

Minutes of a regular meeting of the Board of Adjustment of the City of Clifton, New Jersey, held on Wednesday, May 3, 2023. Chrnm Mark Zecchino led the entire assembly in the Pledge of Allegiance to the Flag of the United States of America. Pursuant to the “Open Public Meeting Law” all notice requirements were satisfied. Chrnm Zecchino announced the time, place, and form of notice as well as advising all applications that formal action may be taken on the matters set forth on the Agenda. Said opening statement is incorporated herein by reference and made a part hereof.

PRESENT: COMRS DAVID BRAID, ALESSIA ERAMO, MAUREEN O’CONNOR, ZALMAN GURKOV, SCOTT SOCHON, MICHAEL MOLNER, GEORGE FOUKAS, VICE-CHRMN GERARD SCORZIELLO AND CHRMN MARK ZECCHINO.

ABSENT: NONE.

Chrnm Zecchino advised all applications that the testimony given before the Board was being tape recorded. The applicants were further advised of the right of appeal and the procedure to obtain a stenographic record of the Board.

Upon motion made by Comr. Scott Sochon, seconded by Comr. Maureen O’Connor, the Minutes of the April 19, 2023 regular meeting were adopted with the unanimous approval of the entire Board.

REMANDED HEARING

1. **JOHN RADER**, 817-825 Clifton Ave., Block 35.06, Lot 16 – B-C – The Use Variance; Variance; Site Plan Application was previously heard and denied by the Board in 2020. Following an appeal to the New Jersey Superior Court, Law Division, Docket No, PAS-L-309-21, the Superior Court reversed the December 2, 2020 decision of the Board and remanded the matter back to the Board for additional proceedings. The Applicant has modified the previously submitted plans to eliminate prior deviations regarding landscaping and buffering requirements for fast food restaurant uses abutting residential zones. Pursuant to the revised plans, the Applicant seeks preliminary and Final Site plan approval with a conditional use variance to remove the existing, non-conforming MOONEY AUTO REPAIR GARAGE, to enlarge the building housing the existing DUNKIN DONUTS building and add an additional food service use, two vestibule entrances to the two stores, and construct a drive-through window to the existing building. All other nonconformities are pre-existing and do not required variances. DENIED DECEMBER 2, 2020 – COURT-ORDERED REMAND.

Daniel L. Steinhagen, Esq., of Beattie Padovano LLC, with offices at 200 Market Street, Suite 401, Montvale, New Jersey 07645, appeared on behalf of the applicant. Present on behalf of the applicant, and sworn to give testimony were the following individuals: Gary Kliesch, gk+a Architects, 36 Ames Avenue, Rutherford, New Jersey, an architect; and Keenan Hughes, Phillips Preiss, Planning & Real Estate Consultants 70 Hudson Street, Hoboken, New Jersey, a planner.

Dominick Iannarella, Esq., 139Lakeview Avenue, Clifton, NJ on behalf of interested party Boys and Girls Club of Clifton, which is the Property across the street
Also present and sworn were the following objectors;

This Application was previously heard before the Board during its August 19, 2020; September 16, 2020; October 21, 2020; November 18, 2020; and December 2, 2020 meetings. On December 2, 2020, the Board voted to deny the application. The Applicant subsequently appealed the Board’s denial to the Superior Court of New Jersey, Law Division under docket number PAS-L-309-21. The Superior Court of New Jersey, Law Division reversed the denial of the Board by Order entered on August 13, 2022 and remanded the Application back to the Board of Adjustment for further proceedings.

The Board is in receipt of Remanded Hearing Engineering Review No. 1 dated April 20, 2023 and Remanded Hearing Planning Review dated April 26, 2023 issued by Neglia Engineering.

Mr. Steinhagen provided an opening statement with background on the Application. This includes an overview of the work to be done, which includes the expansion of the existing building housing the Dunkin Donuts; addition of a second restaurant use within the expanded building; demolition of the non-existing use of the mechanic garage facility; and the construction of the drivethrough. Mr. Steinhagen explained that he spoke to Ms. Morgese, counsel for the Board, this afternoon and discussed the possibility of the elimination of the second business at the expanded site, which the Applicant would be willing to consider. The elimination of the second business will eliminate a large number the variances previously requested.

Mr. Steinhagen explained that the restaurant use is a conditional use, and that drive throughs are not prohibited, but must provide a separate 4lane for the drive through vehicles so as to not interfere with the normal operation of the parking lot.

