#### 7:30 pm—CONFERENCE MEETING

The informal portion of the Willingboro Township Zoning Board Meeting of February 5,2020 was held in the Council Conference Room, 1 Rev. Dr. M. L. King Jr. Drive, Willingboro , New Jersey.

Matthew Wieliczko	Alright, you're at 7:30 we can start the informal. If you would like we do have a quorum. So we can do that. We have a quorum with four you have on the dash and once we get to the formal session we will swear in Mr. Stinson and bring him up.
Sarah Wooding	Yeap of course that is what you are supposed to do next. You know what I'll shut up
Matthew Wieliczko	So at this point Madam Secretary We can call this meeting to order and you know what we will swear you in during the informal session. So at this point Madam Secretary at 7:30 if we can call the meeting to order.
Call to Order	
Flag Salute	
Compliance Statement	The required statement was read in Compliance with the Open Public Meeting Act this is to announce that adequate notice of this meeting was provided in the following manner.
	On January 14, 2020 advance written notice of this meeting was posted on the bulletin board in the Municipal Complex.
	On January 14, 2020, advance written notice of this meeting was mailed to the Burlington County Times, the Trenton Times, the Philadelphia Inquirer and the Courier Post.

The secretary is directed to enter into the minutes of this meeting this public announcement.

Matthew WieliczkoThank you, well done that is our new board secretary, Ms.Reyan Frank. So we welcome her and thank her for helping and<br/>assisting us, and we also note Ms. Wooding is here this evening<br/>to be a steady hand for us so we appreciate that as well.<br/>Madam Secretary if we can do a roll call by name.

Roll Call:		<u>Present</u>	<u>Absent</u>
	Ms. Thelma Allen Ms. Sandra Coleman Mr. Louis A. Finney, Sr. Ms. Josselyne Jackson Ms. Gerri Johnson Mrs. Wilma Stephenson	x x x x x	X
	Mr. Michael Stinson	X	

Matthew Wieliczko It is important that we note that Mr. Stinson is here this evening and I understand that we have to be swear Mr. Stinson. So why don't we do that and we can ask him to come forward and take the role. But first why don't we do the roll call for the alternates as well.

#### Alternates:

Mr. Darold Coleman (Alt #1) Alt. # 2 Vacant

> At this point Madam Chair, Madam Secretary, if you would allow me I ask Mr. Stinson to come forward. Did you bring all your stuff up with you because I am going to sit you right there.

Х

Mr. Stinson if you would repeat after me with your right hand up. I, Mr. Stinson do solemnly swear or affirmed that I will support the Constitution of the United States and the Constitution of the States of New Jersey, that I will bear Truth, Faith, and Allegiance, to the same and to the Governments, established in the United States, and in this State under the

Authority of the people that I will faithfully, and partially, and<br/>justly, perform the duties of the office of the Zoning Board<br/>Member in Willingboro Township according to the best of my<br/>ability so help me God.<br/>Great congratulations we can put you right up there.Matthew WieliczkoGreat also it is noted Madam Secretary that all your<br/>professionals are present.

Professionals:	Present	<u>Absent</u>
Bd. Attorney- Zeller & Wieliczko, LLP		
Matthew Wieliczko, Esq.	<u> </u>	
Bd. Engineer- Environmental Resolution Inc.*		
Bennett Matlack, P.E., C.M.E		
Substitute Ed D'Armiento	<u> </u>	
Willingboro Inspections Representative (s)		
		X
Board Secretary – Reyan Frank	<u> </u>	

Matthew Wieliczko This evening everyone you can take a look at your agenda hopefully you have received it. You have old business which is your resolutions that you ask to carry until you had the ability to review the RFQ responses for the appointment for your Zoning Board Solicitor and also the appointment for your Zoning Board Engineer. And there was also the discussion for meeting time change. Currently your informal session start at 7:30 pm and then your formal meeting follows that. I know there were some discussion about potentially moving of that to an earlier time to make it more convenient for the parties.

So you are informal session now.

Does anyone have any questions with regards to the anticipated items for your agenda in the formal session? And then when you get to your formal session you can have your discussion for the times and the resolution for the professionals. Anybody has any questions about the agenda items?

