issue contacting his client and he requested that we put this off until the July 9<sup>th</sup> meeting. He extended our timing to make a decision through the end of July if it needs to be further extended, he is sure he will accommodate us. The only thing he would like to add, which the applicant's attorney totally agrees with, is that given the starts and stops of this application, he has asked that they re-notice and republish for the July 9<sup>th</sup> meeting and they do not have a problem with that. He said what is in front of the Board is just carrying it until July 9<sup>th</sup> and they will re-notice and republish.

Mr. O'Brien said he noticed Mr. Bonner was on our zoom list and he asked if Mr. Bonner would to speak. The Borough Clerk said he was popping in and out, currently he is not on the participants board.

**New Business: Zoning Application 1-10  
County of Union – Galloping Hill Service Yard  
21 North 31<sup>st</sup> Street, Kenilworth, NJ  
Block 184, Lot 3**

Mr. Picerno asked who is here on behalf of Zoning Application 1-10?

Mike Brennen joined the meeting and said Mr. Campbell and Mr. Chirafesi from Union County are having difficulty joining the zoon meeting.

Mr. Picerno asked Mr. Rago and Mr. Brennan if we should wait for the Union County attorney to join the meeting and maybe go ahead to our next item which is the Master Plan Consistency Review of Land Use Ordinance. Mr. Brennan and Mr. Rago agreed.

**Master Plan Consistency Review of Land Use Ordinance**

Mr. O'Brien said the Planning Board has the responsibility of reviewing any new amendments to the Land Use Ordinance and recommending them to the Borough Council. What you have in front of you is a draft article for the Land Use Ordinance that discusses enforcement, violations and penalties. This information had been scattered throughout the 2015 ordinance and over the last couple of years it became obvious that it was not working for the Borough. It came to a head in the fall of 2019. In collaboration with the Borough Council and members of the Board he prepared a draft that discusses how enforcement of the zoning ordinance will occur as well as assessing violations and penalties, this is all in one place and it is going to be its own article within the Land Use Ordinance. After your review of it, it would be up to the Board to pass a resolution declaring whether or not this proposed article is consistent with the Master Plan and then referring it to the Borough Council for action.

Lou Rago asked Mr. O'Brien, in your view, is it consistent with our Master Plan? Mr. O'Brien said as your Borough Planner, he believes it is consistent with our Master Plan. The plan calls for enforcement of the Ordinance as well as penalties to be assessed. Mr. Rago asked Mr. O'Brien, on the first page of the proposed ordinance, section 36.3, Certificates and permits, Temporary use permits, it talks about situations where maybe a temporary use permit might be appropriate under certain circumstances and the Zoning Officer would have the authority to issue that but at the top of the next page it talks about the Planning Board directing the Zoning Officer to issue a permit. Mr. Rago asked do we really want the

REGULAR MEETING OF THE PLANNING BOARD OF THE BOROUGH OF KENILWORTH HELD ON THURSDAY EVENING, JUNE 11, 2020. CHAIRMAN RICH PICERNO PRESIDED.

Planning Board to be able to do that? He said if there is a crisis, how can we get the Planning Board together and direct the Zoning Officer to issue or not issue a permit? He said he does not know if we want to be involved in that as a Planning Board, that is his thought. Mr. O'Brien said that is a policy issue for the Board, we threw it in there because we did not think the Zoning Officer, on their own, should have that power to allow something that is not allowed in the Ordinance of their own volition. This refers to something that is a non-conforming use but the Board could under special circumstances, as defined by the Board, grant that temporary use permit. We were reluctant in our discussions in setting this up, of giving the authority to the Zoning Officer, it just seemed to be a lot of power for one person. Mr. Rago said many of his Boards have had matters where someone wants to sell, let's say, Christmas Trees for a month at a time in a residential zone and it's not permitted. They come to the Zoning Board and we quickly hear it and if it's reasonable, we grant the temporary use variance for 12 month period, etc. There are temporary permits for fireworks displays, parades and all that but if it's an emergent matter, and he understands that we can't turn the Zoning Officer loose, but he thinks we need to rethink that because it might be cumbersome to have the Planning Board as an entity get involved and direct the Zoning Officer what to do or not to do. He said if someone came in front of the Planning Board wearing your Zoning Board hat where they can get relief for period of time but for permit he thinks we should think about that. He said we don't need to make a change now but that is how he thought this through.

