

BOROUGH OF BERLIN
PLANNING BOARD MINUTES
January 8th, 2024. Re-org and Regular meeting

CALL TO ORDER:

Attorney Stuart Platt called the meeting to order at 7:00 PM

FLAG SALUTE:

Attorney Stuart Platt called for everyone to rise and recite the pledge of allegiance to the flag.

SUNSHINE STATEMENT: Attorney Stuart Platt announced that this meeting is being held in compliance with the open Public Meetings Act and has been duly noticed and published by law.

Attorney Stuart Platt did the swearing in of New Planning Board members and recognized the Re-appointed Board members,

NEW APPOINTMENTS

- | | | |
|---------------------------------------------------------|---------------------|-----------------------|
| • Mayor Rick Miller | Class I | 1/1/2024 - 12/31/2027 |
| • Wayne Hans | Class II | 1/1/2024- 12/31/2024 |
| • Councilman Millard V. Wilkinson | Class III | 1/1/2024 - 12/31/2024 |
| • Michael McGowan
(Unexpired Term of Michael Foster) | Class IV | 1/1/2024 -12/31/2026 |
| • Fran Ballak | Class IV | 1/1/2024 - 12/31/2027 |
| • Eric Hahn | Alternate, Class IV | 1/1/2024 - 12/31/2027 |

RECOGNITION OF PLANNING BOARD MEMBERS

- | | | |
|----------------------|---------------------|-----------------------|
| • Dan Pomponio | Class IV | 1/1/2023 - 12/31/2026 |
| • Harry Earle | Class IV | 1/1/2021 - 12/31/2024 |
| • John Cole | Alternate, Class IV | 1/1/2023 - 12/31/2024 |
| • Ken Ryker | Class IV | 1/1/2021 - 12/31/2024 |
| • Jeannie Schumacher | Class IV | 1/1/2022 - 12/31/2025 |

Appointment of Officers:

A motion to appoint Michael McGowan as Chairman was made by Mayor Miller, and Seconded by J. Schumacher.

Roll Call:

Mayor R. Miller-AYE

Councilman M. Wilkinson-AYE

Chairman M. McGowan-ABSTAIN

D. Pomponio-AYE

W. Han-AYE

F. Ballak-AYE

J. Schumacher-AYE

H. Earl-AYE

E. Hahn-AYE

M. McGowan took the chairman seat and continued with the voting on the Reorganization meeting.

APPOINTMENT OF VICE CHAIRMAN:

A motion to appoint D. Pomponio as Vice Chairman was made by Mayor R. Miller and seconded by J. Schumacher.

Roll Call:

Mayor R. Miller-AYE

Councilman M. Wilkinson-AYE

Chairman M. McGowan-AYE

D. Pomponio-ABSTAIN

W. Han-AYE

F. Ballak-AYE

J. Schumacher-AYE

H. Earl-AYE

E. Hahn-AYE

APPOINTMENT OF SOLICITOR:

A motion to appoint Stuart Platt as solicitor was made by Chairman M. McGowan and Seconded by J. Schumacher.

Roll Call:

Mayor R. Miller-AYE
Councilman M. Wilkinson-NAY
Chairman M. McGowan-AYE
D. Pomponio-AYE
W. Han-AYE
F. Ballak-AYE
J. Schumacher-AYE
H. Earl-AYE
E. Hahn-AYE

APPOINTMENT OF SECRETARY:

A motion to appoint Donna Plute as Secretary was made by Mayor R. Miller and seconded by J. Schumacher

Roll Call:

Mayor R. Miller-AYE
Councilman M. Wilkinson-AYE
Chairman M. McGowan-AYE
D. Pomponio-AYE
W. Han-AYE
F. Ballak-AYE
J. Schumacher-AYE
H. Earl-AYE
E. Hahn-AYE

APPOINTMENT OF ENGINEER:

A motion to appoint Colliers Engineering & Design, Inc. as Planning Board Engineer was made by Chairman M. McGowan and seconded by D. Pomponio.

Roll Call:

Mayor R. Miller-AYE
Councilman M. Wilkinson-AYE
Chairman M. McGowan-AYE
D. Pomponio-AYE
W. Han-AYE
F. Ballak-AYE
J. Schumacher-AYE
H. Earl-AYE
E. Hahn-AYE

APPOINTMENT OF PLANNER:

A motion to appoint CME as Planner was made by Chairman M. McGowan and seconded by J. Schumacher.

Roll Call:

Mayor R. Miller-AYE
Councilman M. Wilkinson-AYE
Chairman M. McGowan-AYE
D. Pomponio-AYE
W. Han-AYE
F. Ballak-AYE
J. Schumacher-AYE
H. Earl-AYE
E. Hahn-AYE

Attorney Stuart Platt swore in Anthony LaRosa from Colliers Engineering & Design, Inc. as Planning Board Engineer, and Christopher Dochney from CME as Planner

RE-ADOPTION OF RULES AND REGULATIONS:

A motion to re-adopt rules and regulations was made by D. Pomponio and seconded by F. Ballak.

Roll Call:

Mayor R. Miller-AYE
Councilman M. Wilkinson-AYE
Chairman M. McGowan-AYE
D. Pomponio-AYE
W. Han-AYE
F. Ballak-AYE
J. Schumacher-AYE
H. Earl-AYE
E. Hahn-AYE

FEE FOR NOTICE OF MEETING:

A motion to approve the fee of \$25.00 for notice of meetings was made by Mayor R. Miller and seconded by H. Earl.