	Alright given that, then there is no question on the agenda items in the informal session, Madam Chair if you can just ask for a motion to close the informal session.
Madam Chair	Ok, ask for a motion to close the informal session.
Matthew Weiliczko	Ok, is there a second on that motion,
Mr. Finney	I second that
Matthew Weiliczko	All in favor say aye. Everyone is in favor.
	Ok, Madam Secretary, you can note a unanimous vote to close the informal session.
	Therefore, we will move on to the formal session.
	Ok we are right back to you now. We are right back to the formal meeting at this point. If you could again call the meeting back to order
Call to Order	
Flag Salute	
Compliance Statement	The required statement was read in Compliance with the Open Public Meeting Act this is to announce that adequate notice of this meeting was provided in the following manner.
	On January 14, 2020 advance written notice of this meeting was posted on the bulletin board in the Municipal Complex.
	On January 14, 2020, advance written notice of this meeting was mailed to the Burlington County Times, the Trenton Times, the Philadelphia Inquirer and the Courier Post.
	On January 14, 2020, advance written notice of this meeting was filed with the Township Clerk.

The secretary is directed to enter into the minutes of this meeting this public announcement.

Matthew Wieliczko Madam Secretary, I know we did it at informal and I didn't see any body come and go but just for purpose of our record can we do the roll call once again. Oh, are we recording? Ok, great, great.

Roll Call:		<u>Present</u>	<u>Absent</u>
	Ms. Thelma Allen		<u> </u>
	Ms. Sandra Coleman	<u>    X      </u>	
	Mr. Louis A. Finney, Sr.	X	
	Ms. Josselyne Jackson	X	
	Ms. Gerri Johnson	X	
	Mrs. Wilma Stephenson	X	
	Mr. Michael Stinson	X	
Alternates:			
	Mr. Darold Coleman (Alt #1)	X	
	Alt. # 2 Vacant		

Matthew Wieliczko Ok we have six members we have a quorum, we have the ability to open our meeting and take action.

Professionals:	Present	<u>Absent</u>
Bd. Attorney- Zeller & Wieliczko, LLP		
Matthew Wieliczko, Esq.	<u> </u>	
Bd. Engineer- Environmental Resolution Inc.*		
Bennett Matlack, P.E., C.M.E		
Substitute Ed D'Armiento	<u> </u>	
Willingboro Inspections Representative (s)		
		<u> </u>
Board Secretary – Reyan Frank	<u> </u>	

Matthew Wieliczko	Alright, at this point you have your old business items with regards to Resolution No 2020-2 for the appointing the Zoning Board Solicitor and Resolution No 2020-3 with regards to appointing of the Zoning Board Engineer. Has everyone had an opportunity to get the RFQ responses and review them, and feels comfortable in going forward with a vote? Yes, ok, ok!
Madam Chair	Who would like to start first? Who would you like to have as your Board Solicitor? We only had one submission. So do I have a motion to approve, appoint Zeller & Wieliczko as our Solicitor?
Matthew Wieliczko	OK, so Madam Secretary this is a motion by Mrs. Stephenson, Second by Mr. Finney, and there should be a roll call of the names just like you did for attendance. Take each person and note yes or no.

#### Approval of Resolution No 2020-2

	Motion	Second	Yes	No
Ms. Thelma Allen				
Ms. Sandra Coleman			X	
Mr. Louis Finney		X	X	
Ms. Josselyne Jackson			X	
Ms. Gerri Johnson			X	
Mrs. Wilma Stephenson	X		X	
Mr. Michael Stinson			X	
Alternates:				
Mr. Darold Coleman (Alt. #1)				
Alt. #2 Vacant				

Matthew Wieliczko	I want to thank everybody very much. I have been doing work with this
	Board for a long time and I have great respect for the Board and the
	Township. And it is a Citizen. Thank you very much, I appreciate it.
Madam Chair	Congratulation Matt, we will have you here a bit longer, and you will

Matthew Wieliczko Ah you guys are easy to deal with. Thank you very much, I appreciate it.

have to deal with us a little bit longer.

