Meeting called to order and a quorum declared by Mr. Cegelka at 7:00 p.m.

SALUTE TO FLAG

OPEN PUBLIC MEETINGS ACT STATEMENT
This meeting has been advertised in the Daily Record in compliance with the New Jersey Open Meetings Act.

ROLL CALL

IN ATTENDANCE Mayor Dave Holeman (departed at 7:55PM), Jim Glass, Diane Feola, John Cegelka, Avis Byfield, Hector Lorenzo Jr., Ken Diehl, Jim Janone, Valerie Williams, Barrie Palumbo.

ABSENT None

Swearing in of Valerie Williams as Alternate One by Mayor Holeman.

REORGANIZATION MEETING
Nominations for Chairman:
Motion to nominated Diane Feola as Chair made by Mayor Holeman, second by Mr. Glass.
Mr. Janone questioned Ms. Feola's eligibility to be Chairman. It was confirmed that Ms. Feola is a Class One member of the Board and is therefore eligible.
Votes: 5 Yes – Mr. Holeman, Mr. Glass, Ms. Feola, Ms. Byfield, Ms. Palumbo
4 No – Mr. Janone, Mr. Lorenzo, Mr. Diehl, Mr. Cegelka

Motion to nominated Mr. Janone as Chair made by Mr. Diehl, second by Mr. Lorenzo
Votes: 5 Yes – Mr. Cegelka, Ms. Byfield, Mr. Lorenzo, Mr. Diehl, Mr. Janone
4 No - Mayor Holeman, Mr. Glass, Ms. Feola, Ms. Palumbo

Voting for Chairman tied.

Motion to table Chairman nomination until next meeting made by Mr. Janone, second by Mr. Diehl.
Roll Call: All in favor.

Nominations for Vice-Chairman:
Motion to nominated Mr. Cegelka as Vice Chairman made by Mr. Janone, second by Ms. Palumbo
Votes: 5 Yes – Mayor Holeman, Mr. Glass, Ms. Feola, Ms. Byfield, Ms. Palumbo
2 No – Mr. Lorenzo, Mr. Diehl
Abstain: Mr. Cegelka, Mr. Janone

Motion to nominated Mr. Diehl as Vice Chairman made by Mr. Lorenzo, second by Mr. Janone.
Votes: 4 Yes – Mr. Cegelka, Mr. Lorenzo, Mr. Diehl, Mr. Janone
5 No – Mayor Holeman, Mr. Glass, Ms. Feola, Ms. Byfield, Ms. Palumbo

Mr. Cegelka elected as Vice-Chairman.

Nominations for Secretary
Motion to nominate Ms. Palumbo as Secretary made by Ms. Byfield, second by Ms. Feola
Votes: - All in favor
9 Yes Votes

Ms. Palumbo elected as Secretary.

APPROVAL OF RESOLUTION 2014-01 (Professionals Appointments) – Attachment A
Motion to table approval until 2014 fee schedules submitted made by Mr. Janone, second by Mr. Diehl until the 2014 fees are submitted by these Professionals. After discussion, and it was stated that the 2014 fees would be $145/hr for planner, $153/hr for engineer and attorney fees to remain the same.

The Motion was withdrawn by Mr. Janone, second by Mr. Lorenzo.

Motion to approve Resolution 2014-01 made by Mayor Holeman, second by Mr. Lorezo
Roll Call: All in favor.
Motion passes.

APPROVAL OF RESOLUTION 2014-02 (Sunshine Notice) – Attachment B
Motion to approve made by Mr. Glass, second by Ms. Byfield.
Roll Call: All in favor.
Motion passes.

APPROVAL OF RESOLUTION 2014-03 (Variance Report) – Attachment C
Motion to approve made by Mr. Glass, second by Ms. Byfield.
Roll Call: All in favor.
Motion passes.

APPROVAL OF 2014 MEETING DATES – Attachment D
Motion to approve made by Ms. Byfield, second by Mayor Holeman.
Roll Call: All in favor.
Motion passes.

