

**DELRAN TOWNSHIIP
PLANNING BOARD
MUNICIPAL BUILDING
SPECIAL MEETING REORGANIZATION AGENDA
JANUARY 23, 2019 – 7:00 PM**

The agenda is subject to change without notice

OPEN PUBLIC MEETINGS ACT

I would like to call the Delran Township Planning Board meeting to order. All meetings of this Board are held in compliance with the provisions of the Open Public Meetings Act in a resolutions adopted by the Board's annual reorganization. Pursuant to the Board's resolution, public notice of this meeting has been made in the following manner:

Written notice filed with the Secretary of the Board, the Clerk of Delran Township and on the official bulletin board of the Township. Written notice has also been mailed to the official newspapers 10 days before the scheduled hearing. Written notice has also been mailed to all persons requesting a hearing before this Board.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mr. Macey, Mr. Chinnici, Mr. Reimel, Mr. Catrambone, Mr. Paris, Mr. Anagnostos, Mr. Morrow, Mr. Hejnas, Mr. Khinkis & Ms. Pomeranz.
Absent: Mr. Parento

ELECTION OF OFFICERS

Mr. Macey stated that the purpose of the meeting is for the reconsideration of nominations for the Planning Board Solicitor.

Mr. Catrambone mentioned that he had an opportunity to review the recording from the previous meeting. During that meeting Mr. Macey indicated that his firm has hired Mr. Gleaner. Mr. Catrambone asked Mr. Macey if he was going to recuse himself from tonight's proceedings.

Mr. Macey stated no, his firm has used fifty of sixty planning board solicitors and he doesn't know if Mr. Gleaner has even represented the firm in the last twelve months. He does not have a conflict.

Mr. Macey asked for nominations for the position of Planning Board Solicitor.

Mr. Chinnici nominated Robert Gleaner, Esq. seconded by Mr. Paris.

Mr. Morrow nominated Siciliano & Associates, seconded by Mr. Catrambone.

**DELRAN TOWNSHIP
PLANNING BOARD
MUNICIPAL BUILDING
SPECIAL MEETING REORGANIZATION AGENDA
JANUARY 23, 2019 – 7:00 PM**

The agenda is subject to change without notice

Mr. Macey opened the floor for discussion. Mr. Macey stated that at the last meeting there appeared to be some questions as to Mr. Gleaner's experience and whether he meet the qualifications of the RFP. Mr. Macey stated that qualifications were read to him a number of times by Mr. Catrambone and he was at a little bit of a disadvantage being sworn as a member of the board that same night and not full access to the RFP as well as the responses from both individuals nominated tonight. Mr. Macey stated that he asked for a legal opinion from the Township Solicitor regarding Mr. Gleaner's qualifications and then asked Ms. Phillips for both the requirements, as well as the response to the qualifications. Mr. Macey stated that he believes he wasted the Township Solicitor's time by asking for an opinion as his determination was the same. Mr. Macey stated that the question was whether Mr. Gleaner meets the qualifications pertaining to five years of experience as a municipal, planning or zoning board attorney. Mr. Macey stated that it was questioned whether Mr. Gleaner's experience serving for two years and two months as the Solicitor for the Stratford Planning Board and one year as the Solicitor for the Voorhees Zoning Board met the qualifications; however once he read the qualifications it reads the Attorney should have at least five years of experience as a municipal, planning or zoning board attorney. When you look at Mr. Gleaner's qualifications in the RFP he does have two years as the solicitor for the Stratford Planning Board, one year with the Voorhees Zoning Board and four years and nine months as the Solicitor for Stratford Township and later served for one year as the solicitor for the Borough of Haddon Heights. Mr. Macey stated that he counts a total of eight years and three months which is well beyond the qualifications. On top of those positions Mr. Gleaner also served for five years and four months as a member of the Delran Zoning Board. He has been the Solicitor for the Crescent Fire District, Municipal Judge in Audubon and Merchantville, Prosecutor for Audubon, Stratford and Haddon Township. Mr. Macey wanted to emphasize to the board that Mr. Gleaner is clearly qualified in his opinion. As it speaks to the Township Solicitor's opinion what he just said is sort of redundant. The Township Solicitor took a look at this particular requirement and his determination was that Mr. Gleaner had 7.9 years of experience.

Mr. Catrambone stated that the opinion goes on to discuss that the practice wasn't land use. Mr. Catrambone stated serving as a member or Chairman of the Delran Township doesn't come into play as this is about an attorney.

Mr. Macey stated that with all due respect he was only further suggesting Mr. Gleaner's experience as it relates to our RFP. He clearly meets the five years of experience

Mr. Catrambone asked if Mr. Gleaner could to clarify his experience with land use and what experience he has with COAH.

**DELRAN TOWNSHIP
PLANNING BOARD
MUNICIPAL BUILDING
SPECIAL MEETING REORGANIZATION AGENDA
JANUARY 23, 2019 – 7:00 PM**

The agenda is subject to change without notice

Mr. Gleaner stated that one of things that Mr. Macey didn't share was the numerous boards that he appeared in front for zoning and land use issues. Those issues include sub-divisions and variance. He also included in the cover letter that he represented Comcast Metro Phone for a number of years when the cell phone towers were a hot issue. He even took a matter up to the NJ Supreme Court on appeal and has a published opinion in regards to the issues involved with the cell phone towers. Mr. Gleaner stated that on top of his experience representing numerous boards he has experience in representing various private companies including Mr. Macey's company; however he has not represented the company in over two years. Mr. Gleaner stated that as far as COAH is concerned he knows the general issues but has not been involved in litigation. As an attorney with over thirty six years of experience, to learn the basics of COAH would not be difficult.