Madam Chair	Now we will have the Board Engineer.
Matthew Wieliczko	Ah, your Board Engineer at this point you should entertain as the chair, a motion on the appointment of a Board Engineer.
Madam Chair	Can I have a motion to appoint of a Board Engineer. We have CME as our Board Engineer. That's it so, can I have a motion to appoint CME
Matthew Wieliczko Madam Secretary	That is your current Engineer. So Madam Secretary that is a motion by Finney second by Mrs. Stephenson. Now we will do the same thing with a roll call. Ms. Sandra Coleman?
Ms. Sandra Coleman	We just had one request right? Ok, yes

#### Approval of Resolution No 2020-3

	Motion	Second	Yes	No
Ms. Thelma Allen Ms. Sandra Coleman Mr. Louis Finney Ms. Josselyne Jackson Ms. Gerri Johnson	X		X X X X	 
Mrs. Wilma Stephenson Mr. Michael Stinson		X	X X	
Alternates: Mr. Darold Coleman (Alt. #1)				
Alt. #2 Vacant				

Matthew Wieliczko Great,

Madam Chair	ok, so congratulations.
Zoning Board Engineer	On behalf of the firm, I want to say thank you, and Ben apologizes for not making it tonight.
Madam Chair	Thank you
Matthew Wieliczko	Ok, now your times, everybody is busy, you talked about it last time. Everybody is coming and going.
Madam Chair	Well I see everybody trickling in. My suggestion
Matthew Wieliczko	Alright let's make it. It should be noted that Mr. Coleman is here. How are you sir? So Mr. Coleman have arrived and the meeting minutes should reflect that. So we appreciate that he is here.
Matthew Wieliczko	Madam Chair you recall that they were some decision with regards to the potential meeting time change. Everyone got a chance to meet each other last month which was nice and kind of discuss what everybody demands are professionally and personally.
	At this point if you open up the floor for a discussion with the Board Members, maybe we can come to a resolution maybe you don't?
Madam Chair	So can I have some, let's see all of you.
Matthew Wieliczko	Does anybody have any suggestions?
	So you got couple options. One you keep it as it is, for some discussions, for some individuals that indicated that maybe they wanted to move it a little bit earlier. I think Mrs. Stephenson,
Mrs. Stephenson	I had wanted to move it a little bit earlier
Matthew Wieliczko	I think Ms. Stephenson, Say listen I want to plan and keep it the way it was, but I understand if

	am the minority I am the only person, then we go from there.
Mr. Coleman	Well I was coming from basketball, so 7:30 is great for me
Madam Chair	I know myself I would prefer to leave it the way it is, because I work, and my time I can't always be. At first I wanted 7:00 but sometimes that can be a little difficult.
Mr. Coleman	Well on days that we have bigger agenda is it possible to do it earlier.
Matthew Wieliczko	Well it's not because, what happens our secretary, like last month we published for the entire year. We have to do a notice under the open public meeting act when our meetings are going to be and when the time is.
	Worst case scenario, people show up when we move the time and they think that, at times they may accuse you of purposely changing the times of the meetings so they can't be heard.
	So there is a consistent time schedule that you don't have to worry about scheduling special meeting at a certain time. Right now it is and the resolution you prove at your re-organizational meeting was the 7:30 informal, with formal to follow and then you discuss it. And even tonight you can discuss it, if you come to a resolution great. Tonight if you don't then it is certain an item we can discuss. I know you had some discussion of trying to going earlier is it possible 6:30?
Madam Chair	No, not a lot earlier, just 7:00 o'clock
Matthew Wieliczko	Ok, anybody else, and 7:00 o'clock is just easier, earlier in the night. Sometimes you have rules of order, and we haven't had real big applications. But in the past we have some applications that take you later into the evening. So, we have not had any in the last couple of years.
	So there is a proposal for 7:00 o'clock.

