

**ZONING BOARD OF ADJUSTMENT  
TOWN OF WEST NEW YORK  
COUNTY OF HUDSON**

**CLOSED SESSION MINUTES OF THE MEETING HELD ON THURSDAY,  
FEBRUARY 28, 2013**

1. Roll call of the Board Members

Present: Chairman Kenneth Blane, and Members Julio Garcia, Ramon Morejon, David Rivera, Melissa Rodriguez, and Armando Alvarez,

Absent: Nelly Vasquez, Jesus Alvarado and Richard Rivera

Present: Board Attorney Jennifer M. Carrillo-Perez, Esq.  
Board Secretary Maria Varela

A closed session was held at the start of the regular meeting on Thursday, February 28, 2013. A motion was made and passed in open public meeting to go into closed session to discuss a letter prepared by Mr. Jeffery Kantowitz, Esq. The letter indicates the disqualification of two Board Members Julio Garcia and Armando Alvarez in the matter of Merida Le Boulevard, for property located at 6609-15 Boulevard East, Block 2 and lots 9, 10.

Ms. Carrillo-Perez indicated that these minutes would remain confidential until the Board has no further need for confidentiality.

It was discussed among the Board that this letter prepared by Attorney Jeffery Kantowitz raises uses of conflict of interest. These two Board members of the Zoning Board who were appointed should not serve on the Board, because they either are employed or serve on another Board of the Town of West New York. The Board also discussed the appeal process pertaining to this matter, and that the applicant currently has an existing contract with the West New York Parking Authority. Please refer to letter submitted by Attorney Jeffery Kantowitz.

The Board has made the decision to postpone the vote for the Memorializing Resolution regarding the Merida Le Boulevard matter. Chairman Kenneth Blane has instructed and approved a declaratory judgment action to be taken by the Board Attorney Jennifer Carrillo-Perez in order to determine whether these Board Members can in fact continue to serve on the Zoning Board of Adjustment.

Ms. Carrillo-Perez, Esq. explained the course of action to the Board Members and is expecting full cooperation in this matter.

A Motion to instruct and approve declaratory judgment action was made by Chairman Kenneth Blane, and Board Member Melissa Rodriguez seconded. Motion passed.

Motion to adjourn to open public meeting was made and passed at 7:23 PM.

**Respectfully submitted,**

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**MARIA VARELA, BOARD SECRETARY**  
**Town of West New York**  
**Zoning Board of Adjustment**

**Date approved: March 28, 2013**