Mr. Steinhagen confirmed that the Police and Fire Departments issued review letters and neither department had issues with the application.

Mr. Steinhagen also requested confirmation from Board Counsel that all new Board members have completed the required Certifications making them eligible to vote in this matter.

Gary Kliesch, of gk+a Architects, testified as the applicant's engineer. Mr. Kleish reviewed the proposed site plan to address the changes since the last submission. These changes include increasing the rear bugger to 6'1" landscape buffer in the rear, additional plants and arborvitaes. Mr. Kliesch stated that he shrunk the vestibules in order to comply with the front yard setback requirements.

Mr. Steinhagen inquired as to the right of way setbacks. Mr. Kliesch testified that the applicant was well within compliance of the setback requirements.

Mr. Steinhagen asked about the opacity of the fence. Mr. Kliesch testified that the applicant would be willing to comply with all requests that Board would make. Vice Chrnm Scorziello asked for further clarification regarding the fence. Mr. Steinhagen stated that the applicant sought to comply with the comments from the Review memo, but warned that increasing the opacity of the fence may result in light pourover to neighboring properties but stated that the applicant would be guided by the Board.

Comr. Molner inquired about the parking spots. Mr. Kleish testified that the applicant previously sought a second tenant space. During testimony at the prior hearing, there was discussion regarding removing the additional tenant. Mr. Kleish testified that the provided Exhibit A-1 contained an alternate site plan removing the 2nd tenant. Mr. Steinhagen confirmed that the applicant was willing to comply with these alternate plan modifications to eliminate the second tenant, and that doing so would eliminate a large majority of the previously requested variances.

Mr. Kleish offered the following Exhibits:

Exhibit A-1 – Alternate Site Plan Removing 2nd Tenant

Comr. Molner asked about stacking of the drive through. Mr. Kleish testified that he has worked on a number of other drive through locations of Dunkin Donuts throughout the area and that in his experience, he has never seen an issue with the stacking of case more than has been provided by the existing plans. He also testified that with the elimination of the 2nd tenant, he will be able to reconfigure the drivethrough to increase flow.

Comr. Foukas asked about handicapped parking spots. Mr. Kliesch stated that if the Board would like to review the application without the second tenant, he could review and reconfigure the handicap spots and their positioning.

Comr. Gurkov asked for additional assistance in visualizing the site without the second tenant. Mr. Kleish said that the revised plan has additional room to move the curb 6-8 feet, which would in turn move the drive lane. The moving of the drive lane would add 24 feet for the drive lane. Mr. Kliesch testified that moving the lane may result in a reduction of one spot from the drive line queue (17 instead of 18 potentially).

Brian Intindola, of Neglia Engineering, the Board's Engineer and Planner for this matter, stated that he appreciated the elimination of the D(1) use. Mr. Intindola stated that the Board does not usually design on the fly and that he appreciates the Applicant's desire to expedite the process. Mr. Intindola suggested that we can take the Board's suggestions and meet with the applicant to create an Exhibit Plan which incorporates the Board's concerns.

Mr. Steinhagen stated that the prior litigation focused on the D3 variance, and that the addition of the D1 variance was a "curveball", which is the reason for the alternative plans. Chrmn Zecchino noted that the D1 variance was addressed in prior review letters from 2020.

Chrmn Zecchino asked if the applicant would consider eliminating the drivethrough in the application. Mr. Steinhagen stated that the drivethrough is necessary to best utilize the site and is the motivation behind eliminating the auto garage on the site. Chrmn Zecchino stated that the elimination of the drivethrough would allow the applicant to have the existing Dunkin Donuts and add a second use on the Property. Mr. Steinhagen stated that he will consult with his client.

Chrmn Zecchino expressed concern regarding the small lot size in comparison to the requirements of the conditional use, as the applicant is trying to squeeze a drivethrough in the already small site. Mr. Steinhagen stated that the drivethrough is not a conditional use – it is a permitted use so long as a separate lane is created.

Mr. Steinhagen asked Mr. Kleisch about the size of this drivethrough in comparison to the other Dunkin Donuts sites he has worked on. Mr. Kleisch testified that this design is unique and is of the largest he has created.

Chrmn Zecchino asked why the second lane is requested. Mr. Kleisch stated that the second lane is needed for speed of service.

