

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

**MINUTES
January 8, 2007
Special Meeting**

Chairman, Michael Tfank, called the meeting to order at 5:15 p.m. with the reading of the legal notice and Pledge of Allegiance.

ROLL CALL

Present: Steven Castronova, James O'Bryant, Douglas Ott, Michael Siesta, Clinton Smith, Leslie Tallaksen, Philip Weisbecker. Alternate: David Volpe. Chairman: Michael Tfank. Substitute Board Attorney: Stephen B. Glatt, Esq. Planning Director: William Drew, P.P.

Absent: Kurt Wagner. Alternate: Thomas Harraka.

Chairman appointed Mr. Volpe to sit for Mr. Wagner.

PUBLIC PORTION

No one wished to speak.

MISCELLANEOUS

Resolution No. 2007 – 2: Authorization for Stephen B. Glatt, Esq. to continue as substitute counsel to the Planning Board with respect to West Milford Planning Board vs. TCR NJ/PA Land Acquisition L.P. and Skylands Clean, Inc., Docket No. PAS-L-1429-06 and as substitute Planning Board Attorney for the year 2007.

A discussion took place regarding the not to exceed amount in the contract. After clarification a **MOTION** was made by James O'Bryant, seconded by Michael Siesta, to adopt Resolution No. 2007 – 2 as amended.

Roll Call: Yes - Steven Castronova, James O'Bryant, Douglas Ott, Michael Siesta, Clinton Smith, Leslie Tallaksen, Philip Weisbecker, David Volpe, Michael Tfank.
No - None

CLOSED SESSION

Resolution No. 2007 – 3: Closed session with respect to Township of West Milford Planning Board vs. TCR NJ/PA Land Acquisition L.P. and Skylands Clean, Inc., Docket No. PAS-L-1429-06. Order granting final site plan approval.

The resolution was read into the record by Stephen B. Glatt, Esq.

MOTION made by Philip Weisbecker, seconded by Leslie Tallaksen, to adopt Resolution No. 2007 – 3.

Roll Call: Yes - Steven Castronova, James O'Bryant, Douglas Ott, Michael Siesta, Clinton Smith, Leslie Tallaksen, Philip Weisbecker, David Volpe, Michael Tfank.
No - None

Messrs. Tfank and Castronova were recused. Ms. Tallaksen assumed the Chair.

The Board moved into closed session to discuss the following matter:

APPLICATIONS

TCR NJ/PA LAND ACQUISITION L.P.

(VALLEY RIDGE)

Final Site Plan #0220-0041B

Block 8002; Lot 4

Union Valley Road; R-1/PN Zone

Consideration of an appeal to the Appellate Division of the Superior Court in the matter of the Township of West Milford Planning Board vs. TCR NJ/PA Land Acquisition L.P. and Skylands Clean, Inc., Docket No. PAS-L-1429-06. Order granting final site plan approval.

Upon returning from closed session a **MOTION** was made by Michael Siesta, seconded by Philip Weisbecker, to authorize the Planning Board legal counsel to file a motion of notice to appeal.

Resolution No. 2007 – 4: Board's determination with regard to filing of appeal. Mr. Glatt noted that two resolutions had been prepared for the Board's consideration. One was for a motion to deny filing an appeal and one for a motion to approve the filing of an appeal.

The resolution authorizing the legal counsel to file an appeal of the order granting final site plan approval was read into the record by Mr. Glatt.

Leslie Tallaksen noted that a **MOTION** made by Michael Siesta, seconded by Philip Weisbecker, to authorize the Planning Board legal counsel to file a motion of notice to appeal was before the Board.

Roll Call: Yes - James O'Bryant, Douglas Ott, Michael Siesta, Clinton Smith,
Leslie Tallaksen, Philip Weisbecker, David Volpe.
No - None

It was noted that at the advice of the Board Attorney Messrs. Tfrank and Castronova had recused themselves.

ADJOURNMENT

Meeting adjourned by unanimous consent at 6:02 p.m.

Respectfully submitted,

Grace R. Davis
Secretary