

BOROUGH OF WATCHUNG PLANNING BOARD  
COUNTY OF SOMERSET - STATE OF NEW JERSEY

SPECIAL MEETING FOR:  
BONNIE BURN ROAD REDEVELOPMENT  
BLOCK 7402/7403, LOT 19.01, 19.02, 5 AND 10  
BONNIE BURN/BNE  
APPLICATION NO. PB 19-01

TUESDAY, AUGUST 10, 2021  
COMMENCING AT 6:30 P.M.

TRANSCRIPT OF PROCEEDINGS  
VIRTUAL PUBLIC HEARING

BOARD MEMBERS PRESENT:

TRACEE SCHAEFER, CHAIRPERSON  
KEITH S. BALLA, MAYOR  
AL ELLIS  
PAUL FIORILLA  
PIETRO MARTINO, COUNCILMAN  
YVETTE NORA  
KAREN PENNETT  
STEPHEN POTE  
TROY SIMS  
DONALD SPEENEY, VICE-CHAIRPERSON  
ELLEN SPINGLER

ALSO PRESENT:

FRANCIS P. LINNUS, ESQUIRE, BOARD ATTORNEY  
RICARDO MATIAS, P.E., BOARD ENGINEER  
MARK HEALEY, P.P., BOARD PLANNER  
JOHN JAHR, P.E., PTP, TSOS, BOARD TRAFFIC ENGINEER  
THERESA SNYDER, BOARD SECRETARY

STENOGRAPHICALLY REPORTED BY:

ANGELA BUONANTUONO, CCR, RPR, License No. 30XI00233100

1 A P P E A R A N C E S: (Via Video Conference)

2 CONNELL FOLEY

3 BY: NICOLE B. DORY, ESQUIRE

56 Livingston Avenue

4 Roseland, New Jersey 07068

T: (973)535-0500

5 F: (973)535-9217

Email: ndory@connellfoley.com

6 --Counsel for the Applicant

7 BUTLER & BUTLER

8 BY: WILLIAM B. BUTLER, ESQUIRE

501 Lenox Avenue

9 Westfield, New Jersey 07090

10 T: (908)233-4400

11 F: (908)233-4465

Email: cb@butlerlawnj.com

12 --Counsel for the Objector, Weldon Materials, Inc.

13

14

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I N D E X

WITNESSES	PAGE
NONE .	

PUBLIC COMMENT:

NAME	ADDRESS	PAGE
NONE .		

E X H I B I T S

EXHIBIT	DESCRIPTION	PAGE
NONE .		

1 (Time Noted, 6:29 p.m.)

2 CHAIRPERSON SCHAEFER: I'm calling the  
3 special zoning board of August 10th, 2021. Notice  
4 of the special meeting has been given pursuant to  
5 Open Public Meetings Act N.J.S.A. 10:4-6.

6 In order to comply with the executive  
7 order signed by the governor, and in an effort to  
8 follow best practices recommended by the CDC, and in  
9 compliance with the DCA requirements for emergency  
10 meeting protocol, this meeting is being held  
11 virtually for all board members, board  
12 professionals, the applicant, the applicant's  
13 professionals, interested parties and members of the  
14 public.

15 Any remote public meeting where sworn  
16 testimony is being taken shall be broadcast by  
17 video, as well as audio. And all individuals giving  
18 sworn testimony shall appear by video. Because of  
19 the quasi-judicial nature of the hearing, written  
20 public comment and/or questions cannot be accepted  
21 prior to the hearing based on Resolution PB 20-R14.

22 Notice has been posted on the borough  
23 website, at Borough Hall, in compliance with DCA  
24 requirements for emergency meeting protocol, and has  
25 been given to the Echoes-Sentinel, Courier News and

1 The Star-Ledger.

2 Notice has been filed with the borough  
3 clerk.

4 Stand, please, and salute the flag.

5 (Pledge of Allegiance.)

6 Thank you. Roll call, please.

7 BOARD SECRETARY: Mr. Ellis?

8 MEMBER ELLIS: Here.

9 BOARD SECRETARY: Ms. Pennett?

10 MEMBER PENNETT: Here.

11 BOARD SECRETARY: Councilman Martino?

12 COUNCILMAN MARTINO: Present.

13 BOARD SECRETARY: Mayor Balla?

14 MAYOR BALLA: Here.

15 BOARD SECRETARY: Mr. Speeney?

16 VICE-CHAIRMAN SPEENEY: Here.

17 BOARD SECRETARY: Ms. Spingler?

18 MEMBER SPINGLER: Here.

19 BOARD SECRETARY: Mr. Pote?

20 MEMBER POTE: Here.

21 BOARD SECRETARY: Mr. Fiorilla?

22 MEMBER FIORILLA: Here.

23 BOARD SECRETARY: Mr. Sims?

24 MEMBER SIMS: Here.

25 BOARD SECRETARY: Ms. Nora?

1 BOARD MEMBER: She's here.

2 BOARD SECRETARY: You're muted.

3 BOARD MEMBER: She's muted. Unmute.

4 CHAIRPERSON SCHAEFER: She's having a  
5 hard time unmuting herself, so she's waving.

6 BOARD SECRETARY: Ms. Nora is here.  
7 Madam Chair?

8 CHAIRPERSON SCHAEFER: Here.

9 BOARD SECRETARY: Mr. Linnus?

10 ATTORNEY LINNUS: Here.

11 BOARD SECRETARY: Mr. Matias?

12 BOARD ENGINEER: Here.

13 BOARD SECRETARY: Mr. Healey?

14 BOARD PLANNER: Here.

15 BOARD SECRETARY: Mr. Jahr?

16 ENGINEER JAHR: Here.

17 BOARD SECRETARY: Mr. Fishinger?

18 ENGINEER JAHR: Joe's not here  
19 tonight.

20 BOARD SECRETARY: Thank you.

21 CHAIRPERSON SCHAEFER: Okay, thank  
22 you, Theresa. Please indicate that we have a quorum  
23 to conduct business.

24 Ellen, can you please call the  
25 application.

1                   MEMBER SPINGLER: Case Number PB  
2     19-01, Bonnie Burn/BNE, Bonnie Burn Road  
3     Redevelopment, Block 7402/7403, Lot 19.01, 19.02, 5  
4     and 10. Represented by Nicole B. Dory, Esquire.  
5     BBRRA Zone. Expiration 12/26/21.

6                   CHAIRPERSON SCHAEFER: Thank you.

7                   So we're here tonight to continue with  
8     the affordable application. At our July 13th  
9     meeting, the applicant finished their presentation,  
10    and they have rested their case. They did listen to  
11    our comments and concerns, and hence, as you all  
12    received a copy of a new set of plans that those  
13    comments and concerns reflect, along with any  
14    changes and additions that were discussed.

15                  But, again, the applicant has rested  
16    their case, so we are now moving on to the opposer,  
17    and the opposer being Weldon, represented by  
18    Attorney Mr. Butler.

19                  Mr. Butler, I know you want to address  
20    the board, so I'm going to open it up to you.

21                  ATTORNEY BUTLER: All right. Madam  
22    Chair, I thank you, and I make this application with  
23    hat in hand, not only to you, but the applicant and  
24    the members of the board.

25                  I wanted to meet with my only witness,

1 Hal Simoff, who is my traffic engineer. We're  
2 objecting to this application solely on traffic, no  
3 other issue. And I like to meet with my witnesses a  
4 week ahead of time, but Hal Simoff went on vacation  
5 last week, and I couldn't meet with him.

6 We were supposed to meet with him at  
7 9:30 this morning. I got a phone call at 9:30, and  
8 I immediately said to my secretary, "Uh-oh." And I  
9 took the phone call, and Hal Simoff had mentioned  
10 that he's been diagnosed with COVID.

11 I asked him to send me an email being  
12 as specific as possible so I could send it to the  
13 board. I got his email, and I wrote to the board.  
14 And basically, I'm going to read, with Madam Chair's  
15 permission, Hal Simoff's email and my letter to the  
16 clerk of the board, Theresa Snyder. This is the  
17 basis for my request to hear the testimony of Hal  
18 Simoff at another date convenient to the board after  
19 August 19th, 2021, at which time his doctors advised  
20 him that up until that time he should reduce stress  
21 and anxiety.

22 I would like to, first of all, read  
23 Mr. Simoff's email to me, which I think all the  
24 board members have, Theresa has, and I also sent a  
25 copy to Frank Linnus, the board attorney. The email



1 from Hal Simoff is dated today. It's dated  
2 10:36 a.m., and it states as follows, and I quote  
3 verbatim:

4 "Bill, as you are aware, I am scheduled  
5 to testify at the Watchung Planning Board  
6 tonight, and we were scheduled to meet to  
7 prepare for my testimony today. Last week, I  
8 was on vacation, and I came down with a sore  
9 throat and a cough and a slight fever. I had  
10 already been vaccinated and thought that I  
11 was just being careful about going back to  
12 work before getting a COVID test.

13 "To my surprise, I went to a CMD  
14 facility in Hanover to get tested yesterday  
15 afternoon. As the test came back positive  
16 for COVID, I have been advised that I must  
17 quarantine through August 17th and not submit  
18 myself to stress. To that end, to not meet  
19 to prepare for my testimony tonight, nor  
20 testify at tonight's meeting. Based upon my  
21 schedule and the advice from the doctor at  
22 CMD, I will be available anytime after  
23 August 18th to testify. I have checked my  
24 calendar, and it's clear for all Tuesday  
25 evenings in August and September after

1 August 18th."

2 And it's Hal Simoff from Simoff  
3 Engineering.

4 Immediately upon receiving Mr. Simoff's  
5 email, I called -- first dictated a letter to  
6 Theresa, but I wanted to give her a heads-up as to  
7 what was coming. I signed the following letter  
8 which went out shortly after I received Hal Simoff's  
9 email, on the re line is this application. The  
10 letter states as follows, and I quote, and this is a  
11 letter from me:

12 "Dear Mrs. Snyder, it is with  
13 tremendous regret that I enclose an email  
14 just received by me from Hal Simoff, dated  
15 August 10th, 2021. Predicated upon Mr.  
16 Simoff's testing positive for COVID, I  
17 respectfully and apologetically request that  
18 his testimony be carried to a date convenient  
19 to the board at anytime after August 18th,  
20 2021.

21 "I have actively been objecting to this  
22 and another application, and in every case  
23 had with me, at the computer screen, my  
24 witness. As I have previously informed the  
25 board, the only witness I have in objection

1 to the above-entitled matter is Hal Simoff, a  
2 traffic engineer. In all other cases, I've  
3 also personally met with my witnesses at my  
4 office to prepare them for their testimony.

5 "I notice that the consent order  
6 between the board and the applicant gives the  
7 board until December 21st, 2021, to decide  
8 this case. The board is way ahead of  
9 schedule.

10 "I have been contacted by a neighbor  
11 who states that it is her belief that members  
12 of the public want to address the board  
13 regarding this application tonight. I am not  
14 suggesting that tonight's hearing be  
15 adjourned, but that Mr. Simoff's testimony be  
16 adjourned because of his illness.

17 "I know you and the board are busy but  
18 would appreciate the quickest possible  
19 response to this letter. Again, I apologize  
20 for any inconvenience that this situation has  
21 caused."

22 I copied Nicole Dory with the letter  
23 and the email from Hal Simoff, Frank Linnus, and Bob  
24 Weldon. I put a phone call in to Nicole. I  
25 couldn't get ahold of her. I left a voicemail

1 message. And I asked her to call me so I could  
2 explain the situation. She had already received  
3 these two documents, but unfortunately she wasn't  
4 able to get back to me.

5 Predicated upon what I've just read, I  
6 respectfully -- and I say it hat in hand because I  
7 don't like to inconvenience the board or the  
8 applicant, but I request that Hal Simoff's be  
9 adjourned sometime -- his testimony be adjourned  
10 sometime post August 18th.

11 Thank you, Madam Chair.

12 CHAIRPERSON SCHAEFER: Thank you,  
13 Mr. Butler.

14 First and foremost, please, please send  
15 our best wishes to Mr. Simoff. COVID has hit my  
16 family. It's very close to my heart, and I just  
17 wish that he has a very speedy recovery.

18 Frank, I'm going to turn it to you, and  
19 then I will say what I need to say.

20 ATTORNEY LINNUS: Okay. First I would  
21 like to turn it over to Nicole Dory, the attorney  
22 for the applicant, with respect to any position she  
23 would like to take with respect to the letter that  
24 was just read by Mr. Butler and which was apparently  
25 sent to her this morning, along with everybody else.

1                   ATTORNEY DORY: Good evening, Madam  
2 Chair, members of the board. Just to introduce  
3 myself again, Nicole Dory, Connell Foley, on behalf  
4 of the applicant, Bonnie Burn Redevelopers Urban  
5 Renewal. And thank you again for scheduling this  
6 application for a Special Meeting this evening.

7                   I did receive Mr. Butler's -- his  
8 letter earlier today. I also received a voicemail  
9 message. You know, unfortunately I was juggling a  
10 few different applications today and unable to get  
11 back to him. But, you know, I did receive the  
12 request. And I certainly do understand the reasons  
13 for his request, and I do hope that Mr. Simoff also  
14 has a speedy recovery.

15                  However, I hope that the board can also  
16 understand the applicant's frustration in this  
17 delay. And I do think at a certain point these  
18 adjournments become onerous for the applicant, as  
19 well as for the board.

20                  So I would also like to point out that  
21 the law is very clear that an objector is not  
22 supposed to control a board's proceedings for an  
23 application. An objector is supposed to be ready at  
24 a hearing when the board and the applicant are  
25 ready. At this point, I'm counting three hearing

1 dates that have been cut short or maybe cancelled as  
2 a result of Mr. Butler's requests. Last month's  
3 meeting on July 13th was cut short. Tonight's  
4 meeting may be cut very short. And I'm not sure  
5 what will happen with the meeting next week on  
6 August 17th, but based on Mr. Butler's letter, it  
7 seems like he's asking that the application not be  
8 heard on that date.

9 So, Madam Chair, you know, I would like  
10 to also point out that the law is very clear that a  
11 board's decision should not be overturned simply  
12 because an objector or an objector's witness is not  
13 available when the board is ready.

14 So the applicant requests that the  
15 board accept Mr. Simoff's report, which was  
16 submitted on July 30th, 2021, to the planning board  
17 and proceed with the application tonight as planned.  
18 I didn't receive that report until a few days later,  
19 but I have been spending the last week along with  
20 Mr. Keller to evaluate that report and prepare for  
21 the meeting this evening. And I am sure that the  
22 board's traffic engineer has probably done the same.

23 So the applicant requests that the  
24 board accept Mr. Simoff's report and his exhibits.  
25 He asked that they be marked at OW-1 and OW-2. We

1 ask that the board hear any comments from the  
2 board's traffic engineer, and then proceed with  
3 public comment and hopefully a vote on the  
4 application.

5 ATTORNEY BUTLER: Madam Chair, may I  
6 briefly respond? It's Bill Butler. As you know --

7 CHAIRPERSON SCHAEFER: Mr. Butler,  
8 before you respond, let me respond.

9 ATTORNEY BUTLER: Of course.

10 CHAIRPERSON SCHAEFER: Ms. Dory, I  
11 take great -- I resent what you just said. You  
12 cancelled the first meeting because you improperly  
13 noticed. It had nothing to do with this board.