Chrmn Zecchino asked Mr. Kleisch if he has gone to the existing Dunkin Donuts and if there has been any issues. Mr. Kleisch testified that he has, and that the parking lot is "not great" and that is the issue they are looking to address.

Comr. Molner asked how the applicant intends to get cars out of the site during peak hours. Comr. Molner expressed concerns if cars cannot exist the lot due to traffic. Mr. Kleisch testified that the applicant has restricted egress to a right turn only.

Mr. Steinhagen stated that this is a conditional use and that the local road conditions should not be considered. He stressed that the Board should focus on the on-site conditions. Comr. Molner stated that departure from the site is an on-site condition. Mr. Kleisch stated that he has reviewed the traffic engineers report and that the peak Dunkin Donuts hours only overlaps with peak traffic hours by one hour.

Mr. Steinhagen stated that the traffic report stated that there is a 17 second wait to depart the property, and that the average order time is 30 seconds and that there will not be an overlap.

Comr. Foukas asked about the traffic engineers estimation of 17 seconds. Mr. Steinhagen stated that the traffic engineers report was prepared before the exit was restricted to a right turn only.

Chrmn Zecchino stated that this matter was remanded, not overturned, by the Superior Court.

Vice Chrmn Scorziello asked if there were any updates to the parking and pedestrian requirements since the inception of the plan. Mr. Kleisch testified that there was additional curbing. Vice Chrmn Scorziello asked why there was a reduction of spots in the front of the property from 3 to 3. Mr. Kleisch testified that there is no curbing or parking on the site in the front of the parking. The applicant is proposing to add curbing to protect pedestrians.

Vice Chrmn Scorziello asked why the spots were made parallel and if they take longer. Mr. Kleisch stated it may take just as long regardless of the configuration of the spots. Vice Chrmn Scorziello expressed concern that the spots in the front may not be used and the need for skilled parking in a one way. Mr. Kleisch stated these spots will be eliminated if there is not a second tenant.

Vice Chrmn Scorziello expressed concern that parallel spots, rather than pull in spots, create more need for skilled parking.

Mr. Intindola stated that the traffic counts have changed. He stated that there is a residual work from home and a slow peak all day as opposed to a sharp peak. There are concentrated peaks in the morning and evening, but that he is unaware of the specific changes on Clifton Avenue. Mr. Intindola suggested doing a check count during peak hours in the morning, and on a Saturday morning to determine the specific traffic on Clifton Avenue. He explained that the High School is the biggest influencer in this area, which causes a morning peak but does not impact a Saturday morning. He stated that the Board needs reassurances that the traffic patterns are accurate post Covid.

Chrmn Zecchino stated that in his experience traffic has gotten worse, not better, on Clifton Avenue. He stated that local traffic is consistent throughout the day. He says his concern is how the drivethrough will impact the rest of the area.

Mr. Intindola inquired of Mr. Steinhagen as to clarification regarding the considerations of off-site conditions. Mr. Steinhagen cited to *PRB Enterprises, Inc. v. South Brunswick Planning Board*, 105 N.J. 8-9 (1987) which states that the Board may only deny an application based on traffic issues when an ordinance specifically imposes conditions related to traffic.

Chrmn Zecchino stated that he understands that the Dunkin Donuts is currently there and it is a current conditional use with existing deviations. However, his concern is the addition of the drivethrough and how that is impacted by the same deviations, such as lot size.

Comr Molner asked about the calculations on the 17 second departure. Mr. Steinhagen stated that the traffic report would need to be updated based on Mr. Intindola's suggestion for a check count.

Comr. Foukas expressed concerns regarding the drivethrough as a similar issue occurred with a local McDonalds, and that his role is to ensure the health, welfare, and safety to the public. He also asked if the drivethrough is necessary in addition to the other uses.

Dominick Iannarella inquired as to the Board's capacity to impose a cross walk. Chrmn Zecchino stated that this would be the County's jurisdiction. Mr. Kleisch stated that the applicant would consider adding a cross walk. Mr. Iannarella asked if the applicant has submitted his plan to the County. Mr. Steinhagen stated he needed to check on that.

Mr. Iannarella asked about the length of the parking spots. Mr. Steinhagen stated that the length of the parking spots will be reconfigured to make them comply with the ordinance. Mr. Kleisch stated that this could be accommodated if the second tenant is eliminated.

Mr. Iannarella asked about a line of sight study. Mr. Kleisch testified he believed one had been done for all adjacent roads.

