

TOWNSHIP OF WEST MILFORD ZONING BOARD OF ADJUSTMENT

MINUTES

JANUARY 15, 2004
REORGANIZATION MEETING

Linda Lutz, Principal Planner, opened the meeting at 7:38 p.m. with the reading of the legal notice.

ADMINISTER OATH TO NEW/RE-APPOINTED MEMBERS

Steven Glatt, Esq., administered the oaths to the following five Board members that were present: Robert Brady, Anthony DeSenzo, Francis Hannan, Daniel Jurkovic and Arthur McQuaid. It was noted the term dates were incorrect on the oaths and need to be corrected by the Clerk's Office. Thomas Bigger and Joseph Giannini were absent.

ROLL CALL

Present: Robert Brady, Anthony DeSenzo, Francis Hannan, Daniel Jurkovic and Arthur McQuaid. Linda Lutz, Principal Planner;

Absent: Thomas Bigger and Joseph Giannini

REORGANIZATION

NOMINATIONS: For the period ending December 31, 2004

Chairman

Arthur McQuaid nominated Robert Brady for Chairman, seconded by Daniel Jurkovic.

There being no other nominations, a **MOTION** was made by Daniel Jurkovic, seconded by Arthur McQuaid, to close the nominations, with all in favor.

Roll Call Vote on the nomination for Chairman:

Yes	Robert Brady, Anthony DeSenzo, Francis Hannan, Daniel Jurkovic and Arthur McQuaid
No	None

The meeting was turned over to the new Chairman, Robert Brady. The Chairman asked for nominations for the following:

Vice Chairman

Arthur McQuaid nominated Daniel Jurkovic for Vice Chairman, seconded by Robert Brady.

There being no other nominations, a **MOTION** was made by Francis Hannan, seconded by Arthur McQuaid to close the nominations.

Roll Call Vote on the Nomination for Vice Chairman:

Yes	Anthony DeSenzo, Francis Hannan, Daniel Jurkovic, Arthur McQuaid and Robert Brady
No	None

Secretary

Daniel Jurkovic nominated Carol DenHeyer for Secretary, seconded by Robert Brady.

There being no other nominations, a **MOTION** was made by Arthur McQuaid to move and confirm, and on voice vote all were in favor for Carol DenHeyer to be Secretary.

APPOINTMENTS: For the period ending December 31, 2004

Appointment of Board of Adjustment Attorney

Mr. Brady noted a letter was received from Stephen B. Glatt, Esq. requesting reappointment at an increased rate as stated in Resolution No. 1-2004.

There being no other nominations, a **MOTION** was made by Daniel Jurkovic, seconded by Robert Brady to close the nominations and appoint Stephen B. Glatt as Zoning Board Attorney.

Roll Call Vote on the Nomination for the Board Attorney:

Yes Anthony DeSenzo, Francis Hannan, Daniel Jurkovic, Arthur McQuaid
and Robert Brady
No None

MOTION was made by Daniel Jurkovic to approve the contract for Board Attorney as submitted, seconded by Robert Brady.

Roll Call Vote on the approval of the Board Attorney's Contract:

Yes Anthony DeSenzo, Francis Hannan, Daniel Jurkovic, Arthur McQuaid
and Robert Brady
No None

Newspaper for advertising

The Chairman advised the Board must vote on two newspapers from a list of suggestions prepared by the Council.

MOTION was made by Arthur McQuaid to appoint the Bergen Record (*The Record*) as one of the legal newspapers, seconded by Francis Hannan, and a **MOTION** was made by Arthur McQuaid, to appoint the Suburban Trends as another legal newspapers, seconded by Francis Hannan.

Roll Call Vote on the Nominations for both newspapers:

Yes Anthony DeSenzo, Francis Hannan, Daniel Jurkovic, Arthur McQuaid
and Robert Brady
No None

The Chairman asked if any Board members had any suggestions for changes to the By-Laws before the vote for their adoption was taken. Linda Lutz, Principal Planner, had suggested changes as follows:

ARTICLE II

Section 2. The officers of the Board of Adjustment shall consist of a Chairman, Vice Chairman and a Secretary, (***add the following language***) **who may or may not be a member of the Zoning Board of Adjustment.**

ARTICLE III

Section 1 to be changed as follows:

Section 1. Nominations of officers shall be at the annual re-organization meeting, which shall be held on the third Thursday of January, time to be seven-thirty **(7:30) o'clock** in the evening prevailing time. Election shall follow immediately thereafter.

ARTICLE VI

MEETINGS

Section 1. Regular meetings shall be held on the fourth Tuesday of each month. The meeting shall begin at seven-thirty (7:30) o'clock in the evening. All meetings shall be held in the West Milford Town Hall or such alternate location as shall be determined by the Zoning Board of Adjustment and announced in advance. Where a meeting night shall fall on a legal holiday, such meeting shall then be held at such time and place as designated.

(The following language to be added to this Section 1):

Site Inspections shall convene at 9:00 a.m. on the Saturday preceding the regular Tuesday meeting. Site inspections shall convene in the parking lot outside the Main Meeting Room of Town Hall.

ARTICLE VII

The attendance paragraph was modified to reflect the year as follows:

ATTENDANCE

Attendance is based upon the total number of public meetings held during the year from **January to December**. Each member is expected to attend not less than seventy-five percent (75%) of those meetings. If any member fails to attend at least seventy-five percent (75%) of the public meetings without excused absences, the Secretary may be authorized to notify the Council so that the Council can investigate.

Mrs. Lutz also thought the bottom of the By-Laws should read as follows: ***Amended and Adopted January 15, 2004.***

After discussion, it was suggested the following Section 5 be modified as follows:

ARTICLE VI

Section 5. New applications shall not commence after 10:30 p.m. unless, by an affirmative vote of the present membership, the Board elects to continue. There shall be no additional testimony presented to or heard by the Board after 11:00 p.m. on any matter ***or any extension thereto voted by a majority of the members present.***

The Chairman asked for a motion to accept the By-Laws with the changes discussed and they will be in a final draft at the next meeting. **MOTION** was made by Daniel Jurkovic to adopt the By-Laws with the changes suggested by Linda Lutz and Arthur McQuaid, seconded by Francis Hannan.

Roll Call Vote on the adoption of the By-Laws with the changes discussed:

Yes Anthony DeSenzo, Francis Hannan, Daniel Jurkovic, Arthur McQuaid
and Robert Brady
No None

MEETING DATES

The Board reviewed the meeting dates and the Chairman explained the site inspection dates for the new Board members and **MOTION** was made by Daniel Jurkovic, seconded by Arthur McQuaid, to adopt the following meeting schedule.

Roll Call Vote on the adoption of the meeting schedule:

Yes Anthony DeSenzo, Francis Hannan, Daniel Jurkovic, Arthur McQuaid
and Robert Brady
No None

West Milford Township Zoning Board of Adjustment Meeting Dates for January 1, 2004 through December 31, 2004

	Re-Org. Meeting	Site Inspection	Regular Meeting
January	15	24	27
February		21	24
March		20	23
April		24	27
May		22	25
June		19	22
July		24	27
August		21	24
September		25	28
October		23	26
November		20	23
December		11	16

Regular meetings are held in the Main Meeting Room of Town Hall at 7:30 p.m. Site inspections convene at 9:00 a.m. in the parking lot outside the Main Meeting Room of Town Hall, 1480 Union Valley Road, West Milford, New Jersey.

ADJOURNMENT

The meeting was adjourned by unanimous vote at 8:15 p.m.

Respectfully submitted,

Carol DenHeyer
Secretary