

## Drayton failed to disclose legal actions to freeholders

By CAROL COMEGNO • *Courier-Post Staff* •  
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**MOUNT HOLLY** — The newly appointed Burlington County administrator has been involved in legal actions with two former employers -- information the board of freeholders was unaware of when it hired him.

A judge in Burlington County last year issued a judgment of almost \$200,000 against Paul Drayton Jr. and two partners for failing to repay a bank loan for their firm, Capital Consulting LLC of Mount Laurel.

And in 2005, Drayton sued a former employer in federal court, claiming racial and age bias were behind his termination a year earlier. Drayton last week had said he left his job rather than accept a transfer to Texas. The bias lawsuit was dismissed in July 2006, according to court records.

Last week the Courier-Post revealed that on March 3, the day Drayton was hired by the freeholders, he owed more than \$3,000 in child-support payments for a 12-year-old daughter who lives in South Carolina.

In an interview Thursday, Drayton admitted he did not disclose the loan default judgment, the bias lawsuit or the child-support case to the freeholders.

The Courier-Post also learned Thursday that the Drayton resume distributed to the media on March 3 was not the same one provided to the freeholders, who appointed him to the \$157,500 job by a 3-1 party-line vote.

The company named in the judgment -- Capital Consulting LLC -- was listed on the resume given to the freeholders. A different name -- Command Central Consulting -- appeared on the resume given to reporters. Drayton identified himself as CEO of each firm from 2005 to 2007.

The loan-default judgment is not against Command Central Consulting.

Freeholders split over the impact of Thursday's revelations.

Republican Freeholder-Director Bruce Garganio, who said the board was unaware of the three legal matters when it hired Drayton, said he still supports the Mount Laurel man as the best candidate for the job. He called the legal matters "personal" for Drayton.

But Democratic Freeholder Chris Brown said Drayton must address "a lot of concerns."

"I think the board in a conference session needs to question Mr. Drayton about . . . those issues that seem to be applicable to his current job," Brown said. "I don't think any judgments can be made at this time."

In an interview, Drayton, 50, said he changed his resume because he did not want to mislead the press. He said Capital Consulting no longer existed, and he changed the name on the resume last week to reflect a more recent venture.

Burlington County spokesman Ralph Shrom, who gave the resume to the media, said Thursday he was not aware it had been altered. Shrom said Drayton had spoken to then-acting county administrator

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Kendall Collins and requested changes to the resume to make it more accurate before its release to reporters.

Garganio and other freeholders said they were not aware of the altered resume.

"Maybe when you sit back now and look at it, the easiest thing to do would have been for him to include both (company) names," Garganio said.

### Loan lawsuit

In August, Superior Court Judge Charles A. Little issued a judgment of \$198,980.50 against Capitol Consulting and its three partners -- Drayton, his brother Raymond and Brian Varallo.

The judgment was sought by Sun National Bank of Maple Shade, which had made a \$200,000 loan to the business in January 2006. The borrowers were to repay the loan by January 2007, but defaulted, according to the court record.

Drayton said he co-signed for the loan.

"My brother asked me to do him a favor. I did it and this is what resulted. I was the unfortunate one," he said.

Drayton said he has not paid anything toward the judgment, saying he expected the other partners to do that. He said he does not know if any payments have been made.

He said about the time the company dissolved, he created Command Central Consulting in Mount Laurel to continue transportation consulting that he had done under the umbrella of his brother's company.

### Bias suit

In the discrimination lawsuit, Drayton asserted he "wrongfully" lost an executive position at the Philadelphia office of Affiliated Computer Services "because of his race and age."

Drayton, who is black, said in the suit that his employer had blamed "financial/economic conditions" for cutting his job as vice president of

marketing and business development.

But the lawsuit alleged Drayton was the only person terminated in his department while "similarly situated white employees were allowed to transfer to other departments and were given the opportunity to remain with the company."

However, in a statement to the media on Monday, Drayton said he left ACS because he did not want to transfer to Texas.

"I was informed in 2004 by my Washington-based employer that I would have to relocate to Dallas if I wanted to keep my job," Drayton said in Monday's statement. "Because of family and other considerations, I chose not to relocate."

Drayton's lawsuit, filed in federal court in Philadelphia, also said he had expressed "concerns" over pay-to-play practices at ACS and the firm's billing practices with the Delaware River Port Authority.

Drayton had been the DRPA's executive director from 1994 to 2003. ACS ran the EZ-Pass system for the authority, which operates four bridges across the Delaware River.

Drayton was paid \$185,000 a year at ACS, plus benefits, stock and commissions, his lawsuit said.

Drayton initially filed claims against ACS with the Pennsylvania Human Relations Commission and the U.S. Equal Employment Opportunity Commission

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(EEOC). The EEOC closed his case in August 2005, and Drayton sued ACS in October of that year.

Drayton said Thursday the lawsuit was dismissed because he and ACS reached a severance agreement, ending the dispute. He said the agreement precludes him from discussing details of the matter.

Court records show Drayton's suit was suspended a month after being filed, because he had previously agreed with ACS to settle claims through binding arbitration.

The records show the lawsuit was dismissed in July 2006, after Drayton did not respond to the court's request for a status report.

### DRPA payment

The ACS dispute was the second time Drayton left a job with a severance package.

In 2003, Drayton left the DRPA with a \$198,000 cash severance package labeled as a settlement. That followed a power struggle with Camden County Freeholder Jeffrey Nash, who was then the authority's vice chairman.

At the time, Nash called Drayton's settlement "the most blatant circumvention of DRPA policy I've ever heard of."

Drayton, who said he received unemployment benefits after being laid off from a post at Temple University in July 2009, was among 28 applicants for Burlington County's top administrative post.

County officials have denied a Courier-Post public-records request for a list of the other applicants.

Democratic freeholder Mary Anne Reinhart voted against Drayton's appointment, expressing dissatisfaction with the hiring process. Only two Republican freeholders, Garganio and deputy director Joseph Donnelly, interviewed the seven finalists before choosing Drayton.

Brown was out of town at the time of Drayton's appointment, and didn't vote.

Drayton, an attorney, said his "human" and

"personal" legal issues have not deterred him from his new job. As the county administrator, he will oversee a budget that is facing a \$15 million revenue shortfall.

"I believe these issues will not impact my ability to do the job. I am able to handle large, multimillion dollar budgets," he said.

"No, I'm not sleeping well at night, but when I'm here, I'm focusing on the work of the county, which is incredibly complex," Drayton said. "I just stay steady and keep moving forward."

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