

**BOROUGH OF AVALON PLANNING/ZONING BOARD**

**Minutes of Special Meeting of October 16, 2017**

Members Present: Sharon Cooper  
James Deever  
James Fleischmann  
Neil Hensel  
David Knoche  
John Morrison  
Beth Tipping

Members Absent: Sam Beddia  
Michael Coskey  
Thomas McCullough  
Michele Petrucci  
Brian Reynolds  
Sam Wierman

Chairman Hensel called a special meeting of the Avalon Planning/Zoning Board on October 16, 2017 at 3:00 PM.

Solicitor Marcolongo advised the Board and the public that the meeting was called pursuant to N.J.S.A. 10:4-9(b) of the Open Publics Meeting Act, which authorizes the scheduling of a special session without adequate notice to address issues of urgency and importance and where the delay would result in substantial harm to the public interest. Mr. Marcolongo noted that a quorum of the Board was in fact present and that, in order to proceed with the meeting, at least three quarters of the Board must agree to conduct the meeting and that he would be requesting that the Board to go into closed session to address emergent litigation matters.

Mr. Marcolongo presented the Board with Special Resolution PZ #17-J, which authorized the holding of a public meeting without adequate notice pursuant to N.J.S.A. 10:4-9(b). A motion was made to approve the special resolution by Chairman Hensel and seconded by Mr. Knoche with all members voting in the affirmative.

The Board then considered Special Resolution PZ #17-G, which memorialized the action of the Board on October 10, 2017 to conduct a closed session meeting to discuss litigation and personnel matters. A motion was made to approve by Mr. Fleischmann and seconded by Mrs. Tipping with all members voting in the affirmative.

At the request of Solicitor Marcolongo, the Board then considered Special Resolution PZ #17-H authorizing the Board to enter into a closed session meeting to discuss emergent litigation matters. A motion was made to approve by Mrs. Cooper and seconded by Mrs. Tipping with all members voting in the affirmative.

The Board then entered a closed session meeting to discuss litigation matters. At the completion of the closed session meeting, the Board reconvened into open session. At that time, the Board considered Special Resolution PZ #17-I, which authorized Solicitor Marcolongo to execute a Mediation Term Sheet/Stipulation of Settlement pursuant to the terms presented to the Board in its closed session and to schedule a special meeting (Whispering Woods hearing) for the purpose of holding a public hearing to address the settlement of the Avalon Anchorage Marina litigation. A motion was made to approve Special Resolution PZ #17-I by Mr. Fleischmann and seconded by Mrs. Tipping with all members voting in the affirmative.

The Board then agreed to schedule a Whispering Woods hearing on a special meeting date of November 1, 2017 at 6:00 PM.

At 3:45 PM, a motion was made by Mr. Knoche and seconded by Mrs. Cooper to adjourn the meeting with all members voting in the affirmative.

Respectfully submitted,

*/s/Dean R. Marcolongo*

Dean R. Marcolongo, Esquire