

## **Hawthorne Planning Board Minutes of January, 2010 Regular Meeting**

The January, 2010 regular meeting of the Hawthorne Planning Board was called to order on January 19, 2010 at 7:30 P.M. by Chairman Garner. After recital of the Pledge of Allegiance, Board Secretary William A. Monaghan, III called the roll. All members and alternates except Vice Chairman Lane, Mr. Ruta and Ms. DiMattia were present as well as Board attorney/secretary William A. Monaghan, III, Esq. Chairman Garner announced that notice of the meeting had been published and posted in accordance with the Open Public Meetings Act.

### **MINUTES**

1. On a motion made by Mr. Lucibello and seconded by Mr. DeAugustines, the Board approved the minutes of the December regular meeting and January work session.

### **CORRESPONDENCE** – None

### **BILLS**

1. A motion was made by Mr. DeAugustines, seconded by Mr. Lucibello, and approved by a vote of 6-0 to approve payment of a bill of the Hawthorne Press for Invoice No. 986216 in the amount of \$73.32.

### **RESOLUTIONS**

1. With regard to the appointment of the Board engineer/planner, a motion was made by Mr. DeAugustines, seconded by Mr. Matthews and approved by a vote of 4-0 to approve a resolution memorializing the action taken by the Board at its January 5, 2010 meeting.
2. With regard to the appointment of the Board attorney/secretary, a motion was made by Mr. Lucibello, seconded by Mr. Matthews and approved by a vote of 4-0 to approve a resolution memorializing the action taken by the Board at its January 5, 2010 meeting.
3. With regard to the application of **Reiner Group, Inc.**, a motion was made by Mr. Matthews, seconded by Mr. Lucibello and approved by a vote of 4-0 to approve a resolution memorializing the action taken by the Board at its January 5, 2010 meeting.
4. With regard to the application of **Tuscany**, a motion was made by Mr. Matthews, seconded by Mr. Lucibello and approved by a vote of 4-0 to approve a resolution memorializing the action taken by the Board at its December 15, 2009 meeting.

**CERTIFICATE OF COMPLIANCE PLAN REVIEW** – None

**OLD BUSINESS**

1. With regard to **JTR Family Realty LLC**, Robert Taylor, manager appeared on behalf of the applicant. Mr. DeAugustines recused himself from the hearing of this matter. After being sworn, Mr. Taylor requested an extension of the temporary certificate of compliance approval previously granted by the Board. He indicated that the same three tenants listed in the Board's resolution dated September 16, 2008 remain in occupancy. In answer to Mr. Monaghan's questions, he advised the Board that two underground diesel fuel tanks had been removed from the site some time ago. Since the removal revealed leakage and contamination, a remediation project was conducted by ESA Environmental with reports submitted to NJDEP. Monitoring wells were installed as part of the remediation process and Mr. Taylor is awaiting receipt of a "No Further Action" letter from NJDEP indicating that the remediation has been completed. Mr. Taylor also indicated that the property is being actively marketed for sale but prospective buyers are reluctant to proceed without final resolution of the environmental issue. After brief discussion, a motion was made by Mr. Lucibello, seconded by Mayor Goldberg and approved by a vote of 5-0 to extend the applicant's temporary Certificate of Compliance through June 30, 2010 subject to the conditions that no additional tenants will be permitted to occupy the property without review and approval by the Planning Board and the applicant will submit a copy of the "No Further Action" letter expected from NJDEP to the Planning Board immediately upon receipt of the letter.

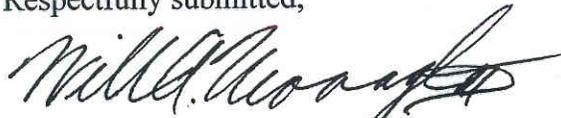
**NEW BUSINESS** – None

**PUBLIC**

The meeting was then opened for public comment without response.

The meeting was then adjourned at 7:50 P.M.

Respectfully submitted,



William A. Monaghan, III, Esq.  
Board Attorney/Secretary