

Victory Gardens Planning Board Minutes
January 20, 2021

Diane Feola called the meeting to order.

Meeting started at 7:00 P.M.

Pledge of Allegiance to the Flag of our Country.

This meeting has been advertised in one newspaper, The Daily Record, in compliance with the New Jersey Open Meeting Act.

IN ATTENDANCE: Manuel Venero Mayor Dave Holeman Jim Glass
Diane Feola Harry Bami Anne Davis
Kevin Lewthwaite

Attorney: Eric Bernstein, ESQ

ABSENT: John Cegelka

REORGANIZATION: Swearing in of new members: Attorney Eric Bernstein asked for the new members, Kevin Lewthwaite, Manuel Venero and Harry Bami to repeat after him the Oath.

Nomination of Chairman.

Kevin nominated Diane Feola for the position of Chairman. Diane declined the nomination.

Mayor Dave Holman nominated Harry Bami for the position of Chairman. Diane Feola seconded it. There were no other nominations. Eric called for all to approve the closing of nominations with a signify of saying aye. All board members voted aye.

A roll call vote was taken to approve Harry Bami for the positions as the Chairman of this Board.

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|--------------------|---------|
| Mayor Dave Holeman | Yes |
| Manuel Venero | Yes |
| Jim Glass | Yes |
| Diane Feola | Yes |
| John Cegelka | Absent |
| Harry Bami | Abstain |
| Anne Davis | Yes |
| Kevin Lewthwaite | Yes |

Nomination was approved with six yes'.

Nomination of a Vice Chairman.

Nomination of Vice-Chairman – Mayor Dave Holeman made the motion to nominate Mani Venero as the Vice-Chairman. Jim G seconded it. There were no other nominations for this position.

A roll call vote was taken:

| | |
|--------------------|---------|
| Mayor Dave Holeman | Yes |
| Manuel Venero | Abstain |
| Jim Glass | Yes |
| Diane Feola | Yes |
| John Cegelka | Absent |
| Harry Bami | Yes |
| Anne Davis | Yes |
| Kevin Lewthwaite | Yes |

Nomination was approved with six yes'.

Nomination of Secretary – Diane Feola made the motion to nominate Kevin Lewthwaite as the Secretary. Mayor Dave Holeman seconded it.

A roll call vote was taken:

| | |
|--------------------|--------|
| Manuel Venero | Yes |
| Mayor Dave Holeman | Yes |
| Jim Glass | Yes |
| Diane Feola | Yes |
| John Cegelka | Absent |
| Harry Bami | Yes |
| Anne Davis | Yes |
| Kevin Lewthwaite | Yes |

Nomination was approved with seven yes'.

Approval of Resolution 2021-01 (Professional Appointments)

Kevin Lewthwaite made the motion to approve this resolution. Diane Feola seconded it.

A roll call vote was taken:

| | |
|--------------------|--------|
| Manuel Venero | Yes |
| Mayor Dave Holeman | Yes |
| Jim Glass | Yes |
| Diane Feola | Yes |
| John Cegelka | Absent |
| Harry Bami | Yes |
| Anne Davis | Yes |
| Kevin Lewthwaite | Yes |

Approval of Resolution 2021-02 (Sunshine Notice)

Kevin Lewthwaite made the motion to approve this resolution. Diane Feola seconded it.

A roll call vote was taken:

| | |
|--------------------|--------|
| Manuel Venero | Yes |
| Mayor Dave Holeman | Yes |
| Jim Glass | Yes |
| Diane Feola | Yes |
| John Cegelka | Absent |
| Harry Bami | Yes |
| Anne Davis | Yes |
| Kevin Lewthwaite | Yes |

Approval of Resolution 2021-03 (Variance Report)

Mayor Dave Holeman made the motion to approve this resolution. Kevin Lewthwaite seconded it.

