

# WILLINGBORO TOWNSHIP COUNCIL

## AGENDA

September 4, 2018

7:00 PM  
Call to order  
Flag Salute  
Statement  
Roll Call

### MANAGER'S REPORT

#### RESOLUTIONS

- Res. 2018—114 RESOLUTION AUTHORIZING THE APPROVAL OF VOUCHERS FOR PAYMENT & RATIFICATION
- Res. 2018—115 RESOLUTION AUTHORIZING REFUNDS FOR OVERPAYMENTS OF TAXES
- Res. 2018—116 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING CHANGE ORDER #1 FINAL FOR 2017 ROAD IMPROVEMENT PROGRAM “RESURFACING OF VARIOUS STREETS”
- Res. 2018—117 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING PAYMENT CERTIFICATE NO. 3 FINAL RELEASING FINAL PAYMENT AND RETAINAGE TO ARAWAK PAVING COMPANY, INC., FOR THE 2017 ROAD IMPROVEMENT PROGRAM “RESURFACING OF VARIOUS STREETS”
- Res. 2018—118 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO RELEASING THE PERFORMANCE BOND FOR THE 2017 ROAD IMPROVEMENT PROGRAM “RESURFACING OF VARIOUS STREETS” AND ACCEPTING A TWO YEAR MAINTENANCE BOND
- Res. 2018—119 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING CHANGE ORDER #1 FOR FIRE & EMS STATION”
- Res. 2018—120 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING PAYMENT OF CERTIFICATE NO. 5 FINAL RELEASING RETAINAGE TO LANDBERG CONSTRUCTION, LLC, FOR FY 2017 NJDOT TRUST FUND RESURFACING OF CHARLES VAN SCIVER PARKWAY (PHASEIII)

- Res. 2018—121 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO RELEASING THE PERFORMANCE BOND FOR THE FY 2017 NJDOT TRUST FUND RESURFACING OF CHARLES VAN SCIVER PARKWAY (PHASE III) AND ACCEPTING A TWO YEAR MAINTENANCE BOND
- Res. 2018—122 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING CHANGE ORDER #1 FINAL FOR 2017 CONCRETE REPAIRS AT VARIOUS LOCATIONS
- Res. 2018—123 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING PAYMENT OF CERTIFICATE NO. 2 FINAL RELEASING RETAINAGE TO DIAMOND CONSTRUCTION, INC., FOR THE 2017 CONCRETE REPAIRS AT VARIOUS LOCATIONS.
- Res.2018—124 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO RELEASING THE PERFORMANCE BOND FOR THE 2017 CONCRETE REPAIRS AT VARIOUS LOCATIONS AND ACCEPTING A TWO YEAR MAINTENANCE BOND
- Res. 2018—125 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION-TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FOR THE REHABILITATION OF THE EXISTING BIKE PATHS THROUGHOUT THE TOWNSHIP
- Res. 2018—126 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO TERMINATING CONTRACT FOR 2018 JOHN F. KENNEDY COMMUNITY CENTER SITE IMPROVEMENTS CONTRACT NO. 1
- Res. 2018—127 EXECUTIVE SESSION (IF NEEDED)
- Res. 2018—128 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH ZELLER & WIELICZKO, LLP, AS SPECIAL COUNSEL TO THE TOWNSHIP
- Res. 2018—129 RESOLUTION AUTHORIZING AN INCREASE IN THE CONTRACT AMOUNT OF FLORIO PERRUCCI STEINHARDT & CAPPELLI, LLC, AS LABOR AND EMPLOYMENT COUNSEL

**TREASURER REPORT—ADOPT AND APPROVAL**

Approval of June 19, 2018 and July 3, 2018

Public Comment  
 Council Comment  
 Adjournment

ALL BUSINESS ITEMS ARE TENTATIVE PENDING THE REVIEW AND APPROVAL OF THE LAW DEPARTMENT

Willingboro Township Council Meeting of September 4, 2018 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

7:00 P.M. meeting  
Flag Salute  
Required Statement  
Roll Call

The Required statement was read.

In compliance with the Open Public Meeting Act, this is to announce that adequate notice of this meeting was provided in the following manner.

On January 1, 2018 advance written notice of this meeting was posted on the bulletin board in the Municipal Complex.

On January 1, 2018, advance written notice of this meeting was mailed to the Burlington County Times, Willingboro, the Trenton Times, the Philadelphia Inquirer and the Courier Post.

On January 1, 2018, advance written notice of this meeting was filed with the Township Clerk.

The Clerk is directed to enter into the minutes of this meeting this public announcement.

Roll Call:	Councilman Anderson	Present
	Councilwoman Jennings	Present
	Councilwoman Perrone	Absent
	Deputy Mayor Nock	Present
	Mayor Holley	Present

Interim Manager, Rich Brevogel; Jill Cyrus, Director Recreation; Wendell Bibbs, P.E., Remington & Vernick Engineer; Cristal Holmes-Bowie, Esq., Firm of Michael Armstrong, Township Solicitor; Walter Howard, IT Department; Eusebia Diggs, Director of Finance; Greg Rucker, Director of Public Safety; Jesse King, Director of Human Resources; Fire Chief Anthony Burnett

**Manager's Report (See attached)**

Mayor Holley: Regarding "Movie Nite" on September 8<sup>th</sup>; a community event that came about when one of our community members reached out and he was interest in doing something for the community to bring everyone together. He worked with Jill Cyrus and the ball got moving. They will be showing "Avenger Infinity War." There is free popcorn for everyone and there will be food trucks on site to provide refreshments. The Food trucks are not free.

Regarding those contract negotiations—the lack of performance and areas of concern...

Rich Brevogel: I'll let the Engineer speak to that.



Cristal Holmes-Bowie, Esq.: Maybe we can speak about that in executive session.

Mayor Holley: We will precede with the resolutions.

**RESOLUTIONS**

**RESOLUTION NO. 2018-114**

**Authorizing the Approval of Vouchers for Payment & Ratification**

Whereas, Willingboro Township Council received the August 2018, Bill List and had an opportunity to review said Bill List; and

Now, Therefore, Be It Resolved by the Township Council of the Township of Willingboro, assembled in public session this 4th day of September, 2018 that the Council hereby authorizes the Approval of Vouchers for Payment and Ratification including those items purchased under state contract and identified as such and all Trust Other Accounts (Recreation Trust, Tax Redemption, Escrow, and Dedicated by Rider Accounts).

Be It Further Resolved that a copy of this resolution shall be forwarded to the Director of Finance for her information and attention.

On motion by Councilwoman Jennings  
Seconded by Councilman Anderson

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018—114 Approved.**

**RESOLUTION NO. 2018-115  
A RESOLUTION AUTHORIZING REFUNDS FOR  
OVERPAYMENTS OF TAXES**

WHEREAS, the records of the Tax Collector of the Township of Willingboro indicate overpayments of taxes due and overpayments; and

WHEREAS, refunds are due for these overpayments as listed on the attached schedule and made a part hereto;



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NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 4th day of September, 2018, that refunds be made as per the attached schedule; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Finance Director for information, attention and compliance.

On motion by Councilman Anderson  
Seconded by Councilwoman Jennings

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018—115 Approved.**

**RESOLUTION NO. 2017-116**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF WILLINGBORO AUTHORIZING PAYMENT CERTIFICATE NO. 3 FINAL  
RELEASING FINAL PAYMENT AND RETAINAGE TO ARAWAK PAVING COMPANY, INC.,  
FOR THE 2017 ROAD IMPROVEMENT PROGRAM "RESURFACING OF VARIOUS  
STREETS"**

**WHEREAS**, the Township of Willingboro's Engineers Remington, Vernick & Arango Engineers, Inc. has submitted the Payment Certificate No. 3 Final, representing the final payment in the amount of \$67,317.42 and the release the retainage in the amount of \$10,397.22 to Arawak Paving Company, Inc., for 2017 Road Improvement Program "Resurfacing of Various Streets."

**WHEREAS**, the Township engineer has determined that no further work is being performed on this project and the Payment Certificate No. 3 Final has been reviewed and approved by the Township Engineer.

