

**UPPER TOWNSHIP PLANNING BOARD
SPECIAL MEETING MINUTES
FEBRUARY 5, 2014**

A special meeting of the Upper Township Planning Board was held at the Township Hall, 2100 Tuckahoe Road, Petersburg, New Jersey at 5:30 p.m. The purpose of this meeting was to discuss the Professional Service Contract of Dean Marcolongo, Attorney at Law.

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Present: Daniel Bready, Georgette Costello, Joseph Harney, James Kelly, Ted Kingston, Hobart Young and Vice Chair Janet McCrosson.

Absent: William Brown, Anthony Inserra, and Renee Scrocca.

Also in attendance were Dean Marcolongo, Board Solicitor and Shelley Lea, Board Secretary and Zoning Officer.

Solicitor Marcolongo stated that the Township Committee is considering a proposal to create a consolidated land use board. Specifically the zoning board would be disbanded and the Planning Board would become the only board and have the duties of both boards. This is a reported cost cutting measure as based upon the limited number of applications that have come before the boards over the last two years while we have been in an economic slump. It is asserted that the combining of the boards would save approximately \$15,000 per year.

Solicitor Marcolongo stated that he appeared before the Township Committee last week and set forth his belief that this would not be a good idea for the citizens of Upper Township. Specifically, he noted that it would consolidate power to the Mayor since the Mayor appoints the members of the Planning Board. It would also consolidate decision making by one specific board, reduce community input and involvement. The planning board would be required to hear more applications and endure longer meetings making it harder to find volunteers for the planning board. It combines the distinct duties of the two boards and may result in delays for developers if hearings are held over one or two months. Basically services are reduced to the community.

In regards to cost cutting, he informed Township Committee that he is strongly opposed to the proposal and that he is willing to make certain accommodations in his pay structure in order to keep the two separate boards. Township Committee requested the Planning Boards input on this issue. He receives \$11,000 per board and is an employee of the Township. The two proposed changes included reducing his pay to \$9,000 for each

board which results in \$4,000 savings. In addition he would change his status to an independent contractor which he understands would be a savings of \$1,814 in matching funds the Township has to pay. This is a total of \$5,814 of savings.

Applicants are required to pay application and escrow fees when making an application. Application fees are intended to defray the cost of the boards operation. The Upper Township fee schedule has not changed for 11 years and they are the lowest in the area. In comparison to other towns our application and escrow fees are woefully short. He provided the fees utilized by other municipalities to compare. Regulations allow Mr. Dietrich and himself to bill for their time at the meetings.

Reducing his salary, changing to an independent contractor, increasing application fees by \$100 or more and billing for the meetings would exceed the \$15,000 that would be saved by combining the boards.

The Township Committee would like to know if the Board is receptive to the proposal by Mr. Marcolongo. They also want to know if in the event the boards are combined whether the Planning Board is receptive to the idea of taking on those additional duties.

Solicitor Marcolongo asked if the Board would like to go to closed session to discuss the matters. The Board did not want to go into closed session and stayed on the record.

Mr. Young asked if Solicitor Marcolongo charged for phone calls. He responded that he does not charge unless he has to do legal research.

There was discussion the billing process, escrow and what was included as part of the \$15,000 savings. Solicitor Marcolongo informed the Board members that the fees would be discussed at length at another meeting.

Mr. Harney stated there are a lot of volunteers available for both boards. He would not object to the Board Solicitor volunteering to reduce his fees and taking himself off the township payroll. He thinks there is a need for a recommendation by Township Committee to have a study done to evaluate the fees since they have not changed since 2003.

Solicitor Marcolongo stated the Township Committee and Planning Board have the authority to look at the fees. He will now begin billing the applicants for his time at the meetings.

Mr. Kingston commented that if \$15,000 was going to balance the Township budget it would be an idea worth considering. However the Township budget will be one million dollars short this year. He stated that \$15,000 is trivial in the overall picture.

Mr. Kelly disagrees with Dean Marcolongo taking a pay cut. He feels the fees should be reviewed every two to four years. He believes there is a need for two boards as long as there are members willing to volunteer their time.

Mr. Bready is not sure this will save money and that the board should not rush into anything. Solicitor Marcolongo responded that Township Committee wanted to move on this fairly quickly since they are in their budget process.

Mr. Young stated he was originally in favor of combining the boards until he started looking at the actual numbers. If it is a real savings it is defiantly viable. If it's not a savings and the planning board would have extra meetings during the year we would still have to pay the professionals anyway. The fees could be raised to affect the individual person and not the taxpayers.

Ms. McCrosson agrees with Mr. Harney that this is not a political board and politics should not have a part in any decision. She stated that Solicitor Marcolongo cares enough about both boards that he is willing to take a pay cut. She does not believe that as a planning board we are incapable of taking on the responsibilities of the zoning board, however it may be difficult for the board to make the regulations that the Township has to abide by and then the same board has to decide which of those rules can be bent and by whom. She believes it is healthier to keep the boards separate.

Mrs. Costello feels the boards should remain separate since there are a multitude of talents amongst both board. Why would we narrow our scope and deny people who want to exercise their civic duties to be able to volunteer for things.

A motion was made by Ms. McCrosson and seconded by Mr. Kingston to vote in favor of the proposal by Dean Marcolongo for modifications to his salary. In favor: Bready, Costello, Harney, Kelly, Kingston, Young, McCrosson.

A motion was made by Ms. McCrosson and seconded by Mr. Young to authorize the chairperson to enter into a new contract with Dean Marcolongo making him an independent contractor rather than an employee of the township. In favor: Bready, Costello, Harney, Kelly, Kingston, Young, McCrosson.

Solicitor Marcolongo asked for a consensus as to how the board feels about taking on the additional duties.

MS. McCROSSON – Separate
MR. YOUNG – Separate

MR. KELLY – separate
MRS. COSTELLO – Separate.

MR. HARNEY – He feels the boards should be separate since not much money would be saved ultimately.

MR. KINGSTON – He feels the boards should be separate for the purpose of stability and integrity of the process.

A motion was made by Mr. Harney and seconded by Mr. Kelly to authorize the chairperson to immediately submit a letter to the Township Committee setting forth the boards position that they are in favor of the proposal by Dean Marcolongo and that the board is in favor of making him an independent contractor and are disinclined to take on the additional duties of the zoning board at this time. In favor: Bready, Costello, Harney, Kelly, Kingston, Young, McCrosson.

ADJOURNMENT

A motion to adjourn the meeting was made by Mr. Harney and seconded by Mr. Young. The meeting was adjourned at 6:49 p.m.

Submitted by,

Shelley Lea