A roll call vote was taken:

| | |
|--------------------|--------|
| Manuel Venero | Yes |
| Mayor Dave Holeman | Yes |
| Jim Glass | Yes |
| Diane Feola | Yes |
| John Cegelka | Absent |
| Harry Bami | Yes |
| Anne Davis | Yes |
| Kevin Lewthwaite | Yes |

Approval of 2021 meetings

Diane Feola stated that some of the dates for 2021 meetings are scheduled on the same day as a religious observation and holiday: Ash Wednesday, St. Patrick's Day and Yom Kippur. It was decided that if a meeting is required then may be cancelled due to the religious observation and or holiday, the meeting will be re-scheduled but must be advertised in the newspaper if such were to occur.

Kevin Lewthwaite made the motion to approve the 2021 meeting dates. Mayor Dave Holeman seconded it.

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|-----------------------------|--------------------|--------|
| A roll call vote was taken: | Manuel Venero | Yes |
| | Mayor Dave Holeman | Yes |
| | Jim Glass | Yes |
| | Diane Feola | Yes |
| | John Cegelka | Absent |
| | Harry Bami | Yes |
| | Anne Davis | Yes |
| | Kevin Lewthwaite | Yes |

Minutes from October 28, 2020

Mayor Dave Holeman made the motion to accept the minutes from October 28, 2020. Jim Glass seconded it.

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|-----------------------------|--------------------|-------------------------------------|
| A roll call vote was taken: | Manuel Venero | Abstain – was not a member of board |
| | Mayor Dave Holeman | Yes |
| | Jim Glass | Yes |
| | Diane Feola | Yes |
| | John Cegelka | Absent |
| | Harry Bami | Abstain – was not a member of board |
| | Anne Davis | Yes |
| | Kevin Lewthwaite | Abstain – was not a member of board |

APPLICATIONS: None

CORRESPONDENCES: None

BILLS: None

OLD BUSINESS: None

NEW BUSINESS: None

Kevin Lewthwaite made the motion open the meeting to the public. Mayor Dave Holeman seconded it. All in were in favor.

Valerie Williams asked Manuel Venero and Harry Bami how much experience they had with Land Use procedures? Mayor Dave Holeman informed her that the question is of individual information and she cannot ask individual's questions, she must address her questions to the entire Board. She then asked what Professionals were appointed with regards to the Resolution 2021-01? Mayor Dave Holeman stated what was on the Resolution: Legal representation – Eric Bernstein, ESQ from Eric Bernstein & Associates, LLC. Engineer – Leon Hall, PE from Anderson & Denzler Associates, Inc. Planner – Jessica Caldwell from J. Caldwell & Associates, LLC.

Valerie then asked if the Board was going to vote on how long a member of the public can speak and or ask questions. It was stated it will remain the same as in the past, five (5) minutes. If there were extenuating circumstances then it may be possible that the time would be extended. That extension of time will have to be voted upon by the Board. She asked who will be transcribing the minutes, Debbie Devery will be. Valerie asked if the Board oversaw the construction department, Kevin answered, no it does not oversee the construction department. She went on to say that she had a meeting with Kevin before the meeting regarding the stairs in front of her home. He stated that the steps are built into the Borough right of way. If someone were to take them out and rebuild them, they could not rebuild them into the Borough right of way. Kevin corrected something that Valerie had said about the right of way. He stated it is determined by the road width and other factors, this Board nor Zoning does not determine the right of way. There was some discussion in which two people were talking at the same time and difficult to decipher. She went on to discuss her situation with her stairs and Kevin tried to explain the right of way again. Kevin explained, he has read the file with regards to her steps but he cannot make any determination until he further investigates. He also stated the Board cannot speak about this until an application regarding this has been made and he is unaware of one at this time.

She asked him to tell her that no application, after all these years, has been made? He said he cannot speak of that and he would not speak of it. He did say as a Zoning Official, not being on the Planning Board, as the Zoning Official he would try and work with her to resolve the issue. Valerie then asked Kevin what classification he was. Kevin said he was a Class 2.

Mayor Dave Holeman made the motion to close the meeting to the public. Diane Feola seconded it. All were in favor.

Mayor Dave Holeman made the motion to adjourn the meeting. Diane Feola seconded it. All were in favor.

Typed by Debbie Devery