**WHEREAS**, it is the recommendation of the Township's Engineer that the Township of Willingboro release the retainage for this project in the amount of \$10,397.22 and make the final payment in the amount of \$67,317.42.

**WHEREAS**, it is in the best interest of the Township of Willingboro to release the retainage for this project in the amount of \$10,397.22, and authorize final payment in the amount of \$67,317.42 to Arawak Paving Company, Inc., in accordance with the Township Engineer's recommendations in Payment Certificate No.3 Final, for the 2017 Road Improvement Program "Resurfacing of Various Streets."

**NOW THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Willingboro, assembled in public session this 4<sup>th</sup> day of September, 2018, that the retainage in the amount of \$10,397.22 and final payment in the amount of \$67,317.42 the 2017 Road Improvement Program “Resurfacing of Various Streets,” for a total of \$77,714.64 shall be released to Arawak Paving Company, Inc., pursuant to the Payment Certificate No. 3 FINAL, and in accordance with the Township Engineer’s recommendations.

**BE IT FURTHER RESOLVED**, that copies of this resolution shall be provided to the Finance Director, the Township Engineer and Arawak Paving Company, Inc., for their information and attention.

On motion by Councilwoman Jennings

Seconded by Councilman Anderson

**Discussion**

Wendell Bibbs: This is just the final, what I call the three steps for closing out a project. Change Order No. 1 is just the final adjustment—you awarded X dollars. It came in under contract. The next one has to do with releasing the retainage and the final step is the two year maintenance bond.

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018—116 Approved.**

**RESOLUTION NO. 2018--117**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF WILLINGBORO AUTHORIZING PAYMENT CERTIFICATE NO. 3 FINAL  
RELEASING FINAL PAYMENT AND RETAINAGE TO ARAWAK PAVING COMPANY, INC.,  
FOR THE 2017 ROAD IMPROVEMENT PROGRAM “RESURFACING OF VARIOUS  
STREETS”**

**WHEREAS**, the Township of Willingboro’s Engineers Remington, Vernick & Arango Engineers, Inc. has submitted the Payment Certificate No. 3 Final, representing the final payment in the amount of \$67,317.42 and the release the retainage in the amount of \$10,397.22 to Arawak Paving Company, Inc., for 2017 Road Improvement Program “Resurfacing of Various Streets.”

**WHEREAS**, the Township engineer has determined that no further work is being performed on this project and the Payment Certificate No. 3 Final has been reviewed and approved by the Township Engineer.

Willingboro Township Council Meeting of September 4, 2018 was held in Council’s Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

**WHEREAS**, it is the recommendation of the Township’s Engineer that the Township of Willingboro release the retainage for this project in the amount of \$10,397.22 and make the final payment in the amount of \$67,317.42.

**WHEREAS**, it is in the best interest of the Township of Willingboro to release the retainage for this project in the amount of \$10,397.22, and authorize final payment in the amount of \$67,317.42 to Arawak Paving Company, Inc., in accordance with the Township Engineer’s recommendations in Payment Certificate No.3 Final, for the 2017 Road Improvement Program “Resurfacing of Various Streets.”

**NOW THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Willingboro, assembled in public session this 4<sup>th</sup> day of September, 2018, that the retainage in the amount of \$10,397.22 and final payment in the amount of \$67,317.42 the 2017 Road Improvement Program “Resurfacing of Various Streets,” for a total of \$77,714.64 shall be released to Arawak Paving Company, Inc., pursuant to the Payment Certificate No. 3 FINAL, and in accordance with the Township Engineer’s recommendations.

**BE IT FURTHER RESOLVED**, that copies of this resolution shall be provided to the Finance Director, the Township Engineer and Arawak Paving Company, Inc., for their information and attention.

On motion by Councilman Anderson  
Seconded by Councilwoman Jennings

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018—117 Approved.**

**RESOLUTION NO. 2018-118**

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO RELEASING THE PERFORMANCE BOND FOR THE 2017 ROAD IMPROVEMENT PROGRAM “RESURFACING OF VARIOUS STREETS” AND ACCEPTING A TWO YEAR MAINTENANCE BOND**

**WHEREAS**, Remington, Vernick & Arango Engineers, and Affiliates, has inspected the 2017 Road Improvement Program “Resurfacing of Various Streets” throughout the Township; and



**WHEREAS**, the Township's Engineer has determined that the improvements are satisfactory.

**WHEREAS**, it is the recommendation of the Township's Engineer that the Township of Willingboro release the Performance Surety Bond #0208521, in the amount of Five Hundred Ninety One Thousand Nine Hundred and 00/100 dollars (\$591,900.00) and upon a posting of a two year Maintenance Bond #0208521M in the amount of Five Hundred Eighty Seven Thousand One Hundred Seventy Eight and 57/100 dollars (\$587,178.57), provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

**WHEREAS**, it is the intention of the Township Council and in the best interest of the Township of Willingboro to release the performance bond and accept a two year maintenance bond for the 2017 Road Improvement Program "Resurfacing of Various Streets" in the amounts referenced herein, contingent upon the payment of all outstanding escrow invoices, in accordance with the Township Engineer's recommendations.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Willingboro, assembled in public session this 4<sup>th</sup> day of September, 2018, that the performance bond #0208521, in the amount of Five Hundred Ninety One Thousand Nine Hundred and 00/100 dollars (\$591,900.00) will be released for the 2017 Road Improvement Program "Resurfacing of Various Streets," and it will accept a two year Maintenance Bond in the amount of Five Hundred Eighty Seven Thousand One Hundred Seventy Eight and 57/100 dollars (\$587,178.57), provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

**BE IT FURTHER RESOLVED**, that certified copies of this resolution shall be provided to the Finance Director, the Township Engineer, and Arawak Paving Company, Inc., for their information and attention.

On motion by Councilman Anderson  
Seconded by Deputy Mayor Nock

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018—118 Approved.**

**RESOLUTION NO. 2018-119**

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO  
AUTHORIZING CHANGE ORDER #1 FOR FIRE & EMS STATION"**

Willingboro Township Council Meeting of September 4, 2018 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

**WHEREAS**, on January 12, 2017 by Resolution 2017-3 the Township Council of the Township of Willingboro authorized a contract with Ogren Construction, Inc., pursuant to the Local Public Contracts Law, N.J.S.A. 40:11-1, et seq.; and

**WHEREAS**, the original contract amount was awarded for \$10,110,970.28; and

**WHEREAS**, the Township Engineer has recommended various Change Order Requests as more specifically identified in his letter of June 14, 2018 to the Acting Township Manager; and

**WHEREAS**, the recommended change order requests are primarily due to unforeseen conditions or unanticipated loss time and/or delays requiring time extensions:

- COR#2: Removal of unsuitable soils encountered at footing subgrade, \$13,935.69.
- COR#3: Removal of unsuitable Soils encountered below existing basement, \$5,261.00.
- COR#4R: Removal of asphalt layer encountered below EMS portion of existing building, \$4,818.00.
- COR#5: Increase in size of Roof top Unit #6, \$3,316.00.
- COR#6R: Removal of unsuitable soils encountered at footing subgrade, \$754.86.
- COR#7: Installation of Grease trap, \$8,708.61.
- COR#10: Credit for the deletion of a proposed fire pole, -\$45,158.00.
- COR#11R: Delay claims \$267,610.95 resulting from an amended "notice to proceed," due to the time required to procure and install the temporary storage structure.
- COR#11R1: Request for Time Extension.

**WHEREAS**, the total Change Order amount as recommended is \$259,247.11.

**WHEREAS**, the total Amended Contract Amount will then be 10,370,217.39.

**WHEREAS**, Township Council has reviewed the Engineer's recommendation letter for the Change Order #1, and has found that it is in the best interest of the Township to amend the contract amount pursuant to the Change Order #1 to Ten Million Three Hundred Seventy Thousand Two Hundred Seventeen Dollars and 39/100 cents (\$10,370,217.39); and

**NOW THEREFORE, BE IT RESOLVED** that in open public session on this 4<sup>th</sup> day of September 2018 that the Township Council of the Township of Willingboro hereby accepts Change Order

#1 for the Fire and EMS Station, and amends the contract amount for this project to \$10,370,217.39 for Ogren Construction Inc.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be provided to the Township Engineer, Finance director, and Ogren Construction, Inc.