14 The last meeting in July, July 13th, we  
15 did not cut the meeting short. The meeting ended.  
16 You rested your case. We moved on, and we said that  
17 we would move on to this special meeting for the  
18 traffic of the opposer -- the opposer's witnesses.

19 It is beyond this board's control that  
20 the opposer's witness came down ill. It was beyond  
21 his control. It is beyond our control. We have  
22 been nothing but gracious to you in trying to get  
23 all of our professionals together and make sure that  
24 we have at least one meeting a month totally  
25 dedicated to you.

1                   So I resent the fact that you are  
2     blaming this board that we are cancelling or we are  
3     cutting short because we are not. We have done  
4     nothing but work with you.

5                   I will say this, also, that, yes, we  
6     are not going to be hearing this application. Of  
7     course I will get a consensus from this board, and I  
8     will look at my legal counsel on this, but for our  
9     next meeting, which is a regular meeting, we didn't  
10    necessarily have to include you. We didn't. We  
11    offered that to you because we knew we had some  
12    extra time.

13                  This board has been moving  
14    expeditiously with this application. And I resent  
15    the fact, again, that you are saying that we are  
16    making delays. We are not. And I am going on  
17    record with that. And I hope you read me loud and  
18    clear because you really have upset me now with your  
19    statement.

20                  ATTORNEY DORY: Madam Chair --

21                  CHAIRPERSON SCHAEFER: Frank, do you  
22    have anything to add?

23                  ATTORNEY DORY: I'm sorry. Madam  
24    Chair, if I might respond at the appropriate time?

25                  CHAIRPERSON SCHAEFER: Go ahead.



1                   ATTORNEY DORY: First of all, I am  
2                   sorry that you took offense to my statement. I was  
3                   not intending to blame the board in any way.

4                   CHAIRPERSON SCHAEFER: You blamed us.  
5                   You blamed us.

6                   ATTORNEY DORY: I'm sorry?

7                   CHAIRPERSON SCHAEFER: You pointblank  
8                   blamed us for the delays for three times. And I  
9                   just told you two of those times were not our delay.

10                  ATTORNEY DORY: Well, I'm sorry, Madam  
11                  Chair. I wasn't referring to the, you know -- and I  
12                  fully take responsibility for the May meeting. And  
13                  I did ask Mr. Linnus if we could proceed on that  
14                  date, but, you know, I think we all agreed that it  
15                  was better to renote. So certainly, you know,  
16                  that's on me.

17                  And I do appreciate the board's time  
18                  and efforts, and the applicant, as well, appreciates  
19                  all of the efforts that the board and the board's  
20                  professionals have made for this application.

21                  I was referring to the fact that the  
22                  meeting had been cut short on July 13th because Mr.  
23                  Butler's witness was not available on that day.  
24                  Okay? I was not referring to any action by the  
25                  board. And then, you know, the meeting this evening

1 also apparently may be cut short due to the  
2 unavailability of Mr. Butler's witness. And then  
3 also the meeting next week.

4 And that was what I was pointing out to  
5 the board. And I was just letting the board know  
6 that, you know, the board is in control of the  
7 proceedings.

8 So I am sorry that you took offense to  
9 my statement, but the applicant does want the  
10 application to move forward, and I wanted the board  
11 to know that that's the applicant's first request.  
12 But, you know, I do understand -- I do understand  
13 the position that Mr. Butler is in, and Mr. Simoff,  
14 unfortunately.

15 So if the board will not proceed with  
16 the application tonight, then the applicant would  
17 like to request that the board carry the application  
18 to a date certain in August. The settlement  
19 agreement between the applicant and the board  
20 requires at least one meeting a month be dedicated  
21 to the application.

22 And I know you scheduled it for this  
23 evening, but I don't know that we can really  
24 accomplish that much.

25 ATTORNEY LINNUS: All right, Ms. Dory,

1 before you go on with additional dates, I think it's  
2 important that I inform the board what the law is  
3 with respect to such a request.

4 I am relying on the case of Witt vs.  
5 The Borough of Maywood, 328 N.J. Super. 432 454 (Law  
6 Division, 1998), which was affirmed at 328 N.J.  
7 Super. 343 in our Appellate Division (2000). Any  
8 time an interested party makes such a request, the  
9 decision is based on the facts and based on all of  
10 the circumstances. And basically, if the board  
11 finds that a denial of the request would probably be  
12 prejudicial to the interested party, and, depending  
13 on overall facts, the denial would probably  
14 constitute arbitrary and capricious action by the  
15 board.

16 So that's the test. If the board were  
17 to deny Mr. Butler's request, would it be  
18 prejudicial to Mr. Butler's client? And, if so, the  
19 denial -- his request should be granted, otherwise a  
20 denial by the board could be considered arbitrary  
21 and capricious.

22 So that, I believe, is the law, and I  
23 think you have to look at all the facts and the  
24 circumstances surrounding the request.

25 ATTORNEY DORY: Madam Chair, might I

1 just respond to that?

2 CHAIRPERSON SCHAEFER: Sure.

3 ATTORNEY DORY: Just to explain my  
4 initial position that I presented was, you know,  
5 simply to outline that the board is in control of  
6 the proceedings. And, you know, due to the fact  
7 that you do have Mr. Simoff's report -- you have had  
8 it for about two weeks now -- I don't believe that  
9 Mr. Butler would be prejudiced if the board would  
10 accept that report and proceed.

11 Thank you.

12 CHAIRPERSON SCHAEFER: I'm going to  
13 open up to the board.

14 My opinion on this is this is an  
15 extraordinary circumstance. We have someone who is  
16 ill. I think that if we don't allow, as we have  
17 allowed the applicant and any applicant in the past  
18 to present their case, and if they had a witness who  
19 was not available, we would extend them the  
20 courtesy. We have an opposer. I believe that that  
21 courtesy should be extended, as well.

22 But that's my opinion, and I would like  
23 to take a straw vote on this. And I'm just going to  
24 say your name and you can tell me your thoughts.

25 Steve Pote?

1                   ATTORNEY LINNUS: Madam Chair, before  
2 we proceed, I would like to also point out that the  
3 board is under no time of decision tonight. As a  
4 matter of fact, by virtue of the settlement  
5 agreement, the board has until December 21st, 2021,  
6 to make a decision.

7                   CHAIRPERSON SCHAEFER: And one other  
8 thing before I start calling you out. Ms. Dory, I  
9 just want you to know the problem is trying to get  
10 all of our professionals together. Okay? And if  
11 you remember, we had difficulty in trying to get  
12 your professionals, our professionals, everybody on  
13 the same night that everybody was available.  
14 Unfortunately, the only night for a special meeting  
15 that everybody is available, because they have prior  
16 commitments, is the second Tuesday of every month.

17                   So it's going to be hard-pressed for us  
18 to be able to offer anything in August. We're here  
19 tonight. I understand the situation. It wasn't  
20 your fault. It is not Mr. Butler's fault. It is  
21 what it is. But we would then have to go on to a  
22 special meeting in September, which would be  
23 September 10th. Because obviously Mr. Simoff, by  
24 the email and by the doctor's note, is not able to  
25 attend our next meeting.

1 But I'm going to ask our other board  
2 members their thoughts. Steve Pote?

3 MEMBER POTE: Yes. I --

4 ATTORNEY BUTLER: September 10th?  
5 That's a Friday.

6 CHAIRPERSON SCHAEFER: Okay,  
7 Mr. Butler. Hold on.

8 BOARD SECRETARY: It would have to be  
9 September 14th.

10 CHAIRPERSON SCHAEFER: Thank you, Mr.  
11 Butler.

12 ATTORNEY BUTLER: Thank you.

13 CHAIRPERSON SCHAEFER: All right,  
14 Steve Pote?

15 MEMBER POTE: From my perspective, I  
16 think we're working well with our applicant. I  
17 think we're moving at a committed pace, meaning it  
18 should be shown that our board has committed to  
19 getting through this application at a very good  
20 pace. And I believe that that courtesy should be  
21 extended under these horrible circumstances to the  
22 gentleman who is going to be coming in. And I think  
23 we should just have a meeting in September.

24 CHAIRPERSON SCHAEFER: Thank you.  
25 Ellen?

1                   MEMBER SPINGLER: I concur with Steve  
2 and you. I think we should extend that courtesy to  
3 the objector and hear his witness.

4                   CHAIRPERSON SCHAEFER: Thank you.  
5 Don?

6                   VICE-CHAIRMAN SPEENEY: I concur with  
7 Steve and Ellen. I think that it's a shame for  
8 Mr. Simoff, and I think the board can -- has the  
9 time to grant some relief here. Thank you.

10                  CHAIRPERSON SCHAEFER: Thank you.  
11 Mr. Ellis?

12                  MEMBER ELLIS: I concur with my fellow  
13 board members that we should extend the courtesy.  
14 And I'm wishing him a lot of comfort and rest to get  
15 ready to come back.

16                  CHAIRPERSON SCHAEFER: Thank you.  
17 Councilman Martino?

18                  COUNCILMAN MARTINO: Yeah. I think it  
19 would be prudent on liabilities, you know -- err on  
20 the liabilities side to allow Mr. Simoff to be here  
21 to be cross-examined by all sides. So, yes, I would  
22 agree to hold off until September. Thank you.

23                  CHAIRPERSON SCHAEFER: Thank you,  
24 Councilman.

25                  Mr. Fiorilla?

1                   MEMBER FIORILLA: Yes, I agree with  
2 what's been said. I mean, given the importance of  
3 traffic to this application and, you know, the fact  
4 that COVID -- it's hard to fault somebody, you know,  
5 and, you know, with COVID, they said he can't  
6 testify. So I guess we'll have to hear it, you know  
7 -- I would say we should hear it another date.

8                   CHAIRPERSON SCHAEFER: Thank you.  
9 Mayor Balla?

10                  MAYOR BALLA: I think it's appropriate  
11 to extend the courtesy.

12                  CHAIRPERSON SCHAEFER: Thank you.  
13 Ms. Nora?

14                  We can't hear you. We cannot hear you.  
15 I will come back to you.

16                  Ms. Pennett?

17                  MEMBER ELLIS: She's up. She's up.  
18 Speak.

19                  CHAIRPERSON SCHAEFER: She's up?  
20 Ms. Nora?

21                  MEMBER ELLIS: Speak.

22                  CHAIRPERSON SCHAEFER: No, she's not  
23 up.

24                  MEMBER ELLIS: I'm sorry.

25                  CHAIRPERSON SCHAEFER: Ms. Pennett?



1                   MEMBER PENNETT: Okay, I agree with  
2 what everyone has said. I think we should postpone  
3 things till September. I mean, we have been going  
4 through a terrible situation with this COVID, and I  
5 think we should give everybody the allowance that's  
6 needed.

7                   CHAIRPERSON SCHAEFER: Thank you.  
8                   Mr. Sims?

9                   MEMBER SIMS: I agree with the  
10 extension. It's unfortunate that he has contracted  
11 COVID, but that's the sign of the times, and that's  
12 why we're doing remote meetings and everything else.  
13 So it's just a part of the process at this point.  
14 So I agree with the extension.

15                  CHAIRPERSON SCHAEFER: Thank you.  
16                  Ms. Nora has disappeared, but you've  
17 kind of got -- Ms. Nora, wherever you are on the  
18 screen, you disappeared -- there you are.

19                  You've kind of gotten the gist of where  
20 this board is going, that we do want to afford Mr.  
21 Butler's witness the ability to testify. It would  
22 then be at our next meeting, special meeting of  
23 September 10th -- September 14th -- sorry --  
24 starting at 6:30.

25                  And if we have time in our September

1 regular meeting, which I don't know yet, you know,  
2 we can let you know on that one, on  
3 September 14th -- of course, you will be added to  
4 our regular meeting.

5 But I think the board has spoken and,  
6 again, because of scheduling, that's the soonest  
7 that we can get our professionals all on the same  
8 page as far as the night is concerned. And I  
9 believe your professionals, too. Because, you know,  
10 you had looked, and everybody just has schedules  
11 that conflict.

12 MEMBER NORA: Yeah, and I do want to  
13 acknowledge, if you can hear me, that I do agree  
14 that we have time in the schedule, and we need to be  
15 through and allow Mr. Simoff the opportunity to go  
16 through his memo.

17 CHAIRPERSON SCHAEFER: Thank you,  
18 Ms. Nora.

19 ATTORNEY BUTLER: Madam Chair, this is  
20 Bill Butler. May I ask a question?

21 CHAIRPERSON SCHAEFER: Yes.

22 ATTORNEY BUTLER: What you just said,  
23 Madam Chair, is there a possibility that you're  
24 expecting Simoff to testify at the next hearing,  
25 which would be a week from tonight?

1 CHAIRPERSON SCHAEFER: No.

2 ATTORNEY BUTLER: All right. Then I  
3 misunderstood you. I thought I misunderstood you,  
4 but I rather be corrected than wish I had asked a  
5 question. Thank you.

6 CHAIRPERSON SCHAEFER: No. It's going  
7 to be September 14th. That gets him past the date  
8 that he can come back into public, and that's our  
9 regular special meeting date for this application.

10 ATTORNEY BUTLER: Madam Chair, Bill  
11 Butler thanks you and Weldon thanks you. And it's  
12 something that I found very difficult to ask for,  
13 not only because I really -- I have been on an  
14 application side more than I have been objecting to  
15 an application, so I do understand the applicant's  
16 position. But I do appreciate the very warm  
17 comments that the board extended to Mr. Simoff. I  
18 didn't expect that, and I don't think Mr. Weldon  
19 expected that, and I appreciate that. And that is  
20 going to be conveyed the first thing tomorrow  
21 morning once he's out of bed. And thank you for  
22 your cooperation.

23 And I will hang on just to see if  
24 there's any other witnesses or any other thing that  
25 takes place regarding this application.

1                   CHAIRPERSON SCHAEFER:   Okay,  
2   Mr. Butler.   Thank you.

3                   ATTORNEY DORY:   Madam Chair?

4                   CHAIRPERSON SCHAEFER:   Who's speaking?  
5   Ms. Dory, yes.

6                   ATTORNEY DORY:   Ms. Dory, yes.   I also  
7   wanted to thank the board for carrying the  
8   application to September 14th at the special  
9   meeting.   However, you know, if we can't proceed I  
10   guess to a different date in August, I was hoping  
11   that the board might proceed with whatever it can  
12   tonight.

13                   Now, I know that Mr. Butler represents  
14   one member of the public, but there are certainly  
15   other members of the public that wish to be heard on  
16   the application apparently.   Mr. Butler's letter  
17   from today indicated at least one person.

18                   So would the board consider moving on  
19   to public comment so that, you know -- so that we  
20   can accomplish something this evening?

21                   CHAIRPERSON SCHAEFER:   I think you had  
22   this conversation with Mr. Linnus already today, so  
23   I'm going to let him answer.

24                   ATTORNEY LINNUS:   Yes.   Yes, indeed,  
25   Madam Chair, I did have a conversation with

1 Ms. Dory, and we did discuss that issue. And I  
2 pointed out to Ms. Dory that it's the policy of the  
3 board to proceed in accordance with the procedures  
4 set forth in the Municipal Land Use Law.

5 I also indicated to her that it was  
6 probably wise to hold public comment to the end of  
7 the entire proceedings to allow a complete, full  
8 hearing of all witnesses so that the normal  
9 procedure would occur. Right now we're on the  
10 objector's case, the objector's main case, and  
11 that's not going to be heard, so there is no fault  
12 here tonight, so there is no full proceeding for  
13 which the public can make comment.

