

Regular Public Meeting of the Englewood Cliffs Planning Board
Minutes
October 24, 2016

The Regular Meeting of the Englewood Cliffs Planning Board was called to order by Chairman Fehre at 7:30 PM.

Present at Roll Call:

Mr. Fehre
Mr. Trovato
Mr. Kilmartin
Mr. Chinman
Mrs. O'Shea – Borough Rep
Mr. Kim – 1st Alternate
Mr. Porrino – 2nd Alternate
Mr. Lee – 3rd Alternate
Mr. Hutchins – 4th Alternate
Ms. Eastwood – Mayor Designee

Absent:

Mr. Villari
Mrs. Rosenberg
Mr. Hutchins – 4th Alternate
Councilman Park
Mayor Kranjac

Also Present:

Michael Kates, Esq., of Kates Nussman Rapone Ellis & Farhi, the Board's attorneys.

Public notice of this meeting has been given in compliance with the Open Public Meeting Law by advertisement in The Record, The Press Journal, and posting of notice on the municipal building bulletin board at 482 Hudson Terrace.

Flag salute led by Mrs. O'Shea

The minutes of the June 9, 2016 meeting motioned by Mr. Porrino, seconded by Mr. Chinman were approved by voice vote.

Old Business:

New Business:

Motion to go into closed session to discuss litigation, more specifically I.T.L. Realty, Inc. and FCA Realty, LLC v. Planning Board, Docket No. BER-L-4455-16.

Chairman Fehre asked for a motion to go into closed session. Motion was made by Ms. Eastwood, seconded by Mr. Kilmartin. This motion was approved by roll-call vote, 9 Ayes, (Mr. Fehre, Mr. Trovato, Mr. Kilmartin, Mr. Chinman, Mr. Kim, Mr. Porrino, Mr. Lee, Mrs. O'Shea, and Ms. Eastwood), No Nays, No Abstentions.

Councilman Park entered meeting at 7:35 pm.

8:15 pm Board returned into regular session.

Mr. Kates stated that the Board was in closed session to discuss the language of a proposed Stipulations of Settlement which would require the applicant to return to the Board to complete the application, presumably including a use variance and site plan review to

reestablish a new car dealership at 100 Sylvan Avenue. After the Board determined that all or a portion of the building had been abandoned as a new car dealership, applicant and the property owner filed its Complaint in the Superior Court, Law Division. Judge Lisa Perez Friscia recommended mediation and the parties chose retired Assignment Judge Peter Doyne as mediator. Judge Doyne recommended that the development application be finished in its entirety before the Board. In closed session, the Board reworked the language of the negotiated Stipulation of Settlement and authorized the Board's attorney to communicate those terms to the attorneys for the applicant and the property owner. It is anticipated that a public hearing will resume on November 9, 2016. The Board also approved two additional dates in November as needed to complete the application.

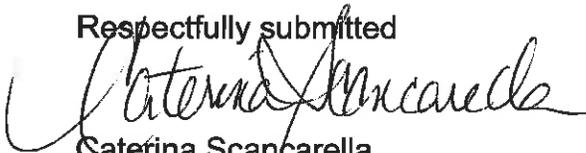
Chairman Fehre asked for a motion to open to public. Motion was made by Ms. Eastwood, seconded by Mr. Kim and carried unanimously by voice vote.

Mr. Joseph Cioffi, 35 Sylvan Ave, Englewood Cliffs questions the board on the litigation of 100 Sylvan Avenue and the reason for going into closed session.

Mr. Kates repeated the foregoing for the benefit of Mr. Cioffi.

Chairman Fehre asked for a motion to close to public portion and adjourn the meeting at 8:25 pm. Motion was made by Mr. Chinman, seconded by Mr. Kilmartin and carried unanimously by voice vote.

Respectfully submitted



Caterina Scancarella
Planning Board Administrative Secretary

ENGLEWOOD CLIFFS PLANNING BOARD

REGULAR MEETING – October 24, 2016 7:30 PM

10 Kahn Terrace, Englewood Cliffs, NJ

CALL TO ORDER

The meeting of the Englewood Cliffs Planning Board will come to order this (date). The time is (time).

"OPEN PUBLIC MEETINGS ACT" STATEMENT

Public notice of this meeting has been given in compliance with the Open Public Meeting Law by advertisement in The Record, and Star Ledger posting of notice on the Borough Hall bulletin board at 482 Hudson Terrace, Englewood Cliffs.

ROLL CALL

FLAG SALUTE LED BY:

APPROVAL OF MINUTES: June 9, 2016

OLD BUSINESS:

NEW BUSINESS:

Motion to go into closed session to discuss litigation, more specifically I.T.L. Realty, Inc. and FCA Realty, LLC v. Planning Board, Docket No. BER-L-4455-16.

COMMUNICATIONS

COMMITTEE REPORTS

PUBLIC COMMENTS OTHER THAN HEARING ON THIS AGENDA

ADJOURNMENT