

WESTAMPTON TOWNSHIP COMMITTEE MEETING

6:00 PM Closed Session 7:00 PM Regular Meeting

October 3, 2016

The meeting was called to order at 6:00 PM, all present, Ms. Chang absent. Resolution 10-3-16 was adopted to go into Executive session to discuss personnel, litigation, staffing and negotiations.

The regular meeting was called to order at 7:05 PM by Mayor Daniels. Requirements of the Sunshine Law were read. This meeting was advertised in the Burlington County Times on January 14, 2016. The flag was saluted. Scout Master Kevin Dopke was present along with Assistant Scout Master Jerry Kilkenny and Eagle Scout candidate Aiden Sharp and First Class Scout Matt Kilkenny. Mayor Daniels thanked everyone for coming out to attend the meeting. There was a moment of silence.

Roll Call:

Committeewoman Chang	Absent
Committeeman Lopez	Present
Committeewoman Smith-Hartman	Present
Committeewoman Teleisa	Present
Mayor Daniels	Present

Al Marmero, Solicitor, was present.

Maria Carrington, Administrator and Marion Karp, Clerk were both present.

Approve 9/19/16 Agenda – motion to approve made by Ms. Teleisa; seconded by Ms. Smith-Hartman. All voted yes.

Closed Session Minutes of 9/16/16 – motion to approve by Mr. Lopez; seconded by Ms. Smith-Hartman. All voted yes.

Regular Meeting Minutes of 9/16/16 – motion to approve by Mr. Lopez; seconded by Ms. Smith-Hartman. Ms. Teleisa wanted several sentences that she had spoken added to her comments. All voted yes.

Public Comments on Agenda Items

Vernita Jones – asked about corrections to the minutes and how they are done. She had requested corrections to the minutes and all of her comments were not reflected in the final ones posted on the Township website. Mayor Daniels explained that the minutes aren't verbatim; they are to reflect actions taken.

Ruth Bonano, 21 Westwind Way –the senior citizens of Westampton need a better place to meet. Mayor Daniels asked her to please bring this up at the end of the meeting during the public comment session since it doesn't have anything to do with any agenda items.

Nancy Burkley – has questions about the ladder truck update but the update hasn't been given yet. She would raise the questions later in the meeting.

New Business

Ladder truck update – Fire Chief Craig Farnsworth gave a report on the status of the ladder truck. The ISO or insurance service office gives ratings or scores to Townships which determine insurance premiums; most use this however some do not. For the past 15 years we have ranked anywhere from a 5 to a 10 with 10 being the worst rank. This score was due to staffing and the lack of a ladder truck in the town. Surveys were conducted town wide and in 2012 a ladder truck purchase was finally approved. Since it was purchased Westampton Township went from a rating of ISO 5 to an ISO of 3, which can save a homeowner as much as \$100 in a year on their homeowner's insurance. The bond was \$950,000 in total for the truck and associated equipment. They have been experiencing mechanical difficulties since purchasing the truck and it has been sent back numerous times. It has been out of service more than it has been in service. The manufacturer of the truck has recently been purchased by a new manufacturer; this may work in our favor. The new owners are more reachable and they are working with us to find a solution to our problems with the truck. Ms. Smith-Hartman asked if the ISO knows that the truck has been non-operational; Craig said no and it hasn't affected the insurance ratings.

Public Comments/Questions

Lori Hustus asked if we have a warranty on the truck. The truck came with a 2 year warranty and we purchased a 15 month additional warranty which will expire in November of this year.

Vernita Jones – asked if the new company has come to any resolution; will we trade it in? Craig said it was still a bit premature to answer but they are hoping this is what happens.

Lindsay Hustus – asked if it will affect us when the warranty is up in November. Craig said that at this point he doesn't know; when the warranty runs out we will be on the hook for repairs. She asked if we can extend the warranty for more time; he said yes, they are exploring that option.

Nancy Burkley – seems as if it is a lemon; aren't there lemon laws? Solicitor Al Marmero stated that yes there are but the lemon law covers only the first 24 months or 24,000 miles, whichever comes first. We are a year past this. She would assume that the Township Committee was aware this whole time, why wasn't anything done while the warranty was still in effect? The Committee at the time decided to go the extended warranty route rather than file the lemon lawsuit. We can attempt to go back and see

what they will do according to Al Marmero. Craig said they are attempting to negotiate in good faith.