REGULAR MEETING

APPROVAL OF MINUTES
No minutes at this time

APPLICATIONS
None

CORRESPONDENCE
None

FORMATION OF POLICY COMMITTEE
Mr. Lorenzo discussed the need for a Policy Committee, made up of volunteers, to discuss planning board policies.
Motion to form a Policy Committee made by Mr. Lorenzo, second by Mr. Diehl
Roll Call:
Yes: Mayor Holeman, Mr. Glass, Mr. Cegelka, Ms. Byfield, Mr. Lorenzo, Mr. Diehl, Mr. Janone, Ms. Palumbo
Abstain: Ms. Feola
Motion passes.

The committee, made up of volunteers, will discuss planning board policy and issues such as duties and role of members and report into the Board.

Committee Members: Mr. Diehl, Mr. Lorenzo, Mr. Janone, Ms. Williams

OLD BUSINESS
The suggestion of compensating a recording secretary at the rate of $10/page was discussed and discarded because edits and amendments will create additional, undetermined cost.

Motion made to compensate a recording secretary at the rate of $90 per meeting for transcription with the stipulation that if there is no meeting, there is no payment, made by Mr. Diehl, second by Mr. Glass
Roll Call: All in favor.
Motion passes.

Motion made for the Secretary to contact the two applications to determine interest at $90 per meeting made by Mr. Janone, second by Mr. Diehl.
Roll Call: All in favor.
Motion passes.

NEW BUSINESS
Mr. Lorenzo outlined various anticipated expenses for 2014. The total 2014 budget is anticipated to be $4,000.

Motion to request a $4,000 budget for 2014 made by Mr. Lorenzo, second by Mr. Janone.
Roll Call: 5 Yes Votes: Mr. Glass, Mr. Cegelka, Mr. Lorenzo, Mr. Janone, Ms. Palumbo
4 No Votes: Mr. Holeman, Ms. Feola, Ms. Byfield, Mr. Diehl
Motion passes.

Ms. Palumbo will submit a letter to the Council requesting $4,000 for 2014 budget. Mr. Lorenzo will submit the anticipated itemized expenses to be submitted to Ms. Palumbo.

MOTION TO OPEN MEETING TO PUBLIC
Motion made by Mr. Cegelka, second by Mr. Lorenzo to open the meeting to the public.
All in favor.

Joan Cegelka, 23 Franklin Road, Victory Gardens questioned minutes and discussed the procedures for requesting money in a budget.

MOTION TO CLOSE MEETING TO PUBLIC
Motion made by Mr. Cegelka, second by Mr. Lorenzo to close the meeting to the public.
All in favor.

NEXT MEETING IS SCHEDULED FOR FEBRUARY 19, 2014

MOTION TO ADJOURN
Motion made by Ms. Byfield, second by Mr. Janone to adjourn.
All in favor. Meeting adjourned.

Respectfully submitted,

Barrie Krause
Planning Board Secretary

RESOLUTION 2014-01

RESOLUTION OF THE VICTORY GARDENS PLANNING BOARD AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR PROFESSIONAL LEGAL, ENGINEERING AND PLANNING SERVICES

WHEREAS there exists a need for legal services, engineering service and planning services to the Victory Garden Planning Board for the calendar year 2013; and

WHEREAS the Finance Officer has determined and certified in writing that the value of each of these services will not exceed $17,500; and

WHEREAS the anticipated term of these contracts is one (1) year; and

WHEREAS the professionals named below have completed and submitted the requisite Business Entity Disclosure Certifications which certify that the professionals have not made any reportable contributions to a political or candidate committee in the Borough in the previous one year, and that the contract will prohibit the professionals from making any reportable contributions through the term of the contract; and

WHEREAS Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) requires that a resolution authorizing the award of contract for "Professional Services" without completive bid must be publicly advertised.

NOW, THEREFORE BE IT RESOLVED by the Planning Board of the Borough of Victory Gardens, Morris County as follows:

1. That contracts be awarded to the following firms for the services specified:

   LEGAL: Eric Bernstein, Esq.
   Eric Bernstein & Associates, LLC

   ENGINEERING: Leon C. Hall, PE
   Anderson & Denzler Associates, Inc.

   PLANNER: P. David Zimmerman, PP
   P. David Zimmerman, PP/AICP

2. That the Chairman and Clerk/Secretary of the Board are herby authorized to execute the contracts with Eric Bernstein, Esq. Planning Board Attorney, Leon C. Hall, PE as Planning Board Engineer, and P. David Zimmerman, PP as Planning Board Planner effective January 1, 2014 through December 31, 2014.

