

February 21, 2013 7:00 P.M.

The meeting was called to order at 7:00 p.m. by Township Clerk, Amy Leso. The meeting was advertised in the following manner:

- A. Posting written notice on the official Bulletin Board in the Township Municipal Building on January 7, 2013
- B. Faxing and mailing written notice to The South Jersey Times and The Courier Post on January 7, 2013
- C. Filing written notice with the Township Clerk of West Deptford Township on January 7, 2013

**Roll Call:**

Ms. DiCarlo, Ms. Szymborski, Deputy Mayor Kilpatrick and Mayor Chintall were in attendance for this meeting. Mr. Cianfarini was absent.

**Correspondence:**

Mr. Kilpatrick made a motion to approve the following items. It was seconded by Ms. Szymborski and approved by the entire committee.

- 1 Bingo Application for West Deptford Booster Club for April 26<sup>th</sup>
- 5 Raffle Applications for West Deptford Booster Club for April 26<sup>th</sup>

Mr. Kilpatrick made a motion to approve the meeting minutes from December 6<sup>th</sup>, December 20<sup>th</sup>, December 28<sup>th</sup> 2012, January 3<sup>rd</sup> and January 17<sup>th</sup> 2013. It was seconded by Ms. DiCarlo. Mr. Campo requested that the reference to the advertisement for the vacant positions in the finance department that was included in the clerk's notes from the December 28<sup>th</sup> meeting be included in the minutes. Ms. DiCarlo made a motion to amend the minutes to include this information on page 202. Her motion was seconded by Mr. Kilpatrick. The vote to amend the minutes was as follows:

Mr. Cianfarini	A
Ms. DiCarlo	Y
Ms. Szymborski	Y
Deputy Mayor Kilpatrick	Y
Mayor Chintall	Y

The vote on Mr. Kilpatrick's original motion to approve the minutes was as follows:

Mr. Cianfarini	A
Ms. DiCarlo	Y
Ms. Szymborski	Y
Deputy Mayor Kilpatrick	Y
Mayor Chintall	Y

**Engineer's Report:**

Mr. Snowden requested the following payment be authorized:

Mr. Kilpatrick made a motion to authorize Payment Application Request No. 5, Final, Community Center Generator, D.P. Murt, Co., in the amount of \$11,352.15. His motion was seconded by Ms. DiCarlo. The vote was as follows:

Mr. Cianfarini	A
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Ms. DiCarlo	Y
Ms. Szyborski	Y
Deputy Mayor Kilpatrick	Y
Mayor Chintall	Y

Mr. Snowden also outlined current and upcoming projects.

## **ENGINEER'S REPORT FEBRUARY 13, 2013**

### **Active Project List**

1. NJDOT Funding Application for Maple Avenue and North Roosevelt:  
A-940-021

Our office submitted the funding application prior to October 16, 2012. A resolution for approval of the NJDOT submission was also sent.

2. RiverWinds Community Center – Generator: A-940-010

Received bid of \$156,900 for a 300 kW generator, from contractor D. P. Murt Co. One hundred percent (100%) funded by grant money.

**Project construction is complete. O & M manuals have been submitted.**

Current Estimate No. 4 was approved on November 15, 2012.

Change Order No. 1 was approved on December 20, 2012.

**We recommend final payment, Current Estimate No. 5, in the amount of \$11,352.15.**

3. Golf Course Water Allocation Permit: A-940-018

The permit is due to expire November 30, 2012, but has been extended until June 30, 2013. A renewal application will be submitted to the NJDEP in March 2013. Met with the water superintendent to discuss. The required renewal forms, flow data, and metering certification are being assembled. Files were received from the NJDEP that include plans, details, and a water conservation report.

**The permit should be extended to June 30, 2015. We anticipate an email from the NJDEP in the near future.**

4. Queen Street: A-940-012

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An application was submitted to the New Jersey Local Municipal Aid in the amount of \$311,000. A letter was received on March 26, 2012 from the NJDOT indicating \$175,000 was received. Per the NJDOT, the project is to be awarded by November 5, 2013 to comply with the requirements of AID.

