

DOWNE TOWNSHIP COMMITTEE
REGULAR MEETING
FEBRUARY 3, 2014
7:00 P.M.

The Downe Township Committee met in the Meeting Room of the Municipal Complex on Monday, February 3, 2014 at 7:00 p.m. Mayor Robert G. Campbell presided. Committee members present were Larry Jordan, Sr., Christine Wilford, Dennis Cook (Deputy Mayor) and Edward Bart. Municipal Solicitor, John Carr, was also present.

CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE / STATEMENT
REGARDING COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Mayor Campbell called the meeting to order; led the Pledge of Allegiance and read the Open Public Meetings Act Statement.

ROLL CALL

Present – Jordan, Wilford, Cook, Bart, Campbell

Absent - 0

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

A motion was made by Cook and seconded by Wilford to approve the meeting minutes of November 19, 2012 Regular (Rescheduled), August 5, 2013 Regular, November 26, 2013 Special/Executive and December 2, 2013 Regular.

Roll Call: Aye - Cook, Bart, Campbell

Nay – 0

Abstain – Jordan, Wilford

A motion was made by Jordan and seconded by Cook to approve the Reorganization Meeting minutes of January 6, 2014.

Roll Call: Aye – Jordan, Wilford, Cook, Campbell

Nay – 0

Abstain - Bart

DEPARTMENTAL REPORTS

The Township Committee acknowledged the receipt of the following reports:

- | | | |
|---------------------------|-------------------------------|------|
| • Housing/Zoning Officer | November | 2013 |
| • Tax Collector | October / November / December | 2013 |
| • Chief Financial Officer | October / November /December | 2013 |

MUNICIPAL SOLICITOR'S REPORT

Mr. Carr presented his report which consisted of information and updates on the following matters: 130 Delaware Avenue; 60 Delaware Avenue, New Jersey Future Agreement; Natural Lands Trust and proposed Resolution No. R-34-2014.

PUBLIC COMMENT ON RESOLUTIONS

A motion was made by Bart and seconded by Wilford to open the meeting for public comment on the following resolutions.

Vote: All in favor

- R-23-2014 *Reappointing Jennafer Hernandez Chief Financial Officer*
- R-24-2014 *Additional Appointments For The Township Of Downe*
- R-25-2014 *Authorizing Mayor To Appoint Department Heads*
- R-26-2014 *Appointing Members To The Combined Planning Board*
- R-27-2014 *Authorizing The Payment Of Bills*
- R-28-2014 *Supporting Participation In The Sustainable Jersey Municipal Certification Program*
- R-29-2014 *Appointing Animal Control Officer*
- R-30-2014 *Appointing Animal Shelter*
- R-31-2014 *Accepting Of Deed Block 63, Lot 4, Downe Township*
- R-32-2014 *Authorizing Executive Session*
- R-33-2014 *Populating The "Green Team" Regarding The Sustainable New Jersey Certification Program On Behalf Of Downe Township*
- R-34-2014 *Approving The TWA-1 Form For The State Of New Jersey, Department Of Environmental Protection, Division Of Water Quality Relative To John And Mary O'Brien At 277 New Jersey Avenue, Fortescue, Downe Township*

Bernie Sayers, Newport, asked if Resolutions will ever be posted online. Mayor Campbell responded not beforehand, but this would be talked about moving forward, after Resolutions are adopted. Mr. Sayers asked about the purpose of the Executive Session as pertains to R-32-2014. Mayor Campbell responded Union Contract Negotiations.

Sheldon Pepper, Dividing Creek, referred to the Bill Lists for January and February and questioned whether the amounts listed for pensions and health benefits is half of a total amount. Mayor Campbell responded that he believes this is a monthly total. As pertains to R-31-2014 Mr. Sheldon asked if a policy has been or is being established for accepting deeds; is this the first of many? Mayor Campbell responded mostly vacant waterfront and he explained the rationale.

Karen Smith, Raybins Beach, referred to B – 63, L – 4 she asked if there was any interest in accepting the NLT lot next to her. Mayor Campbell announced that the three

(3) Commissions will meet on the first Thursday each month; a Green Team will be formed; a grant was received for Bicycle and Pedestrian Routes. The commissions will evaluate properties.

Jessie Briggs, Money Island, referred to the various appointment Resolutions and asked who was being appointed to what. Mayor Campbell informed him that he could obtain copies of the Resolutions after adoption.

Bernie Sayers, Newport, asked what was done at the Reorganization Meeting if appointments are being made now. Mayor Campbell responded that most of the appointments were made at the Reorganization Meeting for professional services, etc., but that there are more tonight which weren't adopted previously.

There being no further comments from the public, a motion was made by Jordan and seconded by Wilford to close the segment.

Vote: All in favor

RESOLUTIONS

A motion was made by Cook and seconded by Wilford to adopt the following Resolutions via consent agenda.

