

WESTAMPTON TOWNSHIP COMMITTEE MEETING

5:45 PM WORKSHOP/EXECUTIVE SESSION 7:00 PM REGULAR MEETING

December 4, 2018

The meeting was called to order and opened at 7:00 PM by Mayor Wisniewski. Requirements of the Sunshine Law were read. This meeting was advertised in the Burlington County Times on January 5, 2018. The flag was saluted and there was a moment of silence.

Roll Call:

Committeewoman Burkley	Present
Committeeman Henley	Present
Committeewoman Hynes	Present
Committeewoman Smith-Hartman	Present
Mayor Wisniewski	Present

Walter Denson, Solicitor, was present. Marion Karp, Clerk, was present.

Approve Agenda – motion to approve by Ms. Burkley; second by Mr. Henley. All voted yes.

Minutes of the 11/19/18 meeting; 11/19/18 workshop & closed session minutes of 11/19/18 – motion to approve by Mr. Henley; second by Ms. Hynes. All voted yes.

Scheduled Appointments

None

Public Comments on Agenda Items

Janet Curran – asked about resolution #158-18. This has been going around and round the last couple of years for this lawsuit; she is very discouraged about this. This is something that should never have happened in the first place. It's going to cost the tax payers a lot of money; she is very disappointed to see this on the agenda. She hopes something like this never happens again.

Karl Eversmeyer – the Committee didn't have a part in this but now they do. Obviously this position was a loophole, obviously a shady deal. We should have a highly qualified candidate in the fire department; this is a lot of money. We need a new fire truck that we can't afford yet we are giving a half million dollars away. He doesn't think it is right but understands they have to do what they have to do.

Anthony D'Errico – asked when the terms of the agreement would be known; will he be barred from future employment. What portion does insurance pay; he wants more detail about the agreement. He would like to have this information before the agreement is finalized and have the citizens be involved in such a large expenditure.

Chris Hamilton – would like to see more about this case; there is plenty of case law to show the Township is in the right. This whole thing is a case study of what is wrong in NJ politics. He would like to hear the explanation of why we are paying this.

There were no further comments from the public.

New Business

Quarterly MEL Loss Ratio Snapshot

Ordinances

10-2018 Amend the Code of the Township of Westampton, Chapter 54, Police Department (first reading) – motion to approve made by Mr. Henley; seconded by Ms. Hynes. All voted yes.

Resolutions

154-18 Payment of Vouchers - this resolution approves the payment of bills through 12/4/18. Motion to approve made by Ms. Hynes; seconded by Ms. Burkley. All voted yes.

155-18 Adopt BURLCO JIF policies – motion to approve by Ms. Burkley; second by Ms. Hynes. All voted yes.

156-18 Animal Control Services Agreement for 2019 – motion to approve by Mr. Henley; second by Ms. Burkley. All voted yes.

157-18 Transfer of Appropriation Funds – motion to approve by Mr. Henley; second by Ms. Hynes. All voted yes.

158-18 Authorize Settlement Agreement, Jason Carty – Ms. Hynes spoke regarding a professional conflict and will recuse herself from discussion and the vote tonight. She returned the small political donation that had been made by the law firm handling the lawsuit. Mr. Henley also recused himself due to the political donation that was made. Ms. Burkley read a statement to the public; this is an extremely difficult vote tonight. She has sat in the executive sessions discussing this with the Committee. We can't let our emotions and personal feelings affect our actions. She is trying to do what is best for Westampton even though others may disagree with her. It is the right thing to do to settle

this considering the circumstances we are in. Motion to approve by Ms. Burkley; second by Mayor Wisniewski. Ms. Burkley and Mayor Wisniewski voted yes, Ms. Smith-Hartman voted no, Ms. Hynes and Mr. Henley recused themselves.

Ms. Smith-Hartman – in 2015 Abe and she had the privilege of being elected to the Township Committee; they promised to be more transparent, along with other improvements that were made under their tenure. They tried to be careful with the budget; at the time when they came on the Committee, they had both a Fire Chief and a Deputy Fire Chief. Craig Farnsworth has a Masters degree in fire science and had been serving as Chief until Carty was employed. She has nothing against him, in fact, she doesn't even know him. It was done only for financial reasons.