**We have been instructed by the Administrator to begin design work and prepare the plans and specifications for submittal to the NJDOT for approval. Design is underway and base maps are being prepared (95% complete).**

**We will send the plans and specifications to the NJDOT for approval in February.**

5. Rehabilitation of Pumping Stations No. 1, 6 and 10: A-940-013

A planning document has been submitted to NJEIT. The preliminary cost estimate is \$2,308,000.

We are reviewing the existing condition of the stations and are preparing recommendations based on our findings.

6. Municipal Lien Searches: A-940-007

As requested by Township.

7. Curb and Sidewalk Waivers: A-940-008

As requested by Township.

8. Certificate of Occupancy: A-940-007

Inspections performed and certificates recommended as requested by the township.

9. Sewer Maintenance Contract: A-940-022

**The project was awarded to Neri's Construction & Rental. Contracts have been executed and a preconstruction meeting has been held.**

10. Water and Sewer Rules and Regulations: A-940-023

We have been directed to prepare general Rules & Regulations regarding sewer and water service, including construction requirements.

**We are preparing a memo regarding the water meter reading system.**

11. Solvay Solexis: A-941-004

The company is renewing its Industrial Pretreatment Indirect Discharge Permit and is requesting a “Letter of No Objection”. A letter was prepared recommending approval.

Township approved same on December 20, 2012.

12. NuStar: A-941-008

The applicant has submitted plans to replace the force main within Paradise Road and on-site. A letter has been sent recommending approval of the construction. **Construction is underway. The project is seventy-five percent (75%) complete.**

13. Colonial Pipe: A-941-007

The applicant has submitted plans to replace on-site fire water main with larger twelve-inch (12”) diameter water main. A preliminary letter with comments has been sent to the applicant.

**A revised submission has been received and is under review.**

14. The Farm: A-941-006

A twenty-three (23) lot subdivision currently under Planning Board review. Project includes a bridge. The County is considering taking ownership of the bridge (project had final approval).

Applicant submitted preliminary package for water and sewer approval. We are reviewing the information and have submitted a letter for the applicant to address.

**A meeting was held with the applicant on January 31, 2013. Revised plans will be submitted.**

**Active Developer Projects**

15. Paradise Estates: A-940-004; Performance Bond No. B98809020417, \$164,940.00

We are preparing a punch list of items to be addressed. Performance bond is reduced at thirty percent (30%) of the original. Utilities have been installed and base paving is in place.

**#48 BILL LIST**

**WHEREAS**, the Township committee of the Township of West Deptford received and reviewed the "Bill List" as prepared by the Township Acting CFO and the Purchasing Officer for the monthly period ending February 21<sup>st</sup>, 2013.

**NOW, THEREFORE, BE IT RESOLVED** that said "Bill List" as prepared by the Acting CFO and the Purchasing Officer be approved and said Officials are authorized to render payments to each vendor appearing on the attached "Bill List." Adopted at a meeting of the Township Committee of the Township of West Deptford on February 21<sup>st</sup>, 2013.

Ms. DiCarlo abstains from all items pertaining to Comcast Cablevision because she is an employee.

Mr. Kilpatrick made a motion to approve the Bill List and it was seconded by Ms. DiCarlo. Ms. DiCarlo questioned the payment to Active Network in the amount of \$40,000.00. She has received the contract and believes that it may be prudent to not pay this bill at this time. Ms. Szymborski made a motion to withdraw this item from the Bill List. Ms. DiCarlo seconded her motion. Mayor Chintall asked Mr. Campo about the contract and Mr. Campo said that the terms were upon receipt, but felt we needed to accept the report." It was included on the Bill List based on the contract being accepted at tonight's meeting. Ms. DiCarlo voiced her concerns about the terms of the contract stating that West Deptford would need to dedicate staff to marketing. She believed that was what Active Network was being paid to do. Mr. Kilpatrick asked if the township paid half of or the entire amount, would the township be agreeing to accept the report. Mr. Ogozalek explained the acceptance of the report. Ms. Szymborski suggested that Mr. Ogozalek be given more time to review the contract so the committee could make a good decision. Mr. Ogozalek informed the committee that, if necessary, the committee can add this bill to the agenda for the March 7<sup>th</sup> meeting or call a special meeting to pay the bill if the contract required that it be paid immediately. Ms. DiCarlo also questioned whether the terms of the contract were legal under the state statute. Mr. Ogozalek said that the state statute would "trump" whatever is in the contract. Mr. Ogozalek will review the contract. The vote on Ms. Szymborski's motion to remove this item was as follows:

Mr. Cianfarini	A
Ms. DiCarlo	Y
Ms. Szymborski	Y
Deputy Mayor Kilpatrick	Y
Mayor Chintall	Y

The vote on Mr. Kilpatrick's motion to approve the Bill List was as follows:

Mr. Cianfarini	A
Ms. DiCarlo	Y
Ms. Szymborski	Y
Deputy Mayor Kilpatrick	Y
Mayor Chintall	Y

Mayor Chintall then opened the meeting to the public.