14 That is not to say that we absolutely  
15 will invite the public to make comment and state  
16 whatever comments they would like to make at the  
17 conclusion of the entire hearing. And that was the  
18 gist of my conversation and my information that I  
19 gave to Ms. Dory.

20 So you, Madam Chair, you're in charge  
21 of the procedure and it basically is up to you.

22 CHAIRPERSON SCHAEFER: All along every  
23 meeting before I start with this application, I have  
24 always announced that the public can ask questions  
25 only of each witness as they come along. We have

1 stopped them from making comment. The comments --  
2 they were then told comments could be made at the  
3 end of the applications. I have stated this at  
4 every single meeting. And this isn't just with your  
5 application, Ms. Dory; it's with every application  
6 that this board has heard over the years.

7 I think it's unfair for the public to  
8 make comments without hearing the whole story.  
9 Okay?

10 ATTORNEY DORY: Okay.

11 CHAIRPERSON SCHAEFER: Obviously, if  
12 somebody wanted to testify, that's a different  
13 story, but I don't think -- I'm sorry?

14 Okay, but as far as comments, I think  
15 they need to hear everything to be able to make the  
16 proper comments.

17 ATTORNEY DORY: Okay. I understand,  
18 Madam Chair. Can I ask though, is it possible that  
19 there's anyone else that is from the public that is  
20 prepared to proceed this evening? Would the board  
21 ask that? I mean, it seems that there's --

22 CHAIRPERSON SCHAEFER: Sure.

23 ATTORNEY DORY: -- at least one other  
24 attorney present. So if there is another objector  
25 that's prepared to proceed, I was just wondering if

1 we can move on.

2 CHAIRPERSON SCHAEFER: If we have  
3 another objector who is on this video stream on this  
4 meeting and wants to prevent -- present testimony --  
5 not comments, testimony -- then we need you to come  
6 on video. We need you to present who you are, name  
7 and address. But, again, it's testimony; it is not  
8 comments because I will shut you down if it's  
9 comments only.

10 Is there anyone here who wants to  
11 provide testimony?

12 Okay, Ms. Dory, I'm not hearing any.

13 ATTORNEY DORY: Okay. I appreciate  
14 that, Madam Chair. I just wanted to make sure that,  
15 you know, there wasn't someone else that is ready  
16 this evening that we could take care of.

17 CHAIRPERSON SCHAEFER: Absolutely.  
18 I'm in agreement with you on that. If there was --  
19 and I had every intention of asking that, but there  
20 doesn't seem to be. It seems to be everybody wants  
21 to make comments, and, as you know, the proper time  
22 is at the end of the application.

23 ATTORNEY DORY: Okay, thank you.

24 Madam Chair, if there are -- if there  
25 is some time this evening, I would appreciate it if

1 we could just address a few discrete issues with the  
2 board related to the application that are not  
3 related to traffic.

4 CHAIRPERSON SCHAEFER: Well, I'm going  
5 to bow to Frank on that, but you rested your case,  
6 your application, at our last meeting.

7 ATTORNEY DORY: Yes, I did. I just  
8 wanted to provide the board with some things that  
9 happened after the last meeting, just an update.

10 CHAIRPERSON SCHAEFER: Which was the  
11 letter you sent?

12 ATTORNEY DORY: Yes, our July 29th  
13 submission. And then, you know, I just also wanted  
14 to let the board know that the redevelopment plan  
15 amendment was adopted on second reading on  
16 July 15th. So that there's no waiver for sewer  
17 service related to the application anymore.

18 CHAIRPERSON SCHAEFER: Okay. Beyond  
19 that, I'm a little uncomfortable in you opening up  
20 your application again because you rested. We did  
21 receive the materials from you.

22 ATTORNEY DORY: Yes, yes. I'm not  
23 intending on having any additional testimony. I  
24 just wanted to address a few issues, just alert the  
25 board to the fact that the redevelopment plan



1 amendment had been adopted. I was hoping we might  
2 be able to just -- or that I might be able to just  
3 explain to the board our July 29th submission and  
4 get the board's feedback on that.

5 And then, you know, finally, I just  
6 wanted to see if we could discuss a procedure  
7 whereby the board could vote on preliminary and also  
8 final approval for the application.

9 CHAIRPERSON SCHAEFER: Well, let's  
10 start with that one because that one has come up at  
11 every meeting. Final -- you know, bifurcating this  
12 application. You know where this board stands. You  
13 have heard it. I believe -- did you not have a  
14 conversation with our attorney?

15 ATTORNEY DORY: I did. I did. I  
16 spoke to Mr. Linnus about it twice, and I know we  
17 have also spoken a few times at these meetings about  
18 this issue. And, you know, the applicant respects  
19 the board's policy. You know, it's also cognizant  
20 of the requirements in the settlement agreement.  
21 You know, seeking preliminary and final approval is  
22 permitted by state law, it's permitted by your  
23 ordinance, and it's supposed to expedite the  
24 process. However, we would like to discuss a  
25 procedure where the board could vote on both

1 preliminary and final for the application.

2           So, you know, I did discuss it with  
3 Mr. Linnus. So obviously it's the applicant's first  
4 request that we have a simultaneous vote, but if the  
5 board's policy won't allow that, you know, the  
6 applicant may be agreeable to a process where we can  
7 vote on preliminary first and then final, but we're  
8 just trying to understand if that can be  
9 accomplished within the time period set forth in the  
10 settlement agreement.

11           I understand, you know, the board's  
12 policy is to have a vote on preliminary and then a  
13 resolution adopted on that vote. The applicant  
14 would certainly, you know -- we have identified  
15 conditions throughout this hearing that we agree to  
16 comply with, so we can certainly vote separately,  
17 but we want to make sure that at the end of whatever  
18 procedure we agree to, the board could vote on final  
19 approval before the end of the year.

20           CHAIRPERSON SCHAEFER: I'll open it up  
21 to Frank, and then we'll talk.

22           ATTORNEY LINNUS: Yeah. Ms. Dory is  
23 correct on the law, however, not the policy. And I  
24 think the policy, as long as I have been the  
25 attorney here, it's always been preliminary. And

1 then if preliminary is granted and the conditions of  
2 preliminary have been met, then the applicant files  
3 an application for final.

4 I don't think it's necessary in this  
5 particular case for the applicant to actually file  
6 an application for final. What I would anticipate,  
7 to accommodate the board's policy concerns, would be  
8 that at the conclusion of the hearing we would take  
9 a vote, take action on preliminary and establish  
10 conditions of preliminary, one of which is that the  
11 applicant return to the board for final without the  
12 necessity of filing a formal application once the  
13 conditions of preliminary have been met.

14 That would give the board the  
15 opportunity to look at the final plan and to make a  
16 determination as to whether the final plan is  
17 consistent with the preliminary plans that have been  
18 approved. Obviously, if the final plans are not  
19 consistent with the preliminary plans previously  
20 approved, then at that point the applicant has to go  
21 all the way back to preliminary.

22 I might also inform the board that  
23 there are a number of conditions which have to be  
24 met and satisfied before the applicant would even  
25 have the opportunity to commence construction of the

1 project. So I think that an accommodation can be  
2 made if the board is not going to require by policy  
3 that the applicant actually file an application for  
4 final approval, but merely to contain that in a  
5 condition of preliminary, that is to say that in  
6 that condition of preliminary approval that once the  
7 applicant has satisfied conditions of preliminary,  
8 the applicant would approach the board with its  
9 final plan for a determination as to whether the  
10 plan is, indeed, consistent with the approved  
11 preliminary plans.

12 And that would be my suggestion.

13 CHAIRPERSON SCHAEFER: And I'm  
14 actually fine with that suggestion. It's a win-win  
15 for both sides, in my opinion. And, Ms. Dory, like  
16 he said, there's really nothing that you can do  
17 until your conditions have been met anyway.

18 So, again, I'm going to do a -- I'm  
19 just going to go across the board. I'm going to  
20 start from the bottom up.

21 Troy, your thoughts?

22 MEMBER SIMS: I don't really have any  
23 on this one. I think we should stay with what we're  
24 doing right now. I don't think we should make any  
25 changes.

1                   CHAIRPERSON SCHAEFER: In other words,  
2 bifurcate the application?

3                   MEMBER SIMS: Yes. I mean, stay  
4 consistent with what we've been doing, what we  
5 discussed before.

6                   CHAIRPERSON SCHAEFER: Karen?

7                   ATTORNEY LINNUS: I'm not sure what I  
8 stated was bifurcation, meaning not expecting a full  
9 application for final, but merely conditioning  
10 preliminary to the point where the board gets to  
11 receive and view the final plan before final  
12 approval is actually granted.

13                  VICE-CHAIRMAN SPEENEY: Tracee?

14                  CHAIRPERSON SCHAEFER: Go ahead, Don.

15                  VICE-CHAIRMAN SPEENEY: Yeah, I agree  
16 with the summary Frank has made relative to the  
17 policy, and I would support moving along in that  
18 direction.

19                  CHAIRPERSON SCHAEFER: I'll come back  
20 to Karen.

21                  MEMBER PENNETT: Okay, I think we  
22 should do both the preliminary and then on to the  
23 final. This is a big application, and I would like  
24 to make sure, you know, all the T's are crossed and  
25 I's are dotted, so to speak. Thank you.

1 CHAIRPERSON SCHAEFER: Picking up on  
2 that, Frank, what you just suggested, would that not  
3 be done?

4 ATTORNEY LINNUS: What do you mean?

5 CHAIRPERSON SCHAEFER: What Karen just  
6 said, that they would file with the preliminary --

7 ATTORNEY LINNUS: Right, right.  
8 Again, to make it clear, my suggestion is that we go  
9 through the preliminary hearing, and we take action  
10 on the preliminary site plan application. And if  
11 it's approved, one of the conditions of preliminary  
12 would be that once the conditions of preliminary  
13 have been satisfied, the applicant, without the  
14 necessity of filing a formal final application for  
15 final, would present the final plan to the board at  
16 a hearing. The board at this hearing would indicate  
17 that, yes, the final is consistent with the approved  
18 preliminary, and, if so, there you have it. And if  
19 not, they go back to preliminary.

20 MEMBER PENNETT: Okay. I would agree  
21 with that.

22 CHAIRPERSON SCHAEFER: Okay.  
23 Ms. Nora?

24 MEMBER NORA: Yes, I agree with  
25 keeping the preliminary and the final distinct, but

1 with Mr. Linnus's recommendation to not have to file  
2 a formal final application if all the conditions are  
3 met.

4 CHAIRPERSON SCHAEFER: Okay. Thank  
5 you.

6 Mayor Balla?

7 MAYOR BALLA: I would agree to keep  
8 the preliminary and final separate.

9 CHAIRPERSON SCHAEFER: Totally; not  
10 doing what Frank suggests?

11 MAYOR BALLA: Not have to file a  
12 formal application. Basically what Frank suggested.

13 CHAIRPERSON SCHAEFER: Okay.

14 Mr. Fiorilla?

15 MEMBER FIORILLA: Yeah, this is always  
16 confusing to me. If we were to approve, say, final  
17 application, wouldn't they still have to meet  
18 conditions before -- I mean, like what's the  
19 difference between saying, All right. Here is  
20 preliminary approval. You have to meet these  
21 conditions, and if we granted -- if we voted on  
22 final approval, I mean, that doesn't mean they don't  
23 have to meet those conditions, right? I mean --

24 ATTORNEY LINNUS: That's correct.

25 Here's the distinction, Paul. In the

1 scenario that I presented, which the board does not  
2 have to accept -- and I'm not sure the applicant is  
3 going to accept it -- in the scenario I presented,  
4 the board would actually see the final plans. In  
5 the scenario where preliminary and final are granted  
6 at the same time, you do have conditions of  
7 preliminary and conditions of final, but the board  
8 doesn't necessarily see the final plan. That is an  
9 administrative process where our professionals view  
10 the final plan and make a determination that the  
11 final plan is consistent with preliminary.

12 So the distinct is under one scenario  
13 the board gets a chance to look at the final plan to  
14 determine consistency. In the other scenario where  
15 it's preliminary and final granted at the same time  
16 with conditions, the staff gets a shot at  
17 determining -- making a decision whether final is  
18 consistent with preliminary.

19 I hope I didn't confuse the daylights  
20 out of everybody.

21 MEMBER FIORILLA: How does the  
22 deadline fit into this, the December 31st deadline?

23 ATTORNEY LINNUS: Well, actually, it's  
24 December 21st. And without an extension, you would  
25 have to grant preliminary and final by



1 December 21st.

2 MEMBER FIORILLA: So if we granted  
3 preliminary, say, in December just for sake of an  
4 illustration, we wouldn't have to grant -- we would  
5 then have to extend the final date approval?

6 ATTORNEY LINNUS: You would have to  
7 request that the applicant grant an extension. The  
8 way the law is written, the way the Municipal Land  
9 Use Law is written, you have a certain time period  
10 to make your decision.

11 In the event you do not make your  
12 decision within that time period, then you are to  
13 request that the applicant consent to a further  
14 extension of time.

15 MEMBER FIORILLA: So I like the option  
16 that you outlined where they wouldn't -- we would  
17 grant preliminary and they wouldn't have to make a  
18 formal application as long as they, you know,  
19 produce the plans.

20 I don't agree with making them come  
21 back and making a formal -- separate formal  
22 application.

23 ATTORNEY LINNUS: I do want to point  
24 out that they would have to clear the conditions of  
25 preliminary.

1                   MEMBER FIORILLA: Exactly. Right.

2                   CHAIRPERSON SCHAEFER: Okay.

3           Mr. Ellis?

4                   MEMBER ELLIS: Yes. I agree with the  
5           procedures that were done in the past, Madam Chair.  
6           I think as Attorney has explained, the process is  
7           very open, very open for an applicant with  
8           opportunities to comment. And I would say let's  
9           stay the course that we have done in the past.

10                  CHAIRPERSON SCHAEFER: Okay. But the  
11           attorney is recommending a slight variation of what  
12           this board typically has done in the past. The  
13           slight variation is --

14                  Frank, repeat it one more time.

15                  ATTORNEY LINNUS: Okay. Again, the  
16           Municipal Land Use Law allows an applicant to apply  
17           for preliminary and final at the same time. This  
18           applicant has chosen to do that. And the time limit  
19           that the board has currently to make a decision on  
20           preliminary and final is December 21st of 2021. So  
21           the typical applicant does that, applies for  
22           preliminary and final.

23                  The policy of the board has always  
24           been, to my recollection as a policy, that the board  
25           grant preliminary only and defer final to a final

1 application and a final presentation. In the  
2 variation that I have outlined, we would not require  
3 that the applicant file an application for final.  
4 The information regarding final would be in the  
5 preliminary resolution, assuming the board grants  
6 preliminary approval, and some type of final  
7 outline.

8 MEMBER ELLIS: I agree with that.

9 CHAIRPERSON SCHAEFER: Okay.

10 Ms. Spingler?

11 MEMBER SPINGLER: I support Frank's  
12 compromise. I think it's the best of both worlds  
13 because we're allowing the applicant to move  
14 forward, and we're also maintaining what has been  
15 the best practice for us in the past.

16 CHAIRPERSON SCHAEFER: Thank you.

17 Mr. Pote?

18 MEMBER POTE: I see the value in  
19 bifurcating the process. It has worked very well  
20 for us in the past. Frank does make an argument,  
21 and I understand that, but I have seen too many  
22 times where a few more things get, you know, dotted  
23 or T's crossed, and that process, it really does  
24 work.