Mayor Wisniewski said tonight's vote is not an easy vote; he thanked Ms. Burkley who has been here for a short time but has taken the information she was able to get and formulated an opinion and came today prepared to make the best decision for the township.

Correspondence

BURLCO JIF – Budget Hearing, 12/18/18, 3:30 PM, Hainesport Municipal Building

Committee Liaison Reports

Mr. Henley – no update at this time

Ms. Hynes – the next school board meeting is Monday, December 10th @ WMS

Mayor Wisniewski – no update at this time

Ms. Smith-Hartman – no update at this time

Dates to Remember

December 6, 2018 – Westampton Township's Annual Senior Citizen's Holiday Dinner, Westampton Middle School, 6 PM

December 15 - Westampton Recreation's Breakfast with Santa, WMS, 9 – 11 AM

December 18, 19, 20 – WTES Santa Run – 6 PM

December 18 – Westampton Township Electronic Tax Sale, 9:30 AM

January 8, 2019 – Westampton Township Reorganization Meeting, 6 PM

Open to public Comment

Anthony D'Errico – asked if agreed upon, this would end the litigation. Solicitor Walter Denson answered that the agreement needed to be executed first; tonight was simply authorizing the settlement. Mr. D'Errico thinks the residents should be able to look at the terms of the settlement before the Committee signs it.

Michael Eaton – is confused about the monetary terms. The resolution says up to \$500,000 but they are talking like it is already decided it will be \$500,000. Why are they deciding this already; this is a lot of money to pass on to the residents. He asked if the residents have any say in this; Solicitor Denson explained that the committee members are elected to make these kinds of decisions on behalf of the residents.

Joe DePaulo – asked if Jason Carty could return to work in Westampton Township.

Karl Eversmeyer – could the amount of the settlement be below \$500,000? It seems the resolution is worded that way.

Ms. Burkley asked if the settlement agreement is reached, would it be brought back to the Committee for a vote. Solicitor Denson would confer with labor counsel; it may be brought back to finalize the terms of the agreement. Generally, a copy of the settlement agreement would be attached to the resolution.

Ms. Smith-Hartman – asked why we are having a vote if we are only talking about the monetary terms tonight; she doesn't understand it; it should be complete. She doesn't think a vote shouldn't be taken if the terms of the agreement aren't complete.

Mr. Derrico – asked if the attorney's fees are included in the \$500,000; Solicitor Denson stated that they were.

Janet Curran – this was an emotional and disturbing thing to go through for the residents. She wanted to thank Ms. Smith-Hartman; she is sorry she didn't get to say goodbye to Abe. There is an issue on Bridge Street next to the schoolhouse; they feel there is a pipe that broke along the street; she last spoke with Maria who promised we would look into the issue. She spoke about tractor trailers and traffic.

Committee Members Comments

Ms. Burkley – this was a very difficult night for her; she didn't realize what she would be getting into for 2.5 months. The Committee has knowledge that they can't share with the public. She doesn't take this lightly; she couldn't sleep last night. She is sorry that her friends are mad at her but she has to live with herself and she is doing what is best for the residents of Westampton.

Ms. Hynes – anyone who knows her knows she doesn't try to get out of hard decisions. Her firm refers work to the Hartman law firm and this to her is an appearance of impropriety. It is hard for her to remove herself and not have input because she negotiates for a living. She wants everyone to understand her recusal.

Mr. Henley – welcomed Janet Curran back; he is happy to see her. Thanks to Ms. Burkley for stepping up and helping out. It's a tough job to be up there; they have to remember that they are tax payers themselves. They are trying to do the best that they can do as a group, they are trying to do what is best for the residents. He feels this had to be done with the information that the Committee has. He thanked everyone for coming out tonight and for their support and ideas.

Ms. Smith-Hartman - doesn't know why we voted on this tonight since everything isn't spelled out; it is nonsensical. Solicitor Denson explained that the amount is definitely \$500,000 and won't change. That is what they voted on tonight.

Mayor Wisniewski – he thinks that tonight's vote was difficult but was needed.

There were no further comments and the meeting was adjourned.

Respectfully submitted,

Marion Karp, Municipal Clerk