

Conflict Counsel (Litigation)
IAAT Services LLC
41 Grand Avenue
Block 1405, Lot 4

**MUNICIPAL LAND USE BOARD OF THE
BOROUGH OF RIVER EDGE**

RESOLUTION

RESOLUTION APPOINTING CONFLICT BOARD ATTORNEY

WHEREAS, on May 28, 2025, the Municipal Land Use Board of the Borough of River Edge (the "Board") has deemed it necessary to engage an attorney to assist and advise the Board with respect to an application filed by IAAT Services LLC, for property located at 41 Grand Avenue (Block 1405, Lot 4), River Edge, New Jersey ("Application"); and

WHEREAS, the Board conducted a meeting in compliance with the Open Public Meetings Act and the Municipal Land Use law; and

WHEREAS, at the meeting held on May 28, 2025, the Board unanimously voted to retain Marc Leibman, Esq. of Chiesa Shahinian & Giantomasi PC ("CSG") as Conflict Board Attorney on the IAAT Services LLC application, as the Board Attorney, has recused herself from said matter; and

WHEREAS, subsequently Marc Leibman, Esq., served as the Board's Attorney in the Application, which was denied; and

WHEREAS, the Applicant has indicated an intention to file a complaint in lieu of prerogative writ to challenge the denial; and

WHEREAS, the Board's conflict remains on going and conflict counsel is necessary to defend the Board in the anticipated litigation; and

WHEREAS, the Board met on June 10, 2026, and determined to adopt this resolution authorizing and directing Marc Leibman, Esq., to file an answer on behalf of the Board in the anticipated litigation and defend the Board's interests; and

WHEREAS, the within Resolution shall constitute the retainer agreement between the Board and CSG; and

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WHEREAS, the 2026 hourly rates for the Conflict Board Attorney shall be \$175.00 per hour and billed in in .25 increments in accordance with N.J.S.A. 40:55D-53.2(c); and

WHEREAS, the Board, by adoption of this Resolution, authorizes the Chair of the Board, Chris Caslin, and Secretary of the Board, Ryan Gibbons, to execute this Resolution on behalf of the Board and engage Marc Leibman of CSG as Conflict Board Attorney for the IAAT Services LLC anticipated litigation; and

WHEREAS, the Board ratifies any action taken by Marc Leibman, Esq. of Chiesa Shahinian & Giantomasi PC prior to the date of this appointment; and

NOW THEREFORE, BE IT RESOLVED by the Board that this Resolution is further confirmation of the appointment of Marc Leibman, Esq. of Chiesa Shahinian & Giantomasi PC as Conflict Board Attorney for the Board for the matter of: Defense of IAAT Services, LLC, action against the River Edge Joint Planning Board; and that Chair of the Board, Chris Caslin, and Secretary of the Board, Ryan Gibbons, are authorized to execute any and all instruments necessary for this engagement and payment therefor.

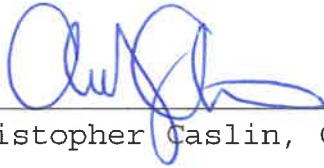
Vote on the Appointment/Memorialization

<u>MEMBER</u>	<u>M</u>	<u>2D</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>	<u>INELG</u>
Mayor Thomas Papaleo						X	
Councilman Glass					X		
Chris Caslin			X				
Michael Krey		X	x				
Ryan Gibbons	X		x				
Eileen Boland						X	
Dario Chinigo						X	
Jorge Salva			X				

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Joseph Gautier						X	
Tracy Levine [Alternate #1]			X				
Vacant [Alternate #2]							

BE IT FURTHER RESOLVED that the Resolution adopted on this 10th day of June, 2026 memorialized the action taken by the Board in accordance with N.J.S.A. 40:55D-10(g), as set forth above, at its June 10, 2026 meeting, and that a copy of this Resolution be provided to the Applicant, Marc Leibman, Esq., the Borough Clerk, to the Borough Attorney, counsel for the Applicant, and a notice of this decision shall be published in the official newspaper of the Borough of River Edge.



Christopher Caslin, Chairman

CERTIFICATION

I, Ryan Gibbons, Secretary of the Board, do hereby certify that the above Resolution was adopted by the Board at its meeting held on June 10, 2026. This Resolution memorializes the Board's approval of this matter at its meeting held on May 28, 2025.



Ryan Gibbons, Secretary
Borough of River Edge
Municipal Land Use Board