

WHEREAS, whereas during the course of the time leading to the hearing, the Applicant made several major changes to the plan submitted and the Board and professional staff reviewed the materials submitted, and the Board reviewed and carefully considered the reports of Planning Board Engineer and Planner, Peter R. Avakian, P.E. PP, dated September 5, 2018 as revised by

reports of September 12, 2018, November 12, 2018 and September 12, 2019, as well as all of the evidence and testimony from the Applicant, Applicant's experts, comments and objections from Christopher Beekman, Esquire, appearing on behalf of adjacent owners Maisto, and comments by the Village Zoning Officer, Joseph McGrath; and

WHEREAS, the Board, after carefully considering the evidence presented, has made the following factual findings:

Applicant, Gila Goodman, is the owner of the property located at 2 Elberon Avenue, known as Lot 1 in Block 5 on the municipal tax map of the Village of Loch Arbour, County of Monmouth, and State of New Jersey, which property is located in the Residential Zone, and she and her husband, Michael Goodman, who also occupies the residence in question, appeared at the hearing with Mr. Goodman speaking on behalf of the Applicant.

The following Exhibits were considered at the hearing:

Application (B-1.) Avakian Report as amended through September 12, 2019.

Variance Plan by Tristate Engineering and Survey revised 8/19/19 (A-1).

Google Maps aerial photo as amended by Nicholas Graviano, Applicant's Planner (A-2).

The Applicant filed a Request for Local Zoning Determination to install an in-ground/above-ground swimming pool and surrounding deck in the rear yard of an existing single family home, and also to remove the existing asphalt driveway and to relocate a small hot tub to the existing deck in order to reduce the accessory area lot coverage to conform to Zoning Ordinance Requirements.

The minimum lot width permitted per the zoned district is 75 feet. The existing lot has a width of 75 feet, which conforms.

The minimum lot depth permitted per the zoned district is 100 feet. The existing lot has a depth of 150 feet, which conforms.

The minimum lot area permitted per the zoned district is 7,500 square feet. The existing lot has an area of 11,250 square feet, which conforms.

The Applicant has made no change to the principal dwelling, so there are no changes to the front, side and rear building setbacks.

The maximum building coverage permitted by the zoned district is 20% of the lot size which may be occupied by the principal use or structure. The existing coverage is 19.6%, which conforms.

An additional twenty percent (20%) of the lot size may be occupied by all other buildings or structures, which constitutes building coverage. The existing lot coverage is 33.0%, which represents an existing non-conformity. The revised coverage for the existing and proposed conditions is 32.7%. A variance is required.

The maximum building coverage ordinance regulation also stipulates that "in no event shall the total lot coverage exceed 40% of the lot". The total existing building coverage is 52.6%, which represents an existing non-conformity. The revised total building coverage is 52.3%. A variance is required.

A swimming pool may be constructed in a rear yard only. The Applicant proposed the swimming pool, hot tub and pool deck in the rear yard, which conforms.

Swimming Pool and Hot Tub

No swimming pool, portion thereof, equipment or accessory structure may be located closer than 10 feet to any property line or structure. The Applicant proposed a setback from Ocean Place of 16.5 feet, which conforms with the current building setbacks of the property, a west side yard setback of 35 feet to the pool deck, which conforms. The proposed west side yard setback to the hot tub is 16 feet, which conforms.

The Applicant proposed a rear yard setback of 29.1 feet, which conforms. The proposed rear yard setback to the hot tub is 63 feet, which conforms.

The Applicant proposed no separation between the swimming pool and the existing principal dwelling. The

Applicant indicated the separation between the pool and main wall of the dwelling is 17.5 feet. The deck is part of the principal structure and the pool does not have the permitted separation. A variance is still required.

The Applicant proposed a separation of approximately 12 feet between the pool deck and the existing garage, which conforms. The hot tub will not have any separation between the swimming pool and the dwelling. The Applicant indicated the separation between the spa and main wall of the dwelling is 11.7 feet. The deck is part of the principal structure and the spa does not have the permitted separation. A variance is still required.

No swimming pool, including equipment and accessories, may occupy more than 50% of the rear yard in which it is located. Prior to the hearing, Applicant revised the pool coverage calculation of the rear yard prior and proposed a coverage of 22.3%, which conforms. Approval is subject to a revision of the zoning table on A-1, to correct this and correction of any other figures noted at the hearing, which shall be submitted to and approved by the Board Engineer.

The Applicant indicated the pool equipment is located under the deck, which is allowed.

The plan indicates all fences shall be equipped with self-latching device in compliance with the Swimming Pool Code of New Jersey.

The pool shall be surrounded by a fence no less than 4 feet in height. The existing fence heights are 4 and 6 feet, which conform.

On a corner lot a fence or wall in the rear yard lot line adjacent to the street shall have a maximum height of three (3) feet as measured from the ground level in the front yards. The existing fence height of four (4) feet represents an existing non-conformity.

Fences along the front property line shall not exceed twenty-four (24) inches. The existing fence height along Ocean Place is four (4) feet, which represents an existing non-conformity. Mr. Goodman that the fence has been in place for approximately fourteen (14) years. The Board finds that such preexisting structure may remain and due to the issues surrounding safety around the pool, the said fence shall remain. Any change from the existing height and location of the fence shall require Board approval.

Filter backwash lines and pool drain lines shall be connected directly to an underground storm drainage system, if one is available. If a drainage system is not available, filter backwash lines and pool drain lines shall be connected to a dry well constructed on site, which design to be approved by the Village Engineer of the Village of Loch Arbour. Connections to the sanitary sewer are not permitted. The Applicant proposed a drywell for the filter backwash. The proposed bottom elevation of the drywell shall be two (2) feet above seasonal high-water table elevation. Approval is subject to full compliance by Applicant, subject to review and approval by the Board Engineer.

The detail of the drywell indicated the roof leaders will be connected to the drywell. Approval is subject to the Applicant providing drainage calculations for sizing the drywell to the Board Engineer and subject to his approval.

The pool may be lighted by underwater or exterior lights or both provided that all exterior lights are located so that the light is neither directed nor reflected upon adjacent properties in such a manner as to be a nuisance or annoyance to the neighboring properties. Above water lighting shall be so designated as to light the entire pool, including its bottom, in such a manner that all portions of the pool, including its bottom, may be seen without glare. Such lighting shall provide not more than three watts per square foot of pool area and three watts per square foot of such surrounding area with three-foot candles illumination. Underwater lighting shall be in compliance with the applicable National Electric Code. There was testimony provided by Applicant at the hearing that all of these requirements shall be met and approval is subject to such compliance, subject to approval by the Board Engineer.

The above ground portion of the pool is proposed to be constructed no higher than four (4) feet above existing ground elevation.

The Applicant provided a pool section and code basis notes on the plan. The pool section indicates a pool dimension of 20 feet in width from the exterior of the walls. The pool section detail shall be revised to show the new proposed top of wall elevation shown on the plan view as stated above, which shall be submitted to the Board Engineer and subject to his approval.

Garage

In order for a structure to be considered a garage it must be accessible by automobile. With the removal of the driveway and fence crossing the driveway, these improvements will not allow an automobile to access the garage. As stipulated by the Applicant at the hearing, the Board affirms that the accessory structure (the "Structure") is not and will not be considered in the future as a garage under the Village Ordinance. Mr. Goodman testified at the hearing that the Structure was subject to significant damage from Super Storm Sandy and has not been used generally since then. He noted that approximately 50 to 60 years ago plumbing and electricity had been installed. He noted that the Structure presently has electricity, and a dated toilet, sink and tub. The Board determines that these two items may remain presently. The Applicant stipulated that there is no intention to ever use the Structure as a separate dwelling unit or living quarters, and the Board's approval is subject to that prohibition as a condition. Mr. Goodman testified that he had hoped to possibly use the upper part of the Structure for an exercise area some day, however, the Board makes no findings on this point as it is well beyond the scope of the present Application, and the Board emphasizes that it is not making any decision in this present Application which can or should be considered as an endorsement for any future use of the Structure.

Applicant shall maintain the existing evergreen shrubs ("shrubbery") along the length of Ocean Place in good and proper condition and at the present height of six (6) feet and no higher. If the shrubs are damaged by storm, disease or in any other manner, Applicant shall replace or recondition said shrubbery as soon as reasonably possible to maintain the existing height and thickness of cover. The Board emphasizes that the particular requirements regarding the shrubbery are due to the representations by the Applicant's experts and the Board's underlining agreement with the Applicant that the mass of the pool shall be completely shielded from the public at ground level of the street by the aesthetically pleasing shrubbery. Any change of the shrubbery is subject to approval of this Board.

Mr. Beekman, as counsel for the adjacent landowner to the west, asked questions and provided comments and requests on behalf of his client.

The Board also heard comments from the Village Zoning Officer, Mr. Joseph McGrath.

WHEREAS, the Board has determined that granting the variances will: (a) advance the purposes of the Municipal Land Use Act based on N.J.S.A. 40:55D-2.i; and (b) result in benefits which substantially outweigh any detriment. Additionally, such relief can be granted without causing substantial detriment to the public good and will not substantially impair the intent and the purpose of the Village Zone Plan and Zoning Ordinance, because the pool will not be seen from the street due to the careful screening of the above-ground mass, and therefore, there will be no visual harm caused to the neighbors or the neighborhood from the street side.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Village of Loch Arbour that the approval of the Application of MICHAEL AND GILA GOODMAN be granted for purposes of installing an in-ground/above-ground swimming pool and surrounding deck in the rear yard of existing single family home, and also for removal of the existing asphalt driveway and relocation of the small existing hot tub to the existing deck, as per the plans filed with the Board and marked into evidence at the hearing, and as per the testimony by Applicant and Applicant's experts and based on the various finding of fact set forth in this Resolution and full compliance with all conditions and findings by the Board in this Resolution.

AND BE IT FURTHER RESOLVED by the Planning Board that the approval of the within application as aforesaid is subject to the following conditions:
Applicant shall maintain the existing evergreen shrubs ("shrubbery") along the length of Ocean Place in good and proper condition and at the present height of six (6) feet and no higher. If the shrubs are damaged by storm, disease or in any other manner, Applicant shall replace or recondition said shrubbery as soon as reasonably possible to maintain the existing height and thickness of cover. Any change of the shrubbery is subject to approval of this Board.

The pool shall be constructed consistent with A-1 as revised pursuant to the findings in this Resolution including the height of the pool above ground and the attached three-foot-wide platform on the West side of the pool shall be no higher

than four (4) feet above existing ground level. A revised Plan which reflects all changes identified at the hearing shall be submitted to the Board Engineer and subject to his approval.

The Applicant is permitted to and required to maintain the four (4) foot high existing fence which is presently located immediately to the West of the existing shrubbery along Ocean Place Applicant shall comply with fence requirements for the entire backyard area for pools per Code and subject to review and approval by the Board Engineer.

Approval is subject to the removal of the 890 sq. ft. macadam asphalt drive and prior to final approval granted for use of the pool.

The existing "Permeable Paver Drive" shall remain to accommodate up to three on site vehicles.

The former garage, accessory structure ("Structure") shall not be used as a garage or as a separate dwelling unit or living quarters. It may continue to be utilized as storage and the plumbing fixtures mentioned in this Resolution may remain for the present time but the Board makes no findings or conclusions that the Structure other than the Structure will not be used as a separate dwelling unit or living quarters and any use is subject to compliance with all Village Ordinances.

The property is currently located in the Floor Zone AE as shown on the Flood Insurance Rate Map Number 34025C0351F for the Village of Loch Arbour. Applicant shall provide a flood elevation certificate to the Board Engineer verifying all proposed improvements comply with the Village Flood Damage Prevention Ordinance.

Compliance with all suggestions set forth in the Board Engineer/Planner's report as revised September 12, 2019.

The Applicant submitting revised plans to the Board Engineer/Planner and subject to his approval, which satisfy all of the conditions and findings as set forth above in this Resolution.

Payment of any and all escrow funds prior the issuance of a building permit.

Payment of any outstanding real estate taxes.

Granting of any required construction permits.

Complying with any and all other requirements of this Municipality and any other governmental subdivisions as set forth in any laws, ordinances or regulations, and obtainment of any permits or approvals required thereunder, including NJDEP.

Being bound to all representations at the hearing made by Applicant and/or Applicant's expert.

Publication of a notice of this decision in the official newspaper serving the Village of Loch Arbour and return of proof of publication to the Planning Administrator.

Payment of all taxes, escrows and assessments to date.

No building permit or certificate of occupancy is to be issued and no map is to be signed or filed, if applicable, until proof is furnished to the Planning Administrator of the Planning Board that there are no taxes, escrows or assessments due or delinquent on the Property.

Obtaining all proper building permits for construction, and shall construct same in accordance with the documents marked at the hearing and in compliance with the testimony of the Applicant and the Applicant's experts at the hearing.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Secretary of the Planning Board to be a true copy, be forwarded to the Village Clerk, the Village Construction Official, the Board Engineer/Planner, the Village Tax Collector, the Village Tax Assessor, the Village Tax Collector, the Village Attorney, the Board Attorney, and the Applicant herein.

BE IT FURTHER RESOLVED that this Resolution shall serve as one of memorialization of the action taken by this Board at its meeting of September 18, 2019.

Moved by: Carol Wilusz

Seconded by: Elizabeth Appello

ROLL CALL VOTE

Those in favor: Ms. Appello, Mr. Wiener, Ms. Wilusz

Those Opposed: None

Those absent: Commissioner D' Angelo, Mayor Fernicola,
Ms. Gosline, Mr. Maisto

Those recused: Mr. R. Fernicola, Mr. Santos

Continued:

B. 205 Edgemont, LLC, Block 10, Lot 11

An Application has been received on behalf of the Applicant, 205 Edgemont, LLC. The Applicant is appealing the zoning Officers Determination that the pre-existing non-conforming use has been abandoned. Should the Board affirm the Zoning Officer's decision; the Applicant will be requesting a Use Variance. In addition, the Applicant is requesting Board approval for site plan

approval and bulk variances as noted in the Engineer's Completeness Report dated January 31, 2019 and revised through July 12, 2019.

The following Exhibits were marked into evidence at the Planning Board Meeting held May 15, 2019:

Exhibit A-1: Field Report dated April 13, 2018, prepared by Architect, Michael Saverese, RA., of MSA Architect, consisting of 2 pages.

Exhibit A-2: Existing Conditions dated February 20, 2019, prepared by Architect, Michael Saverese, RA, of MSA Architect, consisting of 6 pages.

Exhibit A-3: Tax list dated 1927, consisting of 5 pages.

Exhibit A-4: New Jersey Property Tax System Legend, consisting of 1 page.

Exhibit A-5: Village of Loch Arbour, Master Plan and Summary of Proposals dated July, 1969.

Exhibit A-6: Memo from Planning Board Clerk, Village of Loch Arbour dated January 10, 1977, consisting of 7 pages.

Exhibit A-7: Resolution Re-Adopting the 1969 Master Plan dated January 25, 1977, consisting of 4 pages.

Exhibit A-8: Enlarged poster of NJSA 40:55D-68.

Exhibit A-9: Enlarged poster of "Continued Operation" Scavone v. Mayor and Council of Totowa.

Exhibit B- 1: Planning Board Application, 205 Edgemont, LLC., dated June 14, 2018, consisting of 6 pages.

Exhibit B-2: OPRA Request received by Jennifer Krimko, Esq., dated December 5, 2017, consisting of 27 pages.

Exhibit B-3: Peter Avakian, P.E., report dated January 31, 2019, consisting of 6 pages.

Exhibit B-4: Zoning Request #2018-13, date issued: May 30, 2018, consisting of 1 page.

The following Exhibits were marked into evidence at the Planning Board Meeting held July 17, 2019:

Exhibit A-10: Copies of Historic Rent receipts, consisting of 5 pages.

Exhibit A-11: Copies of envelopes from the U.S. Census Bureau, consisting of 3 pages.

The following Exhibits were marked into evidence:

Exhibit A-12: Letter brief prepared by Jennifer S. Krimko, Esq., dated July 25, 2019.

Exhibit B-5: Letter brief prepared by Nicholas Falcone, of the law firm Sanford D. Brown, LLC, dated October 11, 2019.

Exhibit B-6: Assessment Card (Appraisals) prepared by Realty Appraisal Company dated October 1, 2007, consisting of 1 page.

Exhibit B-7: Assessment Card (Appraisals) prepared by Realty Appraisal Company dated October 1, 2010, consisting of 1 page.

Present was Applicant's Attorney, Jennifer Krimko, Esq., of the law firm Ansell, Grimm and Aaron, PC.

Christine Bell, Licensed Planner, of the firm of Avakian, Inc., Village Engineer/Planner discussed with the Board the abandonment issue.

Jennifer Krimko, Esq., discussed the abandonment issue as well as the brief submitted by Mr. Brown.

Mr. Fernicola referenced Exhibit B-6 and Exhibit B-7 and stated for the record both documents state "former 5 family dwelling converted to one family as per owner".

Upon Motion of Mr. Fernicola, seconded by Ms. Appello, carried that the Board deliberate at this time, with respect to the abandonment issue.

Recorded Vote:

Ayes: Ms. Appello, Mr. R. Fernicola, Mr. Wiener, Ms. Wilusz, Mr. Santos

Nays: None Absent: Commissioner D' Angelo, Mayor Fernicola, Ms. Gosline,
Mr. Maisto

UPON MOTION of Mr. Wiener, seconded by Ms. Wilusz, carried that the Board affirmed the Zoning Officer's decision that the use of the premises at 205 Edgemont Avenue has been abandoned.

Recorded Vote:

Ayes: Ms. Appello, Mr. R. Fernicola, Mr. Wiener, Ms. Wilusz, Mr. Santos

Nays: None Absent: Commissioner D' Angelo, Mayor Fernicola, Ms. Gosline
Mr. Maisto

C. 205 Edgemont, LLC., Block 10, Lot 11
USE VARIANCE

Present was Applicant's Attorney, Jennifer Krimko, Esq., of the law firm Ansell, Grimm and Aaron PC. Ms. Krimko gave an overview of the application.

The following Exhibits were marked for identification purposes only:

Exhibit A-1: Minor Site Plan with the latest revision date June 18, 2019, prepared by InSite Engineering, LLC., consisting of 6 pages.

Exhibit A-2: Stormwater Management Report with the latest revision date June 18, 2019, prepared by InSite Engineering, LLC.

Exhibit A-3: Architectural Plan, with the latest revision date June 12, 2019, prepared by Michael Savarese Associates, consisting of 4 pages.

Exhibit A-4: Colored photo entitled "Historic & Proposed Front Elevation" dated February 20, 2019, prepared by Michael Savarese Associates, consisting of 1 page.

Exhibit A-5: Colored rendered Plan entitled "Existing Building Overlay" dated July 17, 2019, prepared by InSite Engineering, LLC, consisting of 1 page.

Exhibit A-6: Colored rendered Plan entitled "Proposed Conditions" dated July 17, 2019, prepared by InSite Engineering, LLC, consisting of 1 page.

Exhibit A-7: Topographic Survey & Average Front Setbacks, dated November 13, 2018, prepared by InSite Engineering, LLC., consisting of 1 page.

Exhibit A-8: Colored Photo entitled "Existing Exterior Conditions, dated February 20, 2019, prepared by Michael Savarese Associates, consisting of 1 page.

Exhibit B-1: Peter Avakian, P.E., report dated January 31, 2019, revised July 12, 2019 consisting of 7 pages.

Patrick Ward, Licensed Professional Engineer, from the firm InSite Engineering, LLC, was sworn in as an expert witness in Engineering.

Mr. Ward referenced Exhibit A-7 and Exhibit A-5. Mr. Ward testified to the proposed plan.

The Board and Professionals discussed the variances being sought.

Mr. Ward testified with regards to the proposed plan and the increased coverage. He also testified to the drainage (Stormwater Management).

Peter Avakian, Village Engineer referenced Exhibit B-1 and discussed the drainage and grading plan. Mr. Avakian discussed his recommendation.

Mr. Ward testified to the arrangement of parking spots in the rear of the premises. He referenced Exhibit A-6 and discussed the parking area under the building.

Mr. Ward testified the crawl space would be filled it to comply with the Flood Zone. He also testified that flood vents would be installed to comply with DEP Guidelines.

Mr. Ward testified this application is in compliance with the RSIS Standards.

Ms. Bell discussed with the Board the RSIS Standards regarding parking spots and the classification of the proposed property.

Mr. Ward testified to each parking spot and how each parking spot will circulate in and out of the driveway.

Mr. Brown discussed the RSIS Standards for parking and the ownership of the individual units.

Mr. Ward testified to the different buffers on each side of the property.

Mr. Ward testified to the lighting and the landscape that is proposed around the property.

Chairperson Fernicola asked the Board if there were any questions for the witness, Mr. Ward.

Robert Wiener discussed permeable pavers with Mr. Ward.

UPON MOTION of R. Fernicola, seconded by Ms. Appello, the meeting be opened to the public for questions for Patrick Ward.

Recorded Vote:

Ayes: Ms. Appello, Mr. R. Fernicola, Mr. Wiener, Ms. Wilusz, Mr. Santos

Nays: None

Absent: Commissioner D' Angelo, Mayor Fernicola
Ms. Gosline, Mr. Maisto

No questions from the public and UPON MOTION of Mr. R. Fernicola, seconded by Mr. Wiener, carried the meeting be closed to the public.

Recorded Vote:

Ayes: Ms. Appello, Mr. R. Fernicola, Mr. Wiener, Ms. Wilusz, Mr. Santos

Nays: None

Absent: Commissioner D' Angelo, Mayor Fernicola
Ms. Gosline, Mr. Maisto

FIVE MINUTE RECESS

Michael Savarese, Architect, from the firm Michael Savarese Associates, was sworn in as an expert witness in Architecture.

Mr. Savarese referenced Exhibit A-4. He testified to the proposed rehabilitation of the existing structure. Mr. Savarese discussed the historic building that exists today. He also testified to the front façade of the building.

Mr. Savarese referenced Exhibit A-8. He testified to the current conditions of the existing building.

Mr. Savarese referenced Exhibit A-3. He testified to the existing floor plan for each floor of the building. Mr. Savarese testified to the proposed floor plan for each floor of the building.

Mr. Savarese testified the mechanicals will be on the roof and the roof will be purely for mechanicals.

Mr. Savarese testified to the exterior changes to the building. He discussed the design guidelines and the character of the building. He testified to the non-conformities to the exterior of the building.

Daniel Mullin, Architect, from the firm Michael Savarese Associates, was sworn in as an expert witness in Architecture.

Mr. Mullin testified to the square footage of each floor.

Chairperson Fernicola asked the Board if there were any questions for the Architects.

Elizabeth Appello, discussed the balconies with the Architects.

UPON MOTION of R. Fernicola, seconded by Ms. Wilusz, the meeting be opened to the public for questions for the Architects.

Recorded Vote:

Ayes: Ms. Appello, Mr. R. Fernicola, Mr. Wiener, Ms. Wilusz, Mr. Santos

Nays: None

Absent: Commissioner D' Angelo, Mayor Fernicola

Ms. Gosline, Mr. Maisto

No questions from the public and UPON MOTION of Mr. R. Fernicola, seconded by Ms. Wilusz, carried the meeting be closed to the public.

Recorded Vote:

Ayes: Ms. Appello, Mr. R. Fernicola, Mr. Wiener, Ms. Wilusz, Mr. Santos

Nays: None

Absent: Commissioner D' Angelo, Mayor Fernicola

Ms. Gosline, Mr. Maisto

After Board discussion, it was determined, and Ms. Krimko agreed, this Application would be carried to the next Planning Board Meeting, with no further notice necessary.

It was agreed to cancel the regular scheduled Planning Board Meeting for Wednesday, November 20, 2019 and reschedule the regular meeting of the Planning Board for Monday, November 4, 2019 at 7:30 p.m.

NEW BUSINESS - None

DISCUSSION/VOTE –

A. Next Planning Board scheduled for MONDAY, NOVEMBER 4, 2019 at 7:30.

B. Pending Applications –

- **Shams, 214 Euclid Avenue, Loch Arbour, Block 10, Lot 5, Certificate of Appropriateness – Tentatively scheduled for Monday, November 4, 2019, pending the report received by Village Engineer, Peter Avakian. Applicant's Attorney must notice meeting in accordance with the law.**
- **329 Euclid Avenue, Block 3, Lot 12, Variance Application – Tentatively scheduled for December 18, 2019. Applicant's Attorney must notice meeting in accordance with the law.**
- **Terzi, 5 Ocean Place, Block 9, Lot 10, Variance/Cert of Appropriateness**

PUBLIC COMMENTS –

UPON MOTION of Mr. R. Fernicola, seconded by Ms. Appello, carried the meeting be opened to the public.

Being no comments, UPON MOTION of Mr. R. Fernicola, seconded by Ms. Appello, carried the meeting be closed to the public.

Recorded Vote:

Ayes: Ms. Appello, Mr. R. Fernicola, Mr. Wiener, Ms. Wilusz, Mr. Santos

Nays: None

Absent: Commissioner D' Angelo, Mayor Fernicola
Ms. Gosline, Mr. Maisto

UPON MOTION of Mr. R. Fernicola, seconded by Ms. Appello, carried, that the meeting be finally adjourned at 10:00 PM.

Marilyn Simons
Board Secretary