

**CALL TO ORDER:**

The re-organization meeting was called to order at 7:30 p.m. at Borough Hall by Chairwoman Christina Hembree with the reading of the Open Public Meetings Act.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

Christina Hembree, Chairwoman	Present
Dianna Cereijo, Alt 2	Present
Sanjeev Dhawan	Present
Emilia Fendian	Present
Robert Hayes	Present
Michael Kaufman	Present
Robin Malley	Present
Gary Newman	Present
Hasmig Yetemian, Alt 1	Present
S. Robert Princiotta, Esq.	Present
Evan Jacobs, Engineer	Not Requested
Richard Preiss, Planner	Not Requested
Meg Smith, Secretary	Present

**APPROVAL OF MINUTES:**

The minutes of Open Session for January 28, 2020 were approved as amended on a motion from Mr. Dhawan seconded by Mr. Newman. All board members voted in favor of the approval.

**RESOLUTION OF APPROVAL**

**Farrell Slater**

Block 1704 Lot 3.01

**4 Dimino Court**

R-22.5 Zone

A motion was made by Mr. Newman and seconded by Ms. Malley to approve the Resolution as amended granting a variance for a rear façade addition along with an inground pool and patio. All board members voted in favor of the amended resolution.

The meeting was opened to the public with a motion from Mr. Newman which was seconded by Mr. Hayes. All in favor, the motion carried.

**PUBLIC COMMENT**

Ms. Appelle, 23 Cresskill Court, questioned the status of the abandoned gas station on Broadway. She stated that the Mayor & Council directed her to follow up with the Zoning Board. Mr. Princiotta stated that the Zoning Board had no authority for enforcement and that the Zoning Official had jurisdiction for follow up regarding Zoning issues.

Ms. Appelle questioned how to follow up on the court case for 188 Broadway. Mr. Princiotta stated that he was not sure how the public could access court schedules. As an attorney Mr. Princiotta's access is different than the public access. Ms. Appelle stated that she and some residents would like to

support the Zoning Board at the public court sessions. Mr. Princiotto stated that he represented the Zoning Board and could not advise residents.

Mr. Cuoto, Cresskill Court, questioned the proposed zoning changes listed as an item on the agenda. Mr. Cuoto was advised that this would be addressed after Closed Session.

Mr. Cuoto questioned appearing for the 188 Broadway court case. The Board advised that residents could call the court house to ask about scheduling of court cases. Mr. Princiotto re-stated that he represents the Zoning Board based on the law and cannot advise or represent any other group.

Ms. Levine, Campbell Avenue, stated that residents want to be at the court when this case is heard. Ms. Levine was advised to call the court house for direction and follow up.

The meeting was closed to the public with a motion from Mr. Newman, seconded by Ms. Fendian. All in favor, the motion carried.

#### **CLOSED SESSION**

Mr. Hayes made a motion to go to Closed Session and it was seconded by Mr. Newman. All board members were in favor of the motion. This closed session was documented by Resolution 20-03 for litigation regarding 188 Broadway LP – 188 Broadway.

A motion to go to Open Session was made by Mr. Hayes and seconded by Mr. Newman. All board members were in favor of the motion.

#### **APPROVAL OF RESOLUTION**

A Resolution authorizing Mr. Princiotto, Board Attorney, to file a counterclaim in Superior Court, and, if necessary, the Construction Board of appeals, in regard to unpaid professional fees for the application of 188 Broadway LLP was made by Mr. Dhawan and seconded by Mr. Hayes. On a roll call vote, all Board members were in favor of the resolution.

Ms. Hembree stated that there were no recommendations to the Mayor and Council for Zoning changes at this time. The Board recommends the completion of a Master Plan.

The meeting was opened to the public with a motion from Mr. Newman which was seconded by Mr. Kaufman. All in favor, the motion carried.

#### **PUBLIC COMMENT**

Mr. Cuoto, Cresskill Court, asked the Board to elaborate on no recommended Zoning changes. The Board re-stated that there are no recommended Zoning changes at this time.

The meeting was closed to the public with a motion from Mr. Newman, seconded by Mr. Hayes. All in favor, the motion carried.

#### **APPROVAL OF CLOSED SESSION MINUTES:**

A motion was made by Mr. Hayes to approve the Closed Session minutes as amended for January 28, 2020. Ms. Fendian seconded the motion and all board members were in favor of the motion.

**The meeting was adjourned** on a motion from Mr. Newman, seconded by Mr. Hayes, and carried by all.

Respectfully submitted,

Meg Smith