25 And my recommendation is that we

1 bifurcate and not use Frank's recommendation.

2 CHAIRPERSON SCHAEFER: Thank you.

3 And Councilman Martino?

4 COUNCILMAN MARTINO: I want to thank  
5 Mr. Linnus. I'm not going to make you read it  
6 again, Mr. Linnus. I agree with your idea, but -- I  
7 also understand the developer and their time  
8 constraint with this -- but I also want to explain  
9 to the developers that this body represents 6,000  
10 residents of this borough. And by us not reviewing  
11 those final plans, it's not -- we're not really  
12 doing our due diligence to every resident in this  
13 town.

14 So, again, I agree we should move  
15 prudently, expeditiously and to try to get this  
16 taken care of by the deadline. I agree  
17 wholeheartedly. But I also want to make sure that  
18 everybody understands, and the public also, that  
19 this is what we're here for.

20 And I would really hate to see a  
21 project this size -- something falls through the  
22 cracks, and then we are held -- ultimately we are  
23 held responsible for that. So I hope the developer  
24 understands that.

25 But I do agree with Mr. Linnus. Thank

1     you very much for that, for that offer.

2                   CHAIRPERSON SCHAEFER:   Thank you.

3                   So, Ms. Dory, you have heard the  
4     consensus of this board.  Mr. Hollenbeck seems to be  
5     shaking his head in agreement.

6                   ATTORNEY DORY:   Yes, Madam Chair.  I  
7     think the applicant is agreeable to the process  
8     outlined by Mr. Linnus, you know, assuming that the  
9     conditions of preliminary approval are something  
10    that we can accomplish within, you know, a few  
11    revisions to the plans.  I'm sure that preliminary  
12    approval wouldn't be conditioned on, you know, for  
13    example, like an outside-agency approval that would  
14    take a very long time to get.

15                  So the applicant would be agreeable to  
16    that.

17                  CHAIRPERSON SCHAEFER:   All right,  
18    then.  I would say that's how we would proceed.

19                  ATTORNEY DORY:   Okay.  Thank you,  
20    Madam Chair.

21                  And I just wanted to clarify.  I did  
22    address this with Mr. Linnus, and I know we spoke  
23    about it at the hearing last month, but just to be  
24    clear, you know, an application for final approval,  
25    I mean, we wouldn't formally resubmit another

1 application and go through completeness again, and  
2 we would not be required to notice for final  
3 approval, correct?

4 CHAIRPERSON SCHAEFER: Well, that's  
5 what Mr. Linnus just outlined to us. Correct?

6 ATTORNEY LINNUS: Well, I want to  
7 point out that if they come back for final under  
8 that scenario, if the final is consistent with  
9 preliminary, the Municipal Land Use Law does not  
10 require notice of the final.

11 ATTORNEY DORY: Okay. That's the  
12 applicant's understanding, as well. So I just  
13 wanted to make sure it was clear.

14 CHAIRPERSON SCHAEFER: Okay.

15 ATTORNEY LINNUS: So under that  
16 scenario you would not be requiring the applicant to  
17 provide full notice of the hearing on the final.  
18 Assuming the final plan, reviewed by our  
19 professionals, is consistent with the preliminarily  
20 approved plans.

21 CHAIRPERSON SCHAEFER: I think  
22 everybody understands that.

23 Ms. Dory, I just have a question. It  
24 was just brought to me by Theresa, my planning board  
25 secretary. 180 days actually starts from the first

1 meeting, so that actually puts us at December 26th  
2 instead of December 21st; is that correct?

3 MEMBER ELLIS: Merry Christmas.

4 ATTORNEY DORY: I believe so. I don't  
5 have the dates in front of me, so I'm not -- I don't  
6 want to commit to that. But I think that's right if  
7 it's running from the May 26th meeting.

8 CHAIRPERSON SCHAEFER: Okay.

9 ATTORNEY LINNUS: And I just used  
10 December 21st because I saw it in Butler's letter.

11 CHAIRPERSON SCHAEFER: Yeah, that's  
12 what I --

13 BOARD SECRETARY: Excuse me, Madam  
14 Chair.

15 CHAIRPERSON SCHAEFER: Theresa?

16 BOARD SECRETARY: The settlement  
17 agreement said 180 days from the first meeting.  
18 Since we did not have that May meeting, do we count  
19 the May meeting, or do we count from the June 29th  
20 meeting?

21 I counted from June 29th because that  
22 was the actual time we met. So we probably should  
23 establish when that expiration date is, according to  
24 the May meeting or the June 29th meeting.

25 ATTORNEY LINNUS: I think between now

1 and September 14th, both Ms. Dory and myself will  
2 review the settlement agreement and come up with  
3 some type of consensus as to the current termination  
4 date of a decision.

5 BOARD SECRETARY: Thank you.

6 ATTORNEY LINNUS: It's obviously not  
7 going to be in September.

8 MEMBER ELLIS: Right.

9 CHAIRPERSON SCHAEFER: Okay. All  
10 right. I think that's it for this evening.

11 ATTORNEY DORY: Yes.

12 Madam Chair, I just wanted to let the  
13 board know that we did make the submission on  
14 July 29th. We did add some sidewalks in there, so I  
15 don't though if the board has any feedback on that  
16 or if that was acceptable to the board? I think  
17 that was the only outstanding issue from the  
18 July 13th meeting.

19 CHAIRPERSON SCHAEFER: I know that  
20 Mr. Speeney and Councilman Martino, those were the  
21 two that brought up the sidewalk concern.

22 Do either of you have a concern with  
23 what was put on or changed?

24 Mr. Speeney?

25 VICE-CHAIRMAN SPEENEY: Tracee?



1 CHAIRPERSON SCHAEFER: Mr. Speeney.

2 VICE-CHAIRMAN SPEENEY: Yeah, I think  
3 my issue got answered at the last meeting. And that  
4 was primarily two sidewalks at the main entrance.  
5 And that there was one sidewalk presented, and that  
6 they had significant reasons why they couldn't do a  
7 sidewalk on what would be the west side.

8 And so, you know, my issue's resolved.  
9 That's not the way I would like to have it resolved,  
10 but I accept the response of the applicant in terms  
11 of what it takes to put a second sidewalk in, and  
12 that it's not practical at all.

13 ATTORNEY DORY: Thank you.

14 COUNCILMAN MARTINO: Yeah, Madam  
15 Chair?

16 CHAIRPERSON SCHAEFER: Yes,  
17 Councilman?

18 COUNCILMAN MARTINO: Just to make that  
19 point clear, I did have some conversation with  
20 Mr. Matias and yourself, and according to our  
21 ordinances, the access road only needs a sidewalk on  
22 one side.

23 Correct, Mr. Matias? Am I right with  
24 that?

25 BOARD ENGINEER: Yes. Yeah, you're

1 correct.

2 COUNCILMAN MARTINO: The issue with  
3 the residential roadway is in question with regards  
4 to the ordinance, and I think that's where the  
5 relief request was coming in. And that was my -- my  
6 opinion was in a complex like this to have a walkway  
7 on both sides would be conducive to a quality of  
8 life and the safety of the pedestrians on this site.

9 I will still -- if they're still  
10 looking for relief from that aspect, I still will  
11 not agree for the relief of that. I do believe that  
12 this site could possibly add 10 percent to the -- to  
13 our resident amount because we're at about  
14 6,000 people now. So 10 percent is a big jump of  
15 residents.

16 And, again, where are they going to  
17 exercise? Where are they going to walk in safety?  
18 Are they going to go over to Mareu Drive? Are they  
19 going to cut through somehow to Oakwood Road? Are  
20 they going to -- or is this going to over inundate,  
21 you know, our parks right now, which are bare  
22 minimum. And for them to get to our parks, they  
23 have to drive, which is a whole nother concern of,  
24 you know, of an environmental issue.

25 I still -- I mean, I agree, you know,

1 they tried to do something with it, but having it on  
2 the same side as the driveways, I don't really think  
3 that increases safety. I think you're probably  
4 looking at about 9,000 square feet of sidewalks to  
5 put it on the opposite side of the road. I don't,  
6 think, on a 50 or \$60 million job -- you're probably  
7 looking at about \$90,000 for that. And it's already  
8 probably on a third of the perimeter already.

9 So, again, I still will fight for the  
10 residents of this town. I'm also going to fight for  
11 these future residents that are going to occupy this  
12 site. And I think it really would be nice if they  
13 had a continuous perimeter to exercise.

14 So, I mean, this is the reason why it's  
15 in our ordinances. And, again, I believe our  
16 ordinances are written for a reason, and this is the  
17 reason. So I'm still going to, you know, be against  
18 giving that relief for that aspect.

19 So, thank you.

20 CHAIRPERSON SCHAEFER: Thank you,  
21 Councilman.

22 Does anybody have comments referencing  
23 the sidewalks?

24 BOARD ENGINEER: Madam Chair, if I  
25 may? This is Rick Matias.

1 CHAIRPERSON SCHAEFER: Yes.

2 BOARD ENGINEER: My only comment would  
3 be on the proposed sidewalk, or the amended layout  
4 of the sidewalk that was presented in the latest  
5 submission, would be for the applicant -- should  
6 this version of the sidewalk layout be approved --  
7 would be for the applicant to consider additional  
8 lighting on areas of this new sidewalk in between  
9 the buildings.

10 A portion of it does have light  
11 spillage from existing lights, but there's a couple  
12 of stretches that do not have any foot-candles. I  
13 think that it could be -- that could be accommodated  
14 just by a couple of lights being added to some of  
15 the side of the buildings, the front and the rear of  
16 the buildings. Doesn't necessarily have to be a  
17 single pedestal light, but those obviously would add  
18 additional lighting.

19 But that is of some concern that they  
20 should look at should this approval stand.

21 That's it. Thank you.

22 CHAIRPERSON SCHAEFER: Thank you.

23 Okay, Ms. Dory?

24 ATTORNEY DORY: Thank you, Madam  
25 Chair. I just wanted to just briefly address those

1        comments.

2                        So I just did want to point out, you  
3        know, that the applicant did revise the -- the  
4        sidewalk layout to provide additional connectivity  
5        to the -- from the rear of the site to the  
6        clubhouse, which has the amenities, and also new  
7        connections near Buildings 1, 2, and 3. So we do  
8        believe that that provides the connectivity and also  
9        provides the availability for exercise that you were  
10       looking for.

11                      And we did a very -- took a lot of time  
12        to look at this in relation to this site. So we  
13        hope that the board will consider that, that new  
14        layout. And we'll certainly consider the comments  
15        of the board engineer and look to see if there are  
16        additional lighting in those areas that we can add.

17                      CHAIRPERSON SCHAEFER: Okay, thank  
18        you. Was there other things that you wanted to  
19        bring up, Ms. Dory?

20                      ATTORNEY DORY: No, Madam Chair.  
21        That's it. Thank you very much.

22                      CHAIRPERSON SCHAEFER: Okay. Anyone  
23        else on the planning board have any comments? Okay.  
24        So this application is going to be continued to our  
25        next special meeting on September 14th, which

1 starts --

2 Theresa, please correct me; it is  
3 September 14th, yes, starting at 6:30?

4 BOARD SECRETARY: Yes, that's correct.

5 CHAIRPERSON SCHAEFER: Okay.

6 ATTORNEY LINNUS: And will it be  
7 conducted virtually?

8 CHAIRPERSON SCHAEFER: It will be  
9 conducted virtually, so everybody can log in the  
10 same way.

11 Mr. Butler, you will have Mr. Simoff at  
12 that point. We will start the evening with your,  
13 you know -- Mr. Simoff's testimony. We will follow  
14 it with Ms. Dory, any questions you may have of his  
15 expert witness. And we will follow it up with  
16 planning board questions, public questions, and  
17 hopefully we will come to an end that night.

18 But right now you're slated for -- and  
19 I appreciate, Ms. Dory, your understanding that  
20 we're moving it to September 14th starting at 6:30.

21 Our next regular meeting is actually  
22 next Tuesday starting at 7:30. So you can all tune  
23 in for that if you would like, any of the residents  
24 that are on.

25 Any questions from anyone?

1                   ATTORNEY DORY: Madam Chair, I just  
2 wanted to clarify for notice that no further notice  
3 will be required --

4                   CHAIRPERSON SCHAEFER: I'm sorry. No  
5 further notice would be required.

6                   ATTORNEY DORY: Thank you.

7                   CHAIRPERSON SCHAEFER: So it means  
8 that this application, the next time it's going to  
9 be heard is Tuesday, September 14th at 6:30.

10                   I now open to public for comments.

11                   Hearing none, I close the public  
12 session.

13                   And I guess we will adjourn until next  
14 Tuesday. I thank everybody for tonight.

15                   Mr. Butler, please give our best to  
16 Mr. Simoff.

17                   ATTORNEY BUTLER: Thank you, Madam  
18 Chair. And as I said before, I'm sure he's going to  
19 appreciate the warm and kind reaction to his  
20 situation.

21                   CHAIRPERSON SCHAEFER: Okay. Thank  
22 you. Thank you, everyone.

23

24                   (Application adjourned at 7:34 p.m.)

25

## C E R T I F I C A T E

I, ANGELA C. BUONANTUONO, a Notary Public and Certified Court Reporter of the State of New Jersey and Registered Professional Reporter, do hereby certify that prior to the commencement, the witnesses were duly sworn to testify the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a true and accurate transcript of the proceedings as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative, nor employee, nor attorney, nor counsel of any of the parties to this action, and that I am neither a relative, nor employee of such attorney or counsel, and that I am not financially interested in the action.



