

**MINUTES
Of the Township of West Milford
ZONING BOARD OF ADJUSTMENT**

**JANUARY 23, 2007
REORGANIZATION MEETING**

William Drew, Planning Director, presided over the Reorganization Meeting of the Zoning Board of Adjustment. He opened the meeting at **7:13 p.m.** with the reading of the Legal Notice.

PLEDGE

Mr. Drew asked all in attendance to join together in the Pledge of Allegiance.

OATH OF OFFICE

Mr. Drew administered the oath of office for Board Members Arthur McQuaid and Francis Hannan who had been re-appointed to the Zoning Board of Adjustment at the January 3, 2007 Township Council Reorganization Meeting.

ROLL CALL

Present: Ada Erik (7:20), Francis Hannan, Daniel Jurkovic, Arthur McQuaid, Gian Severini (7:27), Ed Spirko (7:30), Robert Brady, William Lynch, and Barry Wieser.

Also Present: Stephen Glatt, Board Attorney, William Drew, Planning Director, Richard McFadden (7:49), and Tonya Cubby, Acting Board Secretary.

Absent: None.

Mr. Drew noted that William Lynch and Barry Wieser would sit in during the absence of Ms. Erik and Mr. Spirko, respectively.

NOMINATIONS

Mr. Drew asked for nominations for Chairman.

Nomination by Mr. Hannan to appoint Robert Brady as the Chairman of the Zoning Board of Adjustment.

Second by Mr. Jurkovic.

There being no other nominations for Chairman, Mr. McQuaid moved to close and confirm with a second by Mr. Hannan.

Roll Call Vote:

Yes: Francis Hannan, Daniel Jurkovic, Arthur McQuaid, William Lynch, Barry Wieser, and Robert Brady.

No: None.

Abstain: None.

Absent: Ada Erik, Gian Severini, Ed Spirko.

Motion carried.

Mr. Brady presided over the remainder of the meeting and thanked the Board members for their support.

Nomination by Mr. Brady to appoint Daniel Jurkovic as Vice Chairman of the Zoning Board of Adjustment.

Second by Mr. Hannan.

There being no other nominations for Vice Chairman, Mr. McQuaid moved to close and confirm with a second by Robert Brady.

Roll Call Vote:

Yes: Francis Hannan, Arthur McQuaid, William Lynch, Barry Wieser and Robert Brady,

No: None

Abstain: Daniel Jurkovic.

Absent: Ada Erik, Gian Severini, Ed Spirko.

Motion carried.

Motion by Mr. Jurkovic to appoint Tonya Cubby as [Recording] Secretary to the Zoning Board of Adjustment.

Second by Mr. McQuaid.

There being no other nominations for Secretary, Mr. Hannan moved to close and confirm.

Roll Call Vote:

Yes: Ada Erik, Daniel Jurkovic, Francis Hannan, Arthur McQuaid, Robert Brady, William Lynch and Barry Wieser

No: None

Abstain: None.

Absent: Gian Severini, Ed Spirko

Motion carried.

Motion by Mr. Brady to appoint Stephen Glatt, Esq. as Attorney for the Zoning Board of Adjustment.

Second by Ms. Erik.

Mr. Drew noted that Mr. Glatt has submitted all required documents.

There being no other nominations, Mr. Jurkovic moved to close and confirm with a second by Ms. Erik.

Roll Call Vote:

Yes: Ada Erik, Daniel Jurkovic, Francis Hannan, Arthur McQuaid, Robert Brady, William Lynch and Barry Wieser

No: None

Abstain: None.

Absent: Gian Severini, Ed Spirko

Motion carried.

Mr. Brady asked for a motion to approve the Herald News and Record as legal newspapers for the Zoning Board of Adjustment.

Motion by Ms. Erik.

Second by Mr. McQuaid.

Roll Call Vote:

Yes: Ada Erik, Daniel Jurkovic, Francis Hannan, Arthur McQuaid, Robert Brady, William Lynch and Barry Wieser

No: None

Abstain: None.

Absent: Gian Severini, Ed Spirko

Motion carried.

Mr. Brady asked for a motion to approve the 2007 Meeting Schedule of the Zoning Board of Adjustment.

Motion by Ms. Erik.

Second by Mr. McQuaid.

Roll Call Vote:

Yes: Ada Erik, Daniel Jurkovic, Francis Hannan, Arthur McQuaid, Gian Severini, Ed Spirko, Robert Brady, William Lynch and Barry Wieser

No: None

Abstain: None.

Absent: Ed Spirko

Motion carried.

Mr. Brady stated that Stephen Glatt's contract had been submitted to the Board for review, that all Township of West Milford requirements have been met, and that the Board accepts the terms of the contract as submitted. Mr. Jurkovic observed that the sample contract provided by the Township did not include substitute attorney language and that it needs to be clear going into the new contract. Mr. Jurkovic reviewed the Board's proposed 2007 budget amount as provided by Mr. Drew. He noted that Mr. Glatt has requested an increase of \$100.00 in his meeting rate, to \$750.00 per meeting. Upon review, Mr. Jurkovic notes that this is consistent with other

attorneys' rates in the area and is reasonable rate increase. Discussion among members regarding legal fees and clarification about fees covered by the escrow accounts. Mr. Lynch noted that Mr. Glatt's proposed fees for 2007 are projected to be \$9,000. Mr. Glatt stated that although he is entitled to be paid by the hour for additional services rendered, it has been his practice in the past not to bill for additional time spent on applications and other issues that arise between meetings. In his absence from two meetings in 2006 the fees were paid to the substitute attorney.

ADJOURNMENT

With no further business to attend to as part of the Reorganization meeting, Mr. Brady asked for a motion to adjourn.

Motion by Ms. Erik.

Second by Mr. McQuaid.

On a voice vote all were in favor of adjourning the Reorganization meeting of the Zoning Board of Adjustment.

Motion carried.

Re-organization Meeting adjourned at **7:37 p.m.**

Adopted: February 27, 2007

Respectfully submitted by

Tonya E. Cubby, Secretary
Zoning Board of Adjustment