

CERTIFIED TRANSCRIPT  
OF PROCEEDINGS ATTACHED  
FOR CAL. #4-11, 1202 LAKE AVENUE

CLARK BOARD OF ADJUSTMENT  
MINUTES FROM THE PUBLIC MEETING  
MONDAY, JANUARY 23, 2012

A public meeting of the Clark Board of Adjustment was called to order at 8:06 p.m. by Chairman Steve Kaminsky. He asked all present to participate in a flag salute and moment of silence. He stated that meeting was being held under and pursuant to the Rules and Regulations of the Sunshine Law of the State of New Jersey.

This meeting is in compliance with the "Open Public Meetings Act" as adequate notice of this meeting has been provided by mailing the Annual Schedule of meetings to the Union County Local Source, Clark Patriot and Star Ledger, by posting such Annual Meeting Schedule on the bulletin board in Town Hall reserved for such announcements and the filing of said Notice with the Township Clerk of Clark. Formal action may be taken at this meeting.

ROLL CALL

Members Present: Douglas Krok, Thomas Meade, John Passuth, John Tierney, John Caliguire, Patrick Campione and Chairman Steve Kaminsky

Board Members Absent: None

Also Present: Alternate Board Member Edward Ruth. Board Attorney Howard D. Spialter and Board Secretary; Janet Gentry

OLD BUSINESS

Minutes from the January 9, 2012 reorganization meeting were reviewed. John Passuth brought a motion to accept the minutes. Motion was seconded by Patrick Campione and carried unanimously by voice vote.

NEW BUSINESS

Calendar#4-11, T-Mobile Northeast LLC, 1202 Lake Avenue. Attorney for the applicant was Mr. John Edwards with the Law Firm of Price, Meese, Shulman & D'Arminio.

Mr. Spialter stated that Mr. Caliguire has submitted certifications stating that he obtained and read the transcripts of the proceedings from the November 14<sup>th</sup>, 2011 and December 14<sup>th</sup>, 2011 public meetings on this matter. Mr. Spialter also stated that there is a full complement of the board here tonight together with the alternate. It is my understanding that everyone is fully up-to-date with all transcripts and proceedings and there is no one with any deficiency. Secretary agreed. Mr. Spialter mentioned that there was some issue between the Township and the Applicant in regard to making up or

satisfying an escrow deficiency. Janet, she alerted me of that by telephone today and I said that this matter is proceeding tonight and I have reason to question the applicant and handling and satisfying any outstanding escrow. Mr. Edwards: My office notified me this afternoon that \$10,000.00 was being requested and I heard that the request was sent to a different attorney's office, not our office. And another letter was sent on December 28<sup>th</sup>, 2011 and was addressed to T-Mobile's office in Parsippany, To Whom It May Concern, so I don't know if T-Mobile received that but it never made it back to us. In the future these types of notices have to be sent to our office and we can take care of it. I can't get \$10,000.00 this afternoon.

**Chairman Kaminsky:** At this point of the hearing we have heard final statements from Mr. Edwards and we heard all the comments from the public. We are looking for a motion on this application.

John Passuth brought a motion to approve Calendar #4-11. No second.


John Tierney brought a motion to deny the application. Motion was seconded by John Caliguire. *Vote: Krok: yes, Meade: yes, Passuth: no, Tierney: yes, Caliguire: yes, Campione: yes, Kaminsky: yes.* Application Denied

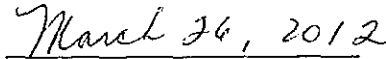
*Commentary from Board Members on this application is on the attached transcript.*

#### ADJOURNMENT

Douglas Krok brought a motion to adjourn. Motion was seconded by Patrick Campione and carried unanimously by voice vote. Meeting adjourned at 8:31 p.m.