Angela C. Buonantuono, CCR, RPR, CLR

NJ State Board of Court Reporting

License No. 30XI00233100      Dated: August 24, 2021



<b>&amp;</b>	47:2,10	<b>9</b>	<b>added</b> 26:3 52:14
<b>&amp;</b> 2:8	<b>233-4400</b> 2:10	<b>9,000</b> 51:4	<b>additional</b> 19:1
<b>0</b>	<b>233-4465</b> 2:11	<b>90,000</b> 51:7	32:23 52:7,18
<b>07068</b> 2:4	<b>24</b> 56:25	<b>908</b> 2:10,11	53:4,16
<b>07090</b> 2:10	<b>26th</b> 47:1,7	<b>973</b> 2:4,5	<b>additions</b> 7:14
<b>1</b>	<b>29th</b> 32:12 33:3	<b>9:30</b> 8:7,7	<b>address</b> 3:9 7:19
<b>1</b> 14:25 53:7	47:19,21,24 48:14	<b>a</b>	11:12 31:7 32:1
<b>10</b> 1:5,9 7:4 50:12	<b>3</b>	<b>a.m.</b> 9:2	32:24 45:22 52:25
50:14	<b>3</b> 53:7	<b>ability</b> 25:21	<b>adjourn</b> 55:13
<b>10:36</b> 9:2	<b>30th</b> 14:16	<b>able</b> 12:4 21:18,24	<b>adjourned</b> 11:15
<b>10:4-6</b> 4:5	<b>30xi00233100</b>	30:15 33:2,2	11:16 12:9,9
<b>10th</b> 4:3 10:15	1:23 56:25	<b>absolutely</b> 29:14	55:24
21:23 22:4 25:23	<b>31st</b> 40:22	31:17	<b>adjournments</b>
<b>12/26/21</b> 7:5	<b>328</b> 19:5,6	<b>accept</b> 14:15,24	13:18
<b>13th</b> 7:8 14:3	<b>343</b> 19:7	20:10 40:2,3	<b>administrative</b>
15:14 17:22 48:18	<b>4</b>	49:10	40:9
<b>14th</b> 22:9 25:23	<b>432</b> 19:5	<b>acceptable</b> 48:16	<b>adopted</b> 32:15
26:3 27:7 28:8	<b>454</b> 19:5	<b>accepted</b> 4:20	33:1 34:13
48:1 53:25 54:3	<b>5</b>	<b>access</b> 49:21	<b>advice</b> 9:21
54:20 55:9	<b>5</b> 1:5 7:3	<b>accommodate</b>	<b>advised</b> 8:19 9:16
<b>15th</b> 32:16	<b>50</b> 51:6	35:7	<b>affirmed</b> 19:6
<b>17th</b> 9:17 14:6	<b>501</b> 2:9	<b>accommodated</b>	<b>afford</b> 25:20
<b>180</b> 46:25 47:17	<b>535-0500</b> 2:4	52:13	<b>affordable</b> 7:8
<b>18th</b> 9:23 10:1,19	<b>535-9217</b> 2:5	<b>accommodation</b>	<b>afternoon</b> 9:15
12:10	<b>56</b> 2:3	36:1	<b>agency</b> 45:13
<b>19-01</b> 1:7 7:2	<b>6</b>	<b>accomplish</b> 18:24	<b>agree</b> 23:22 24:1
<b>19.01</b> 1:5 7:3	<b>6,000</b> 44:9 50:14	28:20 45:10	25:1,9,14 26:13
<b>19.02</b> 1:5 7:3	<b>60</b> 51:6	<b>accomplished</b> 34:9	34:15,18 37:15
<b>1998</b> 19:6	<b>6:29</b> 4:1	<b>accurate</b> 56:10	38:20,24 39:7
<b>19th</b> 8:19	<b>6:30</b> 1:9 25:24	<b>acknowledge</b>	41:20 42:4 43:8
<b>2</b>	54:3,20 55:9	26:13	44:6,14,16,25
<b>2</b> 14:25 53:7	<b>7</b>	<b>act</b> 4:5	50:11,25
<b>20</b> 4:21	<b>7402/7403</b> 1:5 7:3	<b>action</b> 17:24 19:14	<b>agreeable</b> 34:6
<b>2000</b> 19:7	<b>7:30</b> 54:22	35:9 38:9 56:15	45:7,15
<b>2021</b> 1:9 4:3 8:19	<b>7:34</b> 55:24	56:18	<b>agreed</b> 17:14
10:15,20 11:7	<b>8</b>	<b>actively</b> 10:21	<b>agreement</b> 18:19
14:16 21:5 42:20	<b>8107</b> 56:22	<b>actual</b> 47:22	21:5 31:18 33:20
56:25		<b>add</b> 16:22 48:14	34:10 45:5 47:17
<b>21st</b> 11:7 21:5		50:12 52:17 53:16	48:2
40:24 41:1 42:20			<b>ahead</b> 8:4 11:8
			16:25 37:14

<b>ahold</b> 11:25 <b>al</b> 1:14 <b>alert</b> 32:24 <b>allegiance</b> 5:5 <b>allow</b> 20:16 23:20 26:15 29:7 34:5 <b>allowance</b> 25:5 <b>allowed</b> 20:17 <b>allowing</b> 43:13 <b>allows</b> 42:16 <b>amended</b> 52:3 <b>amendment</b> 32:15 33:1 <b>amenities</b> 53:6 <b>amount</b> 50:13 <b>angela</b> 1:23 56:3 56:23 <b>announced</b> 29:24 <b>answer</b> 28:23 <b>answered</b> 49:3 <b>anticipate</b> 35:6 <b>anxiety</b> 8:21 <b>anybody</b> 51:22 <b>anymore</b> 32:17 <b>anytime</b> 9:22 10:19 <b>anyway</b> 36:17 <b>apologetically</b> 10:17 <b>apologize</b> 11:19 <b>apparently</b> 12:24 18:1 28:16 <b>appear</b> 4:18 <b>appellate</b> 19:7 <b>applicant</b> 2:6 4:12 7:9,15,23 11:6 12:8,22 13:4,18,24 14:14,23 17:18 18:9,16,19 20:17 20:17 22:16 33:18 34:6,13 35:2,5,11	35:20,24 36:3,7,8 38:13 40:2 41:7 41:13 42:7,16,18 42:21 43:3,13 45:7,15 46:16 49:10 52:5,7 53:3 <b>applicant's</b> 4:12 13:16 18:11 27:15 34:3 46:12 <b>application</b> 1:7 6:25 7:8,22 8:2 10:9,22 11:13 13:6,23 14:7,17 15:4 16:6,14 17:20 18:10,16,17 18:21 22:19 24:3 27:9,14,15,25 28:8 28:16 29:23 30:5 30:5 31:22 32:2,6 32:17,20 33:8,12 34:1 35:3,6,12 36:3 37:2,9,23 38:10,14 39:2,12 39:17 41:18,22 43:1,3 45:24 46:1 53:24 55:8,24 <b>applications</b> 13:10 30:3 <b>applies</b> 42:21 <b>apply</b> 42:16 <b>appreciate</b> 11:18 17:17 27:16,19 31:13,25 54:19 55:19 <b>appreciates</b> 17:18 <b>approach</b> 36:8 <b>appropriate</b> 16:24 24:10 <b>approval</b> 33:8,21 34:19 36:4,6 37:12 39:20,22	41:5 43:6 45:9,12 45:13,24 46:3 52:20 <b>approve</b> 39:16 <b>approved</b> 35:18 35:20 36:10 38:11 38:17 46:20 52:6 <b>arbitrary</b> 19:14,20 <b>areas</b> 52:8 53:16 <b>argument</b> 43:20 <b>asked</b> 8:11 12:1 14:25 27:4 <b>asking</b> 14:7 31:19 <b>aspect</b> 50:10 51:18 <b>assuming</b> 43:5 45:8 46:18 <b>attend</b> 21:25 <b>attorney</b> 1:19 6:10 7:18,21 8:25 12:20,21 13:1 15:5,9 16:20,23 17:1,6,10 18:25 19:25 20:3 21:1 22:4,12 26:19,22 27:2,10 28:3,6,24 30:10,17,23,24 31:13,23 32:7,12 32:22 33:14,15 34:22,25 37:7 38:4,7 39:24 40:23 41:6,23 42:6,11,15 45:6,19 46:6,11,15 47:4,9 47:25 48:6,11 49:13 52:24 53:20 54:6 55:1,6,17 56:14,16 <b>audio</b> 4:17 <b>august</b> 1:9 4:3 8:19 9:17,23,25 10:1,15,19 12:10	14:6 18:18 21:18 28:10 56:25 <b>availability</b> 53:9 <b>available</b> 9:22 14:13 17:23 20:19 21:13,15 <b>avenue</b> 2:3,9 <b>aware</b> 9:4 <hr/> <b>b</b> <hr/> <b>b</b> 2:3,9 3:14 7:4 <b>back</b> 9:11,15 12:4 13:11 23:15 24:15 27:8 35:21 37:19 38:19 41:21 46:7 <b>balla</b> 1:13 5:13,14 24:9,10 39:6,7,11 <b>bare</b> 50:21 <b>based</b> 4:21 9:20 14:6 19:9,9 <b>basically</b> 8:14 19:10 29:21 39:12 <b>basis</b> 8:17 <b>bberra</b> 7:5 <b>bed</b> 27:21 <b>behalf</b> 13:3 <b>belief</b> 11:11 <b>believe</b> 19:22 20:8 20:20 22:20 26:9 33:13 47:4 50:11 51:15 53:8 <b>best</b> 4:8 12:15 43:12,15 55:15 <b>better</b> 17:15 <b>beyond</b> 15:19,20 15:21 32:18 <b>bifurcate</b> 37:2 44:1 <b>bifurcating</b> 33:11 43:19 <b>bifurcation</b> 37:8
--	---	--	--

<p><b>big</b> 37:23 50:14  <b>bill</b> 9:4 15:6 26:20  27:10  <b>blame</b> 17:3  <b>blamed</b> 17:4,5,8  <b>blaming</b> 16:2  <b>block</b> 1:5 7:3  <b>bne</b> 1:6 7:2  <b>board</b> 1:1,12,19  1:20,20,21,21 4:3  4:11,11 5:7,9,11  5:13,15,17,19,21  5:23,25 6:1,2,3,6,9  6:11,12,13,14,15  6:17,20 7:20,24  8:13,13,16,18,24  8:25 9:5 10:19,25  11:6,7,8,12,17  12:7 13:2,15,19,24  14:13,15,16,24  15:1,13 16:2,7,13  17:3,19,25 18:5,5  18:6,10,15,17,19  19:2,10,15,16,20  20:5,9,13 21:3,5  22:1,8,18 23:8,13  25:20 26:5 27:17  28:7,11,18 29:3  30:6,20 32:2,8,14  32:25 33:3,7,12,25  34:18 35:11,14,22  36:2,8,19 37:10  38:15,16 40:1,4,7  40:13 42:12,19,23  42:24 43:5 45:4  46:24 47:13,16  48:5,13,15,16  49:25 51:24 52:2  53:13,15,23 54:4  54:16 56:24</p>	<p><b>board's</b> 13:22  14:11,22 15:2,19  17:17,19 33:4,19  34:5,11 35:7  <b>bob</b> 11:23  <b>body</b> 44:9  <b>bonnie</b> 1:5,6 7:2,2  13:4  <b>borough</b> 1:1 4:22  4:23 5:2 19:5  44:10  <b>bottom</b> 36:20  <b>bow</b> 32:5  <b>briefly</b> 15:6 52:25  <b>bring</b> 53:19  <b>broadcast</b> 4:16  <b>brought</b> 46:24  48:21  <b>buildings</b> 52:9,15  52:16 53:7  <b>buonantuono</b> 1:23  56:3,23  <b>burn</b> 1:5,6 7:2,2  13:4  <b>business</b> 6:23  <b>busy</b> 11:17  <b>butler</b> 2:8,8,9 7:18  7:19,21 12:13,24  15:5,6,7,9 18:13  20:9 22:4,7,11,12  26:19,20,22 27:2  27:10,11 28:2,13  54:11 55:15,17  <b>butler's</b> 13:7 14:2  14:6 17:23 18:2  19:17,18 21:20  25:21 28:16 47:10  <b>butlerlawnj.com</b>  2:11</p>	<p><b>c</b>  <b>c</b> 2:1 56:1,1,3,23  <b>calendar</b> 9:24  <b>call</b> 5:6 6:24 8:7,9  11:24 12:1  <b>called</b> 10:5  <b>calling</b> 4:2 21:8  <b>cancelled</b> 14:1  15:12  <b>cancelling</b> 16:2  <b>candles</b> 52:12  <b>capricious</b> 19:14  19:21  <b>care</b> 31:16 44:16  <b>careful</b> 9:11  <b>carried</b> 10:18  <b>carry</b> 18:17  <b>carrying</b> 28:7  <b>case</b> 7:1,10,16  10:22 11:8 15:16  19:4 20:18 29:10  29:10 32:5 35:5  <b>cases</b> 11:2  <b>caused</b> 11:21  <b>cb</b> 2:11  <b>ccr</b> 1:23 56:23  <b>cdc</b> 4:8  <b>certain</b> 13:17  18:18 41:9  <b>certainly</b> 13:12  17:15 28:14 34:14  34:16 53:14  <b>certified</b> 56:4  <b>certify</b> 56:6,9,13  <b>chair</b> 6:7 7:22  12:11 13:2 14:9  15:5 16:20,24  17:11 19:25 21:1  26:19,23 27:10  28:3,25 29:20  30:18 31:14,24</p>	<p>42:5 45:6,20  47:14 48:12 49:15  51:24 52:25 53:20  55:1,18  <b>chair's</b> 8:14  <b>chairman</b> 5:16  23:6 37:13,15  48:25 49:2  <b>chairperson</b> 1:13  1:17 4:2 6:4,8,21  7:6 12:12 15:7,10  16:21,25 17:4,7  20:2,12 21:7 22:6  22:10,13,24 23:4  23:10,16,23 24:8  24:12,19,22,25  25:7,15 26:17,21  27:1,6 28:1,4,21  29:22 30:11,22  31:2,17 32:4,10,18  33:9 34:20 36:13  37:1,6,14,19 38:1  38:5,22 39:4,9,13  42:2,10 43:9,16  44:2 45:2,17 46:4  46:14,21 47:8,11  47:15 48:9,19  49:1,16 51:20  52:1,22 53:17,22  54:5,8 55:4,7,21  <b>chance</b> 40:13  <b>changed</b> 48:23  <b>changes</b> 7:14  36:25  <b>charge</b> 29:20  <b>checked</b> 9:23  <b>chosen</b> 42:18  <b>christmas</b> 47:3  <b>circumstance</b>  20:15</p>
--	--	--	--

