

Regular meeting of the Haworth  
Planning Board on December 19, 2018,  
at the Municipal Center.

**PRESENT** Andrew Rosenberg, Councilman  
John Smart, Mayor  
Andrew Anderson, Vice Chairman  
Amy Albalah  
Edmond Ezra, Public Official  
Leona Kosmac, Secretary/Treasurer  
Nancy Minikes

John D'Anton, Board Attorney  
Joseph Vince, Board Engineer

**ABSENT:** Dennis Posen, Chairman  
Antonio Cammalleri  
Caroline Reiter, Board Planner

Mr. Anderson took the Chair in Mr. Posen's absence. He called the meeting to order and upon roll call, the above members were present.

Due notice of this meeting was given in accordance with the New Jersey Open Public Meetings Act. Mr. Posen had given notice that he would not be able to attend this meeting.

In essence, the following transpired.

Mr. Anderson thanked Mayor Smart for his service to the Borough as Mayor, Councilman, and a member of the Board.

#### **ACCEPTANCE OF THE MINUTES**

Mr. Anderson noted that the minutes were left in the Council Chamber this evening and the Board did not have time to review them.

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### **342 WHITMAN STREET SUBDIVISION APPLICATION**

Matthew Capizzi, with an office in Tenafly, New Jersey, appeared on behalf of the applicant, 342 Whitman, LLC.

Mr. D'Anton stated that there was a difference in communication which needed to be discussed. He said that the applicant had noticed the application for an earlier date but then carried the application to tonight, and not everyone was given proper notice. Mr. D'Anton said he was under the impression that this application was not going to go forward this evening. He said it was his feeling that it should be carried to the January 16, 2019 meeting.

Mr. Capizzi said he did what he was supposed to do. He said that he wanted the powers on behalf of the Municipality to distribute the correspondence before the Board meets. Mr. Capizzi stated that if it was the Board's pleasure to carry this application in order for everything to be reviewed, he had no issue with it.

Mr. D'Anton said he did not believe Mr. Capizzi needed to re-notice for the January 16<sup>th</sup> hearing. He said that he would review the notices over the next couple of days and review the notice of publication from The Record.

Mr. D'Anton then noted for the record that this notice had been published on December 8, 2018, and it was adequate for purposes of satisfying the requirements of the Letter of the Law. He said that on January 16, 2019, whoever is here will reorganize and then the Board will hear this application.

Mr. Capizzi stated that he was in agreement.

A request was made to have a list of the documents from each person given to the Board members.

Mr. Capizzi said he would write to Mrs. Fay, with a copy to Mr. D'Anton, Mrs. Reiter, and Mr. Vince asking them to submit their information.

Mr. Ezra made a motion to postpone the Whitman Street Subdivision Application until the meeting on January 16, 2019.

Seconded by Ms. Kosmac and upon voice vote was unanimously carried.

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### **BRAY MEMORIALIZING RESOLUTION**

It was noted that there had been a conversation with Mr. D'Anton relating to the draft of the Bray Memorializing Resolution, and some suggestions were made.

The suggestions were reviewed and discussed.

Mr. D'Anton asked that they eliminate the reading of the Memorializing Resolution if everyone had read it. He said that he would send the amended resolution to the Board members directly to be reviewed.

There was discussion about which officers sign resolutions and Ms. Kosmac said that, as Secretary of the Board, she had always signed it.

Mr. D'Anton stated that he was not aware of and has never used that procedure so he asked that it be noted in the record.

Ms. Kosmac stated that she would like to note for the record and make it clear of the Board's ongoing policy that the Secretary of the Board signs the Resolutions.

Mr. D'Anton stated that they could not bind the Board without the Chairperson's signature - not the Secretary. He said it was his recollection that the Chairperson of this Board has signed the Resolutions. Mr. D'Anton noted for the record that this procedure has changed.

Mrs. Minikes moved to waive the reading of the Memorializing Resolution.

Mrs. Albalah seconded the motion.

It was also suggested that the motion include the approval of the Resolution with the changes and suggestion.

Mrs. Minikes so moved.

Seconded by Mrs. Albalah and the vote went as follows: Yes - Mrs. Minikes, Mrs. Albalah, Mr. Ezra, Councilman Rosenberg, and Mayor Smart; No - none. Motion carried. For resolution see Page 64A of permanent minutes.

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## ADMINISTRATIVE

### Alternate Members

There was concern and discussion about the Board not having alternate Board members.

There was discussion and the Board agreed.

Mr. Anderson stated that he would ask Mr. Posen to talk to the Governing Body about having these positions filled.

### Protocol

It was noted that an attorney appearing before the Board commented about the Mayor sitting in the audience rather than at the table and wanted to know if he was participating.

There was a brief discussion and it was agreed that the Mayor probably did this because there wasn't any space at the table. However, the Mayor did participate from his seat in the audience area.

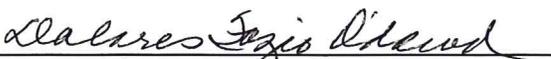
### Mayor Smart

The Board once again thanked Mayor Smart for his service.

There being no further business to discuss at this time, Mr. Ezra moved to adjourn.

Seconded by Councilman Rosenberg and unanimously carried.

Respectfully submitted,

  
Dolores Fazio O'Dowd