On motion by Councilman Anderson  
Seconded by Councilwoman Jennings

**Discussion**

Cristal Holmes-Bowie, Esq.: This is another one that should be discussed in close session, executive session and Council can come back out and vote.

Councilman Anderson and Councilwoman Jennings rescinded their vote for item to be tabled.

On motion to table was done by Deputy Mayor Nock and seconded by Councilman Anderson.

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018—119 To be Tabled.**

**RESOLUTION NO. 2018-120**

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO  
AUTHORIZING CHANGE ORDER #1 FINAL FOR FY' 2017 NJDOT TRUST FUND  
RESURFACING OF CHARLES VAN SCIVER PARKWAY (PHASE III)**

**WHEREAS**, on September 29, 2017 the Township Council of the Township of Willingboro entered into a contract with Landberg Construction, LLC located at 466 Clarkstown Rd., Mays Landing, NJ 08330, for the FY 2017 NJDOT Trust Fund resurfacing of Charles Van Sciver Parkway (Phase III), pursuant to the Local Public Contracts Law, N.J.S.A. 40:11-1, et seq.; and

**WHEREAS**, the original contract amount was awarded for \$350,571.07; and

**WHEREAS**, the amended final contract amount is \$330,725.18, representing a reduction in the final adjustment of as-built quantities and contract costs of \$19,845.89; and

**WHEREAS**, Township Engineer has found the proposed Change Order # 1 Final and reduction to be acceptable; and



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One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

**WHEREAS**, Township Council has reviewed the Engineer’s recommendation for the Change Order #1 Final, amending the final contract amount to Three Hundred Thirty Thousand Seven Hundred Twenty Five and 18/100 Dollars (\$330,725.18).

**NOW THEREFORE, BE IT RESOLVED** that in open public session on this 4<sup>th</sup> day of September, 2018 that the Township Council of the Township of Willingboro hereby accepts Change Order #1-Final for the FY 2017 NJDOT Trust Fund Resurfacing of Charles Van Sciver Parkway (Phase III) and amends the contract amount for this project to \$330,725.18 for Landberg Construction, LLC.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be provided to the Township Engineer, Finance director, and Landberg Construction, LLC.

On motion by Councilman Anderson  
Seconded by Councilwoman Jennings

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018—120 Approved.**

**RESOLUTION NO. 2018- 121**

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO RELEASING THE PERFORMARNCE BOND FOR THE FY 2017 NJDOT TRUST FUND RESURFACING OF CHARLES VAN SCIVER PARKWAY(PHASE III) AND ACCEPTING A TWO YEAR MAINTENANCE BOND**

**WHEREAS**, Remington, Vernick & Arango Engineers, and Affiliates, has inspected the FY 2017 NJDOT Trust Fund Resurfacing of Charles Van Sciver Parkway (Phase III); and

**WHEREAS**, the Township's Engineer has determined that the improvements are satisfactory.

**WHEREAS**, it is the recommendation of the Township’s Engineer that the Township of Willingboro release the Performance Surety Bond # B10 031 225, in the amount of Three Hundred Fifty Thousand Five Hundred Seventy One and 07/100 dollars (\$350,571.07) and upon a posting of a two year Maintenance Bond #B10 031 225M in the amount of Three Hundred

Thirty Thousand Seven Hundred Twenty Five and 18/100 Dollars (\$ 330,725.18), provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

**WHEREAS**, it is the intention of the Township Council and in the best interest of the Township of Willingboro to release the performance bond and accept a two year maintenance bond for the FY 2017 NJDOT Trust Fund Resurfacing of Charles Van Sciver Parkway in the amounts referenced herein, contingent upon the payment of all outstanding escrow invoices, in accordance with the Township Engineer’s recommendations.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Willingboro, assembled in public session this 4<sup>th</sup> day of September 2018, that the performance bond # B10 031 225, in the amount of Three Hundred Fifty Thousand Five Hundred Seventy One and 07/100 dollars (\$350,571.07) and upon a posting of a two year Maintenance Bond #B10 031 225M in the amount of Three Hundred Thirty Thousand Seven Hundred Twenty Five and 18/100 Dollars (\$330,725.18) for the FY 2017 NJDOT Trust Fund Resurfacing of Charles Van Sciver Parkway (Phase III), provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

**BE IT FURTHER RESOLVED**, that certified copies of this resolution shall be provided to the Finance Director, the Township Engineer, and Landberg Construction, LLC, for their information and attention.

On motion by Councilwoman Jennings  
Seconded by Councilman Anderson

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018—121 Approved.**

**RESOLUTION NO. 2018-122**

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO  
AUTHORIZING CHANGE ORDER #1 FINAL FOR 2017 CONCRETE REPAIRS AT  
VARIOUS LOCATIONS**

**WHEREAS**, on November 6, 2017, the Township Council of the Township of Willingboro entered into a contract with Diamond Construction, Inc., located at 35 Beaverson

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One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

Blvd. Suite 12C, Brick, NJ 08723, for the 2017 Concrete Repairs at Various Locations, pursuant  
to the Local Public Contracts Law, N.J.S.A. 40:11-1, et seq.; and

**WHEREAS**, the original contract amount was awarded for \$93,792.55; and

**WHEREAS**, the amended final contract amount is \$88,174.35, representing a reduction  
in the final adjustment of as-built quantities and contract costs of \$5,618.20; and

**WHEREAS**, Township Engineer has found the proposed Change Order # 1 Final and  
reduction to be acceptable; and

**WHEREAS**, Township Council has reviewed the Engineer's recommendation for the  
Change Order #1 Final, amending the final contract amount to Eighty Eight Thousands One  
Hundred Seventy Four and 35/100 Dollars (\$88,174.35).

**NOW THEREFORE, BE IT RESOLVED** that in open public session on this 4<sup>th</sup> day  
of September, 2018 that the Township Council of the Township of Willingboro hereby accepts  
Change Order #1-Final for the 2017 Concrete Repairs at Various Locations and amends the  
contract amount for this project to \$88,174.35 for Diamond Construction, Inc.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be provided to the  
Township Engineer, Finance director, and Diamond Construction, Inc.

On motion by Councilman Anderson  
Seconded by Councilwoman Jennings

**Discussion**

Councilman Anderson: Is this related to the storm?

Rich Brevogel: No, this concrete work that was done last year. We did about \$100,000  
of concrete work.

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018—122 Approved.**



**RESOLUTION NO. 2018-123**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF WILLINGBORO AUTHORIZING PAYMENT OF CERTIFICATE NO.  
2 FINAL RELEASING RETAINAGE TO DIAMOND CONSTRUCTION, INC., FOR  
THE 2017 CONCRETE REPAIRS AT VARIOUS LOCATIONS**

**WHEREAS**, the Township of Willingboro's Engineers Remington, Vernick & Arango Engineers, Inc. has submitted the Payment Certificate No. 2 Final, releasing the retainage in the amount of \$1,763.49 to Diamond Construction, Inc., for the 2017 Concrete Repairs at Various Locations; and

**WHEREAS**, the Township engineer has determined that no further work is being performed on this project and the Payment Certificate No. 2 Final has been reviewed and approved by the Township Engineer.

**WHEREAS**, it is the recommendation of the Township's Engineer that the Township of Willingboro release the retainage for this project in the amount of \$1,763.49.

**WHEREAS**, it is in the best interest of the Township of Willingboro to release the retainage for this project in the amount of \$1,763.49, to Diamond Construction, Inc., in accordance with the Township Engineer's recommendations in Payment Certificate No.2 Final, for the 2017 Concrete Repairs at Various Locations.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Willingboro, assembled in public session this 4<sup>th</sup> day of September, 2018, that the retainage in the amount of \$1,763.49 for the 2017 Concrete Repairs at Various Locations, shall be released to Diamond Construction, Inc., pursuant to the Payment Certificate No. 2 FINAL, and in accordance with the Township Engineer's recommendations.

**BE IT FURTHER RESOLVED**, that copies of this resolution shall be provided to the Finance Director, the Township Engineer and Diamond Construction, Inc., for their information and attention.