Mr. Picerno asked what the Board would like to say on this because Mr. Rago brought up a good issue.

Mr. Pantina said if you don't feel comfortable with the Planning Board turning the Zoning Officer loose, because in the case of an emergency how are you going to get the Board together. Can we have someone else of the Borough like possibly either the Borough Engineer or Council or something like that, to have someone else that would be around on a daily basis as opposed to waiting for the group to come back.

Mr. Rago said that's a good concept, he is just trying to get the Board, as an entity out of the way. Maybe the Zoning Officer can consult with the Engineer, sometimes the Municipal Attorney or the Mayor gets involved, just so long as there are constraints and guardrails so that we don't have a Zoning Officer and an Engineer permitting something for 2 years when it is not permitted and that would be circumventing the Zoning Board's power. He thinks with appropriate restrictions and guardrails we can do something like that. The Zoning Office may not want to stick his or herself out there but maybe in consultation with the engineer and something else we can do that.

Mr. Grimaldi said we are zooming now so we can get the Board together more quickly than we ever could before, but he understands what you are saying and maybe it's a matter of leaving the engineer and the Zoning Officer to make a statement and approve it until such time as the next normal meeting. So that limits the time that this ruling gets put in place and then we get the full Boards input on it within the months' time.

Mr. O'Brien said he was going to make that suggestion.

REGULAR MEETING OF THE PLANNING BOARD OF THE BOROUGH OF KENILWORTH HELD ON THURSDAY EVENING, JUNE 11, 2020. CHAIRMAN RICH PICERNO PRESIDED.

Mr. Rago said that Mr. O'Brien has indicated that as our Planner this is consistent with our Master Plan which is a key from a planning perspective and certainly the Board can add tweaks here and there but right now we are just looking for if it's overall consistent and it seems to be yes.

Mr. Grimaldi said on the second page A1, as far as the fines, no more than \$1,000.00 is that per day? Mr. O'Brien said yes.

Mr. Picerno asked if everyone was OK with this resolution and everyone said yes. Mr. Picerno asked Mr. Rago if Mr. Grimaldi's statement should be added as a condition? Mr. Rago said normally when the Board determines that it's consistent with the Master Plan, traditionally there would be a letter written by either Kathi or Rich or Kevin that the Board met on such and such a night and determined that the proposed ordinance is consistent with the Master Plan, that's all you really need if we want to add that we recommend the following modifications, that is fine, it can be done by letter.

Mr. O'Brien said if the Board and the Chair directs we can revise this draft to make it that the Zoning Officer has the authority to grant one of those temporary use permits in consultation with other Board professionals and such decision will be ratified /reviewed by the Planning Board at their next regularly scheduled meeting. Mr. Rago said to add no longer than 30 days so that we have a time limit.

**Motion made by Mr. Grimaldi, seconded by Mr. Pantina, to approve the revised Land Use Ordinance document. Document will be sent to the Council. Upon roll call all in favor.**

Kevin Campbell, Union County Counsel's Office entered the meeting via phone call.

Mr. Picerno asked Mr. Rago if it is required to swear in witnesses? Mr. Rago said he has seen it done both ways, we are not required to. This is a courtesy review, the County is going to be telling us what they would like to do, we can make recommendations if we think it would make the project better and they can either smile and leave the room or pick up our recommendations or not. He said he does not think we need to have anyone sworn in at this point in time.

Mr. Campbell said we are here before the Board for a courtesy review of a storage shed that we intend to put up at Galloping Hill Golf Course in the area where there is already a park facility for various park and golf course operations. Mike Brennan will explain what the shed involves and what purpose it will serve for park operations.

Kevin O'Brien, Board Planner, and Christian Cueto and Mr. Michael Brennan were sworn in by Mr. Rago.

Mr. Campbell said Mr. Brennan is the Director of Park Maintenance at the Union County Department of Parks.

