

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD**

**Minutes
January 6, 2005
Reorganization Meeting**

Bryant Gonzalez, Esq. opened the meeting at 7:40 with the reading of the legal notice and the administering of the Oath of Office to the members.

ROLL CALL

Present: Joseph Elcavage, Edward Orthouse, Michael Siesta, Michael Tfank, Kurt Wagner. Alternate: Clinton Smith. Board Attorney: Bryant Gonzalez, Esq. Planning Director: William Drew, P.P.

Absent: James O'Bryant, Douglas Ott, Leslie Tallaksen. Alternate: Matthew DeFede

REORGANIZATION

The following appointments were made for the period ending December 31, 2005:

CHAIRMAN

Michael Tfank nominated for Chairman by Joseph Elcavage. Seconded by Kurt Wagner.

There being no other nominations, a **MOTION** was made by Joseph Elcavage, seconded by Kurt Wagner, to close and confirm the nomination. On voice vote all were in favor.

Roll Call: Yes - Joseph Elcavage, Edward Orthouse, Michael Siesta, Michael Tfank, Kurt Wagner, Clinton Smith
No - None

VICE CHAIRMAN

Leslie Tallaksen nominated for Vice Chairman by Michael Tfank. Seconded by Kurt Wagner.

There being no other nominations, a **MOTION** was made by Joseph Elcavage, seconded by Kurt Wagner, to close and confirm the nomination. On voice vote all were in favor.

Roll Call: Yes - Joseph Elcavage, Edward Orthouse, Michael Siesta, Kurt Wagner, Clinton Smith, Michael Tfank
No - None

SECRETARY

Grace Davis nominated for Secretary by Kurt Wagner. Seconded by Joseph Elcavage.

There being no other nominations, a **MOTION** was made by Kurt Wagner, seconded by Joseph Elcavage, to close and confirm the nomination.

Roll Call: Yes - Joseph Elcavage, Edward Orthouse, Michael Siesta, Kurt Wagner, Clinton Smith, Michael Tfank
No - None

The following members were reappointed to the Master Plan Subcommittee: Leslie Tallaksen, Edward Orthouse, Douglas Ott and Michael Tfank. Mr. Elcavage suggested that an alternate member be added to the committee. By unanimous consent Clinton Smith was appointed.

At the suggestion of the Chairman appointments to the Site Plan/Subdivision and Ordinance Committees was carried to the regular meeting. All were in agreement.

PLANNING BOARD ATTORNEY

William Drew advised that the terms of the contract submitted by Weiner Lesniak LLP was the same as last year. The contract provides for a monthly retainer, which will cover

all activities related to the Planning Board including telephone calls. Mr. Drew explained that several years ago at the request of an earlier Board the contract was changed to an hourly rate. However, he noted that under that arrangement the costs were greater than that of a monthly retainer and exceeded the budget. Last year the contract was changed to a monthly retainer, which provided better service to the Township. The Board noted that if the attorney were to charge on an hourly basis for the monthly meetings, the telephone calls and consultations with the staff that the cost would be substantially higher.

A clause in the contract, which states "which includes him being placed in the New Jersey State Pension Program," is to be stricken as this is not part of Township policy. Mr. Drew confirmed that the monthly retainer covers all items under 2.A.(1)(2) and (3). The last sentence under B.(1) was also stricken.

MOTION made by Joseph Elcavage to adopt Resolution No. 2005-1 authorizing the award of a contract for professional services to Weiner Lesniak LLP, Glenn Kienz, Esq. and accept the submitted contract as amended. Seconded by Michael Siesta.

Roll Call: Yes - Joseph Elcavage, Edward Orthouse, Michael Siesta, Kurt Wagner,
Clinton Smith, Michael Tfank
No - None

William Drew explained that the engineer's time relating to applications is charged to the applicant's escrow account. However, occasionally there are times when there is a deficit in those accounts and the fees are then charged to the Township. In discussing the terms of the contract the Board expressed concerns about the ability of the staff and Board members to consult with him without incurring substantial expenses. In response Mr. Kirkpatrick advised that he does not charge for telephone calls from the staff and only charges for the time spent reviewing an application. He indicated that this was arrangement saved more money than a monthly retainer, which might not get used.

MOTION made by Joseph Elcavage to adopt Resolution 2005-2 appointing Robert C. Kirkpatrick, Jr., as the Board Engineer and approve the contract received December 14, 2005. Seconded by Kurt Wagner.

Roll Call: Yes - Joseph Elcavage, Edward Orthouse, Michael Siesta, Kurt Wagner,
Clinton Smith, Michael Tfank
No - None

After discussion a **MOTION** was made by Joseph Elcavage to name the Suburban Trends and The Herald as the official newspapers of the Board. Seconded by Kurt Wagner.

Roll Call: Yes - Joseph Elcavage, Edward Orthouse, Michael Siesta, Kurt Wagner,
Clinton Smith, Michael Tfank
No - None

MOTION made by Joseph Elcavage, seconded by Kurt Wagner, to adopt the meeting schedule for January to December 2005 as presented.

Roll Call: Yes - Joseph Elcavage, Edward Orthouse, Michael Siesta, Kurt Wagner,
Clinton Smith, Michael Tfank
No - None

ADJOURNMENT

Meeting adjourned by unanimous consent at 8:12 p.m.

Respectfully submitted,

Grace R. Davis
Secretary