Taken and Transcribed by:

  
Janet Gentry-Secretary

  
Dated

Certified Transcript  
Available at Town Hall

BOARD OF ADJUSTMENT  
TOWNSHIP OF CLARK

In the matter of: : Transcript  
: : of  
T-MOBILE NORTHEAST, LLC : Proceedings  
1202 LAKE AVENUE :  
CLARK, NEW JERSEY :  
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Monday, January 23, 2012  
315 Westfield Avenue  
Clark, New Jersey  
Commencing at 8:05 p.m.

B O A R D M E M B E R S P R E S E N T

STEVE KAMINSKY, Chairman  
EDWARD RUTH  
DOUGLAS KROK  
JOHN PASSUTH  
THOMAS MEADE  
JOHN TIERNEY  
PATRICK CAMPIONE  
JOHN CALIGUIRE

JANET GENTRY, Board Secretary

A P P E A R A N C E S:

HOWARD D. SPIALTER, ESQUIRE  
Attorney for the Board

PRICE, MEESE, SHULMAN & D'ARMINIO  
BY: JOHN R. EDWARDS, ESQ.  
Attorneys for the Applicant

Precision Reporting Service  
Certified Shorthand Reporters  
1178 Fairfield Road  
Bridgewater, New Jersey 08807  
(908) 685-2227

1 CHAIRMAN KAMINSKY: At this point we'll  
2 continue with calendar page 4-11, T-Mobile Northeast,  
3 LLC.

4 MR. SPIALTER: I just want to advise, we  
5 have certifications from John Caliguire attesting to  
6 the fact that he has listened to -- that he obtained  
7 and read the transcripts of proceedings from the  
8 November 14 to December 14, 2011 hearings on this  
9 matter. I pass them over to Janet for filing.

10 It's also my -- we have a full complement  
11 of the board here tonight together, with an alternate.  
12 It's my understanding from Janet that everyone is fully  
13 up to date with all transcripts and the proceedings and  
14 there is no one with any deficiency. Is that correct,  
15 Janet?

16 THE SECRETARY: That's right.

17 MR. SPIALTER: It's also -- just for the  
18 record -- and this is not to catch Mr. Edwards or  
19 anyone by surprise -- I understand there's some issue  
20 between the township and the applicant with regard to  
21 making up or satisfying an escrow deficiency. I don't  
22 know the status of it. I advised Janet -- she alerted  
23 me to that by telephone today. I said this matter is  
24 proceeding tonight and I have no reason to question the  
25 applicant handling and satisfying any outstanding

1 CHAIRMAN KAMINSKY: Okay. At this point in  
2 the hearing, we had heard the final statements from  
3 Mr. Edwards, we've heard all comments from the public  
4 already, and at this point we'll be looking for a  
5 motion on this application.

6 MR. SPIALTER: By the way, in speaking with  
7 Janet earlier, just to make sure, she had a concern  
8 that anything that board members -- especially to the  
9 far end of the room, to my right, in your speaking, you  
10 want to make sure that everything is picked up by our  
11 microphones, in addition to the fact that we have a  
12 court reporter here. So, I don't know if there's any  
13 test that you can do as we're proceeding, Janet, or if  
14 you want any members who are going to speak to come --

15 THE SECRETARY: Just so -- especially at  
16 that end. We can't get them up at that end.

17 MR. SPIALTER: And these are the mics that  
18 they're utilizing?

19 BOARD MEMBER MEADE: Do you hear us, Janet?

20 THE SECRETARY: They're on. That's good.

21 MR. SPIALTER: I have no idea what  
22 microphone --

23 CHAIRMAN KAMINSKY: This is the microphone  
24 for recording?

25 BOARD MEMBER PASSUTH: These are the mics

1 escrow.

2 Is that your understanding, Mr. Edwards?

3 MR. EDWARDS: Good evening.

4 MR. SPIALTER: I'm not suggesting there's  
5 anything outstanding. I just know the question was  
6 raised to me, and I said what do we do about it?