Mr. Brennan said he has been a County employee at the Parks and Recreation for about the last 10 or 15 years. The site was the former trades of parks recreation, there were some old buildings there that were removed when golf course operations took over and put a new building up. Subsequently things were moved into the facilities in Elizabeth. The constraints of Elizabeth for some of the trades is very tight because of the space and keeps getting tighter. The County would like to put up a storage shed for its masonry operations for and the Director of Facilities' will tell you exactly what the masons do daily but basically it will be a storage shed for their scaffolding and some of their equipment, etc. They would not

REGULAR MEETING OF THE PLANNING BOARD OF THE BOROUGH OF KENILWORTH HELD ON THURSDAY EVENING, JUNE 11, 2020. CHAIRMAN RICH PICERNO PRESIDED.

be reporting there daily. As a way of traffic there would be no parking necessarily on site but there would be coming and going out of the service entrance as they always did and still do for golf operations.

Mr. Campbell asked Mr. Brennan if the shed would serve the purpose for park maintenance at the golf course? Mr. Brennan said yes maintenance of the golf course, maintenance of the parks and any other County facilities that need maintenance.

Mr. Campbell asked Mr. Brennan if he thinks this would be an improvement over the current situation and if so, why? Mr. Brennan said the constraints of the space in Elizabeth makes it very difficult to operate, right now they have to take everything down an elevator and load it into the trucks on a daily basis so this would make the operation a lot easier and more efficient.

Mr. Rago said he does not have any questions, but he is looking at the engineers' report which he is assuming will be addressed in terms of recommendations he is making.

Mr. O'Brien said no questions at this time.

Mr. David said looking at the picture, he sees the proposed storage building and then there are what look like 2 tractor trailers, is this storage facility going to replace those tractor trailers? Mr. Brennan said yes it will.

Mr. Brennan said this would present a more esthetics appearance for the area.

Mr. David asked Mr. Brennan to describe the materials to be used in construction the proposed storage building. Mr. Brennan said it is similar to the existing structure there in that it is a cement slab with an all steel building, it has windows and a regular steel roll up garage door. Mr. Campbell asked if trucks and other large motor vehicles will be able to enter this site? Mr. Campbell said you can get a mason dump into the building, it's about a 30 x 40 building.

Mr. Charles Chirafesi, said he has been the Director of Facilities' Management for about six years. His responsibility is maintaining all the buildings in the County as far as all the trades, electric, plumbing, mason, carpentry and painting. Mr. Chirafesi said we currently storing our masonry materials all over the County at 3 locations, one is up in the mountains, some at the motor vehicle facility, some at the old jail at the courthouse. They have to bring stuff up and down by elevators so it is more advantageous to have this building in Kenilworth because it is centrally located in the County and we can fit everything under the one roof. The hours of operation would be 7AM to 4:00PM. It is consistent with what is taking place there. This would be more efficient for the County and its use of resources then the current state. He said it is easily accessible and is centrally located in the County so it makes sense for us, it's going to store cement, planks and things of that nature. This would not be a highvolume area in terms of traffic, approximately 1 or 2 vehicles enter a day.

Mr. Picerno asked where is the entrance and egress point? Mr. Chirafesi said there is a 10 x 10 overhead door and 2 36x80 walk in man doors, one on the right side and one on the backside of the building. Mr. Picerno asked from what point are you coming in.....is it from the Boulevard? Mr. Chirafesi said yes from the Boulevard into our service yard. The service yard is right next to the cemetery across the street from Acme by the strip mall.

REGULAR MEETING OF THE PLANNING BOARD OF THE BOROUGH OF KENILWORTH HELD ON THURSDAY EVENING, JUNE 11, 2020. CHAIRMAN RICH PICERNO PRESIDED.

Mr. Campbell said his final witness is Paul Leso from the County Engineering Department.

Mr. Leso was sworn in by Mr. Rago.

Mr. Leso said he is the supervising engineer for the County of Union and is licensed as an engineer and land surveyor. He said he drew up the site plans in regard to this matter and the site plan has been received by the Planning Board.

Mr. Campbell asked if everyone can see the site plan and Mr. Brennan said yes he can. Mr. Schielke said that Mr. Grimaldi has added the site plan as his background so that everyone can see it. Mr. David said if Mr. Leso shares his screen everyone would be able to see what he has.