On motion by Councilwoman Jennings  
Seconded by Councilman Anderson

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018—123 Approved.**

Willingboro Township Council Meeting of September 4, 2018 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

**RESOLUTION NO. 2018- 124**

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO RELEASING THE  
PERFORMARNCE BOND FOR THE 2017 CONCRETE REPAIRS AT VARIOUS  
LOCATIONS AND ACCEPTING A TWO YEAR MAINTENANCE BOND**

**WHEREAS**, Remington, Vernick & Arango Engineers, and Affiliates, has inspected the 2017 Concrete Repairs at Various Locations throughout the Township; and

**WHEREAS**, the Township's Engineer has determined that the improvements are satisfactory.

**WHEREAS**, it is the recommendation of the Township's Engineer that the Township of Willingboro release the Performance Surety Bond # BX03058, in the amount of Ninety Three Thousand Seven Hundred Ninety Two and 55/100 dollars (\$93,792.55) and upon a posting of a two year Maintenance Bond #BX03058MB in the amount of Eighty Eight Thousand One Hundred Seventy Four and 35/100 Dollars (\$88,174.35), provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

**WHEREAS**, it is the intention of the Township Council and in the best interest of the Township of Willingboro to release the performance bond and accept a two year maintenance bond for the 2017 Concrete Repairs at Various Locations in the amounts referenced herein, contingent upon the payment of all outstanding escrow invoices, in accordance with the Township Engineer's recommendations.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Willingboro, assembled in public session this 4<sup>th</sup> day of September 2018, that the performance bond # BX03058, in the amount of Ninety Three Thousand Seven Hundred Ninety Two and 55/100 dollars (\$93,792.55) will be released for the 2017 Concrete Repairs at Various Locations and it will accept a two year Maintenance Bond #BX03058MB in the amount of Eighty Eight Thousand One Hundred Seventy Four and 35/100 Dollars (\$88,174.35), provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

**BE IT FURTHER RESOLVED**, that certified copies of this resolution shall be provided to the Finance Director, the Township Engineer, and Diamond Construction, Inc., for their information and attention.

On motion by Deputy Mayor Nock  
Seconded by Councilman Anderson

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018—124 Approved.**

**RESOLUTION NO. 2018-125**

**RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING  
SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT  
CONTRACT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION -  
TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FOR THE  
REHABILITATION OF THE EXISTING BIKE PATHS THROUGHOUT THE  
TOWNSHIP**

**WHEREAS**, the Township has a need to improve the existing bike path within the Township from Northampton Drive to Mill Creek Park; and

**WHEREAS**, the Township Council has found that it is in the best interest of the Township to submit a grant application and to execute a grant agreement with the New Jersey Department of Transportation to fund the Rehabilitation of the Bike Path (from Northampton Drive to Mill Creek Park); Project.

**NOW, THEREFORE, BE IT RESOLVED**, in open public session on this 4<sup>th</sup> day of September 2018 by the Council of Willingboro Township, Burlington County, New Jersey that the Township of Council formally approves the grant application for the above stated project.



Willingboro Township Council Meeting of September 4, 2018 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as TA 2018-FY 2018 NJDOT Bikeway Rehabilitation-00120 to the New Jersey Department of Transportation on behalf of Willingboro Township.

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Willingboro Township and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves execution of the grant agreement.

On motion by Councilman Anderson  
Seconded by Councilwoman Jennings

**Discussion**

Deputy Mayor Nock: It says for rehabilitation of current paths. Will there be any new paths in this set up?

Rich Brevogel: No, this will be all the existing pavement paths between the parks; mainly down the (inaudible) right-of-way that we are targeting to repave.

Deputy Mayor Nock: What exactly will be done?

Rich Brevogel: Will they fully destroy those...

Wendell Bibbs, Engineer: (Inaudible), replace and repave.

Councilwoman Jennings: What is the dollar amount for this?

Wendell Bibbs, Engineer: For the grants?

Councilwoman Jennings: Yes.

Wendell Bibbs, Engineer: We are still working on it. We just need a resolution; I don't know the final number, for the support applying for the grant.

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018—125 Approved.**

**RESOLUTION NO. 2018-126**

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO TERMINATING  
CONTRACT FOR 2018 JOHN F. KENNEDY COMMUNITY CENTER SITE  
IMPROVEMENTS CONTRACT NO. 1**

**WHEREAS**, on February 5, 2018, the Township Council of the Township of Willingboro advertised its request that bids be submitted for the John F. Kennedy Community Center Site Improvements in the Township of Willingboro for Contract No. 1; and

**WHEREAS**, on February 15, 2018, the bids were received, opened, and read in public; and

**WHEREAS**, on March 20, 2018, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., the Township awarded the contract to Brunswick Builders, LLC, as the lowest responsible bidder; and

**WHEREAS**, on June 8, 2018 the Township executed the contract with Brunswick Builders LLC;

**WHEREAS**, on July 9, 2018 the Township provided a Notice to proceed to Brunswick Builders LLC with a project end date of August 22, 2018; and

**WHEREAS**, the Township's Engineer periodically reviewed the project, and found a continuing failure to comply with the contract; and

**WHEREAS**, by its letter of August 15, 2018, the Township Engineer advised Brunswick Builders LLC of its recommendation to terminate the contract; and

**WHEREAS**, on August 16, 2018 in accordance with the General conditions section 1.11, the Township's Engineer issued a seven (7) day notice of termination of the contract, in accordance with the contract.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Willingboro, assembled in public session this 4<sup>th</sup> day of September, 2018, hereby accepts the recommendation of the Township Engineers and hereby terminates the contract of Brunswick Builders, LLC .

**BE IT FURTHER RESOLVED THAT** a copy of this resolution shall be provided to the Township Finance Director, Township Engineer, and Brunswick Builders, LLC.

Willingboro Township Council Meeting of September 4, 2018 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

Councilman Anderson: This was tabled...

On motion by Councilman Anderson  
Seconded by Deputy Mayor Nock

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018—126 Tabled**

**RESOLUTION NO. 2018 --127**

**AUTHORIZING**

**AN EXECUTIVE SESSION OF THE TOWNSHIP COUNCIL**

**WHEREAS**, the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., permits a public body to exclude the public from portions of a meeting at which specific matters set forth in N.J.S.A. 10:4-12b are discussed; and

**WHEREAS**, a request has been made of the Township Council assembled in public session on this 4th day of September, 2018 to convene a closed Executive session consistent with the provisions of N.J.S.A. 10:4-12b; and

**NOW, THEREFORE**, upon motion duly made and seconded and passed by a vote of in favor and opposed, **BE IT RESOLVED** by the Township Council of the Township of Willingboro, County of Burlington, State of New Jersey that an Executive Session of the Township Council meeting shall be convened to discuss one or more of the following categories as noted:

- \_\_\_\_\_ 1. Any matter which, by express provision of federal law, state statute or rule of court is rendered confidential or excluded from the public portion of the meeting.
- \_\_\_\_\_ 2. Any matter in which the release of information would impair the right to receive funds from the United States Government.



- \_\_\_\_\_ 3. Any material the disclosure of which constitutes and unwarranted invasion of privacy as set forth in N.J.S.A. 10:4-12b(3).
- \_\_\_\_\_ 4. Any Collective Bargaining Agreement or the terms and conditions which are proposed for inclusion in any Collective Bargaining Agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees.
- \_\_\_\_\_ 5. Any matter involving the purchase, lease or acquisition of real estate with public funds, the setting of banking rates or investment of public funds where it could adversely affect the public interest if discussions of such matters were disclosed.
- \_\_\_\_\_ 6. Any tactics and techniques utilized in protecting the safety and property of the public and any investigations of violations or possible violations of law.
- \_\_\_XX\_\_\_ 7. Any pending or anticipated litigation or contract negotiations in which Township Council is or may become a party.
- \_\_\_\_\_ 8. Any matters falling within the attorney/client privilege to the extent that confidentiality is required for the attorney to exercise his/her ethical duties as a lawyer.
- \_\_\_\_\_ 9. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment and other categories set forth in N.J.S.A. 10:4-12b(8).
- \_\_\_\_\_ 10. Any deliberations occurring after a public hearing that may result in the imposition of specific civil penalty or the suspension of loss of a license or permit as set forth in N.J.S.A. 10:9-12b(9).