7 MR. EDWARDS: That's fine, approaching a  
8 proceeding like that. I with just want to clarify a  
9 little bit for the record, my office learned of this  
10 issue this afternoon, that \$10,000 is being requested.  
11 I had heard that originally the request for additional  
12 information was sent to a different attorney's office,  
13 not our office, and then another letter was sent dated  
14 December 28, 2011. I have a copy of that. It was just  
15 addressed to T-Mobile's office in Parsippany, "To whom  
16 it may concern."

17 So, I don't know if T-Mobile received that,  
18 but it never made it back to us. I spoke to Mr. Liasa  
19 (ph) this afternoon. I said, please, in the future,  
20 send these notices to our office so we can take care of  
21 it. I said I can't get \$10,000 this afternoon. I don't  
22 have this much cash with me, but that we would attend  
23 to it.

24 Thank you.

25 MR. SPIALTER: Thank you.

1 for --

2 MR. SPIALTER: This is the one for  
3 recording?

4 THE SECRETARY: Yes. This is the only one  
5 you want to --

6 MR. SPIALTER: So, these two are for  
7 recording?

8 THE SECRETARY: Those are recording.

9 MR. SPIALTER: And there's nothing towards  
10 that end. Do we have anymore wire?

11 THE SECRETARY: It's not long enough.

12 MR. SPIALTER: She wants the escrow,  
13 Mr. Edwards.

14 THE SECRETARY: I'll speak up.

15 MR. SPIALTER: Just remember to keep your  
16 voices up, enunciate, just so -- just so we don't have  
17 garbled language in this.

18 And I see we have a picture taker, I  
19 believe, for one of the newspapers. I just wanted to  
20 place on the record -- and I thank you for all of your  
21 understanding -- I am not in uniform tonight, just  
22 having been released from the hospital to make sure I  
23 was here for the hearing. So, don't take a picture of  
24 me.

25 Having said that, as the chairman said,

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1 we're looking for a motion and whatever comments board  
 2 members wish to make on this application.  
 3 CHAIRMAN KAMINSKY: Do we have a motion?  
 4 BOARD MEMBER PASSUTH: I'd like to make a  
 5 motion to accept calendar 4-11.  
 6 MR. SPIALTER: When you use the word  
 7 "accept" --  
 8 BOARD MEMBER PASSUTH: I use the word  
 9 "approval."  
 10 MR. SPIALTER: You want to use the word  
 11 "approve"?  
 12 BOARD MEMBER PASSUTH: One hundred percent.  
 13 MR. SPIALTER: I want to make sure there's  
 14 no question on the record.  
 15 CHAIRMAN KAMINSKY: Do we have a second?  
 16 We have no second on the motion.  
 17 Do we have an alternate motion to be heard?  
 18 BOARD MEMBER TIERNEY: I make a motion we  
 19 deny the application.  
 20 BOARD MEMBER CALIGUIRE: I second.  
 21 CHAIRMAN KAMINSKY: John Tierney has the  
 22 motion to deny, John Caliguire has seconded the motion.  
 23 Okay.  
 24 Comments from the board? You want to start  
 25 with the far right, Tom?

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1 BOARD MEMBER MEADE: No. I have no comment  
 2 I want to make at this time.  
 3 CHAIRMAN KAMINSKY: All right. Doug?  
 4 MR. SPIALTER: Hold on. We have a  
 5 competing interest out here.  
 6 Okay. Obviously, this is not a court,  
 7 we're not going to threaten anyone with taking  
 8 cellphones, but certainly, with the concerns about  
 9 getting a proper audio, we don't want any competition.  
 10 UNIDENTIFIED SPEAKER: Sorry.  
 11 BOARD MEMBER KROK: Well, I will also be  
 12 voting no tonight on this application, and my main  
 13 reason was basically that a gap in coverage was not  
 14 proven to me. Mr. Shidfar's testimonial was all over  
 15 the place. I saw nothing but contradictions between  
 16 the power levels on the street and in the vehicle.  
 17 I'll bring up some examples here.  
 18 The March 28, 2011 testimony, on page 48, 3  
 19 decibel's difference between in and out of car. He  
 20 goes on again on page 49 and states 84 decibels in  
 21 vehicle, and on street, 3 decibels less.  
 22 Later on in May, May 23, 2011 testimony,  
 23 page 65, our expert witness, Dr. Eisenstein, brought up  
 24 that T-Mobile Northeast utilizes a figure of 6 decibels  
 25 for vehicle loss. So, Dr. Eisenstein stated on page 66

