

October 8, 2009

The meeting was called to order at 7:00 p.m. by Mayor Docimo. 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, 2009
- B. Mailing written notice to The Gloucester County Times and the Courier Post on January 6, 2009.
- C. Filing written notice with the Clerk of West Deptford Township on January 6, 2009

Roll Call:

Mr. Daws, Ms. Szymborski, Mr. Garrison, Mr. Cobb, and Mayor Docimo were in attendance for this meeting

Township Clerk

The one night ABC license for the Equine Assisted Therapy organization for October 24th was approved in motion given by Mr. Garrison, seconded by Mr. Cobb, and approved by the entire committee.

Open Meeting to the Public

The meeting was opened to the public and when no one chose to address the committee, a motion to close was made by Mr. Cobb with a second from Mr. Garrison. Motion carried by all.

The Bill List and additions were approved in motion given by Ms. Szymborski with a second from Mr. Cobb. Motion carried by all.

WHEREAS, the Township Committee of the Township of West Deptford had received and reviewed the "Bill List" as prepared by the Township Treasurer and the Purchasing Officer for the monthly period ending October 6, 2009.

NOW, THEREFORE, BE IT RESOLVED that said "Bill List" as prepared by the Township Treasurer 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 October 8, 2009.

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Engineer's Report:

ENGINEER'S REPORT
TOWNSHIP OF WEST DEPTFORD
October 1, 2009

1. MUNICIPAL SEARCHES

All Municipal Search Improvement requests are up-to-date. The Engineer has received no municipal assessment searches this month.

2. RIVERWINDS AT WEST DEPTFORD APPROVALS

Waterfront Development

A revised or modified application will need to be submitted to NJDEP once a revised plan and redeveloper is selected.

No Further Action Letter from NJDEP

We are contacting NJDEP to request that a new case manager be assigned to the project, since the previous manager is no longer with the department. We will be discussing the requirements for a revised remedial action plan, based on residential areas being added to the plan.

Wetlands – Letter of Interpretation (LOI)

NJDEP has requested additional documentation during their review of the LOI application submitted last year. T&M has prepared a comprehensive deed restriction and site wetlands plan. The plans are being revised to incorporate NJDEP comments. Met with NJDEP on site, prepared a plan of areas to be trimmed around the cove.

3. SHERWOOD UTILITIES

Sherwood Green

Township crews have minimal curb repairs to make within Sherwood Green. Otherwise, this project is complete.

Speed Humps in Sherwood Green

Once Township crews complete the installation of warning signs within Sherwood Green, this project will be complete.

Sherwood West

All concrete curb, sidewalk, and aprons, along with all milling, grading, and man-hole resets and base paving of all streets have been completed in Sherwood West. Surface course paving in Sherwood West has started this week.

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Minor punch list items, which include sprinkler head repair, additional topsoiling, and seeding, remain for Batata to complete. Retainage will be held until all the issues have been cleared up.

Concrete curb, sidewalk, and aprons are substantially complete in Sherwood West. Milling, grading and manhole resets of all streets should be completed by the end of this week. All roads, except Ollerton Road, have been base paved. Base paving on Ollerton Road started today, and should be completed by the middle of next week.

4. PUBLIC WORKS GARAGE HVAC/EMERGENCY GENERATOR

The revised preliminary project scope of improvements of probable construction costs was submitted to the Township for review and comment upon receipt of authorization we will begin the project.

5. MOORE PROPERTY

The case manager indicated that NJDEP is considering a policy change regarding State funding of agricultural pesticide cleanups (the Moore property involves cleanup of agricultural arsenic). Since agricultural pesticides were applied rather than spilled, cleanup of such sites may be excluded from funding. The policy review committee has not yet reached a decision. The Case Manager instructed us to contact her office in two (2) weeks for an update.

6 RIVERWINDS COMMUNITY CENTER – EMERGENCY GENERATOR

The Township has received confirmation that a \$200,000.00 grant has been issued to help defer costs for the installation of an emergency power backup generator for the facility. The project cost is projected to be about \$475,000.00, which includes engineering and a construction contingency.

The generator will supply power to the entire Community Center with the exception of the Aquatic Center. Supplemental funding is being explored for this project.

7. COMMUNITY CENTER ALTERNATIVE ENERGY SOURCES

T&M has conducted an investigation of alternative energy sources to help defray utility costs being incurred to operate the Community Center. Our study assessed the site constraints, review alternatives, investigate grants and prepare construction cost estimates with operating costs for the installation of solar panels. We are updating our Financial Analysis based on sale of energy credits and advancements made in the industry. We are also investigating the option of installing the panels on the former U.S. Wetlands property.