**BE IT FURTHER RESOLVED** that the general nature of the subject to be discussed relates to:  
Contract and litigation

**BE IT FURTHER RESOLVED** that the time when and the circumstances under which the discussion conducted in closed session will be disclosed to the public, in accordance with N.J.S.A. 10:4-14, and to the extent that it is not inconsistent with N.J.S.A. 10:4-12.

On motion by Councilwoman Jennings  
Seconded by Deputy Mayor Nock

**Discussion**

Cristal Holmes-Bowie, Esq.: The reasons are for the contracts including the reference in the previous Resolution 126. Also with respect to the Labor and Employment Counsel Contract; and, we are also going to have litigation and litigation update in the Berry matter and personnel issues.

Willingboro Township Council Meeting of September 4, 2018 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

Wendell Bibbs, Engineer: Did you get both contract issue—one for the EMS and the others?

Rich Brevogel: 118, 119, and 126.

Cristal Holmes-Bowie, Esq.: They will be coming back out to vote.

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018—127 Approved**

**TREASURER REPORT**—adopt and approval

On motion by Councilman Anderson  
Seconded by Deputy Mayor Nock

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Treasurer Report Approved**

**Approval of June 19, 2018 and July 3, 2018 minutes**

On motion by Councilman Anderson  
Seconded by Deputy Mayor Nock

Roll Call:	Councilman Anderson	I abstain from June 19 <sup>th</sup> and Yes to July 3 <sup>rd</sup> .
	Councilwoman Jennings	I abstain from June 19 <sup>th</sup> and Yes to July 3 <sup>rd</sup>
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

Mayor Holley: Make note for June 19<sup>th</sup>, we will have to revote.

Councilman Anderson: At the last Council meeting we had in August, I brought a suggestion in regards to the logo and rebranding. Since then, I found out that in the past the logo and the image—the image and

logo were one in the same. In the past we used both of them in the same--In an effort to rebrand. At this time I would like to make a motion that we go back to using the logo as the seal, the seal as the logo as we once did, instead of the cattails.

Councilwoman Jennings:

I second that motion.

**Discussion**

Councilman Anderson:

I know that questions came up about the logo image in the front.

Rich Brevogel:

We, Wendell, have already spoken to Doug Johnson. We have to do some repairs on the entrance of the court area and we have to do some repairs on the front entrance area where it is damaged. We can incorporate that into...and we have already discussed a little bit about the concrete work we can do there; it will be relatively inexpensive to change that out—in the spring.

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Old business**

Mayor Holley:

Under old business, at the last council meeting we took a vote to begin the process for the Manager's Search. We would like an update on where we are with advertising for posing that position. We discussed locally and the League and an International page as well and maybe that is something we can explore

Clerk:

Once we have established exactly what we are going to put in there; then we can.

Mayor Holley:

Can we discuss that at the next meeting?

Clerk:

Cristal and I are looking into that.





# Township of Willingboro

To: The Honorable Darvis K. Holley, Mayor  
The Honorable Martin Nock, Deputy Mayor  
The Honorable Jacqueline Jennings, Councilwoman  
The Honorable Nathaniel Anderson, Councilman  
The Honorable Rebecca Perrone, Councilwoman

From: Richard A. Brevogel,  
Acting Township Manager

Date: September 4 2018

Re: Agenda

## MANAGER'S REPORT

- JFK: The front of the JFK building construction to replace sidewalks and add some handicap parking has been put on hold.
  - Removal of Contractor due to lack of performance
  - Rebid
- Presentation of checks for Inter-Local Service Agreement for CPWM
  - \$20,000 for services (consulting and licensing use) while new CPWM candidate for the Borough of Medford Lakes was taking classes and eventually the state test.
- S&P Global Ratings assigned the township a Bond Rating of AA- for the 2018 issue of General Improvement Bonds for the EMS / Firehouse and several other consolidated prior year capital improvement authorizations.
  - \$12.2 million dollars in bonds were offered and the rate we received was 3.34%. This is an excellent rate. The expected finance rate was 4%. At 4% the estimated financing costs would have been an additional \$1.2 million dollars over the 27 year life of the bond.
    - This rate was achieved by the groundwork started by previous manager Joanne Diggs and continued by the current CFO Eusebia Diggs and the support of the Council. The township is viewed as fiscally sound and managed well. There are some recommendations for improvement but for a local government the rate achieved should be applauded.
- Request that the Council set a meeting sometime this month or October to discuss the capital debt position of the municipality and establish a council 5 year plan for Capital spending.
- The 8<sup>th</sup> Annual Del Payne Memorial 5k Run/Walk will be held on September 22 2018 in Millcreek Park. The event will begin at 8am. Additional information is available on the library website at [www.willingboro.org](http://www.willingboro.org).
- On August 29<sup>th</sup> I met with Schneider Electric to look at possibilities within the Municipality to save energy costs. I will be receiving information from them regarding ESIP and will look to move this forward within the township.
- On September 8<sup>th</sup> there will be a "Movie in the Park" night at Millcreek Park. The movie will begin at dusk (approximately 8pm). Information is available on the Township Facebook page.

## AGENDA ITEMS

### RESIDENT QUESTIONS:

- Several residents commented on the trash (not trash collection) issues within the township. The DPW continues to work at this issue each day we have up to three employees policing the roads and emptying trash receptacles each day. We will continue to work at this as diligently as possible.

Public Comment 9/4/18:

Mayor Holley: Alright. At this time we will now open the floor for public comment. As you approach the microphone please give your name and address prior to making your comment. You have a total of four minutes for public comment.

Pat Lindsey-Harvey: Pat Lindsey-Harvey, Henderson Lane. I have a question for Resolution 118. What streets were resurfaced?

Wendell Bibbs: That's the resurfacing?

Pat Lindsay-Harvey: Yes.

Wendell Bibbs: That was Genesee Lane, Gullet Court, Gaffney Lane, and Gainscott Lane.

Pat Lindsay-Harvey: Okay, thank you. Resolution 119, I want to know where the \$259,241.11 cents is going to come from. Why were there delays that are going to cost us over \$200,000.00, and why is the size of the rooftop being increased which is also another increase in cost?

Mayor Holley: We will be discussing...

Pat Lindsay-Harvey: Oh, you are discussing that in closed session, okay. The only other thing, the Library in along with the Del Payne 5k there is also the Kid's Fun Run. It is all in the same day. That kicks off at 8:30 A.M. So kids ten years and over can participate in the Kid's Fun Run.

Richard Brevogel: Same location?

Pat Lindsay-Harvey: Same location.

Tim: Tim, my name is Tim.

Clerk: And do you want to give your address?

Tim: I wanted to express some concern about some of the gunfire that has been reported in our township and things. Check, check, is this thing on? Oh, okay. I was saying my name is Tim, I am from Garfield North and I came to express some concern about some of the gunfire that has been reported in our town as of late and over the last couple of years and if it is okay to ask the Council, I don't know if it is a question that should go to the police department or the Council. I wonder if it is something that is on the Council's radar or if it is something that, I mean is there awareness that some of this or a lot of this gunfire is related or is at all completely



unrelated and it is just growing in our town; because I have a concern, I spoke with a lot of other residents who have similar concerns, but I think a lot of us, a lot of our fellow residents are really not aware. It really was a lot of what is going on in our town, so I wanted to ask is that something that the Council could respond to at this time or again is this a type of question that could be relayed to the police department or something like that.

Mayor Holley:

I will answer that one. So, typically the way public comment works is that you have four uninterrupted minutes to make your comment. Typically, after the public is finished speaking, we have Council Comment, where if we have answers to some of your questions tonight we will try to address those questions and if we do not have that question tonight, then we write down the question and we have a response to it at our next meeting. However; I am also a resident that is concerned and I am fully aware of what is going on. We have looked into some preventative measures such as cameras in town, shot spotters, things of that nature to help combat some of these issues. But it is something that is definitely on our radar and it is something that we are definitely in the process of taking action for. We actually passed a resolution to set up cameras in town and also mobile-trailers, however, there is some discussion right now with the vendor for that, so, that is what slowed down the process. But that is something that we are in the process of working on.