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1 that on the street should be 6 decibels higher than neg  
 2 84 -- than neg 78, and Mr. Shidfar corrected himself  
 3 and agreed with that at that time. That was one  
 4 contradiction.  
 5 During that same testimony, we even had a  
 6 Clark resident on page 98 of transcripts, Mr. Doug  
 7 Ritter from Clark, stating that he's a T-Mobile user  
 8 and doesn't have any trouble with calls in that  
 9 coverage area you were claiming you had a gap.  
 10 Testimony on October 24, 2011, neg 84  
 11 decibels outside cars. So, you can have a negative 90  
 12 inside vehicle for reliable coverage, when all he  
 13 talked about, Mr. Shidfar, prior to that was neg 84  
 14 decibel design for in-vehicle reliable coverage. So,  
 15 that was the other contradiction that I had there.  
 16 On November 14th, Dr. Eisenstein also  
 17 talked about cell sites and how the towers do not talk  
 18 to one another. Mr. Shidfar strongly disagreed and  
 19 said the cell sites talk to one another. He disagreed  
 20 with Dr. Eisenstein. Later on, the next page of the  
 21 testimony, 78 and 79, he -- Shidfar did state the  
 22 towers do not talk with one another. He agreed with  
 23 Dr. Eisenstein.  
 24 So, I just had so many different glaring  
 25 figures and numbers throughout his whole testimony

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1 that, to me, did not prove there was a coverage gap in  
 2 this area. That's why I will be voting to deny this  
 3 application.  
 4 Thank you.  
 5 CHAIRMAN KAMINSKY: John?  
 6 BOARD MEMBER PASSUTH: Do you need mine?  
 7 CHAIRMAN KAMINSKY: Mm-hmm.  
 8 BOARD MEMBER PASSUTH: I would have to say  
 9 that, during my eight years on this board, this has  
 10 probably been the most thought-provoking application  
 11 that we've had, at least that I've been able to see in  
 12 front of me.  
 13 I am supporting this application because I  
 14 did feel, unlike my colleague, that, through the  
 15 applicant's witnesses and testimony, that a deficiency  
 16 in the coverage area was proven and that the location  
 17 of this facility would help remediate that deficiency.  
 18 I also felt very confident, through  
 19 testimony and through the witnesses of the applicant,  
 20 that they would work in good faith with this community  
 21 to do what they can to make the tower and location  
 22 aesthetically pleasing.  
 23 It was for these reasons why I feel  
 24 comfortable leaving here tonight knowing that my  
 25 decision of supporting this application would be made

1 without any regret or compromise. That is why I still  
2 will be supporting this applicant.

3 CHAIRMAN KAMINSKY: John Tierney?

4 BOARD MEMBER TIERNEY: This application has  
5 been a long, detailed one with a lot of technical data.  
6 As I looked at the application and the voluminous  
7 amount of data involved, I decided that the most  
8 logical approach was to list the pros and cons of the  
9 application and decide which outweighed the other.

10 There was one benefit outlined that I  
11 heard, and that was an improved level of cellphone  
12 service to two-thirds of a T-Mobile perceived gap area.

13 The cons were several, vary in weight. The  
14 first one I had was conflicts with the existing zoning  
15 code. This use is not permitted. It's a commercial  
16 use in a residential area. Besides this code conflict,  
17 the town master plan promotes preservation of the  
18 residential nature of the town and prevention of  
19 commercial use intrusions into residential areas.