8. ROAD PROGRAM – COLUMBIA AVENUE

Final Change Order and Final Payment Request are being reviewed at this time. We will hold retainage until all punch list items are complete and all closeout documentation is received from American Asphalt. We can submit the Final Payment Voucher to NJDOT for the balance of the reimbursement due to West Deptford Township.

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9. NJDOT TRANSPORTATION ENHANCEMENT PROGRAM

Bicycle Route Grant

The preliminary plans are near completion and will be submitted to the County for review. This project is being completed with a \$90,000.00 grant. No change.

10. 2009 NJDOT TATUM STREET PROJECT

Design completed and submitted to NJDOT for review on July 22, 2009. We can advertise for bids upon receipt of the Township's approval.

11. CENTER STREET (2005 STATE AID PROGRAM)

Plans and specifications for sidewalk improvements are completed. The plans were sent to NJDOT. The project will be advertised for bids when directed by the Township. No change.

12. NJ ENVIRONMENTAL INFRASTRUCTURE TRUST – ECONOMIC STIMULUS PROGRAM

Permit Approval process is complete. The project has been pulled by the Township for FY 2009 loan agreements. The project will be requested to be added to the FY 2010 project list for possible funding. October 5, 2009 is the deadline notice to get back into the program for 2010. T&M will prepare the required "Clean Water Loan Letter of Intent" and submit it to the EIT on behalf of the Township.

13. COMMUNITY DEVELOPMENT BLOCK GRANT

On July 15, 2009, Gloucester County Housing and Community Development approved the Township's 2009 project to repair Virginia Avenue from Woodbury Terrace to Audubon Avenue. The \$50,000.00 grant will be made available on or about November 1, 2009.

14. GREENWOOD AVENUE

As requested, we are staking out the right-of-way of this paper street for drainage investigation.

PLANNING BOARD

The status of on-going Planning Board projects is as follows:

- a. Tilden Court – All punch-list items have been inspected and corrected. A letter of recommendation for release of the performance escrow Letter of Credit was issued on November 10, 2008, subject to the submission of a Maintenance Bond.
- b. Eagle View Estates – Two (2) year maintenance bond expired in October 28, 2006.

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- c. The Reserve at RiverWinds – Two (2) year maintenance bonds for the four sections expired in February 2009. A recommendation letter for release of the maintenance bonds was sent to WDT on May 26, 2009 after the developer agreed to pay WDT \$2,000.00 to cover the cost to repair one apron and repair mortar at one curb block joint.
- d. Kings Woods, The Village – Sections 1.1 and 4.3 (Active Adults) are currently on a (2) year Maintenance Bond that expires on June 23, 2010. The spalling sidewalks were repaired and are included in the current maintenance bond.
- e. Kings Woods, The Grande – Sections 1.2, 2.1 and 4.1 (Single Family), are currently on a two (2) year maintenance bond that expires on July 2, 2010. T&M recommended performance bond release of Section 4.2 subject to the developer making payment in the amount of \$2,328.75 for the possible future basin access installation. T&M recommended WDT to accept this payment to satisfy the uncompleted item. D.R. Horton addressed the initial punch-list items noted in T&M's inspection report and requested the release of the performance bond for Sections 2.2, 2.3, 4.4, 4.5, and 4.6 (Condos). T&M conducted a punch-list walk-thru with the HOA and DR Horton. A new punch-list was developed and DR Horton started to perform the corrections of the concrete sidewalks to be replaced. Additional landscaping and piping deficiencies were noted for correction also. T&M continues to provide inspection services to this site.
- f. Pelican Place – Two (2) year maintenance bond expired in February 2009. A maintenance bond inspection was performed by T&M and a release was recommended on a letter to WDT dated May 21, 2009. The HOA later informed that there are still items to be corrected regarding areas of pavement where ponding occurs and damages to curbs, but none were detected during the release inspection. T&M investigated by inspecting 24 hours after a rain event and no ponding was noticed. T&M will coordinate with the HOA to verify their areas of concern.
- g. Sheppard's Farm – Project was on a two (2) year Maintenance Bond for landscaping that expired on May 10, 2008.
- h. Nottingham Estates – House construction was stopped after six (6) C.O.'s have been previously recommended. An inspection was made to assess the cost of pending municipal improvements due to the project inactivity. A second inspection was made to assess the condition of the storm water detention basin, due to homeowner's concerns. A report with recommendations was sent to WDT on June 23, 2009 addressing maintenance items. The HOA wrote a letter to WDT requesting clarification on several of these maintenance items due to the project being stopped. Due to recently obtained information, it seems unlikely the developer will finish the project. T&M made several recommendations to WDT in order to address the uncompleted municipal improvements by subcontracting the initial repair and maintenance work, with the HOA

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assuming maintenance responsibilities thereafter. WDT's Solicitor advised the banking institution providing the escrow letter of credit that the Township intends to call the letter of credit to pay to complete the bonded municipal improvements. A Notice of Claim was submitted to The Bank on September 10, 2009 by WDT's Solicitor.