Mr. Leso said the site plan depicts that area of the Galloping Hill Service Yard where the proposed shed is to be located, the shed is 30 ft. x 50 ft. The access to the site is from North 31<sup>st</sup> Street off the Boulevard. There are two other existing facilities there, the fuel dispensing area and there is an existing maintenance building. In terms of the site, the property to the southwest is at a higher elevation and as the Board knows the Boulevard is much higher than this location so when you go from the Boulevard from North 31<sup>st</sup> Street it will take you down into the site. He does not foresee where there would be any drainage issues associated with this proposed building. Additionally, the proposed location is impervious so there would be no additional run-off generated. Mr. Leso said the access would be via north 31<sup>st</sup> Street off the Boulevard. Mr. Campbell asked Mr. Leso if there is adequate parking at this site for employees who might be working at this location and Mr. Leso said based on the anticipated number of trips, one or two a day, the answer is yes. Mr. Campbell asked if there would be additional lighting at this facility and Mr. Leso said to his knowledge it is not proposed. Mr. Chirafesi said there is adequate lighting already there. Mr. Leso said this would not interfere with neighboring properties and it would have not an impact on the aesthetics of the surrounding area. The area is already a maintenance yard and it would not be an expansion of the existing use, it's the same use. Mr. Leso said this would have no adverse impact on the Borough of Kenilworth and the proposed building is consistent with the Kenilworth Master Plan. Mr. Leso said the property is engineered to State and local requirements and that will also be confirmed by the Building Inspector when a building permit is issued. There are no wetland or flood movement.

Mr. David said looking at the site plan he believes the fuel area is something the Board had previously approved but it looks like there is sufficient room between the new structure and the fueling area, he asked if the new structure would interfere with the fueling area? Mr. Leso said it will not.

Mr. Pantina asked if the County could supply the Board a set of the fabrication plans and is it going to be a mason dwelling? Mr. Leso said it will be a pre-fab steel structure. Mr. Pantina asked for the fab drawings and Mr. Leso said that's possible. Mr. Chirafesi said the plans were submitted to the town.

Kevin said the plans that Mr. Chirafesi is referring to have been submitted to the building department for permits and upon that submission, the building department realized that a zoning permit needed to be issued and that it needed to come to the Planning Board so the particular plans about how to build the building are in the Building Department. What you have is a separate image of what they are proposing and where they are proposing. Those building plans are not appropriate for your review. Mr. Pantina said he asked for those plans because Mr. David was asking how the fueling area was going to operate with the proposed storage building and since you can't tell where the doors are or any of the openings are he figured the fab drawings might shed a little light.

REGULAR MEETING OF THE PLANNING BOARD OF THE BOROUGH OF KENILWORTH HELD ON THURSDAY EVENING, JUNE 11, 2020. CHAIRMAN RICH PICERNO PRESIDED.

Christian Cueto said the proposed storage building looks like it is going over to replace those two storage containers that are on site, are those 2 containers going to remain on site or will they be relocated off. Mr. Campbell said he believes they have already been removed and they are not coming back.

Mr. Picerno said he does not think we have to vote on this because it is just a courtesy for Union County.

Mr. O'Brien said he defers to Mr. Rago, initially his suggestion would be that should the Board wish to make any suggestions or comments regarding the project that they be put into a resolution as prepared by Mr. Rago. He said any formal action taken by the Board should result in a resolution to summarize the Board's activities and decisions.

Mr. Rago said on a minimum it memorializes the fact that we had a courtesy review and we heard it so there is a record. We can put that in a resolution that we can adopt down the road at our next meeting, it won't hold up the County at all and if there are any specific recommendations, non-binding that we have we can put those into the resolution as suggestion's and we would vote as we normally would.

Mr. David asked if we have to turn this over to the public for comment? Mr. Rago said if there are public here that want to comment, that is fine, again with the proviso that we are not voting for or against... the only thing we are doing is acknowledging that we have heard it, that would be the vote, that we have concurred with the County. If there are conditions, put them in but if the public has any comments, we can certainly entertain them with the understanding that they may not find their way into the resolution.

**OPEN MEETING TO THE PUBLIC**

Motion was made by Mr. David, seconded by Mr. Mazzeo to open the meeting to the public on Zoning Application 1-10, County of Union, Galloping Hill Service Yard.

