

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Zoning Board Minutes
November 4, 2021
Regular Meeting via Zoom**

Meeting Called to Order at 7:00PM by Chairman Tarantino

Open Public Meetings Statement: Read into the record by the Board Secretary.

Roll Call: Messrs. Deegan, Cox (absent), Forst, Ms. Metzger (absent),
Messrs. Rodger, Madden, Ms. Raschdorf, Chairman Tarantino

Also in attendance: David L. Rutherford, Esq., Board Attorney; Kathryn J. Razin, Esq., Substitute Board Attorney; JoAnn Carroll, Board Secretary

Please note: All persons participating in the November 4, 2021 Regular Meeting of the Board did so via Zoom.

Resolution:

Prorock Investment, LLC, 111-115 First Street, Block 1015, Lots 13 & 14, GB/OL-1 Zone: applicant seeks to construct an 8-unit townhome structure with variances

Ms. Razin: reviewed the application and resolution.

Motion to adopt resolution: Deegan

Seconded by: Forst

Ayes: Deegan, Forst, Raschdorf, Chairman Tarantino

Nays: None

Approval of Minutes:

July 1, 2021

August 26, 2021 Special Meeting

October 7, 2021

Please note: the approval of the July 1, 2021, August 26, 2021 and October 7, 2021 minutes have been carried to the December 2, 2021 meeting of the Board.

Please note: at this point of the meeting Members Forst and Madden disconnected from the Zoom Board Meeting due to the fact the Board was to enter into a Closed Session regarding the 229 Blauvelt litigation and both Members Forst and Madden were recused on this matter.

Chairman Tarantino: stated the Board would be going into a Closed Session.

CLOSED SESSION RESOLUTION

WHEREAS, N.J.S.A 10:4-13, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE BE IT RESOLVED by the Zoning Board of Adjustment of the Borough of Ho-Ho-Kus of Bergen County of the State of New Jersey, as follows:

1. The public shall be excluded from discussion of the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Pending litigation concerning the application of Michael Vagnone and Susan Woods, 229 Blauvelt Avenue, Block 210, Lot 17 (the "pending litigation"); and
 - b. Matters falling within the attorney-client privilege where confidentiality is required for the attorney to exercise his ethical duties as a lawyer, namely, legal advice regarding the pending litigation;
3. It is anticipated at this time that the above matters will be made public upon completion of the litigation, including any appeals.
4. This Resolution shall take effect immediately.

(Read into the record by the Board Secretary)

Motion to adopt the Closed Session resolution: Chairman Tarantino

Seconded by: Deegan

Ayes: Deegan, Rodger, Raschdorf, Chairman Tarantino

Nays: None

Motion to go into Closed Session: Chairman Tarantino

Seconded by: Deegan

Ayes: Deegan, Rodger, Raschdorf, Chairman Tarantino

Nays: None

Meeting went into Closed Session at 7:15PM

Meeting reconvened at 7:25PM

Roll Call: Messrs. Deegan, Rodger, Ms. Raschdorf, Chairman Tarantino

Motion to adopt a resolution authorizing David L. Rutherford, Esq., the Board's Attorney, to defend the Board in the Michael Vagnone and Susan Woods, 229 Blauvelt Avenue, Block 210, Lot 17 litigation; Docket No. BER-L06752-21: Chairman Tarantino

Seconded by: Rodger

Ayes: Deegan, Rodger, Raschdorf, Chairman Tarantino

Nays: None

Motion to adopt a resolution authorizing David L. Rutherford, Esq., the Board's Attorney, to enter a response to the Michael Vagnone and Susan Woods, 229 Blauvelt Avenue, Block 210, Lot 17 litigation; Docket No. BER-L06752-21: litigation: Chairman Tarantino

Seconded by: Rodger

Ayes: Deegan, Rodger, Raschdorf, Chairman Tarantino

Nays: None

Motion to Adjourn: Chairman Tarantino

Seconded by: Raschdorf

All in Favor

None Opposed

Meeting adjourned at 7:30PM.

Respectfully submitted by:

JoAnn Carroll

Zoning Board Secretary

APPROVED ON DECEMBER 2, 2021