- i. Paradise Estates – Construction of new homes was stopped due to poor new home sales. A pending municipal improvements inspection was made on May 12, 2009 to assess the cost of the pending improvements, due to the project inactivity. No new certificates of occupancy were recommended during this period. The developer posted a new escrow in the form of a bank Letter of Credit.
- j. Elite Construction – Jessup Road – The corrections to the aprons noted on the T&M inspection punch-list were previously completed. The maintenance bond escrow in the form of a Letter of Credit was recommended for release in December 23, 2008.
- k. Victorian Walk – The contractor previously completed the placement of concrete for the remaining sidewalks. The top paving is pending. A bond reduction inspection was previously performed for sanitary sewer & concrete curb and a letter of recommendation was issued previously.
- l. ARM Building Addition – The project is completed. All concrete restorations have been completed; all sidewalks have been removed and replaced. A CO was recommended.
- m. Norwood Construction, Union Ave. – An inspection was made on June 29, 2009 to the completed project and a letter of recommendation was sent on June 30, 2009 listing corrective actions prior to any recommendation for performance bond release. The developer informed that the items were corrected and a verification inspection was performed.
- n. RiverWinds Restaurant – Asphalt surface paving was completed. A CO inspection was made and the CO was recommended to be issued.
- o. RiverWinds Apartments –A temporary CO was previously recommended for Building #1 and the sales office. An inspection was also made to assess the remaining work items for final completion. The developer requested a bond release inspection but additional escrow needs to be posted to cover the additional services.
- p. Dunkin Donuts Sanitary Sewer Extension – The sewer line construction is complete and was successfully tested. All restoration work is complete.

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In addition to the report, Mr. Steck requested approval for the following items.

Approval of Change Order No. 2 – Final
American Asphalt Co. Inc
Decrease for the Reconstruction of Columbia Avenue - \$17,251.39
Mr. Daws – Mr. Cobb 5-0 vote

Approval of Payment Application and Certification No. 3
American Asphalt Co. Inc
Payment of \$8,798.14
Mr. Garrison – Mr. Cobb 5-0 vote

Mr. Daws moved on this resolution and his motion was seconded by Mr. Cobb and approved by the entire committee.

**RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD
AMENDING THE PERSONNEL AND PROCEDURES MANUAL
TO INCLUDE AN IDENTITY THEFT POLICY**

The following resolution was approved in motion given by Ms. Szyborski seconded by Mr. Cobb and approved unanimously.

**RESOLUTION AUTHORIZING REIMBURSEMENT
TO RESIDENTS FOR LAWN SPRINKLER SYSTEM DAMAGE**

The Committee entered into a closed session to discuss the Police Contract Negotiations and litigation (Damiani v. West Deptford) by motion given by Mr. Daws with a second from Mr. Cobb. Motion carried by all.

**RESOLUTION AUTHORIZING CLOSED SESSION
FOR DISCUSSION OF LITIGATION AND PERSONNEL**

Closed Session

The attorney representing the Township provided the committee with information pertaining to the Damiani v. West Deptford litigation. She outlined the details and recommended a course of action. The committee provided the attorney with a directions and the outcome of this case will be made public as soon as the case is settled or resolved in court.

Mr. Campo updated the committee on the police negotiations. A discussion followed and the administrator was given direction to continue and finalize this process. Details of the negotiations will be made public with the resolution and agreement to the contract.

Motion given by Mr. Cobb to open the meeting to the public. His motion was seconded by Mr. Daws and approved by all.

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Mr. Cobb moved on this resolution and his motion was seconded by Mr. Daws and approved by the entire committee

**RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD AUTHORIZING THE
EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF WEST
DEPTFORD AND PBA LOCAL #122**

Motion to adjourn given by Mr. Cobb with a second from Mr. Garrison. Motion carried unanimously.

Respectfully submitted,

Raymond L. Sherman
Township Clerk