Tim:

Well thank you for letting me know. Is it okay if I ask a question about something you said you are talking about? I think you called it shot spotters or additional cameras. I know that there is a number of cameras at some of these intersections. Are you talking about those or different additional cameras? Are you able to say where those cameras will be or is that something you could talk about later?

Mayor Holley:

That is probably a discussion for later. I don't even know where every last camera is going to be placed at. I think the police have kind of kept that for their own purpose of being able to look into these things and so people don't try to avoid the cameras. That is information that they have.

Richard Brevogel:

I don't know if you want me to comment now, Mayor, or after we are done. I am sorry that I am into your four minutes, but there is a number of things that the police department have been doing over

the last couple of years; and again, I know this is not the way we do it, but I figure, do it this way now. As far as what is unrelated or related, that is really not information that we can...sometimes we don't even share that with the Council. Sometimes the police department does not even share that with me. I ask the question; they tell me what they can and cannot tell me. I can tell you that they are very diligently looking into those types of issues. Are they related when we have an incident in the community; is it related to another incident, trust me that is the first thing that they are doing. The other thing that we are doing is that Willingboro's police department is extremely, extremely progressive. We are one of the first communities in the JIF that went to body cameras over five years ago or it is six years ago. I think the other... there is three other towns in our Joint Municipal Insurance fund that are now moving in that direction and they are still not there. But, the other part of that is the police department. When we actually roll out the camera system and the Council is authorized, we want people to know that they are there. It is going to be basically a full blown media blast--there are cameras in the town; we are watching what is going on; we are going to catch you, we don't want you coming here. And its for lack or better terms you want people to fear that when you come into the community they are going to get caught. I can tell you that the Director of Public Safety and his staff that is their primary objective when there is an incident in their community. So, they are very, very very aware of it. The next step is, the department hired an analyst and the analyst is part of the twenty first century policing and that analyst is actually looking at all the data. Now, I know they have looked at the last three years, we get a uniform crime report, which we give to Council that gets vetted out. Crime was at its lowest numbers last year and Greg, correct me if I say anything out of line here, and was at the lowest that it has been since 1985. We just had that discussion today about the types of crimes and how we combat that crime. But, more importantly the twenty first century is going to allow the analyst to work with the police department to strategically deploy their resources. So, they will know traditionally when things are going to happen, what time of year, what time of night, you would be amazed if you saw the actual data analysis. It tells you a story of when things are going to happen; robberies, carjacking, shootings, things like that gives you story. So, yes, they are very aggressively looking at that. This Council supported that in the camera initiative. As the Mayor



indicated, we have got some logistical issues and administratively we have to work through to get them implemented and once it is implemented you are going to know. Because we are going to have it on Channel 6, we are going to have it...we want people to know when you come into this town we are going to catch you. Alright? I am sorry that I went on so long.

Tim: That is fine. Thank you.

Mayor Holley: No, that is fine. I hope we answered your questions and I did kind of deviate from the format, but I did feel that that is something that I knew was going to come up tonight. I share the same concerns because I am a resident and you know these are obvious things that nobody wants to take place in the community.

Tim: Thank you.

William Weston: William Weston, 44 Bosworth Lane. First, thank you for making a comment about the cameras. I wasn't sure where that was at. I don't know why the sidewalk project was terminated with the JFK; I don't know if that was actually the reason was stated. Also, I heard litigation but I am not sure what the litigation was for executive session. I just...you know...some clarity with that. But I do thank you for making the comment about the cameras. Thank you.

Mayor Holley: The Kennedy project is in contract negotiations. We stated that we were going to discuss that in executive session and then come back out and take a vote and go through that dialogue. And the litigation was with the Berry matter? The Berry vs. Willingboro matter.

John Polk: My name is John Polk, I live at 146 Niagara Lane. I have been a township resident I guess about forty five years and I have some concerns about my sidewalk. It has been cracked up for the last four years. This is the fifth year and I have been calling and nothing has been done about it. So could you address that? Is there anything being done about those things?

Richard Brevogel: What is the address?

Mayor Holley: We have the address and we will have someone find out what is going on. Any other comments? Alright, hearing none, seeing none, at this time public comment is now closed. We will open the flood for Council Comment.



**Council Comment:**

- Councilwoman Jennings: I actually don't have a comment for this evening. I am glad everybody survived the summer. We still have the summer heat. But, I am glad to see everybody back and I look forward to working with you for the rest of this year.
- Councilman Anderson: I just want to thank everyone for coming out this evening. I want to thank my Council colleagues for supporting the initiative of the new logo in an effort to rebrand. Once again, it was a suggestion that one of my neighbors made who has been a resident here for over sixty years. So, I am just glad that we have taken a minimum cost first step to continue to head in the right direction. Thank you.
- Deputy Mayor Nock: I don't have much to say other than to say, Jill, great Jazz Fest and I hope it was a good summer and actually I thought that it was a quieter summer than last summer with our incidents. So, I look forward to continue working this fall.
- Mayor Holley: I might need a little time. I, too, would like to thank everyone for coming out this evening. It has been a busy month. I do want to start off by thanking our Recreation Department for putting together the Jazz Fest. Obviously, there were a lot of other departments that helped out with that. Our Police Department, our Fire and EMS, everyone was on staff to make sure that was a successful event. Our parks and recreation, public works, staff members were there, so, it really takes all hands on deck to make sure that that goes over and goes over correctly. A couple of weeks ago I had the opportunity while I was on summer break to make a few stops. I had the chance to visit the STEAM camp and Dr. Worthy and her ATAP Foundation that partners with the Township to provide a different experience for some of the youth in our community while being educated. I have heard a lot of good things about that program. Actually, one of my students who was at the last meeting attends the program and I ran into him the other day and his grandmother and he was telling me about how much fun he had in Willingboro this summer, thanks to you guys. So,

we appreciate you guys for putting that together and we hope that we can build on some of that momentum that we have had going on so far.

There is an initiative that I am working on tomorrow there will be free back to school haircuts and school supply giveaway; and I am partnering with Omar Simmons who is the owner of Accents and Salon Duo and that is something that the Township has undertaken as well. So, anyone who knows a child who is going back to school tomorrow, any of your neighbors, any young men you may see riding his bike up the street, you can send him up to either Accents or Salon Duo. They are doing free haircuts from 9:30 A.M. to 12:00 A.M. and they are also giving out book bags and school supplies.

Lastly, I don't want to get too political. I serve everyone in the community. But I am participating in a discussion panel tomorrow evening at Tabernacle Baptist Church at 6:30 P.M. and the topic is going to be "The Important of Voter Registration in the Community." in these midterm years when people think it is important to get out and vote. So, we will be kicking around some of those ideas tomorrow and it looks like it is a great panel, so if you have some time you can come out to that as well. Saturday we are having our movie night right here at Millcreek Park. Once again, free popcorn for all, food trucks will be there if anyone would like to purchase refreshments. I see some of our residents that have been impacted by the flood as well in the audience. I have been reaching out to the state and having some communications with them since our flood. There was another big flood I guess, August 14<sup>th</sup> that impacted Bergen, Passaic, Ocean County and over in Brick and they kind of were going through the same experience that we were. I know the governor did actually have a lot more damage than we did. The governor actually made a stop and they had some of the same concerns. So, I know right now his administration is looking into some of the local flooding that has taken place. These towns were not designated as towns that were predicted to flood either. So, they are kind in the same boat when it came to the flood insurance. So I have been kind of keeping a close watch on that and just having some continuing conversations with his administration to see if anything is going to change for us as well as some of those other communities. So, if anything does come up I will let everyone know. Thank you. And

we will be taking a vote coming out of executive session for anyone that wants to stick around.

Executive Session began at 7:45PM

Motion to return to public session was done by Deputy Mayor Nock and seconded by Councilwoman Jennings. All in favor and none opposed.

Motion made in public session to remove Resolution 2018—119 from the table was done by Councilwoman Jennings and seconded by Councilman Anderson.

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried to remove Resolution 2018-119 from the table**

Motion to adopt and approve Resolution 2018—119 was made by Councilwoman Jennings and seconded by Councilman Anderson.

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018-119 Approved**

Motion made in public session to remove Resolution 2018—126 from the table was done by Councilman Anderson and seconded by Councilwoman Jennings.