20 Then we had the proposed lot site. It's a  
21 small, triangular-shaped lot that does not meet the  
22 zoning size requirement and is not able to provide the  
23 required proper setbacks.

24 Also, structures in this residential zone  
25 are regulated to 35 feet maximum structure height

1 versus 120 feet of antenna proposed. I thought two  
2 consideration points became relevant, and the visual  
3 impact of the structure height was the main one.

4 A balloon test was reportedly done, but no  
5 member of the board was notified and therefore able to  
6 report any impressions back to the rest of the board.  
7 Pictures were presented, but by no means a substitute  
8 for actual on-site viewing of the test.

9 The absence of the balloon test actual  
10 viewing also inhibits analysis of whether the antenna  
11 structure would be unsightly or acceptable. The  
12 balloon line would have facilitated visual analysis of  
13 the height effect among the trees that would have been  
14 left or removed.

15 Then, there is a fall-zone requirement in  
16 the code for antenna structures such as these. Here,  
17 the small lot size and the lack of required setbacks  
18 become crucial. If this antenna should fall -- however  
19 improbable as indicated in the applicant's testimony --  
20 it could fall onto Goodman's crossing to the south, and  
21 impede or eliminate access and egress from a sizable  
22 apartment complex. That access and egress from that  
23 apartment complex could also be emergency access and  
24 egress. That poses a danger to the community, in my  
25 mind.

1 If the antenna fell to the north, it could  
2 impede or cause danger to traffic on Lake Avenue. That  
3 also posed a danger to the community, in my mind. The  
4 lack of proper setbacks, due to the undersized nature of  
5 the lot becomes unacceptable to this board member.

6 Applications like this must also be  
7 analyzed relevant to their value impact on adjoining  
8 properties. The board was presented with conflicting  
9 testimony on this factor. I did not feel the  
10 applicant's testimony was credible, that there would be  
11 no value effect on an adjoining property where a  
12 120-foot antenna was placed practically on its border.  
13 The appraiser hired to provide counsel to the board  
14 clearly disagreed with the applicant's testimony.

15 Then we have the questions, is there an  
16 actual gap? If so, what is the size of the gap? And  
17 then, what is the importance of any gap? Technical  
18 testimony by the applicant was confusing at times and  
19 progressed to disagreements and unresolved points with  
20 the expert hired to counsel the board. It became  
21 unresolved whether a true gap actually existed, and  
22 whether the measurement that was used by the applicant  
23 was accurate.

24 Other than driving around making mechanical  
25 signal measurements to quantify a gap, there was no

1 actual field survey data of perhaps clients in the area  
2 or non-client data in the area. Some small amount and  
3 totally unscientific -- totally unscientific -- I  
4 received from people in the suggested gap area  
5 indicated everyone uses a cellphone and considers it  
6 essential. All but one reported having no reception  
7 difficulties in the area. The one who did have  
8 difficulties was a former T-Mobile customer from the  
9 area the application does not resolve. Those  
10 difficulties were resolved by switching to another  
11 vendor.

12 It was a statement from the technical  
13 witness for the applicant that he believed other  
14 vendors were having the difficulties in the gap area.  
15 The people I spoke to represented several other vendors  
16 and had no signal problems in the area.

