

CALL TO ORDER: AT 7:01 P.M. by Chairman Loury
OPEN PUBLIC MEETING LAW STATEMENT OF COMPLIANCE

ROLL CALL: Chairman Loury, Mayor William J. Chegwiddden, Councilwoman Vasquez, Peter Rathjens, Marc Harris (arrived 7:13 p.m.), Brian Bosworth, Christopher Fleischman, Roshan Patel

EXCUSED: Barbara Chiappa, Michelle Anne Molde and Lawrence Biehler

OTHERS PRESENT: Alan Zakin, Board Attorney; Christopher Borinski, Board Engineer; and Desi Ruffo, Board Secretary

Motion by C. Fleischman and seconded by Councilwoman Vasquez to approve the February 4, 2025 meeting minutes as presented. YEA - 7 NAY - 0 ABSENT - 4 ABSTAIN - 0

Motion by P. Rathjens and seconded by C. Fleischman to approve the bills as presented. YEA - 7 NAY - 0 ABSENT - 4 ABSTAIN - 0

The Board Secretary provided an update to the board on the outstanding escrow account balances.

OLD BUSINESS:

1. Resolution: Extension of Approval: 170 North Main/Ashour Investment (Block: 301, Lot: 1)

The Board reviewed the draft resolution of approval. The Board Attorney, Alan Zakin, Esq. informed the Board that the applicant's representative, who was not present, had requested a change to the address of record—from the Parsippany address to the Rockaway address. Board members and professionals discussed the proposed revision in connection with the resolution for the extension of approval. As a result, revisions were made to pages 2 through 4 of the resolution.

Motion by P. Rathjens and seconded by C. Fleischman to approve the resolution with the revisions as discussed. YEA - 7 NAY - 0 ABSENT - 3 ABSTAIN - 1

2. Resolution: Extension of Approval: Wharton Developments A (Urban Renewal) (Block: 903, Lots: 2 and 2.03)

The Board reviewed the draft resolution of approval. The Board Attorney, Alan Zakin, Esq. advised that the applicant's legal representative, Peter Wolfson, Esq. of Day Pitney, who was present, had provided comments, which were addressed through revisions and clarifications on pages 2 and 3. Board members, board professionals and the applicant's legal representative engaged in discussions regarding the proposed changes related to the resolution for the extension of approval. As a result of these discussions, revisions were made to include provisions for the maintenance and continued upkeep of the overall aesthetics of the site.

P. Wolfson, Esq. (**Day Pitney, Parsippany**): The Board's concerns were conveyed to the applicant, including the necessity of maintaining the silt fence in proper condition. The applicant will be repairing the silt fence immediately. With guidance from the Board professionals, the applicant will undertake additional improvements to enhance and maintain the site's overall aesthetics by May.

Motion by Mayor Chegwiddden and seconded by P. Rathjens to approve the resolution with the revisions as discussed. YEA - 7 NAY - 0 ABSENT - 3 ABSTAIN - 1

OPENED TO THE PUBLIC:

Matthew Vedder, of 1066 Treetops, inquired about how the Board determines property ownership, specifically with regard to Overlook Village.

While the Board confirmed that ownership information is not within its purview, members provided guidance on how to obtain such information. This included contacting the property's management company, reviewing tax records through the County, or inquiring with the Housing Department regarding renter information.

Mayor Chegwidden provided an update regarding the ongoing abandoned mine repair efforts. He reported that the New Jersey Department of Transportation (DOT), the municipality, and surrounding towns have been working collaboratively to address the situation. Traffic patterns have been adjusted, resulting in improved traffic flow, and some traffic signals have been modified to assist with congestion. A meeting was held with local businesses impacted by the closure to discuss potential support measures.

The structure on Route 80 is currently being drilled for assessment, and it was noted that some subsurface areas were not identified on historical maps. At this time, there is no confirmed reopening date for the highway. The affected area is related to the Mount Pleasant Mine, which began operations in 1786. Mayor Chegwidden expressed gratitude to the New Jersey Department of Transportation (DOT) and DOT Commissioner Francis O'Connor for their guidance and continued support.

Mayor Chegwidden reported visiting the Avalon Bay property and assured the Board that the building is structurally sound. He noted that almost two-million dollars had been spent on mine remediation efforts prior to development. Both the State and the professional engineers signed off on the completed remediation at that time. In accordance with state law, buildings of this type are required to be inspected every 15 years; the Avalon Bay property is currently 10 years old.

Matthew Vedder, of 1066 Treetops, inquired about whether Main Street would be inspected and repaired nearest to Route 15.

The Board confirmed that Main Street is a county road and that the County will be contacted to evaluate its roads within the municipality once the Route 80 work is completed. Additionally, the New Jersey Department of Transportation (DOT) was asked to inspect the bridges in the area. The DOT responded promptly, performed cosmetic repairs to the Route 15 bridge, and confirmed that the structure is sound.

CLOSED TO THE PUBLIC:

CLOSED SESSION:

Chairman Loury requested a motion to introduce resolution R-04-25 for a closed session to discuss litigation: *Glass/Paramus, LLC v. Borough of Wharton Planning Board and Wharton 15 Developers, LLC*.

Motion by M. Harris and seconded by Mayor Chegwidden to approve the resolution for a closed session.
Motion by P. Rathjens and seconded by M. Harris to return to open session. No action was taken.

ADJOURNMENT AT 8:00 P.M.

Respectfully submitted,



Desi Ruffo
Planning Board Secretary