<b>circumstances</b> 19:10,24 22:21 <b>clarify</b> 45:21 55:2 <b>clear</b> 9:24 13:21 14:10 16:18 38:8 41:24 45:24 46:13 49:19 <b>clerk</b> 5:3 8:16 <b>client</b> 19:18 <b>close</b> 12:16 55:11 <b>clr</b> 56:23 <b>clubhouse</b> 53:6 <b>cmd</b> 9:13,22 <b>cognizant</b> 33:19 <b>come</b> 23:15 24:15 27:8 29:25 31:5 33:10 37:19 41:20 46:7 48:2 54:17 <b>comfort</b> 23:14 <b>coming</b> 10:7 22:22 50:5 <b>commence</b> 35:25 <b>commencement</b> 56:6 <b>commencing</b> 1:9 <b>comment</b> 3:8 4:20 15:3 28:19 29:6 29:13,15 30:1 42:8 52:2 <b>comments</b> 7:11,13 15:1 27:17 29:16 30:1,2,8,14,16 31:5,8,9,21 51:22 53:1,14,23 55:10 <b>commit</b> 47:6 <b>commitments</b> 21:16 <b>committed</b> 22:17 22:18 <b>complete</b> 29:7	<b>completeness</b> 46:1 <b>complex</b> 50:6 <b>compliance</b> 4:9,23 <b>comply</b> 4:6 34:16 <b>compromise</b> 43:12 <b>computer</b> 10:23 <b>concern</b> 48:21,22 50:23 52:19 <b>concerned</b> 26:8 <b>concerns</b> 7:11,13 35:7 <b>conclusion</b> 29:17 35:8 <b>concur</b> 23:1,6,12 <b>condition</b> 36:5,6 <b>conditioned</b> 45:12 <b>conditioning</b> 37:9 <b>conditions</b> 34:15 35:1,10,13,23 36:7 36:17 38:11,12 39:2,18,21,23 40:6 40:7,16 41:24 45:9 <b>conducive</b> 50:7 <b>conduct</b> 6:23 <b>conducted</b> 54:7,9 <b>conference</b> 2:1 <b>conflict</b> 26:11 <b>confuse</b> 40:19 <b>confusing</b> 39:16 <b>connections</b> 53:7 <b>connectivity</b> 53:4 53:8 <b>connell</b> 2:2 13:3 <b>connellfoley.com</b> 2:5 <b>consensus</b> 16:7 45:4 48:3 <b>consent</b> 11:5 41:13 <b>consider</b> 28:18 52:7 53:13,14	<b>considered</b> 19:20 <b>consistency</b> 40:14 <b>consistent</b> 35:17 35:19 36:10 37:4 38:17 40:11,18 46:8,19 <b>constitute</b> 19:14 <b>constraint</b> 44:8 <b>construction</b> 35:25 <b>contacted</b> 11:10 <b>contain</b> 36:4 <b>continue</b> 7:7 <b>continued</b> 53:24 <b>continuous</b> 51:13 <b>contracted</b> 25:10 <b>control</b> 13:22 15:19,21,21 18:6 20:5 <b>convenient</b> 8:18 10:18 <b>conversation</b> 28:22,25 29:18 33:14 49:19 <b>conveyed</b> 27:20 <b>cooperation</b> 27:22 <b>copied</b> 11:22 <b>copy</b> 7:12 8:25 <b>correct</b> 34:23 39:24 46:3,5 47:2 49:23 50:1 54:2,4 <b>corrected</b> 27:4 <b>cough</b> 9:9 <b>councilman</b> 1:15 5:11,12 23:17,18 23:24 44:3,4 48:20 49:14,17,18 50:2 51:21 <b>counsel</b> 2:6,12 16:8 56:14,17	<b>count</b> 47:18,19 <b>counted</b> 47:21 <b>counting</b> 13:25 <b>county</b> 1:2 <b>couple</b> 52:11,14 <b>courier</b> 4:25 <b>course</b> 15:9 16:7 26:3 42:9 <b>court</b> 56:4,24 <b>courtesy</b> 20:20,21 22:20 23:2,13 24:11 <b>covid</b> 8:10 9:12,16 10:16 12:15 24:4 24:5 25:4,11 <b>cracks</b> 44:22 <b>cross</b> 23:21 <b>crossed</b> 37:24 43:23 <b>current</b> 48:3 <b>currently</b> 42:19 <b>cut</b> 14:1,3,4 15:15 17:22 18:1 50:19 <b>cutting</b> 16:3
<b>d</b>			
<b>d</b> 3:1 <b>date</b> 8:18 10:18 14:8 17:14 18:18 24:7 27:7,9 28:10 41:5 47:23 48:4 56:12 <b>dated</b> 9:1,1 10:14 56:25 <b>dates</b> 14:1 19:1 47:5 <b>day</b> 17:23 <b>daylights</b> 40:19 <b>days</b> 14:18 46:25 47:17 <b>dca</b> 4:9,23			

<b>deadline</b> 40:22,22 44:16 <b>dear</b> 10:12 <b>december</b> 11:7 21:5 40:22,24 41:1,3 42:20 47:1 47:2,10 <b>decide</b> 11:7 <b>decision</b> 14:11 19:9 21:3,6 40:17 41:10,12 42:19 48:4 <b>dedicated</b> 15:25 18:20 <b>defer</b> 42:25 <b>delay</b> 13:17 17:9 <b>delays</b> 16:16 17:8 <b>denial</b> 19:11,13,19 19:20 <b>deny</b> 19:17 <b>depending</b> 19:12 <b>description</b> 3:16 <b>determination</b> 35:16 36:9 40:10 <b>determine</b> 40:14 <b>determining</b> 40:17 <b>developer</b> 44:7,23 <b>developers</b> 44:9 <b>diagnosed</b> 8:10 <b>dictated</b> 10:5 <b>difference</b> 39:19 <b>different</b> 13:10 28:10 30:12 <b>difficult</b> 27:12 <b>difficulty</b> 21:11 <b>diligence</b> 44:12 <b>direction</b> 37:18 <b>disappeared</b> 25:16 25:18 <b>discrete</b> 32:1	<b>discuss</b> 29:1 33:6 33:24 34:2 <b>discussed</b> 7:14 37:5 <b>distinct</b> 38:25 40:12 <b>distinction</b> 39:25 <b>division</b> 19:6,7 <b>doctor</b> 9:21 <b>doctor's</b> 21:24 <b>doctors</b> 8:19 <b>documents</b> 12:3 <b>doing</b> 25:12 36:24 37:4 39:10 44:12 <b>don</b> 23:5 37:14 <b>donald</b> 1:17 <b>dory</b> 2:3 7:4 11:22 12:21 13:1,3 15:10 16:20,23 17:1,6,10 18:25 19:25 20:3 21:8 28:3,5,6,6 29:1,2 29:19 30:5,10,17 30:23 31:12,13,23 32:7,12,22 33:15 34:22 36:15 45:3 45:6,19 46:11,23 47:4 48:1,11 49:13 52:23,24 53:19,20 54:14,19 55:1,6 <b>dotted</b> 37:25 43:22 <b>drive</b> 50:18,23 <b>driveways</b> 51:2 <b>due</b> 18:1 20:6 44:12 <b>duly</b> 56:7	<b>earlier</b> 13:8 <b>echoes</b> 4:25 <b>effort</b> 4:7 <b>efforts</b> 17:18,19 <b>either</b> 48:22 <b>ellen</b> 1:18 6:24 22:25 23:7 <b>ellis</b> 1:14 5:7,8 23:11,12 24:17,21 24:24 42:3,4 43:8 47:3 48:8 <b>email</b> 2:5,11 8:11 8:13,15,23,25 10:5 10:9,13 11:23 21:24 <b>emergency</b> 4:9,24 <b>employee</b> 56:14,16 <b>enclose</b> 10:13 <b>ended</b> 15:15 <b>engineer</b> 1:20,21 6:12,16,18 8:1 11:2 14:22 15:2 49:25 51:24 52:2 53:15 <b>engineering</b> 10:3 <b>entire</b> 29:7,17 <b>entitled</b> 11:1 <b>entrance</b> 49:4 <b>environmental</b> 50:24 <b>err</b> 23:19 <b>esquire</b> 1:19 2:3,9 7:4 <b>establish</b> 35:9 47:23 <b>evaluate</b> 14:20 <b>evening</b> 13:1,6 14:21 17:25 18:23 28:20 30:20 31:16 31:25 48:10 54:12	<b>evenings</b> 9:25 <b>event</b> 41:11 <b>everybody</b> 12:25 21:12,13,15 25:5 26:10 31:20 40:20 44:18 46:22 54:9 55:14 <b>exactly</b> 42:1 <b>examined</b> 23:21 <b>example</b> 45:13 <b>excuse</b> 47:13 <b>executive</b> 4:6 <b>exercise</b> 50:17 51:13 53:9 <b>exhibit</b> 3:16 <b>exhibits</b> 14:24 <b>existing</b> 52:11 <b>expect</b> 27:18 <b>expected</b> 27:19 <b>expecting</b> 26:24 37:8 <b>expedite</b> 33:23 <b>expeditiously</b> 16:14 44:15 <b>expert</b> 54:15 <b>expiration</b> 7:5 47:23 <b>explain</b> 12:2 20:3 33:3 44:8 <b>explained</b> 42:6 <b>extend</b> 20:19 23:2 23:13 24:11 41:5 <b>extended</b> 20:21 22:21 27:17 <b>extension</b> 25:10,14 40:24 41:7,14 <b>extra</b> 16:12 <b>extraordinary</b> 20:15
	<b>e</b>		
	<b>e</b> 2:1,1 3:1,14 56:1 56:1		

<p><b>f</b></p> <p><b>f</b> 2:5,11 56:1</p> <p><b>facility</b> 9:14</p> <p><b>fact</b> 16:1,15 17:21 20:6 21:4 24:3 32:25</p> <p><b>facts</b> 19:9,13,23</p> <p><b>falls</b> 44:21</p> <p><b>family</b> 12:16</p> <p><b>far</b> 26:8 30:14</p> <p><b>fault</b> 21:20,20 24:4 29:11</p> <p><b>feedback</b> 33:4 48:15</p> <p><b>feet</b> 51:4</p> <p><b>fellow</b> 23:12</p> <p><b>fever</b> 9:9</p> <p><b>fight</b> 51:9,10</p> <p><b>file</b> 35:5 36:3 38:6 39:1,11 43:3</p> <p><b>filed</b> 5:2</p> <p><b>files</b> 35:2</p> <p><b>filing</b> 35:12 38:14</p> <p><b>final</b> 33:8,11,21 34:1,7,18 35:3,6 35:11,15,16,18 36:4,9 37:9,11,11 37:23 38:14,15,15 38:17,25 39:2,8,16 39:22 40:4,5,7,8 40:10,11,13,15,17 40:25 41:5 42:17 42:20,22,25,25 43:1,3,4,6 44:11 45:24 46:2,7,8,10 46:17,18</p> <p><b>finally</b> 33:5</p> <p><b>financially</b> 56:17</p> <p><b>finds</b> 19:11</p> <p><b>fine</b> 36:14</p>	<p><b>finished</b> 7:9</p> <p><b>fiorilla</b> 1:14 5:21 5:22 23:25 24:1 39:14,15 40:21 41:2,15 42:1</p> <p><b>first</b> 8:22 10:5 12:14,20 15:12 17:1 18:11 27:20 34:3,7 46:25 47:17</p> <p><b>fishinger</b> 6:17</p> <p><b>fit</b> 40:22</p> <p><b>flag</b> 5:4</p> <p><b>foley</b> 2:2 13:3</p> <p><b>follow</b> 4:8 54:13 54:15</p> <p><b>following</b> 10:7</p> <p><b>follows</b> 9:2 10:10</p> <p><b>foot</b> 52:12</p> <p><b>foregoing</b> 56:9</p> <p><b>foremost</b> 12:14</p> <p><b>formal</b> 35:12 38:14 39:2,12 41:18,21,21</p> <p><b>formally</b> 45:25</p> <p><b>forth</b> 29:4 34:9 56:12</p> <p><b>forward</b> 18:10 43:14</p> <p><b>found</b> 27:12</p> <p><b>francis</b> 1:19</p> <p><b>frank</b> 8:25 11:23 12:18 16:21 32:5 34:21 37:16 38:2 39:10,12 42:14 43:20</p> <p><b>frank's</b> 43:11 44:1</p> <p><b>friday</b> 22:5</p> <p><b>front</b> 47:5 52:15</p> <p><b>frustration</b> 13:16</p>	<p><b>full</b> 29:7,12 37:8 46:17</p> <p><b>fully</b> 17:12</p> <p><b>further</b> 41:13 55:2 55:5 56:9,13</p> <p><b>future</b> 51:11</p> <p><b>g</b></p> <p><b>gentleman</b> 22:22</p> <p><b>getting</b> 9:12 22:19</p> <p><b>gist</b> 25:19 29:18</p> <p><b>give</b> 10:6 25:5 35:14 55:15</p> <p><b>given</b> 4:4,25 24:2</p> <p><b>gives</b> 11:6</p> <p><b>giving</b> 4:17 51:18</p> <p><b>go</b> 16:25 19:1 21:21 26:15 35:20 36:19 37:14 38:8 38:19 46:1 50:18</p> <p><b>going</b> 7:20 8:14 9:11 12:18 16:6 16:16 20:12,23 21:17 22:1,22 25:3,20 27:6,20 28:23 29:11 32:4 36:2,18,19,19 40:3 44:5 48:7 50:16 50:17,18,19,20,20 51:10,11,17 53:24 55:8,18</p> <p><b>good</b> 13:1 22:19</p> <p><b>gotten</b> 25:19</p> <p><b>governor</b> 4:7</p> <p><b>gracious</b> 15:22</p> <p><b>grant</b> 23:9 40:25 41:4,7,17 42:25</p> <p><b>granted</b> 19:19 35:1 37:12 39:21 40:5,15 41:2</p> <p><b>grants</b> 43:5</p>	<p><b>great</b> 15:11</p> <p><b>guess</b> 24:6 28:10 55:13</p> <p><b>h</b></p> <p><b>h</b> 3:14</p> <p><b>hal</b> 8:1,4,9,15,17 9:1 10:2,8,14 11:1 11:23 12:8</p> <p><b>hall</b> 4:23</p> <p><b>hand</b> 7:23 12:6</p> <p><b>hang</b> 27:23</p> <p><b>hanover</b> 9:14</p> <p><b>happen</b> 14:5</p> <p><b>happened</b> 32:9</p> <p><b>hard</b> 6:5 21:17 24:4</p> <p><b>hat</b> 7:23 12:6</p> <p><b>hate</b> 44:20</p> <p><b>head</b> 45:5</p> <p><b>heads</b> 10:6</p> <p><b>healey</b> 1:20 6:13</p> <p><b>hear</b> 8:17 15:1 23:3 24:6,7,14,14 26:13 30:15</p> <p><b>heard</b> 14:8 28:15 29:11 30:6 33:13 45:3 55:9</p> <p><b>hearing</b> 1:11 4:19 4:21 11:14 13:24 13:25 16:6 26:24 29:8,17 30:8 31:12 34:15 35:8 38:9,16,16 45:23 46:17 55:11</p> <p><b>heart</b> 12:16</p> <p><b>held</b> 4:10 44:22,23</p> <p><b>hereinbefore</b> 56:12</p> <p><b>hit</b> 12:15</p> <p><b>hold</b> 22:7 23:22 29:6</p>
---	---	---	--

<b>hollenbeck</b> 45:4 <b>hope</b> 13:13,15 16:17 40:19 44:23 53:13 <b>hopefully</b> 15:3 54:17 <b>hoping</b> 28:10 33:1 <b>horrible</b> 22:21	<b>issue</b> 8:3 29:1 33:18 48:17 49:3 50:2,24 <b>issue's</b> 49:8 <b>issues</b> 32:1,24	33:19,21 34:2,5,11 34:14 37:24 41:18 43:22 45:8,10,12 45:22,24 48:13,19 49:8 50:21,24,25 51:17 53:3 54:13	44:5,6,25 45:8,22 46:5,6,15 47:9,25 48:6 54:6 <b>linus's</b> 39:1 <b>listen</b> 7:10 <b>little</b> 32:19 <b>livingston</b> 2:3 <b>log</b> 54:9 <b>long</b> 34:24 41:18 45:14 <b>look</b> 16:8 19:23 35:15 40:13 52:20 53:12,15 <b>looked</b> 26:10 <b>looking</b> 50:10 51:4 51:7 53:10 <b>lot</b> 1:5 7:3 23:14 53:11 <b>loud</b> 16:17
<b>i</b>	<b>j</b>	<b>l</b>	<b>m</b>
<b>idea</b> 44:6 <b>identified</b> 34:14 <b>illness</b> 11:16 <b>illustration</b> 41:4 <b>immediately</b> 8:8 10:4 <b>importance</b> 24:2 <b>important</b> 19:2 <b>improperly</b> 15:12 <b>include</b> 16:10 <b>inconvenience</b> 11:20 12:7 <b>increases</b> 51:3 <b>indicate</b> 6:22 38:16 <b>indicated</b> 28:17 29:5 <b>individuals</b> 4:17 <b>inform</b> 19:2 35:22 <b>information</b> 29:18 43:4 <b>informed</b> 10:24 <b>initial</b> 20:4 <b>intending</b> 17:3 32:23 <b>intention</b> 31:19 <b>interested</b> 4:13 19:8,12 56:17 <b>introduce</b> 13:2 <b>inundate</b> 50:20 <b>invite</b> 29:15	<b>jahr</b> 1:21 6:15,16 6:18 <b>jersey</b> 1:2 2:4,10 56:4 <b>job</b> 51:6 <b>joe's</b> 6:18 <b>john</b> 1:21 <b>judicial</b> 4:19 <b>juggling</b> 13:9 <b>july</b> 7:8 14:3,16 15:14,14 17:22 32:12,16 33:3 48:14,18 <b>jump</b> 50:14 <b>june</b> 47:19,21,24	<b>land</b> 29:4 41:8 42:16 46:9 <b>latest</b> 52:4 <b>law</b> 13:21 14:10 19:2,5,22 29:4 33:22 34:23 41:8 41:9 42:16 46:9 <b>layout</b> 52:3,6 53:4 53:14 <b>ledger</b> 5:1 <b>left</b> 11:25 <b>legal</b> 16:8 <b>lenox</b> 2:9 <b>letter</b> 8:15 10:5,7 10:10,11 11:19,22 12:23 13:8 14:6 28:16 32:11 47:10 <b>letting</b> 18:5 <b>liabilities</b> 23:19,20 <b>license</b> 1:23 56:25 <b>life</b> 50:8 <b>light</b> 52:10,17 <b>lighting</b> 52:8,18 53:16 <b>lights</b> 52:11,14 <b>limit</b> 42:18 <b>line</b> 10:9 <b>linus</b> 1:19 6:9,10 8:25 11:23 12:20 17:13 18:25 21:1 28:22,24 33:16 34:3,22 37:7 38:4 38:7 39:24 40:23 41:6,23 42:15	<b>madam</b> 6:7 7:21 8:14 12:11 13:1 14:9 15:5 16:20 16:23 17:10 19:25 21:1 26:19,23 27:10 28:3,25 29:20 30:18 31:14 31:24 42:5 45:6 45:20 47:13 48:12 49:14 51:24 52:24 53:20 55:1,17 <b>main</b> 29:10 49:4 <b>maintaining</b> 43:14 <b>making</b> 16:16 30:1 40:17 41:20,21 <b>mareu</b> 50:18 <b>mark</b> 1:20 <b>marked</b> 14:25 <b>martino</b> 1:15 5:11 5:12 23:17,18 44:3,4 48:20