No one wished to speak.

Motion was made by Mr. Grimaldi, seconded by Mr. David to close the meeting to the public on Zoning Application 1-10, County of Union, Galloping Hill Service Yard.

Mr. Mazzeo said due to the fact that two Board Members brought up concerns regarding the proximity to the fueling building that is adjacent, can we add to the resolution that we are going to assume that the County will take any and all measures to protect that building from any vehicular traffic caused by the new storage building? Mr. Leso said the County would not object to that comment being put into the resolution.

Mr. O'Brien asked Mr. Leso if he would be able to scale off to distance between the fueling station and the proposed building? Is there enough to set this to rest? Mr. Leso said as you look at the site plan you can see that the building is dimensioned at 30 x 50 so he would say that you would have at least 30 ft. between the existing fueling station and there is also an overhang because the pumps are under there so there is even more than 30 ft. between where the building will be and the actual pumps. Typically driveway is double width, lanes are 12 ft. so if you had two lanes going either way that would be 24 ft. and we are certainly in excess of that so there should be plenty of room to avoid any conflict between the operation of the fueling area and the proposed sheds location.

REGULAR MEETING OF THE PLANNING BOARD OF THE BOROUGH OF KENILWORTH HELD ON THURSDAY EVENING, JUNE 11, 2020. CHAIRMAN RICH PICERNO PRESIDED.

Mr. Rago asked if there was a need for a condition? If those are the facts on the ground in terms of... Mr. Picerno said he thinks not but he will ask the Board. If Mr. Leso is a polished engineer who has looked at the plan and said that its 30 plus deep from the fuel station and Mr. Campbell said only a fool would put that building on top of the fuel.....that's good enough for him.

**Motion was made by Mr. Grimaldi, seconded by Mr. David to approve Zoning Application 1-10, County of Union, Galloping Hill Service Yard and to take all measures to protect the building from any vehicular traffic caused by the new storage building. Upon roll call: Mr. Picerno voted yes, Mr. Schielke voted yes, Mr. David voted yes, Mr. Grimaldi voted yes, Mr. Pantina voted yes, Mr. Mazzeo voted yes, Mr. Laudati voted yes, Mr. Calello voted yes, Mr. Scuderi voted yes, Mr. Herbolario voted yes, Mr. Zacharczyk voted yes and Mr. McMahan voted yes.**

**REDEVELOPMENT STUDY**

Mr. O'Brien said he was in a rush to get out of Borough Hall this afternoon to get to his office for this Zoom Meeting and when I gave the resolution information to Ms. Moschitta to add to the Agenda she neglected to add the block and Lot number. The Block and Lot will be added to the resolution.

Mr. O'Brien said the resolution you have in front of you comes from the Borough Council. The Council has directed the Planning Board to conduct a study of the North 26<sup>th</sup> Street Redevelopment area as defined by the Borough Council. The Boards next step is to direct the Planner to conduct that redevelopment study and recommend to the Planning Board whether that property qualifies as a redevelopment area. Currently the Borough Council has directed us to make this non-condemnation, there are two categories condemnation and non-condemnation. Non-condemnation means that the Borough will not exercise any of its legal rights to take this property and instead the transaction is being done on a voluntary basis by all parties so there is no eminent domain, no condemnation on the part of the Borough, these are consenting parties who are working together. The study itself will go through criteria that the New Jersey Statute has in place. To backtrack for a moment, when we review use variances our power is based upon whether or not that application meets what we call the burden of proof and we have that three-prong process, special reasons, positive criteria, negative criteria all laid out in the statute and that is the criteria by which we review those use variances. Similar situation with redevelopment, the New Jersey Statute puts out about a dozen criteria and if an area meets any of those criteria or more then it can be labeled an area in need of redevelopment. The study that you are authorizing to be done is to go through that criteria to look at that site very carefully, do the research into the archives, into our files and determine whether or not that area can be labeled an area in need of redevelopment. That study then comes back to the Planning Board, the Planning Board can adopt, revise or reject it and based upon what you do, you then send your recommendation to the Borough Council and by ordinance, should you adopt it, either as is or with revisions, you would send that to the Borough Council and they would then adopt it by ordinance. If you turn it down, you send that to Borough Council as well and they have to decide what they do then. He said it is a process, it takes time, a professional planning study has got to be done which takes time and all the parameters of that property have to be looked at very very carefully so that the Board is extremely comfortable in making its determination when you get the study in front of you. That is an overview and Mr. O'Brien said he welcomes any questions.