Mr. Jim Robinson asked for an update on the solar panel project at RiverWinds. Mayor Chintall said that nothing has been addressed. Mr. Campo added that "it is on ice."

Mr. David Sileo asked if the solar panels are still a possibility. Mr. Campo explained that there are issues that are not yet resolved. He also asked if the marketing firm would come before the town and make a presentation. He added that no one knows the town better than the people of

West Deptford. Mayor Chintall asked Mr. Campo to request a marketing presentation by Mr. Schultz at a township meeting for the residents.

Mr. Bill Mohnacs also spoke on the solar panels and told the committee that a friend did not see the savings he expected after installing them on his home. He also said that he was glad to see Committeewoman Szymborski at the meeting and added that "we need everyone here." He also said that he believed that the bonus for the Superintendent of Schools being considered by the West Deptford Board of Education was wrong. Mayor Chintall recommended that he attend the Board of Education budget meeting on Saturday and voice his concerns. Ms. Szymborski responded to his comment about her meeting attendance.

Mr. Joseph Rando said that on February 8<sup>th</sup> he noticed police cars at a neighbor's home and upon arrival found that his neighbor's wife had passed away. He commended the police officers who handled the situation. He said that he had already shared this with the Chief of Police who passed his remarks on to Corporal Marc White. He then asked about the vote at the last meeting for the CFO position. He said that Ms. Sprigman received accolades from the committee. Mayor Chintall explained the process. Mr. Rando said that having no municipal experience is immaterial and at the end of April there could be a changeover and he does not understand the logic. Ms. Szymborski thanked Mr. Rando for complimenting the officer.

Mr. Nichols asked about the progress at the juice bar at RiverWinds Community Center. He said that the township could be earning rent on a monthly basis. Mr. Kilpatrick told him that they requested more materials from the bidder and that the committee hoped to have this on the agenda in March. He then explained what needed to be done to set this up. Mayor Chintall added that this was presented to the RiverWinds Advisory Board. Ms. DiCarlo asked if the entire committee would get a packet with the materials on this project. Mr. Kilpatrick said that they would.

Ms. DiCarlo made a motion to close the public portion of the meeting. Her motion was seconded by Ms. Szymborski and approved by the entire committee.

Mr. Kilpatrick made a motion to appoint Joan Adams as Municipal Court Judge to a three year term for the Township of West Deptford. His motion was seconded by Mr. Chintall. The vote was as follows:

Mr. Cianfarini	A
Ms. DiCarlo	N
Ms. Szymborski	N
Deputy Mayor Kilpatrick	Y
Mayor Chintall	Y

The motion was defeated on a tie vote.

Ms. DiCarlo made a motion to reappoint Guy Killen as Municipal Court Judge to a three year term for the Township of West Deptford. Her motion was seconded by Ms. Szymborski. The vote was as follows:

Mr. Cianfarini	A
Ms. DiCarlo	Y
Ms. Szymborski	Y
Deputy Mayor Kilpatrick	N
Mayor Chintall	N

The motion was defeated on a tie vote.

Mr. Ogozalek said that the current Municipal Judge holds over until a new appointment is made.