49:14,18 50:2 <b>materials</b> 2:12 32:21 <b>matias</b> 1:20 6:11 49:20,23 51:25 <b>matter</b> 11:1 21:4 <b>mayor</b> 1:13 5:13 5:14 24:9,10 39:6 39:7,11 <b>maywood</b> 19:5 <b>mean</b> 24:2 25:3 30:21 37:3 38:4 39:18,22,22,23 45:25 50:25 51:14 <b>meaning</b> 22:17 37:8 <b>means</b> 55:7 <b>meet</b> 7:25 8:3,5,6 9:6,18 39:17,20,23 <b>meeting</b> 1:4 4:4,10 4:10,15,24 7:9 9:20 13:6 14:3,4,5 14:21 15:12,14,15 15:15,17,24 16:9,9 17:12,22,25 18:3 18:20 21:14,22,25 22:23 25:22,22 26:1,4 27:9 28:9 29:23 30:4 31:4 32:6,9 33:11 47:1 47:7,17,18,19,20 47:24,24 48:18 49:3 53:25 54:21 <b>meetings</b> 4:5 25:12 33:17 <b>member</b> 5:8,10,18 5:20,22,24 6:1,3 7:1 22:3,15 23:1 23:12 24:1,17,21 24:24 25:1,9 26:12 28:14 36:22	37:3,21 38:20,24 39:15 40:21 41:2 41:15 42:1,4 43:8 43:11,18 47:3 48:8 <b>members</b> 1:12 4:11,13 7:24 8:24 11:11 13:2 22:2 23:13 28:15 <b>memo</b> 26:16 <b>mentioned</b> 8:9 <b>merely</b> 36:4 37:9 <b>merry</b> 47:3 <b>message</b> 12:1 13:9 <b>met</b> 11:3 35:2,13 35:24 36:17 39:3 47:22 <b>million</b> 51:6 <b>minimum</b> 50:22 <b>misunderstood</b> 27:3,3 <b>month</b> 15:24 18:20 21:16 45:23 <b>month's</b> 14:2 <b>morning</b> 8:7 12:25 27:21 <b>move</b> 15:17 18:10 31:1 43:13 44:14 <b>moved</b> 15:16 <b>moving</b> 7:16 16:13 22:17 28:18 37:17 54:20 <b>municipal</b> 29:4 41:8 42:16 46:9 <b>muted</b> 6:2,3	<b>nature</b> 4:19 <b>ndory</b> 2:5 <b>near</b> 53:7 <b>necessarily</b> 16:10 40:8 52:16 <b>necessary</b> 35:4 <b>necessity</b> 35:12 38:14 <b>need</b> 12:19 26:14 30:15 31:5,6 <b>needed</b> 25:6 <b>needs</b> 49:21 <b>neighbor</b> 11:10 <b>neither</b> 56:13,16 <b>new</b> 1:2 2:4,10 7:12 52:8 53:6,13 56:4 <b>news</b> 4:25 <b>nice</b> 51:12 <b>nicole</b> 2:3 7:4 11:22,24 12:21 13:3 <b>night</b> 21:13,14 26:8 54:17 <b>nj</b> 56:24 <b>nora</b> 1:15 5:25 6:6 24:13,20 25:16,17 26:12,18 38:23,24 <b>normal</b> 29:8 <b>notary</b> 56:3 <b>note</b> 21:24 <b>noted</b> 4:1 <b>nother</b> 50:23 <b>notice</b> 4:3,22 5:2 11:5 46:2,10,17 55:2,2,5 <b>noticed</b> 15:13 <b>number</b> 7:1 35:23	<b>o</b> <b>oakwood</b> 50:19 <b>objecting</b> 8:2 10:21 27:14 <b>objection</b> 10:25 <b>objector</b> 2:12 13:21,23 14:12 23:3 30:24 31:3 <b>objector's</b> 14:12 29:10,10 <b>obviously</b> 21:23 30:11 34:3 35:18 48:6 52:17 <b>occupy</b> 51:11 <b>occur</b> 29:9 <b>offense</b> 17:2 18:8 <b>offer</b> 21:18 45:1 <b>offered</b> 16:11 <b>office</b> 11:4 <b>oh</b> 8:8 <b>okay</b> 6:21 12:20 17:24 21:10 22:6 25:1 28:1 30:9,10 30:14,17 31:12,13 31:23 32:18 37:21 38:20,22 39:4,13 42:2,10,15 43:9 45:19 46:11,14 47:8 48:9 52:23 53:17,22,23 54:5 55:21 <b>once</b> 27:21 35:12 36:6 38:12 <b>onerous</b> 13:18 <b>open</b> 4:5 7:20 20:13 34:20 42:7 42:7 55:10 <b>opening</b> 32:19 <b>opinion</b> 20:14,22 36:15 50:6
---	--	--	---



<b>opportunities</b> 42:8 <b>opportunity</b> 26:15 35:15,25 <b>opposer</b> 7:16,17 15:18 20:20 <b>opposer's</b> 15:18 15:20 <b>opposite</b> 51:5 <b>option</b> 41:15 <b>order</b> 4:6,7 11:5 <b>ordinance</b> 33:23 50:4 <b>ordinances</b> 49:21 51:15,16 <b>outline</b> 20:5 43:7 <b>outlined</b> 41:16 43:2 45:8 46:5 <b>outside</b> 45:13 <b>outstanding</b> 48:17 <b>overall</b> 19:13 <b>overturned</b> 14:11 <b>ow</b> 14:25,25	<b>people</b> 50:14 <b>percent</b> 50:12,14 <b>perimeter</b> 51:8,13 <b>period</b> 34:9 41:9 41:12 <b>permission</b> 8:15 <b>permitted</b> 33:22 33:22 <b>person</b> 28:17 <b>personally</b> 11:3 <b>perspective</b> 22:15 <b>phone</b> 8:7,9 11:24 <b>picking</b> 38:1 <b>pietro</b> 1:15 <b>place</b> 27:25 56:12 <b>plan</b> 32:14,25 35:15,16 36:9,10 37:11 38:10,15 40:8,10,11,13 46:18 <b>planned</b> 14:17 <b>planner</b> 1:20 6:14 <b>planning</b> 1:1 9:5 14:16 46:24 53:23 54:16 <b>plans</b> 7:12 35:17 35:18,19 36:11 40:4 41:19 44:11 45:11 46:20 <b>please</b> 5:4,6 6:22 6:24 12:14,14 54:2 55:15 <b>pledge</b> 5:5 <b>point</b> 13:17,20,25 14:10 21:2 25:13 35:20 37:10 41:23 46:7 49:19 53:2 54:12 <b>pointblank</b> 17:7 <b>pointed</b> 29:2	<b>pointing</b> 18:4 <b>policy</b> 29:2 33:19 34:5,12,23,24 35:7 36:2 37:17 42:23 42:24 <b>portion</b> 52:10 <b>position</b> 12:22 18:13 20:4 27:16 <b>positive</b> 9:15 10:16 <b>possibility</b> 26:23 <b>possible</b> 8:12 11:18 30:18 <b>possibly</b> 50:12 <b>post</b> 12:10 <b>posted</b> 4:22 <b>postpone</b> 25:2 <b>pote</b> 1:16 5:19,20 20:25 22:2,3,14,15 43:17,18 <b>practical</b> 49:12 <b>practice</b> 43:15 <b>practices</b> 4:8 <b>predicated</b> 10:15 12:5 <b>prejudiced</b> 20:9 <b>prejudicial</b> 19:12 19:18 <b>preliminarily</b> 46:19 <b>preliminary</b> 33:7 33:21 34:1,7,12,25 35:1,2,9,10,13,17 35:19,21 36:5,6,7 36:11 37:10,22 38:6,9,10,11,12,18 38:19,25 39:8,20 40:5,7,11,15,18,25 41:3,17,25 42:17 42:20,22,25 43:5,6 45:9,11 46:9	<b>prepare</b> 9:7,19 11:4 14:20 <b>prepared</b> 30:20,25 <b>present</b> 1:12,19 5:12 20:18 30:24 31:4,6 38:15 <b>presentation</b> 7:9 43:1 <b>presented</b> 20:4 40:1,3 49:5 52:4 <b>pressed</b> 21:17 <b>prevent</b> 31:4 <b>previously</b> 10:24 35:19 <b>primarily</b> 49:4 <b>prior</b> 4:21 21:15 56:6 <b>probably</b> 14:22 19:11,13 29:6 47:22 51:3,6,8 <b>problem</b> 21:9 <b>procedure</b> 29:9,21 33:6,25 34:18 <b>procedures</b> 29:3 42:5 <b>proceed</b> 14:17 15:2 17:13 18:15 20:10 21:2 28:9 28:11 29:3 30:20 30:25 45:18 <b>proceeding</b> 29:12 <b>proceedings</b> 1:10 13:22 18:7 20:6 29:7 56:10 <b>process</b> 25:13 33:24 34:6 40:9 42:6 43:19,23 45:7 <b>produce</b> 41:19 <b>professional</b> 56:5
<b>p</b>			
<b>p</b> 1:19 2:1,1 <b>p.e.</b> 1:20,21 <b>p.m.</b> 1:9 4:1 55:24 <b>p.p.</b> 1:20 <b>pace</b> 22:17,20 <b>page</b> 3:2,9,16 26:8 <b>parks</b> 50:21,22 <b>part</b> 25:13 <b>particular</b> 35:5 <b>parties</b> 4:13 56:15 <b>party</b> 19:8,12 <b>paul</b> 1:14 39:25 <b>pb</b> 1:7 4:21 7:1 <b>pedestal</b> 52:17 <b>pedestrians</b> 50:8 <b>pennett</b> 1:16 5:9 5:10 24:16,25 25:1 37:21 38:20			

<b>professionals</b> 4:12 4:13 15:23 17:20 21:10,12,12 26:7,9 40:9 46:19 <b>project</b> 36:1 44:21 <b>proper</b> 30:16 31:21 <b>proposed</b> 52:3 <b>protocol</b> 4:10,24 <b>provide</b> 31:11 32:8 46:17 53:4 <b>provides</b> 53:8,9 <b>prudent</b> 23:19 <b>prudently</b> 44:15 <b>ptp</b> 1:21 <b>public</b> 1:11 3:8 4:5 4:14,15,20 11:12 15:3 27:8 28:14 28:15,19 29:6,13 29:15,24 30:7,19 44:18 54:16 55:10 55:11 56:3 <b>pursuant</b> 4:4 <b>put</b> 11:24 48:23 49:11 51:5 <b>puts</b> 47:1	<div style="text-align: center;"><b>r</b></div> <b>r</b> 2:1 56:1 <b>r14</b> 4:21 <b>reaction</b> 55:19 <b>read</b> 8:14,22 12:5 12:24 16:17 44:5 <b>reading</b> 32:15 <b>ready</b> 13:23,25 14:13 23:15 31:15 <b>really</b> 16:18 18:23 27:13 36:16,22 43:23 44:11,20 51:2,12 <b>rear</b> 52:15 53:5 <b>reason</b> 51:14,16 51:17 <b>reasons</b> 13:12 49:6 <b>receive</b> 13:7,11 14:18 32:21 37:11 <b>received</b> 7:12 10:8 10:14 12:2 13:8 <b>receiving</b> 10:4 <b>recollection</b> 42:24 <b>recommendation</b> 39:1 43:25 44:1 <b>recommended</b> 4:8 <b>recommending</b> 42:11 <b>record</b> 16:17 <b>recovery</b> 12:17 13:14 <b>redevelopers</b> 13:4 <b>redevelopment</b> 1:5 7:3 32:14,25 <b>reduce</b> 8:20 <b>referencing</b> 51:22 <b>referring</b> 17:11,21 17:24 <b>reflect</b> 7:13 <b>regarding</b> 11:13 27:25 43:4	<b>regards</b> 50:3 <b>registered</b> 56:5 <b>regret</b> 10:13 <b>regular</b> 16:9 26:1 26:4 27:9 54:21 <b>related</b> 32:2,3,17 <b>relation</b> 53:12 <b>relative</b> 37:16 56:14,16 <b>relief</b> 23:9 50:5,10 50:11 51:18 <b>relying</b> 19:4 <b>remember</b> 21:11 <b>remote</b> 4:15 25:12 <b>renewal</b> 13:5 <b>renotice</b> 17:15 <b>repeat</b> 42:14 <b>report</b> 14:15,18,20 14:24 20:7,10 <b>reported</b> 1:22 <b>reporter</b> 56:4,5 <b>reporting</b> 56:24 <b>represented</b> 7:4 7:17 <b>represents</b> 28:13 44:9 <b>request</b> 8:17 10:17 12:8 13:12,13 18:11,17 19:3,8,11 19:17,19,24 34:4 41:7,13 50:5 <b>requests</b> 14:2,14 14:23 <b>require</b> 36:2 43:2 46:10 <b>required</b> 46:2 55:3 55:5 <b>requirements</b> 4:9 4:24 33:20 <b>requires</b> 18:20	<b>requiring</b> 46:16 <b>resent</b> 15:11 16:1 16:14 <b>resident</b> 44:12 50:13 <b>residential</b> 50:3 <b>residents</b> 44:10 50:15 51:10,11 54:23 <b>resolution</b> 4:21 34:13 43:5 <b>resolved</b> 49:8,9 <b>respect</b> 12:22,23 19:3 <b>respectfully</b> 10:17 12:6 <b>respects</b> 33:18 <b>respond</b> 15:6,8,8 16:24 20:1 <b>response</b> 11:19 49:10 <b>responsibility</b> 17:12 <b>responsible</b> 44:23 <b>rest</b> 23:14 <b>rested</b> 7:10,15 15:16 32:5,20 <b>resubmit</b> 45:25 <b>result</b> 14:2 <b>return</b> 35:11 <b>review</b> 48:2 <b>reviewed</b> 46:18 <b>reviewing</b> 44:10 <b>revise</b> 53:3 <b>revisions</b> 45:11 <b>ricardo</b> 1:20 <b>rick</b> 51:25 <b>right</b> 7:21 18:25 22:13 27:2 29:9 36:24 38:7,7 39:19,23 42:1
<div style="text-align: center;"><b>q</b></div> <b>quality</b> 50:7 <b>quarantine</b> 9:17 <b>quasi</b> 4:19 <b>question</b> 26:20 27:5 46:23 50:3 <b>questions</b> 4:20 29:24 54:14,16,16 54:25 <b>quickest</b> 11:18 <b>quorum</b> 6:22 <b>quote</b> 9:2 10:10			