17 In summary, I am not in favor of this  
18 application because I cannot approve erecting an  
19 antenna that has serious conflicts with existing code  
20 and the master plan, some of which could be dangerous;  
21 an antenna which could be unsightly and could be  
22 detrimental to adjoining property values, all to  
23 partially cover -- partially cover an unclear gap area.  
24 The possible benefit, partially improved service by  
25 T-Mobile to the gap area they outlined by them, does

1 not outweigh the detriments to the code, the  
 2 neighborhood and the town in my mind.  
 3 I also do not accept the value of the  
 4 proposed benefit. The indicated areas and the town  
 5 already have full cellphone services throughout the  
 6 town. I didn't have anybody tell me their phone didn't  
 7 work and didn't have full services in the gap area,  
 8 except they might not be getting that from T-Mobile.  
 9 The antenna in the end appears to be unnecessary to  
 10 have good cellphone service in the outlined area. So,  
 11 perhaps there's no real benefit to the people of Clark  
 12 involving this application. I, therefore, am voting  
 13 against it.  
 14 Thank you.  
 15 CHAIRMAN KAMINSKY: John Caliguire?  
 16 BOARD MEMBER CALIGUIRE: I myself will not  
 17 be supporting this application for some of the same  
 18 reasons as my peers. I believe it doesn't cover the  
 19 gap 100 percent. It leaves a big, big gap.  
 20 I also believe it's a safety issue, the  
 21 height of the tower, with a lot of residential areas  
 22 very close. I also believe, coming in from Scotch  
 23 Plains, it would be an eyesore as you come up over the  
 24 hill to be staring at that -- that structure. For  
 25 those reasons, that's why I will be voting against this

1 application.  
 2 CHAIRMAN KAMINSKY: Pat, got anything else?  
 3 BOARD MEMBER CAMPIONE: I, too, must  
 4 reiterate and agree with my colleagues on their  
 5 reservations about this application. I'm not going to  
 6 beat a dead horse and duplicate their words, but my  
 7 biggest reservation is the benefit to the community of  
 8 Clark which we represent. I see absolutely no inherent  
 9 benefit to this community as a whole for allowing the  
 10 cell tower to go in.  
 11 And I go back to Mr. O'Brien's report, the  
 12 planning report and the burden of proof, where he  
 13 clearly states and gives us many reasons why this  
 14 application has not met the burden of proof using the  
 15 Sica balancing test or any other witness testimony that  
 16 they've given us.  
 17 So, with that said, I will be voting  
 18 against this application.  
 19 CHAIRMAN KAMINSKY: I also will not be  
 20 voting in favor of this application for the following  
 21 reasons:  
 22 I don't feel that the applicant proved any  
 23 need for the tower or proved the deficiency in the  
 24 coverage of the area.  
 25 Due to setbacks of the tower required by

1 zoning, there appears to be complete disregard for  
 2 zoning laws.  
 3 I also feel that the applicant failed to  
 4 prove the benefit for the community.  
 5 There was also a point brought up that  
 6 failure to approve this application would make the  
 7 property totally unusable. To deny the application is  
 8 not going to make this property any less usable than it  
 9 was prior to this application. This piece of property  
 10 is an orphan piece of property due to a roadway that  
 11 went in many years ago, and unfortunately that's the  
 12 way it is. But I will not be in favor of this  
 13 application.  
 14 Madame secretary, can we have a roll call?  
 15 THE SECRETARY: Thomas Meade?  
 16 BOARD MEMBER MEADE: I vote for the --  
 17 CHAIRMAN KAMINSKY: Let's clarify.  
 18 THE SECRETARY: This is a motion to deny.  
 19 MR. SPIALTER: There is a motion to deny.  
 20 A yea vote, or a positive vote, is a vote against the  
 21 application.  
 22 A negative vote, a vote no, is a vote in --  
 23 is a vote against the motion, arguably in favor of the  
 24 application. Everyone clear on that?  
 25 CHAIRMAN KAMINSKY: Madame secretary?

