

Minutes

Special Meeting

Englewood Board of Adjustment

Monday January 28, 2013

8:00 p.m.

Municipal Court 73 South Van Brunt Street

Members present: Mr. Feintuch, Mr. Fuld, Mr. Reidler, Mr. Schwalbe, Mr. Shafer, Ms. Thomas, Mr. Weitzman

Also present: Ms. Byrne, Ms. Baker, Mr. Rutherford, Mr. Albert, Mrs. Evans

Meeting called to order at 8:15 p.m.

This portion of the meeting was chaired by Mr. Feintuch

Roll call, announcement of proper notice of meeting

2013 Reorganization:

Ms. Byrne and Ms. Baker were sworn in and given the oath of office.

Motion to nominate and approve the following people:

Chair-Rosemary Byrne

Vice chair-George Feintuch

Secretary- Tina Evans

Attorney-David Rutherford

The motion was made by Mr. Weitzman Second: Mr. Fuld

Passed by unanimous vote

A second roll call was called.

Members present: Feintuch, Fuld, Reidler, Schwalbe, Shafer, Thomas, Byrne, Baker, Weitzman

Chairwoman Byrne now chairs the meeting.

Motion to approve the 2013 Meeting Dates: Mr. Feintuch Second: Mrs. Baker
Motion passes

Minutes of December , 2012:

Motion to approve: Mr. Shafer Second: Mrs. Baker
Motion passes

Board Business:

Board attorney Mr.Rutherford will be working on the annual report.

The board entered into closed session to discuss the pending litigation of David Werthenthiel versus the City of Englewood and the Dwight Englewood School.

Motion to enter into closed session: Mr. Shafer Second: Mr. Feintuch
At this time the board entered into closed session for a discussion.

Motion to enter regular meeting session: Mr. Shafer Second: Mr. Feintuch

Motion to appoint David Rutherford as counsel for the David Wertehnthiel versus City of Englewood and the Dwight Englewood School litigation: Mr. Shafer
Second: Mr. Schwalbe
Motion passes

At this point in the meeting Ms. Thomas, Mr. Feintuch and Mr. Schwalbe left the meeting.

Continued Application:

File#2012-5 This World: The Jewish Values Network, 394 East Palisade Avenue
Schmuley and Deborah Boteach, Block 3501 Lot 11

Mr. Pierkarsky, attorney for the applicant addressed the board. Mr. Pierkasky made a motion to have board member Mr. Reidler disqualified from this case. Marked as evidence was A-18, a document asking for Mr. Reidler's disqualification. Mr. Reidler was sworn in, given the opportunity to speak, and certified that his opinions were impartial. After a discussion the motion was denied and the case continued.

Ken Albert, city engineer and planner was sworn in and gave testimony. Mr. Pierkarsky then cross examined Mr. Albert.

This case is continued until March

Motion to adjourn: Mr. Fuld Second: Mr. Reidler

Meeting adjourned at 10:50 p.m

Respectfully submitted,

Tina Evans