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried to remove Resolution 2018-126 from the table**

Motion to adopt and approve Resolution 2018—126 was made by Councilman Anderson and seconded by Councilwoman Jennings.

Mayor Holley: Discussion. Termination, can we get into that?

Cristal Holmes-Bowie, Esq.: Do we need a discussion. Resolution 126 is the resolution to terminate the contract with Brunswick Builders for the JFK concrete work, yes.



Mayor Holley:

That is what I am talking about. So I am right, I wanted to give a reason why. That is what everyone wanted to know.

Cristal Holmes-Bowie, Esq.:

And, the reason for that is they have not been compliant with the contract. Basically, the repairs were supposed to be done by August 22<sup>nd</sup>, the work has not been completed. They have not been compliant with the contract since the contract started, basically. And the engineer laid out the reasons, he has issued them a letter of intention to terminate the contract August 15<sup>th</sup> he subsequently issued a letter notifying them that he is required to give them seven days notice under their contract and that was done August 16<sup>th</sup>; and they were supposed to complete the work by August 22<sup>nd</sup>. Their schedule to complete the work that they provided to the township engineer would be completing the work by October. They have been informed that that wasn't acceptable and that is why the contract is being terminated, among others.

Mayor Holley:

Alright, roll Call.

Councilwoman Jennings:

And I just want to state for the record that I want to look into going after the bond on that if the bid is higher when we rebid that. So, I want to make sure that we do that.

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

**Motion carried. Resolution 2018-Approved**

Clerk:

Excuse me sir, would you like me to read the resolutions for these other two and then get a motion?

Mayor Holley:

Yes.

Clerk:

Okay this would be resolution 128, it is a resolution of the Township of Willingboro authorizing the professional service contract with Zeller & Wieliczko, LLP as Special Counsel to the Township. I need a motion on that please?

Deputy Mayor Nock: So moved.

Councilman Anderson: Second.

Mayor Holley: Discussion.

Councilman Anderson: Isn't it relative to just one matter?

Cristal Holmes-Bowie: Yes.

Deputy Mayor Nock: Yes.

Councilman Anderson: I think she needs it to say that.

Cristal Holmes-Bowie: And the resolution will specifically state that it is relative with respect to the Berry matter.

Councilwoman Jennings: Do we need to let the public know what the resolution says?

Cristal Holmes-Bowie: You can read the resolutions. Yes.

Clerk: Whereas the law firm Zeller & Wieliczko, LLP was appointed as an attorney to the Township of Willingboro in various matters including the tax, foreclosure and planning board, January 1, 2017. By resolution I believe that was 36,

Cristal Holmes-Bowie: The appointment was probably 6, 2018-6, the initial appointment.

Clerk: Yes, but not to exceed was the 36.

Cristal Holmes-Bowie: Yes, the 36<sup>th</sup>.

Clerk: Whereas, the Township of Willingboro requires the services of Zeller & Wieliczko, LLP as special counsel with the respect to a matter that is presently active and pending, Berry vs. Willingboro Township, docket number BRL2152-17 and whereas the Township finds that it is in the best interest of the Township to appoint Zeller & Wieliczko, LLP to represent the Township as special counsel in this matter;and

Whereas, the services to be performed are professional services relegated by law and the persons appointed are practicing recognized professions, and where as a local public contract law NJSA 40A:11-5 1A authorizes the award of the contract for professional services without competitive bid.

Now, therefore, be it resolved by the Township Council of the Township of Willingboro assembled in open public session this 4<sup>th</sup> day of September, 2018 here by authorizes the Mayor and Clerk to

execute an agreement with Zeller & Wieliczko, LLP law firm to represent the Township of Willingboro in the matter of Berry vs. Willingboro Township, docket number BURL21525-17 as Special Counsel to the Township of Willingboro.

Be it further resolved that this contract is awarded without competitive bidding as professional services in accordance with NJSA: 40A:11-5 1A of the local public contract law because the services are to be performed by a person authorized by law to practice a recognized profession. This contract shall be for the term of September 1, 2018 to September 30, 2019.

- Cristal Holmes-Bowie: That is a typo. 2019.
- Clerk: Okay.
- Cristal Holmes-Bowie: Yes, it should be one year.
- Clerk: I will change that for you to 2019.
- Cristal Holmes-Bowie: Thank you.
- Clerk: Notice of this action shall be printed once in the Burlington County Times. A copy of this resolution shall be provided to Zeller & Wieliczko, LLP for its information and attention.
- Councilwoman Jennings: I kind of have a problem with this resolution and I don't know if we need to discuss it in executive session, but that is not what I got in there. So, first of all, I don't know-- I have a problem with the term, because it seems to be that...
- Cristal Holmes-Bowie, Esq.: Well you can determine what the term is.
- Councilwoman Jennings: It seems to me that there should be until after the litigation and the other thing is, it is supposed to be specifically for...
- Cristal Holmes-Bowie: I don't know that that can go into the resolution.
- Councilwoman Jennings: But, I think that we can say something that it is for a specific matter.
- Cristal Holmes-Bowie: I think the resolution identifies the litigation, but I don't think that the resolution can identify more than that or the purposes of it.
- Councilwoman Jennings: Are we sure?
- Councilman Anderson: Can we justify it until litigation is complete?
- Cristal Holmes-Bowie: Sure, yes.



Councilwoman Jennings: Because this just doesn't sound like what we discussed in there and for a specific reason, so I have a problem.

Cristal Holmes-Bowie: Well, why don't you make it six months then?

Mayor Holley: You can always revisit it.

Deputy Mayor Nock: So, in other words you can't single her out rationale for...

Cristal Holmes-Bowie, Esq.: No.

Councilwoman Jennings: And, I am not asking for that, but, I am asking for it to say something to the regard that it is for a specific purpose. Because we have special counsel, we have had this discussion.

Cristal Holmes-Bowie, Esq.: We did. And that issue would be privileged and that would not go into a resolution. What is required in the resolution is to identify the litigation itself and the term of the contract; and you can also, obviously, in the resolution you can indicate whatever you're not to exceed is going to be as well, not to exceed amount which we did not discuss. So that is up to you. But no, you wouldn't...we have had other appointments of special counsel. In fact we did one with Cooper Levenson, maybe about three years ago. All that is identified is the case, we don't say anything about what the litigation is that they are working on this, and Council has appointed them. We have appointed Surenian's office before they were COAH to act as special counsel, we identified the litigation.

Councilwoman Jennings: It was very specific what they were being identified for. So you all can call for the vote, because I am...

Councilman Anderson: For me, if we can go six months and then if it goes longer we revisit.

Deputy Mayor Nock: What was her objection? Your objection is the time limit?

Councilwoman Jennings: That was my first one. My other was that I thought that it should say, because we have a special counsel, so I thought that this should say that we are hiring them as a special counsel to handle a specific case matter, period. So it is not everything that a special counsel...

Deputy Mayor Nock: It does say that. It says "Berry".

Councilwoman Jennings: What?

Deputy Mayor Nock: It says "Berry vs. the Township". That is a specific thing.

Cristal Holmes-Bowie, Esq.: It is nothing else that special counsel does.

Councilwoman Jennings: Alright, it's okay, I don't think that I can really discuss that out here, so I am not going to.

Councilman Anderson: What about the time limit? Do you want to six months and then we revisit it.

Clerk: So you want to change it to six months?

Cristal Holmes-Bowie: Whatever six month time period is.

Mayor Holley: So, that would put you in March.

Richard Brevogel: March.

Councilman Anderson: Is it going to be any longer than that?

Mayor Holley: We are not even going to be finished the depositions by March at this rate.

Deputy Mayor Nock: You are right; you've got the depositions on both sides. This stuff isn't going to be done.

Councilwoman Jennings: Well, you can always come back and do another six months.

Mayor Holley: So, we can take it to March 4<sup>th</sup>.

Clerk: Okay are we all in agreement for March 4<sup>th</sup>?

Councilman Anderson Yes

Councilwoman Jennings No

Deputy Mayor Nock Yes

Mayor Holley Yes

Clerk: Now, to approve, you just voted on changing the timeframe. Now I am going to call the roll call again for accepting this because that never happened. So...