45:17 47:6 48:8 48:10 49:23 50:21 54:18 <b>road</b> 1:5 7:2 49:21 50:19 51:5 <b>roadway</b> 50:3 <b>roll</b> 5:6 <b>roseland</b> 2:4 <b>rpr</b> 1:23 56:23 <b>running</b> 47:7	52:1,22 53:17,22 54:5,8 55:4,7,21 <b>schedule</b> 9:21 11:9 26:14 <b>scheduled</b> 9:4,6 18:22 <b>schedules</b> 26:10 <b>scheduling</b> 13:5 26:6 <b>screen</b> 10:23 25:18 <b>second</b> 21:16 32:15 49:11 <b>secretary</b> 1:21 5:7 5:9,11,13,15,17,19 5:21,23,25 6:2,6,9 6:11,13,15,17,20 8:8 22:8 46:25 47:13,16 48:5 54:4 <b>see</b> 27:23 33:6 40:4,8 43:18 44:20 53:15 <b>seeking</b> 33:21 <b>seen</b> 43:21 <b>send</b> 8:11,12 12:14 <b>sent</b> 8:24 12:25 32:11 <b>sentinel</b> 4:25 <b>separate</b> 39:8 41:21 <b>separately</b> 34:16 <b>september</b> 9:25 21:22,23 22:4,9,23 23:22 25:3,23,23 25:25 26:3 27:7 28:8 48:1,7 53:25 54:3,20 55:9 <b>service</b> 32:17 <b>session</b> 55:12 <b>set</b> 7:12 29:4 34:9 56:12	<b>settlement</b> 18:18 21:4 33:20 34:10 47:16 48:2 <b>sewer</b> 32:16 <b>shaking</b> 45:5 <b>shame</b> 23:7 <b>short</b> 14:1,3,4 15:15 16:3 17:22 18:1 <b>shortly</b> 10:8 <b>shot</b> 40:16 <b>shown</b> 22:18 <b>shut</b> 31:8 <b>side</b> 23:20 27:14 49:7,22 51:2,5 52:15 <b>sides</b> 23:21 36:15 50:7 <b>sidewalk</b> 48:21 49:5,7,11,21 52:3 52:4,6,8 53:4 <b>sidewalks</b> 48:14 49:4 51:4,23 <b>sign</b> 25:11 <b>signature</b> 56:22 <b>signed</b> 4:7 10:7 <b>significant</b> 49:6 <b>simoff</b> 8:1,4,9,18 9:1 10:2,2,14 11:1 11:23 12:15 13:13 18:13 21:23 23:8 23:20 26:15,24 27:17 54:11 55:16 <b>simoff's</b> 8:15,23 10:4,8,16 11:15 12:8 14:15,24 20:7 54:13 <b>simply</b> 14:11 20:5 <b>sims</b> 1:17 5:23,24 25:8,9 36:22 37:3	<b>simultaneous</b> 34:4 <b>single</b> 30:4 52:17 <b>site</b> 38:10 50:8,12 51:12 53:5,12 <b>situation</b> 11:20 12:2 21:19 25:4 55:20 <b>size</b> 44:21 <b>slated</b> 54:18 <b>slight</b> 9:9 42:11,13 <b>snyder</b> 1:21 8:16 10:12 <b>solely</b> 8:2 <b>somebody</b> 24:4 30:12 <b>somerset</b> 1:2 <b>soonest</b> 26:6 <b>sore</b> 9:8 <b>sorry</b> 16:23 17:2,6 17:10 18:8 24:24 25:23 30:13 55:4 <b>speak</b> 24:18,21 37:25 <b>speaking</b> 28:4 <b>special</b> 1:4 4:3,4 13:6 15:17 21:14 21:22 25:22 27:9 28:8 53:25 <b>specific</b> 8:12 <b>speedy</b> 12:17 13:14 <b>speeney</b> 1:17 5:15 5:16 23:6 37:13 37:15 48:20,24,25 49:1,2 <b>spending</b> 14:19 <b>spillage</b> 52:11 <b>spingler</b> 1:18 5:17 5:18 7:1 23:1 43:10,11
s			
s 1:13 2:1 3:14 <b>safety</b> 50:8,17 51:3 <b>sake</b> 41:3 <b>salute</b> 5:4 <b>satisfied</b> 35:24 36:7 38:13 <b>saw</b> 47:10 <b>saying</b> 16:15 39:19 <b>scenario</b> 40:1,3,5 40:12,14 46:8,16 <b>schaefer</b> 1:13 4:2 6:4,8,21 7:6 12:12 15:7,10 16:21,25 17:4,7 20:2,12 21:7 22:6,10,13,24 23:4,10,16,23 24:8 24:12,19,22,25 25:7,15 26:17,21 27:1,6 28:1,4,21 29:22 30:11,22 31:2,17 32:4,10,18 33:9 34:20 36:13 37:1,6,14,19 38:1 38:5,22 39:4,9,13 42:2,10 43:9,16 44:2 45:2,17 46:4 46:14,21 47:8,11 47:15 48:9,19 49:1,16 51:20			

<b>spoke</b> 33:16 45:22 <b>spoken</b> 26:5 33:17 <b>square</b> 51:4 <b>staff</b> 40:16 <b>stand</b> 5:4 52:20 <b>stands</b> 33:12 <b>star</b> 5:1 <b>start</b> 21:8 29:23 33:10 36:20 54:12 <b>starting</b> 25:24 54:3,20,22 <b>starts</b> 46:25 54:1 <b>state</b> 1:2 29:15 33:22 56:4,24 <b>stated</b> 30:3 37:8 <b>statement</b> 16:19 17:2 18:9 <b>states</b> 9:2 10:10 11:11 <b>stay</b> 36:23 37:3 42:9 <b>stenographically</b> 1:22 56:11 <b>stephen</b> 1:16 <b>steve</b> 20:25 22:2 22:14 23:1,7 <b>stopped</b> 30:1 <b>story</b> 30:8,13 <b>straw</b> 20:23 <b>stream</b> 31:3 <b>stress</b> 8:20 9:18 <b>stretches</b> 52:12 <b>submission</b> 32:13 33:3 48:13 52:5 <b>submit</b> 9:17 <b>submitted</b> 14:16 <b>suggested</b> 38:2 39:12 <b>suggesting</b> 11:14 <b>suggestion</b> 36:12 36:14 38:8	<b>suggests</b> 39:10 <b>summary</b> 37:16 <b>super</b> 19:5,7 <b>support</b> 37:17 43:11 <b>supposed</b> 8:6 13:22,23 33:23 <b>sure</b> 14:4,21 15:23 20:2 30:22 31:14 34:17 37:7,24 40:2 44:17 45:11 46:13 55:18 <b>surprise</b> 9:13 <b>surrounding</b> 19:24 <b>sworn</b> 4:15,18 56:7	54:13 <b>testing</b> 10:16 <b>thank</b> 5:6 6:20,21 7:6,22 12:11,12 13:5 20:11 22:10 22:12,24 23:4,9,10 23:16,22,23 24:8 24:12 25:7,15 26:17 27:5,21 28:2,7 31:23 37:25 39:4 43:16 44:2,4,25 45:2,19 48:5 49:13 51:19 51:20 52:21,22,24 53:17,21 55:6,14 55:17,21,22 <b>thanks</b> 27:11,11 <b>theresa</b> 1:21 6:22 8:16,24 10:6 46:24 47:15 54:2 <b>thing</b> 21:8 27:20 27:24 <b>things</b> 25:3 32:8 43:22 53:18 <b>think</b> 8:23 13:17 17:14 19:1,23 20:16 22:16,17,22 23:2,7,8,18 24:10 25:2,5 26:5 27:18 28:21 30:7,13,14 34:24 35:4 36:1 36:23,24 37:21 42:6 43:12 45:7 46:21 47:6,25 48:10,16 49:2 50:4 51:2,3,6,12 52:13 <b>third</b> 51:8 <b>thought</b> 9:10 27:3 <b>thoughts</b> 20:24 22:2 36:21	<b>three</b> 13:25 17:8 <b>throat</b> 9:9 <b>till</b> 25:3 <b>time</b> 4:1 6:5 8:4,19 8:20 16:12,24 17:17 19:8 21:3 23:9 25:25 26:14 31:21,25 34:9 40:6,15 41:9,12,14 42:14,17,18 44:7 45:14 47:22 53:11 55:8 56:11 <b>times</b> 17:8,9 25:11 33:17 43:22 <b>today</b> 9:1,7 13:8 13:10 28:17,22 <b>told</b> 17:9 30:2 <b>tomorrow</b> 27:20 <b>tonight</b> 6:19 7:7 9:6,19 11:13 14:17 18:16 21:3 21:19 26:25 28:12 29:12 55:14 <b>tonight's</b> 9:20 11:14 14:3 <b>totally</b> 15:24 39:9 <b>town</b> 44:13 51:10 <b>tracee</b> 1:13 37:13 48:25 <b>traffic</b> 1:21 8:1,2 11:2 14:22 15:2 15:18 24:3 32:3 <b>transcript</b> 1:10 56:10 <b>tremendous</b> 10:13 <b>tried</b> 51:1 <b>troy</b> 1:17 36:21 <b>true</b> 56:10 <b>truth</b> 56:7,8,8 <b>try</b> 44:15
	<b>t</b>		
	<b>t</b> 2:4,10 3:14 56:1 56:1 <b>t's</b> 37:24 43:23 <b>take</b> 12:23 15:11 17:12 20:23 31:16 35:8,9 38:9 45:14 <b>taken</b> 4:16 44:16 56:11 <b>takes</b> 27:25 49:11 <b>talk</b> 34:21 <b>tell</b> 20:24 <b>termination</b> 48:3 <b>terms</b> 49:10 <b>terrible</b> 25:4 <b>test</b> 9:12,15 19:16 <b>tested</b> 9:14 <b>testify</b> 9:5,20,23 24:6 25:21 26:24 30:12 56:7 <b>testimony</b> 4:16,18 8:17 9:7,19 10:18 11:4,15 12:9 31:4 31:5,7,11 32:23		

<b>trying</b> 15:22 21:9 21:11 34:8 <b>tsos</b> 1:21 <b>tuesday</b> 1:9 9:24 21:16 54:22 55:9 55:14 <b>tune</b> 54:22 <b>turn</b> 12:18,21 <b>twice</b> 33:16 <b>two</b> 12:3 17:9 20:8 48:21 49:4 <b>type</b> 43:6 48:3 <b>typical</b> 42:21 <b>typically</b> 42:12	<b>urban</b> 13:4 <b>use</b> 29:4 41:9 42:16 44:1 46:9	33:6 45:21 46:13 48:12 52:25 53:18 55:2 <b>wants</b> 31:4,10,20 <b>warm</b> 27:16 55:19 <b>watchung</b> 1:1 9:5 <b>waving</b> 6:5 <b>way</b> 11:8 17:3 35:21 41:8,8 49:9 54:10 <b>we've</b> 37:4 <b>website</b> 4:23 <b>week</b> 8:4,5 9:7 14:5,19 18:3 26:25 <b>weeks</b> 20:8 <b>weldon</b> 2:12 7:17 11:24 27:11,18 <b>went</b> 8:4 9:13 10:8 <b>west</b> 49:7 <b>westfield</b> 2:10 <b>wholeheartedly</b> 44:17 <b>william</b> 2:9 <b>win</b> 36:14,14 <b>wise</b> 29:6 <b>wish</b> 12:17 27:4 28:15 <b>wishes</b> 12:15 <b>wishing</b> 23:14 <b>witness</b> 7:25 10:24 10:25 14:12 15:20 17:23 18:2 20:18 23:3 25:21 29:25 54:15 <b>witnesses</b> 3:2 8:3 11:3 15:18 27:24 29:8 56:7 <b>witt</b> 19:4 <b>wondering</b> 30:25	<b>words</b> 37:1 <b>work</b> 9:12 16:4 43:24 <b>worked</b> 43:19 <b>working</b> 22:16 <b>worlds</b> 43:12 <b>written</b> 4:19 41:8 41:9 51:16 <b>wrote</b> 8:13
<b>u</b>	<b>v</b>		<b>x</b>
<b>uh</b> 8:8 <b>ultimately</b> 44:22 <b>unable</b> 13:10 <b>unavailability</b> 18:2 <b>uncomfortable</b> 32:19 <b>understand</b> 13:12 13:16 18:12,12 21:19 27:15 30:17 34:8,11 43:21 44:7 <b>understanding</b> 46:12 54:19 <b>understands</b> 44:18 44:24 46:22 <b>unfair</b> 30:7 <b>unfortunate</b> 25:10 <b>unfortunately</b> 12:3 13:9 18:14 21:14 <b>unmute</b> 6:3 <b>unmuting</b> 6:5 <b>update</b> 32:9 <b>upset</b> 16:18	<b>vacation</b> 8:4 9:8 <b>vaccinated</b> 9:10 <b>value</b> 43:18 <b>variation</b> 42:11,13 43:2 <b>verbatim</b> 9:3 <b>version</b> 52:6 <b>vice</b> 1:17 5:16 23:6 37:13,15 48:25 49:2 <b>video</b> 2:1 4:17,18 31:3,6 <b>view</b> 37:11 40:9 <b>virtual</b> 1:11 <b>virtually</b> 4:11 54:7 54:9 <b>virtue</b> 21:4 <b>voicemail</b> 11:25 13:8 <b>vote</b> 15:3 20:23 33:7,25 34:4,7,12 34:13,16,18 35:9 <b>voted</b> 39:21 <b>vs</b> 19:4		<b>x</b> 3:1,14
	<b>w</b>		<b>y</b>
	<b>waiver</b> 32:16 <b>walk</b> 50:17 <b>walkway</b> 50:6 <b>want</b> 7:19 11:12 18:9 21:9 25:20 26:12 34:17 41:23 44:4,8,17 46:6 47:6 53:2 <b>wanted</b> 7:25 10:6 18:10 28:7 30:12 31:14 32:8,13,24		<b>yeah</b> 23:18 26:12 34:22 37:15 39:15 47:11 49:2,14,25 <b>year</b> 34:19 <b>years</b> 30:6 <b>yesterday</b> 9:14 <b>yvette</b> 1:15
			<b>z</b>
			<b>zone</b> 7:5 <b>zoning</b> 4:3