Vote: All in favor

- R-23-2014 *Reappointing Jennafer Hernandez Chief Financial Officer*
- R-24-2014 *Additional Appointments For The Township Of Downe*
- R-25-2014 *Authorizing Mayor To Appoint Department Heads*
- R-26-2014 *Appointing Members To The Combined Planning Board*

A motion was made by Cook and seconded by Wilford to adopt Resolution No. R-27-2014 *Authorizing The Payment Of Bills*. A discussion ensued regarding the duplication of costs appearing on both months Bill Lists for an annual portion of the pension and employee health benefits for January. The Township Committee excluded three (3) bills from being approved – Rutgers, The State University for course registration \$812.00, State Division of Pensions for Annual PERS Municipal Portion Pension \$13,167.00 and NJ State Health Benefits Plan for Employee Health Benefits for January \$3,497.49. Committeewoman Wilford questioned the bill from James Rutala for professional grant writing services \$2,041.52 which Mayor Campbell explained. Deputy Mayor Cook directed attention to the amount of tax dollars being paid to the County of Cumberland, specifically the Health Department. He asked for a meeting between the Mayor and himself, the County Director and Deputy Director regarding a variety of ongoing issues with the County Health Department which is adversely affecting our economics. He would like to have an exploratory meeting to discuss the potential of taking legal action against the County Health Department and see about options.

Vote (Bill List): All in favor (Jordan abstained from the vote on PO 00020 – Newport Service Station.)

A motion was made by Wilford and seconded by Cook to adopt the following resolutions via consent agenda:

Roll Call: Aye - Jordan, Wilford, Cook, Bart, Campbell
Nay - 0

- R-28-2014 *Supporting Participation In The Sustainable Jersey Municipal Certification Program*
- R-29-2014 *Appointing Animal Control Officer*
- R-30-2014 *Appointing Animal Shelter*
- R-31-2014 *Accepting Of Deed Block 63, Lot 4, Downe Township*
- R-32-2014 *Authorizing Executive Session*
- R-33 -2014 *Populating The "Green Team" Regarding The Sustainable New Jersey Certification Program On Behalf Of Downe Township*
- R-34-2014 *Resolution Approving The TWA-1 Form For The State Of New Jersey, Department Of Environmental Protection, Division Of Water Quality Relative To John And Mary O'Brien At 277 New Jersey Avenue, Fortescue, Downe Township*

COMMITTEE REPORTS

Mayor Campbell asked the Township Committee if they would like to have short presentations at the next meeting 1.) Atlantic City Electric about purchasing electric on-line auction to bid down the price and 2.) Landfill Solar idea – Community based solar. Single stream recycling was discussed and it was suggested that a road trip be taken to a facility.

Deputy Mayor Cook reminded all about 6:00 p.m. start time for the upcoming Commissions Meeting being planned for Thursday, March 6, 2014. He invited those interested to attend. He conveyed that the seniors have a valid complaint about the door being locked at the far end of the building. They understand the need for security for the office staff so a wireless buzzer system with cameras/monitors is being investigated and he thanked Stefany Levenknight for her assistance with that. Cost estimates are being obtained. DelBay Briggs asked about the Security System being proposed and Deputy Mayor Cook elaborated. Some prevention and risk management is being performed and the goal is to maintain security while making it more convenient for our seniors.

Committeeman Bart stated that he had nothing to report but questioned the status of the Auction for the Sale of Township Owned Lots.

Committeewoman Wilford reported that properties are being reviewed for inclusion on the list of lots.

Committeeman Jordan stated that he had no report.

CORRESPONDENCE

A motion was made by Wilford and seconded by Cook to accept the recommendation from the Planning Board to Amend the Animal Ordinance and to authorize the Municipal Solicitor to review the same and provide his comments back to the Township Committee. Mayor Campbell suggested that the Township Committee also review the recommendation for purposes of an upcoming discussion.

Vote: All in favor

PUBLIC COMMENT

On a motion by Bart and seconded by Wilford, the meeting was opened to the public for comment.

Vote: All in favor

DelBay Briggs, Money Island, requested that a Kids Committee be formed. Mayor Campbell suggested to him that he work on it and report back to the Township Committee at the next meeting.

Karen Smith, Raybins Beach, asked again about the road condition. Mayor Campbell responded that the only thing holding up repair is the weather. It has been talked about. Ms. Smith said traffic is moving way up the dunes to get out of the mud.