Councilman Anderson Yes

Councilwoman Jennings I am sorry, I was unclear. I thought we were voting on accepting it.

Councilman Anderson: We were voting on changing it.

Councilwoman Jennings: Well, I would say yea to the time.

Clerk: Now to vote to accept this in its entirety.

Councilman Anderson	Yes
Councilwoman Jennings	No
Deputy Mayor Nock	Yes
Mayor Holley	Yes

Clerk: Did you want me to carry on with the next one.

Mayor Holley: Yes, please.

Clerk: Okay, resolution 2018-129, this is a resolution authorizing an increase in the contract amount of Florio, Perrucci, Steinhardt and Cappelli, LLC as labor and employment counsel.

Councilwoman Jennings: So moved.

Councilman Anderson: Second.

Mayor Holley: Discussion? Roll call.

Clerk:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

Clerk: Sir, if there is no further discussion, we need a motion to adjourn.

Deputy Mayor Nock: So moved.

Councilwoman Jennings: Second.

Mayor Holley: We didn't do the change.

Councilwoman Jennings: They didn't say. I don't care what the exceed amount is. It is what it is. How can we do that when we don't know how many hours it is going to be?

Deputy Mayor Nock: Okay.

Mayor Holley: Motion to adjourn then.

Clerk: I need a second on that?

Councilwoman Jennings: I did second it.

Clerk: Okay, all in favor?

Council: All say aye.

Clerk: Any opposed?

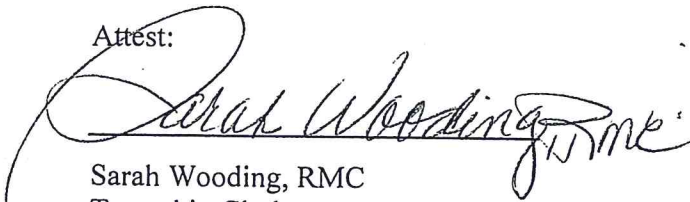


Council: None opposed

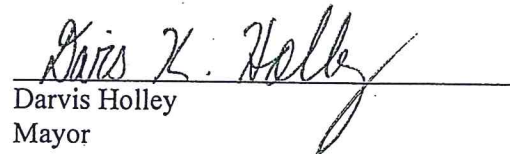
Clerk: Thank you.

There being no further discussion the meeting adjourned at 9:02PM.

Attest:

A large, stylized handwritten signature in cursive script, appearing to read "Sarah Wooding".

Sarah Wooding, RMC  
Township Clerk

A handwritten signature in cursive script, appearing to read "Darvis K. Holley", written over a horizontal line.

Darvis Holley  
Mayor

# Township of Willingboro

To: The Honorable Darvis K. Holley, Mayor  
The Honorable Martin Nock, Deputy Mayor  
The Honorable Jacqueline Jennings, Councilwoman  
The Honorable Nathaniel Anderson, Councilman  
The Honorable Rebecca Perrone, Councilwoman

From: Richard A. Brevogel,  
Acting Township Manager

Date: September 4 2018

Re: Agenda

## MANAGER'S REPORT

- JFK: The front of the JFK building construction to replace sidewalks and add some handicap parking has been put on hold.
  - Removal of Contractor due to lack of performance
  - Rebid
- Presentation of checks for Inter-Local Service Agreement for CPWM
  - \$20,000 for services (consulting and licensing use) while new CPWM candidate for the Borough of Medford Lakes was taking classes and eventually the state test.
- S&P Global Ratings assigned the township a Bond Rating of AA- for the 2018 issue of General Improvement Bonds for the EMS / Firehouse and several other consolidated prior year capital improvement authorizations.
  - \$12.2 million dollars in bonds were offered and the rate we received was 3.34%. This is an excellent rate. The expected finance rate was 4%. At 4% the estimated financing costs would have been an additional \$1.2 million dollars over the 27 year life of the bond.
    - This rate was achieved by the groundwork started by previous manager Joanne Diggs and continued by the current CFO Eusebia Diggs and the support of the Council. The township is viewed as fiscally sound and managed well. There are some recommendations for improvement but for a local government the rate achieved should be applauded.
- Request that the Council set a meeting sometime this month or October to discuss the capital debt position of the municipality and establish a council 5 year plan for Capital spending.
- The 8<sup>th</sup> Annual Del Payne Memorial 5k Run/Walk will be held on September 22 2018 in Millcreek Park. The event will begin at 8am. Additional information is available on the library website at [www.willingboro.org](http://www.willingboro.org).
- On August 29<sup>th</sup> I met with Schneider Electric to look at possibilities within the Municipality to save energy costs. I will be receiving information from them regarding ESIP and will look to move this forward within the township.
- On September 8<sup>th</sup> there will be a "Movie in the Park" night at Millcreek Park. The movie will begin at dusk (approximately 8pm). Information is available on the Township Facebook page.

## AGENDA ITEMS

### RESIDENT QUESTIONS:

- Several residents commented on the trash (not trash collection) issues within the township. The DPW continues to work at this issue each day we have up to three employees policing the roads and emptying trash receptacles each day. We will continue to work at this as diligently as possible.

## **EXECUTIVE SESSION**

- **Contracts**
  - **Firehouse Change Order for \$259,000**
- **Personnel**



REFERENCE/DESCRIPTION

NET AMOUNT

Vendor: 50808 TOWNSHIP OF WILLINGBORO  
 PO: 18-00750 DESC: INTERLOCAL FOR PW MANAGER 5,000.00  
 INV: AR000298 AMT: 5,000.00

Check Date: 07/12/18 Check Amount: \$\*\*\*\*\*5,000.00

DETACH BEFORE DEPOSITING

BOROUGH OF MEDFORD LAKES

1 Cabin Circle

Medford Lakes, N.J. 08055

WASTEWATER OPERATING ACCOUNT



investorsBank

Banking solutions for everyone.  
 Because there's always a way to get it done.  
 Invest. Bank. Or. State. Or. Country.

55-7253

2212

009102

DATE

CHECK NO.

AMOUNT

07/12/18

9102

\$\*\*\*\*\*5,000.00

Five Thousand AND 00/100 Dollars

TO THE  
ORDER  
OF

TOWNSHIP OF WILLINGBORO  
1 REV. DR. ML KING JR. DRIVE  
WILLINGBORO, NJ 08046



SECURITY FEATURES INCLUDED. DETAILS ON BACK.



⑈009102⑈ ⑆221272031⑆ 20 8990345 9⑈

BOROUGH OF MEDFORD LAKES - CURRENT FUND

AR

034147

REFERENCE/DESCRIPTION

NET AMOUNT

Vendor: 50808 TOWNSHIP OF WILLINGBORO  
PO: 18-00750 DESC: INTERLOCAL FOR PW MANAGER  
INV: AR000298 AMT: 15,000.00

15,000.00

Check Date: 07/12/18 Check Amount: \$\*\*\*\*\*15,000.00

DETACH BEFORE DEPOSITING

THIS PAGE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

BOROUGH OF MEDFORD LAKES

1 Cabin Circle  
Medford Lakes, N.J. 08055  
CURRENT FUND

DATE  
07/12/18



55-7203  
2212

034147

CHECK NO.  
34147

AMOUNT  
\$\*\*\*\*\*15,000.00

Fifteen Thousand AND 00/100 Dollars.

TO THE ORDER OF TOWNSHIP OF WILLINGBORO  
1 REV. DR. ML KING JR. DRIVE  
WILLINGBORO, NJ 08046

*[Handwritten Signature]*  
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NP  
NP

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

⑈034147⑈ ⑆226272031⑆ 20 8990343 2⑈

# OUTDOOR MOVIE NIGHT



DATE: Saturday, September 8, 2018  
START TIME: Dusk (when it's dark)  
LOCATION: Millcreek Park  
300 Beverly Rancocas Road  
Willingboro, NJ 08046

Sponsored by Willingboro Recreation Department  
In partnership with Daddy Up and Mayor Darvis Holley

All children 13 years and younger **MUST** be accompanied  
by an adult who stays with the child.  
Bring a blanket or folding chair to be comfortable watching  
a family-friendly movie.  
There will be food vendors - CASH ONLY.

