

July 12, 2012 7:00 p.m.

The meeting was called to order at 7:00 p.m. by Acting 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 6, 2012
- B. Faxing, mailing written notice to The Gloucester County Times and The Courier Post on January 6, 2012
- C. Filing written notice with the Clerk of West Deptford Township on January 6, 2012

**Roll Call:**

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

**Correspondence:**

Mr. Cianfarini made a motion to approve the following item. It was seconded by Mr. Kilpatrick and approved by the members of the committee who were present.

- Approval of previous meeting minutes from June 2<sup>nd</sup> and 7<sup>th</sup>.

Mayor Chintall addressed the committee members and residents in attendance regarding the recent action by Senator Sweeney. He said that there needs to be compliance with the DEP and that we all need to be good stewards of our natural resources. He then moved on to the meeting agenda.

**#139 BILL LIST**

**WHEREAS**, the Township committee of the Township of West Deptford received and reviewed the "Bill List" as prepared by the Township Treasurer and the Purchasing Officer for the monthly period ending July 12<sup>th</sup>, 2012.

**NOW, THEREFORE, BE IT RESOLVED** that said "Bill List" as prepared by the Township Treasurer and the Purchasing Officer by 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 July 12<sup>th</sup>, 2012.

Mr. Kilpatrick abstains from all items pertaining to TD Bank because he is employed by TD bank. Ms. DiCarlo abstains from items pertaining to Comcast as she is an employee.

Mr. Kilpatrick made a motion to approve the bill list. It was seconded by Ms. DiCarlo. Ms. DiCarlo then asked Mr. Totten to provide a running total of what was spent on the Field of Dreams project and the amount of donations left over so that it can be used for other playground projects. Mr. Cianfarini noted that he abstains from the approval of the Poll Worker checks as his son received one. He then asked questions pertaining to non-discretionary spending and requested that a Bill List be created for each meeting instead of just once a month. Mr. Totten said it had been done over a decade ago. Mr. Campo added that there are items that need to be paid but do not fall within the timeline for the monthly Bill List. They are included to keep the committee informed. Mr. Cianfarini requested that the committee receive an e-mail when an expense must be paid before it can be approved on a Bill List. He then inquired about a previous bill from Petroni Associates. The auditor is currently reviewing this bill.

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The vote was as follows:

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

Mr. Snowden, Township Engineer, provided a report on The RiverWinds Generator. The foundation is being worked on and the generator will arrive in September. The Golf Course Water Allocation Permit has been extended for one more year to June of 2013. He will give an update on Queen Street next month. He is preparing a proposal for the replacement of Pumping Stations 1, 6, and 10. He is also reviewing the Solar Project at RiverWinds and will meet with the administrator soon to discuss. Victorian Walk and Jessup Run and currently under construction and LS Power is beginning construction.

**TOWNSHIP OF WEST DEPTFORD  
ENGINEER'S REPORT  
JULY 6, 2012**

**Projects Retained By The Alaimo Group**

1. 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.

The project was awarded to D. P. Murt Company on April 5, 2012. Both parties have signed the contracts. Notice to proceed was issued June 5, 2012. The project is to be completed by the end of September. Shop drawings are being submitted and reviewed.

**The project is under construction. We recommend payment of Current Estimate No. 1, in the amount of \$23,650.34, to the contractor.**

2. RiverWinds Remediation: A-940-011

T & M will finish the remedial action plan and present findings and alternatives to the Township. Fill is required to be installed as cap and to obtain a “No Further Action” (NFA) from the NJDEP. A report dated February 7, 2012 was submitted that indicates additional work required.

The remediation has to be completed by a Licensed Site Remediation Professional (LSRP).

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The Township should decide if construction costs are to be shared with the Golf Course Operator.

T & M has been authorized to complete the Initial Receptor Evaluation form (IRE) that must be submitted no later than March 1, 2012. IRE form has been submitted to the NJDEP.

The Township is seeking a LSRP by publicly requesting that proposals be submitted to the Township for review and approval. RFP to be received on May 8, 2012. The LSRP information will be submitted to NJDEP when approved.