Bernie Sayers, Newport, referred to the Environmental Disneyland (Downe Initiative) proposing three separate sewer facilities for the beach resorts. He read in the paper a couple of weeks ago that now the Mayor is entertaining a sewer line to Bridgeton. Mayor Campbell provided an update and talked about the money available to do a Feasibility Study. He was recently invited by the County to a meeting proposing the line. In the meantime, the Health Department is pressuring the Township to address the problem, thus, the batch plants for the three (3) island communities, like what are being used in Cape May County. Deputy Mayor Cook states that the Township is moving forward with the DEP to allow proven technology to be used. The Feasibility Study is required for this pilot project. It's a new learning event everyday, and it's evolving. Mr. Sayers then talked about the Pilot Funding threatened to be taken away. He thinks the Township Committee is going about things the wrong way and asked why an attorney is not being hired for this purpose to protect the loss of what could be hundreds of thousands of dollars; other municipalities could be contacted to join in this effort. Deputy Mayor Cook stated that we just became aware of the threat to Pilot funding and he explained that action is being taken. Mayor Campbell talked about conservation easements as pertains to exempt property status. Mr. Sayers heard that the Township was losing its Municipal Clerk and asked if it was true. The Township Committee responded no, as far as it was concerned. Mr. Sayers acknowledged that he was responsible for about 65 Government Record (OPRA) Requests out of about 80. He stated that for as long as he has been coming out to meetings and putting in OPRA Requests, no one is more professional than Conni and he encouraged the Township Committee to pay more money if necessary to keep her because she's top notch as far as he's concerned. Wow, everyone agreed! The Municipal Clerk clarified that she resigned effective January 30, 2014, but since decided to stay on pending further evaluation of the hours required to address the workload. She thanked everyone for their kind comments and support.

Sheldon Pepper, Dividing Creek, concurred with Mr. Sayers in his opinion that the Clerk is very professional and top notch.

Damian Russo, Gandy's Beach, asked if the Township Committee was going to need the blessing or be under the jurisdiction of the County Health Department regarding the aforementioned Batch Plants. Mayor Campbell responded no. As pertains to hiring an attorney, etc., Mr. Russo suggested the Township Committee have all its ducks in a row...you need to be careful about you cross. If you upset the County Health Department you may have three (3) communities at its mercy. Mr. Russo provided an example about a situation happening now in Vineland. Mr. Russo was thanked for his comments and concern and was assured that his point was well made.

Bernie Sayers, Newport, agreed with Mr. Russo that the earlier comments made by the Township Committee about the County Health Department are going to hurt Downe Township. Committeeman Jordan said that no one said sue – the Township Committee wants to investigate its options.

Jessie Briggs, Money Island, asked about the status of the Money Island Bulkhead Project. Mayor Campbell responded about 3 – 4 weeks for the Pre-construction Meeting. Mr. Briggs advised that Meghan has a conflict with the Environmental and Other Commissions Meeting scheduled for the first Thursday night of each month. Mayor Campbell and Deputy Mayor Cook explained the difficulty of trying to select a night that is good for everyone.

Karen Smith, Raybins Beach, asked about beach replenishment. Mayor Campbell responded that Larry Niles is seeking an \$800,000 grant for this purpose. Once the Township fixes the bulkhead, berm and road he is looking to come in and build the beach up for the horseshoe crabs and red knots. Ideally this would be done before the migration in May; however, the DEP is turning all its projects over to the DCA which is causing some delay. Ms. Smith said that she agrees with the Township Committee exploring its options relative to the County Health Department. It is not right to hold our community hostage. She supports efforts to move forward.

There being no further comments, the public segment was closed on a motion by Bart and seconded by Wilford.

Vote: All in favor

NEXT MEETING

The next meeting of the Downe Township Committee will be held on Monday, March 3, 2014 at 7:00 p.m. in the Meeting Room of the Municipal Complex.

EXECUTIVE SESSION

A motion was made by Cook and seconded by Jordan to close the meeting to the public and go into an Executive Session for the purpose of the Collective Bargaining Agreement and Contract Negotiation as pertains to the Union Contract.

Vote: All in favor

OPEN SESSION

A motion was made by Cook and seconded by Wilford to reopen the meeting to the public.

Vote: All in favor

Committeeman Bart advised that Public Works Laborer, Paul Taylor, was suspended for three (3) days. He was supposed to be in Fortescue and was found to be in Dividing Creek at someone's home, this is the third occurrence.

On behalf of the Standing Committee (Bart/Cook) Deputy Mayor Cook recited the recommended terms of the Collective Bargaining Agreement as pertains to the Union Contract.

The Agreement will be retroactive two (2) years back to January 1, 2012 and will go forward four (4) years through December 31, 2017 making it a six (6) year Agreement in total; 2% increase in the hourly rate retroactive to January 1, 2012 for applicable personnel for only hours worked, not any leaves of absence. As pertains to benefits, the current Agreement reflects twelve (12) Sick days per year and unused sick days are paid out at half. For new employees hired beginning January 1, 2014 Sick days allowed will be six (6) with no buyout if not taken; Bereavement is three (3) days for a spouse, parent, child or civil union partner; Personal is two (2) days per year – one (1) day after six (6) months and the other day after nine (9) months with no payout if not used. Subsequent to the initial year, