

BOARD OF ADJUSTMENT
BOROUGH OF BERNARDSVILLE
Minutes – August 20, 2018
PUBLIC MEETING

- 1. Statement of Adequate Meeting Notice:** Read by Chairman Greenebaum.
- 2. Flag Salute:** All present participated in the Pledge of Allegiance.
- 3. Roll Call:**
Present: Members Greenebaum, English, Dello Russo, Sailliard, Sedlak, Carton, Traynor and McDowell.
Absent: Ms. Kramer.
Board professionals present: Mr. Rago.
Also present: Planning Board members Michael Sullivan and Geoffrey Horowitz, who were in attendance to avail the personal liability training.
- 4. Approval of Minutes:** Review 5/21/18 meeting minutes:
Motion to approve the minutes as presented: Mr. Carton. Second: Mr. Sailliard.
Voice vote:
All eligible members voted in the affirmative.
- 5. Communications:** None.
- 6. Old Business:** None.
- 7. New Business:** Review 8/20/18 Bills List with Vouchers (\$7,5111.00):
Upon review, Mr. Carton opined that since the Board has no knowledge of site inspections of construction of formerly approved applications, it should not be reviewing such engineer's invoices for payment. Chairman Greenebaum also found it odd that the Board Administrator should be reviewing payments having more to do with developers' agreements, which are in the realm of the Borough Council. It was agreed that Mr. Rago will discuss what is the proper process with the Borough attorney.
Motion to pay bills in the amount of **\$7,014.25**: Mr. McDowell. Second: Mr. Sedlak.
Roll call vote:
All members voted in the affirmative, except Mr. Traynor who abstained solely on the DCL invoice and Mr. Carton who abstained entirely.
- 8. Pending Applications:** The Board acknowledged the following pending application and its scheduled hearing date: Application #18-08 CLAREMONT MANOR - Preliminary & Final Multi-Family Site Plan w/ Use & Dimensional Variances for New 23 Unit Condominium Building with Enclosed Parking at 24-26 Claremont Road., B:75 L:6; Zone: B-1; Scheduled to be heard 9/17/18.
Based on his former business relationships with the applicant, the need for Mr. Dello Russo's recusal from hearing this application was discussed and generally agreed to be appropriate.

- 9. Executive Session:** Discussion of matters of ongoing litigation (Bernardsville Petroleum Group, LLC) and Board members' MELJIF personal liability training (by Board Attorney Rago).
Chairman Greenebaum read the closed session resolution on the record. Motion to close the public meeting and reconvene in executive session: Mr. McDowell. Second: Mr. English.
Roll call vote:
All members voted in the affirmative.

It is anticipated that the matters discussed in closed session may be disclosed to the public upon determination of the Board that the public interest will no longer be served by such confidentiality.

Motion to close the executive session and reopen the public meeting: Mr. Sedlak.
Second: Mr. McDowell.
Voice vote:
All members voted in the affirmative.
- 10. Comments from Members:** Chairman Greenebaum observed that the September 4th meeting will likely be cancelled as there are no applications currently ready to be heard on that date.
- 11. Comments from Staff:** None.
- 12. Adjournment:**
A motion to adjourn was made by Mr. McDowell.
Second: Mr. English.
Voice vote:
All members voted in the affirmative.
Chairman Greenebaum adjourned the meeting at 9:06 pm.

Respectfully submitted,

Frank Mottola, Planning & Zoning
Boards Administrative Officer

Keywords: Engineering-inspection-bills-litigation-MELJIF-personal-liability-training.