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.**

4. Queen Street: A-940-012

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 are preparing an engineering proposal for design and construction management services, for approval by the Township.

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 a proposal based on our findings.

6. RiverWinds Golf Clubhouse

Plans were submitted as concept plans. T & M has outlined the action items. We will take over the project if re-submittals are submitted to the Township. There are access issues to the lot.

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We will continue when plans are submitted.

7. RiverWinds Restaurant – NJDEP Violation

Trees were cleared without approval. Plants are to be installed per the NJDEP. Waiting for input from the restaurant owner.

8. Public Works Garage HVAC/Generator

The preliminary scope and construction costs were submitted to the Township. The project is on hold due to lack of funding.

9. Community Center Solar Project: A-940-014

The Township contingently awarded the project. The Township requested more details regarding structural improvements. The applicant submitted items at the February 9, 2012 meeting.

We are reviewing the submittals and meeting with the bidder and Township staff to discuss issues. A meeting was held on April 2, 2012 with the bidder and administrator to discuss issues. Bidder responded with additional information. Additional electric bills have been received from the Township and we are compiling information and analysis.

10. NJDOT Bicycle Route Grant

A \$90,000 grant has been received. Preliminary plans were submitted to the County for approval. T & M is to provide the plans and cost estimate so the Township can discuss direction. The project needs money to complete, and also NJDOT approval.

We will provide serviced as directed by the Township.

Plans have been requested from T&M and not received to date.

11. Former U. S. Wetlands Property Now Owned By Township: A-940-015

A “No Further Action” (NFA) letter was never issued by NJDEP for this property. More fencing is needed and signs are to be installed. The project may be subject to future fines and Licensed Site Remediation Professional (LSRP) may be needed.

We will follow up with project if the Township decides to go forward in the future.

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T & M has provided a copy of the file. We will provide services as directed by the Township.

12. Asbury Avenue/Sunoco Property Drainage Issue: A-940-016

Waiting for Sunoco to provide input and status of wetlands mapping.

T & M has provided a copy of the file.

13. Municipal Lien Searches: A-940-007

As requested by Township.

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

As requested by Township.

Mr. Cianfarini asked questions pertaining to the Public Works Generator project. Mr. Campo explained the need for a complete HVAC improvement project in the Public Works garage. He also asked about the bicycle Route Grant. Plans have been requested from T & M. He also requested that Mr. Campo to look into the Asbury Avenue drainage issue.

Mayor Chintall asked for an explanation of the DEP Violations at RiverWinds Restaurant. The township will receive a letter.

Mr. DiCarlo asked if the replacement of the pumping stations had been included in the budget. Mr. Campo explained that it will need to be included in the capital planning and involve debt service. Mayor Chintall added that maintenance is being done to prevent a failure.

Mr. Cianfarini asked Mr. Campo to clarify a transfer last year from the Water and Sewer budget to the Municipal Budget. Mr. Campo explained that it was to pay off an obligation due by the Water and Sewer Budget to the current fund.

The RiverWinds Advisory Board made a recommendation to raise the requirements for the Senior Membership Qualification. Mr. Kilpatrick explained that Mr. Greg Black and Ms. Cristin Viet requested additional time to review this recommendation. As they addressed the committee, they indicated that are concerned about the community center being located within a 55 and over community and that the recent memberships extended to Gloucester County Senior Citizens indicated the age requirement was only 55 years of age. Michelle Maher, a member of the advisory committee, addressed the township committee and explained their recommendation. Mayor Chintall would like this reviewed by all so the recommendations could be implemented in January.