1 THE SECRETARY: It's a motion to deny.  
 2 BOARD MEMBER MEADE: I vote for the  
 3 existing proposed --  
 4 MR. SPIALTER: So, you're voting against  
 5 the motion?  
 6 BOARD MEMBER MEADE: That's correct.  
 7 CHAIRMAN KAMINSKY: Are you voting --  
 8 BOARD MEMBER MEADE: Before --  
 9 MR. SPIALTER: Let me say it one more time.  
 10 There is a motion to deny the application. So, there's  
 11 the motion to deny, which has been set because it  
 12 basically says the application is not to be approved.  
 13 If you believe that the motion is to be passed, so that  
 14 the application is not to be approved, you would want  
 15 to vote yes.  
 16 If you believe that the motion should not  
 17 be approved -- that doesn't mean that you believe the  
 18 application should be granted, there are a variety of  
 19 other things that could occur -- but if you just  
 20 believe that the motion as presented should not be  
 21 passed, which is a tacit affirmation -- not a complete  
 22 affirmation, but a tacit affirmation of the  
 23 application -- then you would want to vote no. I'm not  
 24 sure I can say it any other way.  
 25 So, you're voting on the -- thank you.

1 You're voting on the motion. You're not voting on the  
 2 application. Okay?  
 3 CHAIRMAN KAMINSKY: The motion is to deny  
 4 the application.  
 5 Madame secretary?  
 6 THE SECRETARY: Okay. Tom Meade?  
 7 BOARD MEMBER MEADE: I vote for the motion  
 8 to deny the application.  
 9 THE SECRETARY: Douglas Krok?  
 10 BOARD MEMBER KROK: Yes.  
 11 THE SECRETARY: John Passuth?  
 12 BOARD MEMBER PASSUTH: No.  
 13 THE SECRETARY: John Tierney?  
 14 BOARD MEMBER TIERNEY: Yes.  
 15 THE SECRETARY: John Caliguire?  
 16 BOARD MEMBER CALIGUIRE: Yes.  
 17 THE SECRETARY: Pat Campione?  
 18 BOARD MEMBER CAMPIONE: Yes.  
 19 THE SECRETARY: And Steve Kaminsky?  
 20 CHAIRMAN KAMINSKY: Yes.  
 21 THE SECRETARY: Denied.  
 22 MR. SPIALTER: Mr. Edwards, thank you.  
 23 MR. EDWARDS: I thank you all very much.  
 24 MR. SPIALTER: Thank you for your  
 25 courtesies during the application. It's a been a long,

CERTIFICATE

1  
 2  
 3  
 4 I, Michael Lombardozi, a Notary Public and  
 5 Registered Professional Reporter of the State of New  
 6 Jersey, do hereby certify that the foregoing is a true  
 7 and accurate transcript of the testimony as taken  
 8 stenographically by and before me at the time, place,  
 9 and on the date hereinbefore set forth.  
 10 I do further certify that I am neither a  
 11 relative nor employee nor attorney nor counsel of any  
 12 of the parties to this action, and that I am neither a  
 13 relative nor employee of such attorney or counsel and  
 14 that I am not financially interested in this action.  
 15  
 16  
 17 Michael Lombardozi, RPR  
 18 Notary Public, State of New Jersey  
 19 Date: 2012-02-06  
 20  
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 22  
 23  
 24  
 25

1 arduous road.  
 2 MR. EDWARDS: Thank you.  
 3 (Whereupon, the deposition concluded at  
 4 8:30 p.m.)  
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<b>A</b>	<b>apartment</b> 11:22,23	12:2	<b>Campione</b> 1:13 15:3 18:17,18	<b>commercial</b> 10:15,19
<b>able</b> 9:11 10:22 11:5	<b>appears</b> 14:9 16:1	<b>B</b>	<b>car</b> 7:19	<b>community</b> 9:20 11:24 12:3 15:7,9 16:4
<b>absence</b> 11:9	<b>applicant</b> 1:19 2:20,25 9:19 10:2 12:18,22 13:13 15:22 16:3	<b>B</b> 1:9,9	<b>care</b> 3:20	<b>competing</b> 7:5
<b>absolutely</b> 15:8	<b>applicant's</b> 9:15 11:19 12:10,14	<b>back</b> 3:18 11:6 15:11	<b>cars</b> 8:11	<b>competition</b> 7:9
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