Mr. Kilpatrick made a motion for the removal of Water and Sewer Charges. His motion was seconded by Ms. Szyborski. The vote was as follows:

Mr. Cianfarini	A
Ms. DiCarlo	Y
Ms. Szyborski	Y
Deputy Mayor Kilpatrick	Y
Mayor Chintall	Y

#### **#49 RESOLUTION FOR THE REMOVAL OF WATER AND SEWER CHARGES**

Mr. Kilpatrick made a motion to extend the Place-To-Place Transfer Date of Plenary Retail Distribution License number 0820-44-013-002. His motion was seconded by Ms. DiCarlo. Mr. Ogozalek explained that the building will not be ready by February 28<sup>th</sup> and therefore they are extending the date to March 4<sup>th</sup>. The vote was as follows:

Mr. Cianfarini	A
Ms. DiCarlo	Y
Ms. Szyborski	Y
Deputy Mayor Kilpatrick	Y
Mayor Chintall	Y

#### **#50 RESOLUTION EXTENDING THE PLACE-TO-PLACE TRANSFER DATE OF PLENARY RETAIL DISTRIBUTION LICENSE NUMBER 0820-44-013-002**

#### **Open Meeting to the Public:**

Mayor Chintall opened the meeting to the public.

Mr. James Mehaffey asked about the interview process for municipal judge and said that Judge Killen has been in West Deptford for years. Mayor Chintall said that there was no interview process for this position. Mr. Mehaffey asked if there were problems with Judge Killen and Mayor Chintall said that he had heard that there had been leniency. Mayor Chintall then outlined Joan Adams experience.

Mr. Jim Hink said that he wanted to voice his support for Judge Killen.

Mr. Kilpatrick made a motion to close the meeting to the public and it was seconded by Ms. Szyborski. The motion carried unanimously.

Ms. Szyborski then asked Mr. Campo for an update on the request to move the water/sewer collection over to the finance department. Mr. Campo explained that when Mr. Phelps retired and the new water/sewer superintendent was hired, there was discussion of moving that responsibility into the finance department even though the CFO logically always had to oversee all financial transactions. It is an appropriate chain of command and this streamlines it. He has spoken with Ms. Sprigman and she understands that it will now be part of her department. Ms. Szyborski asked for an e-mail confirming the change. Mr. Douglas explained that he also believes that it should be handled by the finance department. Ms. Szyborski said that she wants the water/sewer employees to work on the quality of the water.

Ms. Szyborski then asked about an invitation she received to attend a meeting for the "Direct Connect" project. Mayor Chintall explained that it was a public meeting. It was discussed with

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Chief Mangano and although there may be an impact to our township, no work is being done in West Deptford. Ms. Szyborski then asked for an update on the audit – a detailed audit report of the water/sewer department. Mayor Chintall told her that some work was done on some outstanding reports. She referenced a letter that she received on July 18<sup>th</sup>. Mr. Ogozalek explained that the Attorney General's office took over the investigation on that date and that nothing further was done since that day. Ms. Szyborski asked about the \$15,000.00 that was paid to the auditors for the report. She wanted to know where the answers to that report were. Mr. Ogozalek explained that there was an ongoing investigation and therefore they were not permitted to finish their report. They had to stop in July and were just permitted to begin work again. He said that they could meet with her now to discuss. Mayor Chintall said that they would set up a meeting. Ms. DiCarlo confirmed that from July 19<sup>th</sup> until now the auditors were not permitted to do any work but that they want to come in now and finish the work. Mr. Ogozalek explained that they were not permitted as the water/sewer department was being investigated. Mayor Chintall added that based on correspondence from the Attorney General's office they are not going to begin any new work. They were investigating policies in the water/sewer department and all information was handed over to the Attorney General's office when they came in and took over. Ms. Szyborski then commended Mr. Douglas stating that the department has collected over \$200,000.00 in fees since he was named director and she is appalled that the auditors were paid for their work.

Ms. Szyborski then asked Mr. Ogozalek what made him find out if this situation could now be discussed. Mr. Ogozalek explained that there was a question raised whether the acceptance of a payment plan would compromise the investigation. Mr. Ogozalek sent a letter to the Attorney General's office. He was told that they could handle it administratively and civilly. Ms. Szyborski said that she wants to make sure that there are policies and procedures in place and she wants answers. She said that this has been going on since July and then suddenly she receives a letter in January. Ms. Szyborski then read an e-mail from Mr. Holt. Mr. Campo will set up a meeting with Ms. Szyborski, Mayor Chintall and Mr. Holt

Mayor Chintall called for a motion to adjourn. Ms. Szyborski made a motion; a second was given by Mr. Kilpatrick and approved by the entire committee.

Respectfully Submitted,

Amy Leso, RMC  
Township Clerk