Mr. Cianfarini made a motion to authorize an agreement for professional services by a Licensed Site Remediation Professional. He nominated Pennoni and Associates. Mr. Campo gave an overview of their proposal and of the two companies who were most qualified; they were the best choice financially. His motion was seconded by Mr. Kilpatrick. The vote was as follows:

Mr. Cianfarini	Y
Ms. DiCarlo	Y
Ms. Szyborski	A

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Deputy Mayor Kilpatrick Y  
Mayor Chintall Y

**#140 RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD AUTHORIZING  
AN AGREEMENT FOR PROFESSIONAL SERVICES BY A LICENSED SITE  
REMEDIAION PROFESSIONAL**

Mr. Cianfarini made a motion to authorize an agreement for professional services by a Municipal Marketing Consultant. He nominated Active Network. Mayor Chintall explained that they are to generate revenue for the township. Mr. Cianfarini also explained their purpose; to embellish the township website with the use of advertisements to generate income. His motion was seconded by Mr. Kilpatrick. The vote was as follows:

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

**#141 RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD AUTHORIZING  
AN AGREEMENT FOR PROFESSIONAL SERVICES BY A  
MUNICIPAL MARKETING CONSULTANT**

Ms. DiCarlo made a motion to authorize the release of the Performance Bond to PSE&G-SunEdison for Jessup Road Solar Farm. His motion was seconded by Mr. Kilpatrick. The vote was as follows:

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

**#142 RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD AUTHORIZING  
THE RELEASE OF THE PERFORMANCE BOND TO PSE&G-SUNEDISON  
FOR JESSUP ROAD SOLAR FARM**

Mr. Cianfarini made a motion to authorize the release of the Maintenance Bond to West Deptford pediatrics for Block 358, Lot 19.01. His motion was seconded by Mr. Kilpatrick. The vote was as follows:

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

**#143 RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD AUTHORIZING  
THE RELEASE OF THE MAINTENANCE BOND TO WEST DEPTFORD  
PEDIATRICS FOR BLOCK 358, LOT 19.01**

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Mr. Kilpatrick made a motion for the refund of a Summer Recreation Program Fee. His motion was seconded by Ms. DiCarlo. Mr. Cianfarini asked Mr. Ley for clarification on the registration process and waiver distribution. Mr. Campo further explained the reason for the waiver and Mr. Ogozalek agreed that it was a requirement. Ms. DiCarlo asked that the waiver be put on the website for review by those who want to register. The vote was as follows:

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

**#144 RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD AUTHORIZING  
A REFUND OF A SUMMER RECREATION PROGRAM FEE**

Mr. Kilpatrick made a motion to authorize the second reading of the following ordinance. The purpose of this ordinance is to increase the Summer Recreation Fee to \$250.00. Ms. DiCarlo made a motion to open the meeting to the public for comment on the ordinance. It was seconded by Mr. Cianfarini. No one addressed the committee. Ms. DiCarlo then made a motion to close the public comment. It was seconded by Mr. Kilpatrick. Mr. Cianfarini then asked Mr. Ley for an analysis of the Summer Recreation Program Budget as compared to other local programs. Mr. Ley provided a report. Mr. Kilpatrick stated that the purpose of this program is to provide a service and that it promotes a sense of community and that the program is operating in the black. Mr. Cianfarini expressed concerns about the cost of insurance for the program being factored into the budget and would also like to review the participation fee earlier in 2013 to be sure that the fee covers the costs. Mr. Ley will provide an analysis at the end of the program to show that the program is "breaking even." Ms. DiCarlo added that the committee needed to be careful when comparing the fees from other programs to be sure that the program offerings are the same. Mr. Kilpatrick's motion to authorize the second reading of the ordinance was seconded by Ms. DiCarlo. The vote was as follows:

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

**ORDINANCE OF THE TOWNSHIP OF WEST DEPTFORD ESTABLISHING FEES FOR  
WEST DEPTFORD TOWNSHIP  
#2012-08  
(SECOND READING)**

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

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

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

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Mr. Kilpatrick made a motion providing for the Issuance and Sale of Not to Exceed \$33,000,000 Aggregate Principal amount of the Township's General Obligation Refunding Bonds, Series 2012 to Provide for Payment of Amounts Owing to other, and Providing for the Form, Maturity Dates and Other Details of Said Refunding Bonds, and Providing for the Sale of Said Refunding Bonds and Other Matters Pertaining Thereto. His motion was seconded by Mr. Cianfarini. Mr. Campo and Mr. Hastie, Bond Counsel, explained what this resolution does. The vote was as follows:

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

**#146 RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD, IN THE COUNTY OF GLOUCESTER, NEW JERSEY PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$33,000,000 AGGREGATE PRINCIPAL AMOUNT OF THE TOWNSHIP'S GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012 TO PROVIDE FOR PAYMENT OF AMOUNTS OWING TO OTHER, AND PROVIDING FOR THE FORM, MATURITY DATES AND OTHER DETAILS OF SAID REFUNDING BONDS, AND PROVIDING FOR THE SALE OF SAID REFUNDING BONDS AND OTHER MATTERS PERTAINING THERETO**

Mr. Kilpatrick made a motion to authorize the first reading of the following ordinance. It was seconded by Mr. Cianfarini. Ms. DiCarlo asked for an explanation of the background and Mr. Ogozalek stated that this was the result of the case of Mario's Towing vs. the West Deptford Towing Ordinance. The judge invalidated the previous ordinance and this allows for the competitiveness of towing companies. The vote was as follows:

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

**ORDINANCE OF THE TOWNSHIP OF WEST DEPTFORD ESTABLISHING CHAPTER 152, "TOWING, ROAD SERVICE AND STORAGE OF VEHICLES", OF THE CODE OF THE TOWNSHIP OF WEST DEPTFORD  
#2012-09  
(FIRST READING)**

Mr. Cianfarini made a motion to authorize the first reading of the following ordinance. It was seconded by Mr. Kilpatrick. Ms. DiCarlo asked for an explanation of this ordinance. Mr. Ogozalek explained the process for investigation by the State Ethics Board and Local Finance Board. Mr. Campo added that the township should also investigate before filing an ethics charge. Mr. Cianfarini expressed concerns with non-filing members of boards who may have conflicts. Ms. DiCarlo questioned the language used in the ordinance. The vote was as follows:

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

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**ORDINANCE OF THE TOWNSHIP OF WEST DEPTFORD AMENDING CHAPTER 47,  
ADDING SECTION 47-24, "ACTION TO BE TAKEN BY THE TOWNSHIP COMMITTEE  
WHEN AN ELECTED OFFICIAL, APPOINTED PERSON OR EMPLOYEE FAILS TO  
SUBMIT A "FINANCIAL DISCLOSURE STATEMENT," OF THE CODE OF  
WEST DEPTFORD TOWNSHIP  
#2012-10  
(FIRST READING)**

Mr. Kilpatrick made a motion to authorize a Closed Session of the West Deptford Township Committee for discussion of Litigation T-Mobile North East, LLC vs. Township of West Deptford Zoning Board of Adjustment. His motion was seconded by Mr. Cianfarini. The vote was as follows:

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

**#147 RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD AUTHORIZING  
A CLOSED SESSION OF THE WEST DEPTFORD TOWNSHIP COMMITTEE  
FOR DISCUSSION OF LITIGATION T-MOBILE NORTH EAST, LLC VS.  
TOWNSHIP OF WEST DEPTFORD ZONING BOARD OF ADJUSTMENT**

The Committee then went into Closed Session.

**Closed Session:**

The specific information and outcome of the closed session will be made public at a time when they are fully resolved.

Ms. DiCarlo made a motion to return to open session. It was seconded by Mr. Cianfarini and approved by the entire committee. The committee returned to open session.

Mr. Cianfarini made a motion to authorize the solicitor to file an appeal in T-Mobil East, LLC vs. Township of West Deptford Zoning Board of Adjustment Case. His motion was seconded by Mr. Kilpatrick. The vote was as follows:

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

**#148 RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD AUTHORIZING  
THE SOLICITOR TO FILE AN APPEAL IN T-MOBIL EAST, LLC VS. TOWNSHIP OF  
WEST DEPTFORD ZONING BOARD OF ADJUSTMENT CASE**

Mr. Cianfarini then spoke on several issues. He stated that he had been in communication with Mr. Cimino and that documents that were requested from the bank have not been provided after six weeks. He made a motion to authorize Mr. Cimino to file a motion to compel Fulton Bank the