Roll Call:

Mayor R. Miller-AYE
Councilman M. Wilkinson-AYE
Chairman M. McGowan-AYE
D. Pomponio-AYE
W. Han-AYE

F. Ballak-AYE
J. Schumacher-AYE
H. Earl-AYE
E. Hahn-AYE

MEETING DATES:

The Second Monday of every month is reserved for Planning Board Meetings, except for October and November which will be Tuesdays, due to a Holiday and the Fourth Monday of each month is reserved for Special Meetings should it be necessary due to large agendas, or special schedules as needed.

A motion to approve the meeting dates as provided was made by D. Pomponio and seconded by F. Ballak.

Roll Call:

Mayor R. Miller-AYE
Councilman M. Wilkinson-AYE
Chairman M. McGowan-AYE
D. Pomponio-AYE
W. Han-AYE
F. Ballak-AYE
J. Schumacher-AYE
H. Earl-AYE
E. Hahn-AYE

PUBLIC PORTION:

Chairman M. McGowan opened to the public for concerns or discussions. Carl Mascarenhas who is a resident in town and is an active councilman came forward to address his strong support for Mark Rinaldi for Solicitor for the Planning Board. Mr. Mascarenhas has explained that Mr. Rinaldi has been a long-standing member of the community and has deep roots in the community. Mr. Mascarenhas then went on to say that he has been an active participant in town since his business opened in 1991 and has had the privilege of witnessing the dedication and hard work of Mark Rinaldi. Mr. Rinaldi dedicated eleven years of service as a solicitor in this town, coupled with his residency and business in town since 1999. Mr. Rinaldi reflection and deep understanding to our town needs is truly commendable, his professional expertise, changes and opportunities would make him, a valuable asset, to the role of solicitor to the planning and zoning board. Mr. Rinaldi reputation is stellar, his word is strong, and principal is sound, stated Mr. Mascarenhas.

Mr. Mascarenhas would like to draw attention to the overwhelming support for Mr. Rinaldi appointment, on the four to two, in the current borough council vote, even though it was not on the paperwork. The evidence from the recent vote result

among the council members shows the positive outcome, clearly reflecting the widespread recognition of Mark Rinaldi's exceptional qualifications and strong alignment that he is in the best interest for our community.

Mr. Mascarenhas is confident that Mark Rinaldi appointment would benefit the planning board and the entire community and urged the board to carefully reconsider the position of solicitor. Mr. Mascarenhas thanked the board for letting him speak even though it is late and with the board's support there will be a better choice for the future of the town.

Mr. Mascarenhas stated he had the opportunity to run for council with Millard Wilkinson and they worked hard, knocked on doors, listened to people and he doesn't just speak for his voice but for many voices. Mr. Mascarenhas knows it is late in the draw but would like reconsideration.

Chairman M. McGowan then asked if there was anything else from the public, none seen or heard so public portion was closed. Chairman M. McGowan then asked if there is any open discussion from the board, none heard.

Chairman asked if there was a motion to close the re-organization meeting.

ADJOURNMENT OF RE-ORGANIZATION: Motion made at 7:10pm

A motion to adjourn re-organization was made by Mayor R. Miller and seconded by F. Ballak.

Roll Call:

Mayor R. Miller-AYE

Councilman M. Wilkinson-AYE

Chairman M. McGowan-AYE

D. Pomponio-AYE

W. Han-AYE

F. Ballak-AYE

J. Schumacher-AYE

H. Earl-AYE

E. Hahn-AYE

Regular Meeting:

REGULAR MEETING:

MINUTES:

Chairman M. McGowan asked if there were any questions on the December 11th, 2023, minutes. None heard.

Minutes December 11th, 2023

A motion on the minutes for December 11th, 2023, was made by D. Pomponio and seconded by H. Earl.

Roll Call:

Mayor R. Miller-ABSTAIN
Councilman M. Wilkinson-AYE
Chairman M. McGowan-AYE
D. Pomponio-AYE
W. Han-ABSTAIN
F. Ballak-ABSTAIN
J. Schumacher-ABSTAIN
H. Earl-AYE
E. Hahn-AYE

RESOLUTIONS:

Case #23-07

Nicholas D. & Debra A. Maccaroni
67 Gardens Ave
Berlin, New Jersey 08009
Block 2004 Lot 4
Minor Subdivision

A motion on the resolution for Case #23-07 was made by D. Pomponio and seconded by H. Earl.

Roll Call:

Mayor R. Miller-ABSTAIN
Councilman M. Wilkinson-AYE
Chairman M. McGowan-AYE
D. Pomponio-AYE
W. Han-ABSTAIN
F. Ballak-ABSTAIN
J. Schumacher-ABSTAIN
H. Earl-AYE
E. Hahn-AYE

ZONING OFFICERS REPORT:

The zoning official, Wayne Han went over the report for the month of December 2023. He answered phone calls, emails and there was one zoning report he reviewed. Due to the holidays, it was a slow month.

OLD BUSINESS:

None

NEW BUSINESS:

None

CORRESPONDENCE:

None

PUBLIC PORTION:

Chairman M. McGowan asked if there was anything from the public, none seen or heard so public portion was closed.

GOOD OF THE ORDER:

Mayor Rick Miller congratulated everyone on their appointments and thanked everyone for the hours they spent on the board and serving their community. He also thanked Wayn Han for stepping up and joining the board.

ADJOURNMENT OF REGULAR MEETING: at 7:23pm

A motion to adjourn the meeting was made by J. Schumacher and seconded by D. Pomponio.

All in favor-AYE

Cc: Bill Behnke, Fire Marshall
Stacey DiVello, Escrow Financial Department
Al Hallworth, Construction Official
Michael Bernardins, CTA Tax Assessor