Mr. Iannarella asked about signage on the lot, as well as the Clifton Ave entrance. Mr. Kleisch stated that signage will exist and face Clifton Avenue. He stated he needed to confirm the specific signage. Mr. Iannarella asked about the Cloverdale exit. Mr. Kleisch stated that the exit on Cloverdale is full directional.

Mr. Iannarella asked about dual drivethrough merger. Mr. Kleisch stated that the existing drivethrough queue will merge together. He stated that the outside lane will be secondary. Mr. Iannarella asked if there was a contingency about the second lane.

Mr. Iannarella asked the attorney if the applicant has to present positive and negative criteria. Mr. Steinhagen stated that the Board would have to consider both positive and negative criteria. Mr. Iannarella asked if that the public welfare and safety needs to be considered. Mr. Steinhagen stated that while they should be considered, they were not outlined in the prior Resolution

Robert Foster, 50 Clover Lane, speaking as a resident who also happens and as the Executive Director on the Boys and Girls Club, asked Mr. Kleisch about the traffic study and the timing of its creation. Mr. Steinhagen stated that the population counts were taken February 2018, were supplemented in August 2020, and that another study will be done. Mr. Foster asked about the tractor trailer that does deliveries, and whether there are any provisions for when and how those deliveries will be made. Mr. Kleisch stated that the study did consider this and it can be accommodated.

Mr. Foster expressed concern regarding garbage and recycling and stated that the applicant places the recycling in the front of the property, and asked if there would be a place for cardboard pick up and recycling. Mr. Kleisch stated that the plan provides for an enclosed trash and recycling area, which is an improvement on the existing site.

Chrmn Zecchino asked if Mr. Iannarella is representing the Boys and Girls Club, and that Mr. Foster is speaking on his personal behalf. Mr. Foster confirmed he is speaking on his own behalf. Mr. Steinhagen stated that the applicant would not object to his questions.

David Fontanella, 14 Twain Place, stated that his property abuts the current garage. He asked what his property will now face in the absence of the garage. Mr. Kleisch displayed on the drawing for Mr. Fontanella that his property would face a 6 ft retaining wall with a fence on top of it, with landscaping on the Applicant side. Mr. Kleisch stated there will be a dumpster on the corner of the Property. Mr. Kleisch stated that the wall will be refurbished. Mr. Fontanella asked what work will be done on his property. Mr. Kleisch stated that the retaining wall will be refinished with cement.

Mr. Steinhagen asked Mr. Fontanella asked what else he would like to see. Mr. Fontanella stated that he just was curious, and Mr. Steinhagen stated that applicant would be willing to consider the addition of landscaping on his side of the wall which is outside of the Board's scope.

Mr. Foster requested permission for a second question, which Chrmn Zecchino permitted. Mr. Foster asked how an individual would be able to navigate around the queue to exit. Chrmn Zecchino summarized Mr. Kleisch's testimony that he previously stated it would never get that long, and Mr. Kleisch confirmed that it was his professional opinion that it would never be a full queue, but in the event that it was full, cars would alternate. Mr. Foster asked about the front parking spaces, and Mr. Kleisch stated that they would possibly be removed.

Comr. Gurkov expressed concern over not being able to visualize the proposal, and Chrmn Zecchino stated that the applicant would submit revised plans and a new traffic study, which Mr. Steinhagen confirmed.

Comr. Molner asked additional questions about the refuse, and Mr. Kleisch confirmed that there would be a designated area for trash and recycling.

Mr. Intindola asked about the revised report and the need to continue this matter. Mr. Steinhagen agreed and apologized to the Board for the delay. He requested that the parties continue this matter.

Ms. Bolcato stated that the next available meeting date was June 7, 2023. Mr. Steinhagen confirmed that he wished to complete the traffic study prior to the end of school and would do his best to ensure that the June 7 meeting date could be kept. In the event that the June meeting could not be met, the other meetings were July 19 or August 16. Chrmn Zecchino stated he would not be present on July 19.

At that time, the parties agreed to carry this matter until the June 7, 2023 regular meeting with no further notice required. Mr. Steinhagen confirmed that the Board has all timing requirements tolled during the pendency of this matter.