Mr. Finney	There isn't much difference between 7:00 to 7:30 pm
	The question come is, is people that want a later time, than 7:00 o'clock will have the same impact at 7:30.
Madam Chair	But there are times depending with my work if I have to stay later it may not be possible for me to be here at 7:00, you know. What will you prefer?
Mr. Finney	Well I am flexible.
Matthew Wieliczko	Nobody has to feel compel to be on the spot. So for instance everybody doesn't have to weigh in on it. Everybody can just be like, oh I want to keep it the same. And it should be that way.
Mrs. Stephenson	Well I want to keep it the same. However, I will go along with the majority. I teach at Bordentown, Mercy College for Conjunction with the Juvenile Justice System. My class is over at 7:30. However, I could leave there or have the class stop at 7:00. I couldn't have the class stop at 6:30. The class is from 5:00-7:30. However, I will just come late, but I will be here but just late. What every the majority says, I will go along with it.
Madam Chair	ok, that's Wilma. Mr. Stinson what is your take on this?
Mr. Stinson	Preference! I have none. I get off at work 5:00pm. I am five minutes away.
Madam Chair	Lucky you, good for you
Matthew Wieliczko	Who wants to meet at 5:30? Good for him. Do you have a preference?
Ms. Johnson	I am retired so I am flexible. But, my suggestion is to go with 7:30, because enough people have an issue with 7:00 so I would prefer 7:30 just so we can have everybody here with us.

Madam Chair	That's true, I don't want to be stressing about getting here on time or being late. I am from Wesley Wilma, and I don't like to be late for anything. So!
Matthew Wieliczko	And if everybody changes and everything, hopefully you would have the ability to communicate with one another and hopefully if there is ever a time you would want to move it you can talk to each other about it.
Mr. Finney	I think we should keep it 7:30. The time should not be stressful on anyone.
Madam Chair	If you have a baseball game or what have you going on. (in audible)
Mr. Darold Coleman	Right, everything is usually from 6:00-8:00 with me so, 7:30 works out good. I can leave from anywhere to be here.
Madam Chair	Can we take a vote on it, are you sure now.
Matthew Wieliczko	We don't normally have to take a vote on it. Like right now this is just a discussion point for you. So you have already voted and adopted a resolution at your re-organizational meeting setting the time and the dates. So you set your times already by resolution, it's just an item that came up at the re-org, and we wanted to discuss it again. No actions needs to be taken other than just to note that you have discuss it. We want to be responsive to everyone concerns on that issue And to go back and forth and it's an issue that in going forward if you ever want to address it again, anybody can address it and just ask it to be place on the agenda. The Chair approves it on the agenda through the secretary and you in good shape. Ok!
Matthew Wieliczko	There were some questions the last time from the new members about getting information with regards to being on the Zoning Board the duties and responsibilities? Did you get the email and the information that was provided by the Planner at CME Chris Dochney?
	Alright!

Madam Chair	We just got the package, but it was about the bids and stuff.
Mr. Darold Coleman	No
Matthew Weiliczko	Ok I am going to distract Ms. Wooding if I could.
Sarah Wooding	I am sorry.
Matthew Weiliczko	No don't be at all! Ms. Wooding the last time we were here, some of the new members had asked about, potentially getting some material just explaining about their roles, zoning board members and what it is.
Sarah Wooding	All of them were mailed. That material, it came from CME.
Mrs. Stephenson	That wasn't what the material was, that is what the cover letter said but, that is not it.
Sarah Wooding	Because, in that material it talked about the Zoning Board and the Planning Board
Matthew Weiliczko	That part, that is the part you were talking about. So they didn't get it. So it is in the cover letter but they just didn't get that piece.
Sarah Wooding	Well I sent it, what I thought was the piece.
Matthew Weiliczko	It's what Chris Dochney sent. He email over. Yeap, they did not get that.
Sarah Wooding	Well we will find exactly what you are looking for and we will be sure that you get that.
Matthew Weiliczko	There was an email send from the planner that kind of give a brief over view about what the zoning board is, how it acts. Right along the lines of what you were asking.