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production of documents. His motion was seconded by Mr. Kilpatrick. Ms. DiCarlo asked if Fulton Bank was informed of this intent to file and if all other avenues had been exhausted. Mr. Cianfarini stated that they were and that the documents were in transit from Lancaster four days ago and they have still not been received. Ms. DiCarlo asked for the costs associated with this filing. Mr. Ogozalek explained that they are minimal. The vote was as follows:

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

**#149 RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD AUTHORIZING  
MR. CIMINO TO FILE A MOTION TO COMPEL (FULTON BANK) THE  
PRODUCTION OF DOCUMENTS**

Mr. Cianfarini then explained that the auditors have suggested that the Township set up a hotline for the reporting of fraud, waste and abuse. This reporting will be done anonymously. Mr. Totten explained the costs associated with installation of another phone as well as the monthly cost. Mr. Kilpatrick and Ms. DiCarlo both expressed concerns about who would monitor the reports. Mr. Cianfarini said it will need to be secure and he will discuss it with Mr. Campo. Ms. DiCarlo stated that controls would need to be put into place and that they should get recommendations from the auditors on how to best implement this hotline.

The budget work session then continued.

**General Administration** –The Operating budget includes a new line item for a Marketing Expense of \$60,000.00. The contract awarded was less so the line item will decrease and be shared by the RiverWinds Budget as well. This contract should generate revenue for the township. There was discussion on how the company selected will be paid and profit sent to the township. Mr. Ogozalek will review the contract as it is not clear. The other expenses in this budget are for printing, binding, postage, education and training and general office supplies.

**Treasury/Finance Department** –This department spent less than budgeted for last year in operating expenses. The additional expense for the Auditor that was approved at a previous meeting will need to be added to this budget and the Water and Sewer budget.

**Legal Services (line item)** –This line item is for settlement litigation and should be able to be reduced. Mr. Campo recommended decreasing the line items from 1.5 million to .5 million. Ms. DiCarlo asked about who would be responsible for the 2012 appeals Mr. Campo explained the role of the county but stated that they will need to be defended by the township as well. A projection of costs for the remainder of 2012 is needed from Mr. Lloyd.

**Engineering (line item)** –Mr. Campo explained that the LSRP would be billed to this line item and an expense added for the contractor who will perform the work. The amount will remain at \$200,000.00 but it will be tight.

**Fire Code Official** –There are two salaries in the department; Full Time Fire Official and Part Time Fire Inspector. This office is self sufficient and makes money for the township. Mr. Austin also explained that inspection of the West Deptford Little Theatre Building which is used for rehearsals. This building needs repairs. The Historical Society can get funding for repairs if the township can find WDLT another home.

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**Planning Board** –One salary is billed to this department; part time recording secretary. The expenses in this budget include professional services, training, equipment and supplies. Although this department spent less than what was budgeted for last year, the expenses are out of the township control and there is no way to determine the entire budgeted amount will be spent from year to year.

**Zoning Board** –The department spent less this year than last year; however, there will be more expenses for litigation due to the T-Mobile case. The line item for the assistant zoning officer was eliminated this year.

**Construction Office** –This office oversees permits and plans for construction and had \$16,000.00 in expenses. There are no large line items that can be cut any further. The work load has been picking up and this department is also a self-sufficient office which generated income for the township.

**Plumbing, Electrical and Housing Inspections** –The expenses in this department are for salaries and all employees must be state-licensed. This department also collects fees for the township.

**Board of Health** –This department does inspections for code violations. \$10,000.00 will be added to the budget for costs associated for work done to maintain properties that are not being maintained. The property owners are then taken to court for their violation

**Environmental Commission (line item)** –Currently this line item has \$1.00. As the commission is becoming active again, \$1000.00 will be added to the line item and they will also be able to apply for grants for projects.

Mr. Campo then gave an overview of the budget timeline and said that the committee could move toward final budget passage in August. Also, the Lease/buy agreement for Police Cars could save the township \$50,000.00.

**Open Meeting to the Public:**

Mayor Chintall then opened the meeting to the public. No one addressed the committee.

Mr. Cianfarini made a motion to close the meeting to the public. It was seconded by Mr. Kilpatrick and approved by the entire committee.

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

Respectfully Submitted,

Amy Leso  
Acting Township Clerk