CONTINUED HEARINGS

1. **522 VALLEY ESTATES LLC**, 522 Valley Road, Block 32.01, Lot 12 – Steep Slope Dist
Use Variance;
Variances
- The Applicant seeks approval to demolish the existing building and construct a new residential complex consisting of 20 townhouse/multifamily dwelling units within three (3) separate buildings, along with related site improvements, including but not limited to parking, landscaping and lighting. The Applicant seeks use variance relief pursuant to N.J.S.A. 40:55D-70(d)(6) for building height greater than permitted (35 ft. permitted; 44.99 ft. proposed). The Applicant also seeks bulk variance relief pursuant to N.J.S.A. 40:55D-70(c) and design waiver/exception relief, including: (1) Number of stories greater than permitted (3 stories permitted; 4 stories proposed); (2) Open space consisting of less than 25 ft. and located within 10 ft. of side or rear Property lines proposed where same is not permitted; (3) Soil proposed to be excavated in excess of 30% and on the cliff face where same is not permitted; (4) Vertical cut greater than permitted (15 ft. permitted; 56 ft. proposed); (5) Building coverage for over 30% slope area greater than permitted (0% permitted; 1.8% proposed); (6) Impervious surface (lot) coverage for over 30% slope area greater than permitted (0% permitted; 4.5% proposed); (7) Open space for 25.1-30% slope area less than required (50% required; 46.9% proposed); (continued)
(8) Open space for over 30% slope area less than required (100% required; 79.9% proposed); (9) Number of trees replaced less than required (87 trees required; 48 trees proposed); and (10) Ground sign proposed where same is not permitted. The Applicant also seeks any additional deviations, exceptions, design waivers, submission waivers, variances, use variances, conditional use variances, interpretations, de minimis exceptions to the State of New Jersey Residential Site Improvement Standards, continuations of any pre-existing non-conforming conditions, modifications of prior imposed conditions and other approvals reflected on the filed plans (as same may be further amended or revised from time to time without further notice) and as may be determined to be necessary during the review and processing of the Application.

At the request of the attorney for the applicant, this matter was scheduled for further proceedings by the Board beginning on the June 21, 2023 meeting of the Board with no further notice required.

2. **833 CLIFTON AVE PARTNERS, LLC**, 833 Clifton Avenue, Block 35.07, Lot 1 - BC– Preliminary and final site plan approval, use variance, bulk variances and exterior LED lighting. The applicant seeks approval to construct a 3-story residential apartment building containing 26 one-bedroom units. Any and all additional variances that may be required.

At the request of the attorney for the applicant, this matter was continued by the Board until the June 21, 2023 meeting of the Board with no further notice required.

4. **MAIN FOOT AND ANKLE LLC**, 1610 Main St. & 80 W. 2nd St., Block 9.07, Lots 25 and 36 – B-C (Lot 26) and M-2 (Lot 25) – The applicant is proposing a consolidated subdivision of 1610 Main Avenue and 80 West 2nd Street. The applicant further proposes a 3-story mixed use building for medical offices and a retail pharmacy. A D1 use variance is requested in addition to any and all other variances as may be required.

At the request of the attorney for the applicant, this matter was continued by the Board until the June 21, 2023 meeting of the Board, with no further notice required.

As a matter of the record, a number of interested parties inquired as to the process for repeatedly continued matters. Chrmn Zecchino provided the requested information to the interested parties.

RESOLUTIONS

Chrmn Zecchino stated that the next order of business would be the adoption of the Resolutions set forth on the Agenda:

1. Upon motion made by Comr Michael Molner, seconded by Comr. George Foukas, and affirmed by Comrs. David Braid, Alessia Eramo, Maureen O'Connor, Scott Sochon, Michael Molner, George Foukas, and Chrmn Mark Zecchino, the Resolution GRANTING the application of BANK OF AMERICA, NATIONAL ASSOCIATION for variance approval for signage improvements at the bank branch, which include the replacing of two existing signs and the construction of a new monument sign for premises located 1045 Clifton Avenue, Block 41.04, Lot 2, was adopted.
2. Upon motion made by Comr. Michael Molner, seconded by Comr. Scott Sochon and affirmed by Comrs. Alessia Eramo, Maureen O'Connor, Scott Sochon, Michael Molner, George Foukas and Chrmn Mark Zecchino, the Resolution DENYING the application of KLEBER MOLINA for a request for variances to complete construction on an attic dormer which would create a third story where only two stories are allowed for premises located at 143 Valley Road, Block 14.20, Lot 8, was adopted.
3. Upon motion made by Comr. Scott Sochon, seconded by Vice Chrmn. Gerard Scorziello, and affirmed by Comrs. Alessia Eramo, Maureen O'Connor, Scott Sochon, Michael Molner, George Foukas, Vice Chrmn Gerard Scorziello and Chrmn Mark Zecchino, the Resolution GRANTING the application of MENDEL & MENUCHA NOROWITZ for front yard and lot coverage variances to construct a second floor addition for premises located at 122 Patricia Place, Block 71.01, Lot 28, was adopted.
4. Upon motion made by Vice Chrmn Gerard Scorziello, seconded by Comr. Maureen O'Connor, and affirmed by Comrs. Maureen O'Connor, Scott Sochon, Michael Molner, George Foukas, Vice Chrmn Gerard Scorziello and Chrmn Mark Zecchino, the Resolution GRANTING the application of KELI TEICHMAN for front yard setback, rear yard setback, and maximum lot coverage variances to construct a rear addition and new covered front porch for premises located at 409-411 South Parkway, Block 58.60, Lot 7, was adopted.
5. Upon motion made by Comr. Michael Molner, seconded by Comr. Scott Sochon, and affirmed by Comrs. Alessia Eramo, Maureen O'Connor, Scott Sochon, Michael Molner, George Foukas, Vice Chrmn Gerard Scorziello and Chrmn Mark Zecchino, the Resolution GRANTING the application of ZACKARY WILDER for a variance for a driveway in front of a home not serving a garage in order to convert the existing garage into living space for premises located at 74 Patricia Place, Block 71.07, Lot 17, was adopted.
6. Upon motion made by Comr. Michael Molner, seconded by Comr. Maureen O'Connor, and affirmed by Comrs. Alessia Eramo, Maureen O'Connor, Scott Sochon, Michael Molner, George Foukas, Vice Chrmn Gerard Scorziello and Chrmn Mark Zecchino, the Resolution GRANTING the application of MIGUEL CABRERA for a lot coverage variance to modify an existing detached back yard pergola for premises located at 72 Arthur Street, Block 4.02, Lot 14, was adopted.
7. Upon motion made by Vice Chrmn. Gerard Scorziello, seconded by Comr. Scott Sochon, and affirmed by Comrs. Alessia Eramo, Maureen O'Connor, Scott Sochon, Michael Molner, George Foukas, Vice Chrmn Gerard Scorziello and Chrmn Mark Zecchino, the Resolution GRANTING the application of ARISEB PROP. LLC for a use variance and various bulk variances to modify the existing use to a first floor mixed use for an apartment and community laundromat for premises located at 88 Center Street, Block 4.07, Lot 28, was adopted.

8. Upon motion made by Vice Chrmn Gerard Scorziello, seconded by Comr. Scott Sochon, and affirmed by Comrs. Alessia Eramo, Maureen O'Connor, Scott Sochon, Michael Molner, George Foukas, Vice Chrmn Gerard Scorziello and Chrmn Mark Zecchino, the Resolution GRANTING the application of CRP / CHI CLIFTON OWNER, LLC for multiple C-variances for maximum accessory structure height, maximum building height, front yard parking, ground signs in front yard setback, and a D-3 conditional use variance to construct a warehouse in the M-3 zone for premises located at 558-600 Getty Avenue, Block 9.04, Lot 22, was adopted.

EXECUTIVE SESSION

Chrmn Zecchino stated that the next order of business would be that the Board would enter into an Executive Session in accordance with Section 8 of the Open Public Meetings Act, P.L. 1975, c. 231 in order to discuss matters pertaining to litigation and attorney client privilege.

Thereafter, at 8:39 p.m. upon motion made by Comr. Michael Molner, second by Comr. Scott Sochon, the Board recessed to Executive Session for consideration of issues dealing with litigation and attorney-client privilege. No formal action will be taken. Minutes for the Executive Session may be released to the public after the reasons for non-disclosure no longer exist.

EXECUTIVE SESSION

8:39 p.m. – 8:45 pm

At 8:45 p.m., the Board reconvened in public session upon a Motion by Commissioner Molner and a Second by Comr. O'Connor. All members were present following the return to public session.

There being no further business before the Board, Comr. George Foukas moved to adjourn. The motion was seconded by Comr. Michael Molner with the unanimous approval of the entire Board.

Respectfully submitted,

JACLYN M. MORGESE, ESQ.
COUNSEL SECRETARY