Matthew Weiliczko	And it is a good push off point and then you are also, required to take the different training you have to go to, and signed up. But this will be a good push off point to start the year. And you can look at it. You also have all my email addresses.
	Right so before an application comes before you, you are not supposed to talk (we don't have any formal application right now). But, you are not supposed to talk to each other about the applications. You are not supposed to have any preconceived notions about the application. You do have the ability to reach out to the secretary, with regard to the applications, what materials were submitted, and you have the ability to reach out to your professionals. Because your professionals on an application, (I don't) but the planner and the engineer, they issue review letters. Those review letters come to you.
	That's your experts advice to you about what they think on the, (not what they think) but, the analysis of the application. What your Ordinances say, relief that they are seeking. What the balancing testing are and also what they would like to hear sometimes at the hearing. They want to hear certain testimonies about certain things. We would want them to agree on certain conditions of approval if it did get approved.
	Then you look at those review letters before the application. Before the hearing, so that you would have received the application packet, you would get your review letters from your own professionals and then you are in the position that when you come in, ok then you hear the testimony. Now you hear the evidence that gets put on. And then you will be asked to make a determination, you will be asked to make a vote tonight.
	And then they will be motions to approve, motion to deny. And that when motions are made, and the approvals and denials they are based on the facts that are in the review letters.
	It can't be based upon, I don't like this particular bank, I don't like signs,

or I don't like this. It has to be based upon the Municipal land use law in

	your Ordinances in the State of New Jersey, because one of the arguments that can be use against zoning boards is that they acted in an arbitrarily and capricious fashion. That they make decision that isn't based on the law. It's just because they don't like me, they don't like my product, they don't like doggy day cares. They think there is too many day cares, whatever it is going to be.
	So you really want to rely upon the professional expertise that you have and that you get. And you all have my card and my information so you can always email me, or call me and just say that I got a question about this application, and I will call and try and answer your questions.
Sarah Wooding	I think you touch on it, I am not sure but, there is going to be a mandatory course on Land Use Law, and as soon as we find out who is giving it we will let you all know.
Madam Chair	That is a good course to take.
Sarah Wooding	Awe for CME, did you all do that last year, or the year before?
Substitute Ed D'Armiento	I am unaware, I can find out.
Sarah Wooding	Nonetheless, we will find out and the new secretary will ensure that you know
Mr. Darold Coleman	Is that only for the new people?
Sarah Wooding	No, actually it use to be just for the new people, but now it's advertise for everyone.
Madam Chair	I went to a second one last year. Things change and it is good to refresh yourself with new things. The more knowledge you acquire the better you can make a decision when the time comes. I am all for this
Sarah Wooding	And you get a certificate!

Mr. Darold Coleman	I have a question? When the information was missing out of the packet we received, I should not have contacted you but, rather the secretary?
Matthew Weiliczko	Right but, if you did contacted me It would not have been the end of the world. I would just contact the secretary and let you know that it must have been. So, for like where is my packet, administrative things, my review letters you would go straight to the secretary or the Town Clerk who is assisting our secretary to try and be responsive. Right now we are putting together new emails list and cell phone list so that you guys should be able to get in touch with everybody and know where everybody is.
	On the subject of the application, when applications come or even on general concepts of the zoning board what is it anything like that, I make myself available to anybody at any time. I can answer any questions in general and in regard to a particular application.
Mr. Darold Coleman	So we wouldn't be able to ask Mr. Finney or Ms. Jackson about questions about zoning board plans that came in, or issues
Matthew Weiliczko	What you want to avoid is board members themselves, like zoning board them self shouldn't be communicating with each other about applications that are pending because you want to insulate yourself and we want to insulate the board from any allegations that board members have conspire with one another and have reached a pre-conceived decision on an application before you hear the evidence. And the evidence in testimony.
	So while the application gets submitted, and they submit their material, they don't make their presentation until they get up there and they put their professionals on if there is going to be professional that they swear attest it is going to be the truth. Some of their experts that they have, must be qualified as experts and they put on their proofs and make it

