

**BOROUGH OF HILLSDALE
PLANNING BOARD
RESOLUTION NO. 2018-05**

WHEREAS, the By-Laws of the Planning Board of the Borough of Hillsdale (the “Board”), at §12, describe the circumstances pursuant to which a member may be removed; and

WHEREAS, §12 provides, in relevant part, that “whenever a member of this Board shall absent himself from four consecutive meetings of the Board, without just cause, or for a period deemed detrimental to the conduct of Board business, the Board may recommend to the governing body of the Borough, in writing, that such member be removed in accordance with the provisions of the law”; and

WHEREAS, §12 also provides (automatic vacancy) that, “in accordance with the provisions of law, any Board member who, without being excused by a majority of the authorized members of the Board, fails to attend and participate at meetings of the Board for a period of four consecutive regular meetings shall be considered to be no longer a member of the Board, and a vacancy on the Board shall be deemed to exist, provided that the Board shall notify the governing body, in writing, of such determination and further provided that the Board may refuse to excuse only with respect to those failures to attend and participate which are not due to legitimate illness”; and

WHEREAS, N.J.S.A. 40A:9-12.1(g) likewise provides that the office of any person appointed to a specified term by the governing body, including persons appointed to a board, shall be deemed vacant whenever such member, without being excused by a majority of the authorized members of such body, fails to attend and participate at meetings of such body for a period of eight (8) consecutive weeks, or for four (4) consecutive regular meetings, and at the conclusion of such period, such body shall notify the appointing authority, in writing, of such determination; and

WHEREAS, at its January 11, 2018 meeting, the Board determined that Board member Laura Calabria missed four consecutive regular meetings of the Board, and that such absences were without just cause and not excused, resulting in an automatic vacancy of such position held by Mrs. Calabria; and

WHEREAS, the Board recommends to the Borough Council that Laura Calabria's unexpired term on the Board be filled as a result of the vacancy, as described herein.

NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Hillsdale that this Resolution is confirmation that the position formerly filled by Laura Calabria is hereby deemed vacant pursuant to the Board's By-Laws and N.J.S.A. 40A:9-12.1, and that the Board recommends that the governing body of the Borough of Hillsdale fill the position vacated by Laura Calabria.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Law Department of the Borough of Hillsdale.

BE IT FURTHER RESOLVED that a notice of this appointment shall be published once in a newspaper of general circulation.

MOVED BY: Joanne Miano

SECONDED BY: Michael Giancarlo

VOTE:FOR 5 AGAINST 1 ABSTAIN 1

MEMORIALIZATION VOTE:

MOVED BY: Vice Chairwoman Joanne Miano

SECONDED BY: Chairman Michael Giancarlo

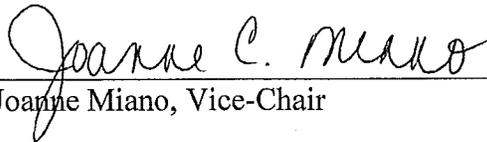
VOTE: FOR 5 AGAINST 0 ABSTAIN 0

APPROVED

Attest:


Meredith Kates, Secretary


Michael Giancarlo, Chair


Joanne Miano, Vice-Chair

I certify that the foregoing is a true copy of the Resolution adopted on
January 23, 2018


Meredith Kates, Secretary

Dated: January 23, 2018