Mr. Catrambone stated that another issue that can't be overlooked is that Mr. Gleaner's rate is more expensive than the proposal submitted by Mr. Siciliano.

Mr. Gleaner stated that he believed that he matched the rate and if he didn't he is happy to match that rate.

Mr. Catrambone stated that Mr. Gleaner's RFP listed charges to the Township at a rate of \$175.00 per hour and Mr. Siciliano proposed \$150.00 per hour for Township charges and \$175.00 for charges to the applicant.

Mr. Paris asked where Mr. Catrambone got that information.

Mr. Catrambone stated that it was on the spread sheet.

Mr. Gleaner stated that he would be happy to match those numbers.

Mr. Macey thanked the board for allowing Mr. Gleaner to speak tonight to make that clarification.

Mr. Morrow stated that he has been a member of this board for ten plus years and his track record is 99% attendance. In that time he, along with prior chairs, has always had high praise for Siciliano & Associates. During his years Mr. Siciliano has worked through the two major developments in this Township. One that was included in the COAH litigation. He also worked well with any new businesses in town. If something isn't broke why fix it. Mr. Siciliano has been a tremendous solicitor for this board and as one of the veterans on this

**DELRAN TOWNSHIP
PLANNING BOARD
MUNICIPAL BUILDING
SPECIAL MEETING REORGANIZATION AGENDA
JANUARY 23, 2019 – 7:00 PM**

The agenda is subject to change without notice

board Mr. Morrow feels that Mr. Siciliano should stay with no disrespect to Mr. Gleaner or the new board members.

Mr. Gleaner stated that he appreciates Mr. Morrow's comments and if he is appointed he hopes to establish the fine record that Mr. Siciliano has had.

Mr. Macey asked if there are any additional questions.

Mr. Khinkis stated that with no disrespect, he wanted to ask some of the board members why they were voting for Mr. Gleaner. He has seen a pretty drastic change since reorg and this doesn't sit right with me because there were no complaints against Mr. Siciliano in the ten plus years that he served as Solicitor. Since the new members arrived he feels there are blind votes going on and he would like to get a consensus on why the member are voting for Mr. Gleaner and what experience they have has with him.

Mr. Macey stated that he doesn't feel there is a necessary answer to that question. This is a process whereby an RFP solicits qualified individuals for the position and it is this board's ability to make that decision. He does not think they have to justify to each other although we have two candidates that meet the qualifications for appointment. Change is difficult. Mr. Macey stated that he has served on this board and on Council for thirteen years. Of his thirteen year on Council, he served eight years on the Planning Board. The attorney at that time was the late, great Buddy Bozarth who he absolutely adored and he passed after he left Council. During his time, there were a number of changes from year to year.

Mr. Khinkis stated that he is not opposed to change. The individuals voting for Mr. Siciliano can justify why they are voting for him and the individuals voting for Mr. Gleaner cannot justify why.

Mr. Macey stated that he can.

Mr. Khinkis stated that he knows Mr. Macey can justify why but he was asking the other board members.

Mr. Macey stated that he know that they need to give him an answer but he would say that he meets the qualifications from his perspective and feels that he would be a fine solicitor for this board and that is why he has his vote and consideration.

Mr. Anagnostos stated that he is a retired educator with over forty years of experience and he has seen it all. He has seen the old and the new and change is good at times. You need

**DELRAN TOWNSHIP
PLANNING BOARD
MUNICIPAL BUILDING
SPECIAL MEETING REORGANIZATION AGENDA
JANUARY 23, 2019 – 7:00 PM**

The agenda is subject to change without notice

to thrust into changes here and there. You need new, fresh ideas and new ideas. He hopes that answers why Mr. Gleaner has his vote.

Mr. Khinkis stated that he appreciates the input.

Mr. Chinnici stated that he knew Mr. Gleaner back when their sons played baseball together in high school. He spent time talking around the baseball field, he is a great guy who will serve this board well as solicitor.

Mr. Paris stated that he has known Mr. Gleaner longer than anyone and at the same time his father was a judge and a very well-known judge. He knows Mr. Gleaner & his practice for a long time and is very qualified and capable and he would like to see some changes.

Mr. Catrambone stated that his support for Mr. Siciliano is based on his ten years of experience in the Township, himself and his firm being able to provide support during the extended COAH litigation and the support they provided to both the Planning Board and the Township as lead in that negotiations. Their input and expertise in the COAH issues was extraordinary and that is why he is supporting Siciliano & Associates.

Mr. Hejnas stated that he feels they were served well by Mr. Siciliano but he does believe change is a good thing and keeps us on our edge moving forward. Ten years is a long and maybe it's time for some new blood.

There was no additional discussion.

Votes in favor of the appointment of Robert Gleaner as Planning Board Solicitor were as follows:

Ayes: Mr. Chinnici, Mr. Reimel, Mr. Paris, Mr. Anagnostos, Mr. Hejnas, Mr. Macey

Nays: Mr. Catrambone, Mr. Morrow, Mr. Khinkis

ABSENT: Mr. Parento

OPEN & CLOSE TO PUBLIC

Mr. Gleaner thanked the Board and pledged that they will be happy with his work and if they are not, he expects to hear from them. No other members of the public were present.

**DELRAN TOWNSHIIP
PLANNING BOARD
MUNICIPAL BUILDING
SPECIAL MEETING REORGANIZATION AGENDA
JANUARY 23, 2019 – 7:00 PM**
The agenda is subject to change without notice

ADJOURNMENT

Mr. Morrow made a motion to adjourn the meeting at 7:25, seconded by Mr. Paris. The results are as follows:

Motion carried with a unanimous voice vote.

Respectfully submitted,

Kathy Phillips, Secretary
Planning Board