3. That the Contracts, Business Entity Disclosure Certifications and Determinations of Value be placed on file with this resolution.

4. These appointments are awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law because the required services are performed by a person authorized by law to practice a recognized profession.

5. That the Clerk/Secretary to the Planning Board be directed to forward notice of this action for publication in the official newspaper in accordance with law, which notice shall provide that the contract awarded and the resolution authorizing same are available for public inspection in the office of the Board.

Clerk's Certification

I, Barrie Palumbo, Clerk/Secretary to the Victory Gardens Planning Board, Morris County, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Board on January 15, 2014.

_____
Barrie Palumbo, Clerk/Secretary

VICTORY GARDENS PLANNING BOARD RESOLUTION #2014-02

WHEREAS the Legislature has adopted the Open Public Meetings Act, Chapter 231, P.L. 1975 which became effective on January 19, 1976, and

WHEREAS the Planning Board of the Borough of Victory Gardens being desirous of continuing to keep the public informed of its activities and to comply with the requirements of the aforesaid act:

NOW THEREFORE BE IT RESOLVED:

1. In accordance with Section 13 of the Act, the Planning Board of the Borough of Victory Gardens hereby announces that it shall hold its regularly scheduled monthly meetings at the Municipal Building at 337 South Salem Street at the dates and times as set forth on the schedule attached hereto and made a part hereof.
2. In accordance with Section 3 of the Act, the newspaper to which all notices required by the aforesaid Act are to be sent, shall be the official newspaper of the municipality, namely; the Daily Record.
3. The public place at which all notices shall be posted shall be the bulletin board situated in the Clerk's office of the Municipal Building.
4. Any person requesting a public body to mail to them copies of any regular meeting schedule or revision or any advance written notice of any regular, special or rescheduled meeting, in accordance with Section 14 of the aforesaid Act, shall be charged the sum of $5.00 for each and every notice to be mailed.

No notice shall be mailed to said person unless prepayment of the aforesaid charge has been received. Notwithstanding the foregoing, any notices requested by the news media shall be mailed to such media free of charge.

Barrie Palumbo, Clerk/Secretary

VICTORY GARDENS PLANNING BOARD RESOLUTION #2014-03

RESOLUTION OF THE PLANNING BOARD ACTING AS THE BOARD OF ADJUSTMENT PURSUANT TO N.J.S.A. 40:55D-70.1

WHEREAS, the Victory Gardens Borough Planning Board pursuant to local ordinance and the Municipal Land Use Law is a combined Board carrying out the functions of both a Planning Board and a Board of Adjustment; and

WHEREAS, the Victory Gardens Planning Board in carrying out its Board of Adjustment functions considered application and granted certain applications for variances from the strict application of the zoning law during the year 2013; and

WHEREAS, N.J.S.A. 40:55D-70.1 requires that the Board of Adjustment, at least once a year, shall review its decisions and report its findings on zoning ordinance provision which were the subject of variance request and provides recommendations for zoning ordinance amendment or revision, if any: and

WHEREAS, the attached report of variances granted by the Planning Board has been prepared and submitted by the Planning Board Secretary outlining various grants of variance applications in 2013; and

WHEREAS, the Planning Board has reviewed the matters contained in said report and is cognizant of its obligations to make recommendations regarding zoning ordinance provision changes based on variance applications; and

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Borough of Victory Gardens as follows:

1. No variances were granted by the Planning Board in 2013
2. The Board Secretary shall forthwith provide a certified true copy of this Resolution to the Borough Mayor and Council.

I certify that the within Resolution is a true copy of the Resolution adopted by the Victory Gardens Borough Planning Board on January 15, 2014

Barrie Palumbo, Clerk/Secretary

VICTORY GARDENS PLANNING BOARD

The following is a list of meeting dates for the Borough of Victory Gardens Planning Board for the year 2014. All meetings are scheduled for the third Wednesday of the month beginning at 7pm and held at the Municipal Building at 337 South Salem Street, Victory Gardens, NJ.

All dates are subject to change

January 15, 2014
February 19, 2014
March 19, 2014
April 16, 2014
May 21, 2014
June 18, 2014
July 16, 2014
August 20, 2014
September 17, 2014
October 15, 2014
November 19, 2014
December 17, 2014
January 21, 2015 (reorganization)