	their arguments because what they are asking for is the variance. To get the variances for zoning board there is a balancing.
	There is a positive criteria and a negative criteria, and they have to make arguments in support of that.
	What we want to avoid is board members conferring and talking to one another about the plans. What's good about it, what's bad about it because it's precluded under the Municipal Land Use Law because we don't want to prejudice the application whether we are for it or against it? There are some instances where as zoning board approves it, and then members of the public or people objecting to it say, they say oh, they were going to approve it all along, I know they have been talking about this for months. They already agree to vote all in favor before they even
	heard the application. And you don't want to be in a position where you say hey, we all sat around and we talked about it for few hours. You can talk to your professionals.
Madam Chair	And we do have a meeting before we have our informal meeting. We go over the recommendation of the Township Engineer. So we can go through all recommendations and discuss it in our informal meeting. So you get a glimpse of what goes on, right?
Mr. Darold Coleman	A little bit. I just don't like. I like to read in advance and have an understanding of everything
Matthew Weiliczko	You will be able to do that, and even if the informal session. Like the informal session at the night of the meeting, if you have read everything in advance you have gotten the review letters, you have looked at everything and you have a question with regard to understanding the relief being sort, or the burdens approved, or even what the testimonies is, then you just reach out to the professionals. You reach out to the secretary and say, what does this mean. I don't get this condition. I don't understand the drainage, what do you mean about this. Go to the professionals and they will say well look at page 5 of my letter. You see that right there, this is what this is about.

	Then you show up, and you don't feel like you were rushed at the informal session and then you go right into the formal session.
Madam Chair	What I usually do it to read the recommendation from the engineer. If I have a question, I just circle it or highlight one part and when we go to the informal session then I ask my question, what does it mean etc.
Mr. Darold Coleman	Alright, no problem
Mr. Finney	If you see a recommendation and you still have a question. Still ask that question. You don't have to be satisfied that the recommendation is that. That's what I do.
Mr. Darold Coleman	Right, right that is our job as a board.
Matthew Weiliczko	And that is why one of the things is they call it is a quasi-judicial board. You are making decision as if you are like a quasi-judicial board. It is almost as a judge and a jury. And what I will tell you at one point when you do it, you have to assess the credibility like you do with people on everyday life. You have to assess the credibility in people, are they believable are they not believable. Are they experts, do I believe them, do I not believe them. Do I believe my own experts, our own people? Say ok I get that, do I believe that they can do it this way. Just as long as you have a bases for making a determination.
	And sometimes people do have, and board members do have a real ability to either approve it or denied it based on the application and everything else, but every once in a while they would say something on the records and it will appears that they are not really focus on or relying on the substance for the review letters and that exposes them to attack or allegations that wasn't done or for the right reasons.
	But that is one of my jobs is to try and guide the process, I don't make the decision but just try and make sure that we all get, whether I want it or not, whether I approved it or not, I don't sign it. But just make sure we insulate the process and to make sure everybody get to the right spot at the right time to vote the right way.

Madam Chair	Always ask questions.
Matthew Weiliczko	I have said this to other members in the past and to other board members. We live and learn every day, so to the extent I do things that you don't like or, you just want me to do things differently, then just let me know about it. We can see what we can do about it. I don't always think that I am the smartest best guy in the room. I think I am very confident in what I do and how I do it but, could say well I would like you to do it this way, and see what we can do. I don't take an insult to it. Okay. Alright any other questions and or concerns
Madam Chair	What is this with ALPHA Baptist Church?
Matthew Wieliczko	I don't know I think it was probably pull from an old agenda. At one point there was a conflict and the ALPHA Baptist Church is not before us. It could be it came before us before with a conflict, and the ERI said in at one point they did it. But, I think it was an old agenda that was pulled up. The ALPHA Baptist Church I have no idea. Any other board comment or question? Alright! Ok, we welcome Mr. Stinson. At this point Madam Chair if you would ask for a motion to adjourned.
Madam Chair	We got to go next to the public comment. Any public comment? None ! Any board comment?
Mr. Finney	This is mainly for the new members. This can be very exciting. Just remember you are here to represent the community, and you are the community. You are a service to the community. Let's try to remember whatever we do should benefit the community. There is no question too big or small. We all got the same goals and same objectives.
Madam Chair	Thank you do we have anything else from the board? No

	Ok, can we have a motion to adjourn this meeting tonight?
Matthew Weiliczko	Do we have a second, all in favor say aye.
All Board Members	Ауе
Matthew Weiliczko	Welcome Ms. Frank, and thank you very much.