Mr. Lopez – Craig has been reporting the truck as out of service consistently for months; it seems as if the Township has a million dollar lemon on its hands. He thinks the residents need to know what is going on. We still owe \$697,000 on the truck. It was less than a month old when they experienced the first issue; it has been back to the factory 8 times in 3 years.

Betty Wiggins, 66 Sharpless Blvd - It should not have been allowed to go as far as it has; she thinks they should be forced to take it back.

Gil Gehin Scott, 104 Second Street – thinks giving up the right to sue for the warranty was a bad idea. Wasn't a resolution needed to sign that kind of an agreement or to make those changes? To the best of Craig's knowledge, there was no resolution executing that agreement.

Dave Barger – asked if it would have been Ms. Chang signing the form since she was Mayor at the time. He asked Craig what the estimated annual repair costs would be outside the warranty. Craig couldn't even guess at that; some of the things that have gone wrong have been totally off the wall. In 2015 it was out of service 5 times (for a total of 60 days). The truck has been out of service a total of 314 days since it was purchased. To qualify for the lemon law, it would have to be out of service for only 20 days. What would give the Mayor the authority to sign such an agreement? He thinks it should have involved the consent of the entire Committee.

Lori Hustus – wanted to know what the liability would be if the Mayor signed and wasn't permitted to.

Gil Gehin Scott, 3 Valley Farm Road – who pays the cost for taking the truck back and forth to the factory? Craig answered that the manufacturer has covered that. Once the warranty expires we can have anyone repair the truck and not just the manufacturer, who is in the Poconos, Pa.

Jose Sosa – what is the effect of a vehicle like this on the personnel? Is there a risk to the firefighters manning it? Craig answered yes.

Garfield Harper – you are talking about a large sum of money; someone else had to know that this money was being spent. There were others on the Committee.

Committeewoman Teleisa was the liaison for the Fire Department at the time. At the time the recommendation of counsel was to go with the warranty. She stated that they relied on our professionals for legal opinions and this was the recommendation they gave us. Mr. Lopez asked if she remembered if there was a resolution; she answered that she didn't remember that.

Garfield Harper – what corporation buys something with only one signature on a check; something doesn't fly here. How can that kind of power be put in one person's hand?

Sherry Dolan – how much did the extended warranty cost? Craig said the extended warranty didn't cost anything.

Vernita Jones – seems to her that everyone wants to play the blame game; instead, what is the solution for going forward?

Linda Wittmann – is concerned how this could have happened. How could the lemon law have been waived in exchange for the extended warranty? We do need to look back and found out how and why this happened.

Nancy Burkley – are other municipalities having problems with their ladder trucks? Craig answered not that he is aware of.

Betty Wiggins – instead of arguing, think of the personnel operating the truck. Don't make their jobs unsafe.

Mr. Lopez – this vehicle puts everyone at risk to the tune of \$1,000,000.

Ms. Teleisa – it is interesting that this came up today when Ms. Chang isn't here.

Jose Sosa – it doesn't matter if Ms. Chang is here this evening; the Mayor's position is merely ceremonial; no one has more power than the other.

Gil Gehin Scott – you'd better prepare us if we have to bite the bullet; it sounds like a design problem and it needs to be replaced.

Mayor Daniels – will ask for a full investigation of this situation; he wants all of the facts before him. Mayor Daniels made a motion for a full investigation; Mr. Lopez seconded his motion. The governing body never provided a resolution and now we are liable for this. All voted yes, Ms. Teleisa abstained.

Ms. Smith-Hartman thinks we shouldn't use the truck because it could put our employees at risk. She wants to see a resolution first.

Resolutions

91-16 Payment of Vouchers – motion to approve made by Mr. Lopez; seconded by Ms. Smith-Hartman. All voted yes. Ms. Teleisa had a question about a vehicle maintenance bill; she asked if we use local shops or just Highway Tire. Highway Tire is actually owned by a Westampton resident. She would like to keep it local, if possible.

92-16 Refund Taxes, Block 1001.08, Lot 14 – motion to approve made by Mr. Lopez; seconded by Ms. Smith-Hartman. All voted yes.

93-16 Appoint Purchasing Agent – motion to approve made by Ms. Teleisa; seconded by Ms. Smith-Hartman. All voted yes.

Ordinances

None

Correspondence

Resolution honoring Donna Ryan as Burlco JIF Fund Commissioner

Dates to Remember

October 7th – Coffee with a Cop, Dunkin Donuts, 9-11 AM, 102 Springside Road

October 15th – Westampton PTO 5K Fun Run, registration is at 9 AM. There will be more walkers than runners participating. Rain date is October 16th.