REGULAR MEETING OF THE PLANNING BOARD OF THE BOROUGH OF KENILWORTH HELD ON THURSDAY EVENING, JUNE 11, 2020. CHAIRMAN RICH PICERNO PRESIDED.

Mr. Picerno asked Mr. O'Brien approximately how long will the study take? Mr. O'Brien said he would like to maintain some flexibility as we know this is a large site, it's been an industrial site, there is an awful lot that has to be looked at in determining whether or not this meets the criteria so he would ask for the Board's flexibility at this point in determining the due date, he will consult with the Board, he will consult with the redeveloper and give you a better idea of that at our next meeting.

Mr. Laudati asked Mr. O'Brien if his study includes environmental testing, would that be included in your report? Mr. O'Brien said it does not include any independent environmental testing but we do take a look at the status of the environmental state of the site and we include that in there and that may be referring to documents from the redeveloper. That aspect has to be considered and addressed.

Mr. Rago said he is assuming that your study would also include photos and maps of the area, the statute calls for maps so anyone reading it would have a really good sense of the property itself, is that accurate? Mr. O'Brien said that is correct, the statute requires a map that will be provided as well as other documentation. Mr. Rago said when Kevin completes the report the Planning Board has to have a noticed hearing and people can comment on it. If the Planning Board signs off on it, it goes to the Governing Body which has the option to put that area into a redevelopment zone, then Kevin would be tasked with the idea of coming up with a redevelopment plan, the actual what is going to go on the property, what does the Borough want to see on this property and then down the road we would look at the plan to see if it's consistent with the criteria. Then a redeveloper would come in, having to meet that plan.

Mr. Picerno asked Mr. O'Brien if he will need any assistance from our Engineering people? Mr. O'Brien said yes he will be consulting with Mr. Vinegra and Mr. Cueto.

Mr. David asked who funds our professionals to do the study, this is not coming from the Board's normal study, so how is their effort being funded. Mr. O'Brien said the redeveloper will establish an escrow account which will pay for that study.

Mr. Picerno said so basically the Council has already voted on this and now it's coming to us.

Mr. O'Brien said that Mr. Papparo the attorney for the redeveloper is on our zoom meeting and he said he does not know if it's appropriate for him to be heard but he just wanted everyone to know he is present.

Mr. Picerno asked Mr. Paparo if he wanted to comment and add to this? Mr. Paparo said he is just here as a passive observer.

**Motion was made by Mr. David, seconded by Mr. Mazzeo to authorize the Borough Planner to conduct a redevelopment study for the appropriate block and lot. Upon roll call: Mr. Picerno voted yes, Mr. Schielke voted yes, Mr. David voted yes, Mr. Grimaldi voted yes, Mr. Pantina voted yes, Mr. Mazzeo voted yes, Mr. Laudati voted yes, Mr. Calello voted yes, Mr. Scuderi voted yes, Mr. Herbolario voted yes, and Mr. McMahon voted yes.**

REGULAR MEETING OF THE PLANNING BOARD OF THE BOROUGH OF KENILWORTH HELD ON THURSDAY EVENING, JUNE 11, 2020. CHAIRMAN RICH PICERNO PRESIDED.

**COMMENTS FOR THE GOOD OF THE BOARD**

None

**OPEN MEETING TO THE PUBLIC**

Motion made by Mr. David, seconded by Mr. Scuderi to open the meeting to the public.  
All in favor.

Mr. Paparo provided the Block and Lot for the redevelopment property which is Block 183, Lot 9.

Motion made by Mr. Laudati, seconded by Mr. Grimaldi to close the meeting to the public.  
All in favor.

**Adjournment**

Motion to adjourn was made by Mr. David, seconded by Mr. Schielke. All in favor.

Respectfully submitted by:  
Kathleen Moschitta  
Recording Secretary