Firehouse Open House – October 13, 2016. Fire Prevention week is a two week event for them.

October 28 – Westampton Fall Festival, Westampton Sports Complex, 6 to 9 PM

November 12th – Annual Free Rabies Clinic, 9 to 11 AM, PW Garage

RCASA, Oct. 4th – 6 PM, Westampton Municipal Building, resident outreach

Open to Public Comment

Vernita Jones – has resigned from the Westampton Township Committee election; she is a single parent and has chosen to focus on her family at this time. That is the only reason for her withdrawal from the election in spite of rumors that it was for other reasons. She is a 26 year Veteran as well as a mother, sister, aunt and is proud to say she is a Westampton Township resident.

Lori Hustus – thanked Ms. Jones for her service; she agrees with what she said. The election should be about issues and not personal.

John Wisniewski – is the replacement for Ms. Jones on the ballot in November for Township Committee. He wants to address the Committee and the public; his name was brought up last week. Accusations were made by a resident who said some despicable things about him; since then they have spoken and have gotten to know each other. He doesn't understand why people's characters have to be tarnished.

Garfield Harper – spoke to his neighbors; not a one had something bad to say about Mr. Wisniewski. He retracts what he said about him.

Nancy Burkley – doesn't think it is appropriate to campaign at a Township meeting.

Ruth Bonano – wants to know when the seniors will be getting a better place to meet. Will they be building low income apartments for seniors to live? Mr. Lopez answered that changes will be made to the recreation building where they currently meet which include an updated kitchen, bathrooms, etc. and these are all detailed in the agreement.

Mayor Daniels – the seniors absolutely deserve an updated space; they are working hard to get it done. Ms. Burkley is absolutely right as well.

Janet Curran – is proud of RVRHS and their marching band that came in first place. She asked the Committee if any developers have been approaching the Township in recently. Mayor Daniels is cautiously optimistic that we will have some growth here in the Township.

Jose Sosa – stressed the importance of dialogue. He asked Mr. Wisniewski if he would agree to debate Linda Wittmann. Mr. Wisniewski agreed to do so.

Sherry Dolan – asked about the residence at 696 Woodlane Road; they damaged her property while doing sewer work. She called the Township and found out it was purchased by Dakota Homes and is a group home. She wants to know who will be moving in and exactly what else is involved in turning it into a group home. Are they supposed to be notifying residents?

Mr. Lopez – has been getting calls from residents recently regarding group homes coming into the Township. Administrator Maria Carrington has been researching this.

Sherry Dolan – since moving into Irick Woods, she has discovered that there is lots of dog waste around; can we look into putting up signs and maybe bag dispensers. Ms. Smith-Hartman would look into this; the Public Works department recently acquired a sign maker.

Boy Scouts – Troop 117, meets at the Recreation Center. The two Scouts were attending the meeting as part of their service projects and badge requirements. They are always looking for service opportunities. They were going to be doing a project out at Timbuctoo, the civil war cemetery. They will be installing benches and doing some landscaping work.

Comments from Department Heads and Professionals

Fire Chief Craig Farnsworth – thanked Todd Mitzelman and Mike Meenan for helping prepare for Fire Prevention Week.

Lt. Ent – body cameras are being utilized as of October 1st; they hope to see a lot of people this Friday at the Dunkin Donuts. Meetings are being scheduled with residents of each development to assess their needs and concerns.

Emergency Management Coordinator Daryl Caulfield – we are in the midst of the 2016 hurricane season; Hurricane Matthew is just south of Haiti; we won't know if it will have an impact on us yet.

Mr. Lopez – please excuse Chief Otto from attending the meeting tonight.

Ms. Smith-Hartman – also excuse Mike Meenan tonight, he is under the weather

Ms. Teleisa – thought this was the perfect meeting for the Scouts to attend; although everyone spoke, not all of us agree. The important thing is that it is a democracy; although she wishes it could be a bit kinder and more respectful. We have one common goal and that is to make Westampton a great town to live in.

Mr. Lopez – thanks to everyone for coming out tonight. He reached out to the Township regarding a pothole, it was fixed in 24 hours; thanks very much to the Public Works Department.

Mayor Daniels – thanked everyone for coming out tonight and attending the meeting.

There were no further comments and the meeting was adjourned.

Respectfully submitted,

Marion Karp, Municipal Clerk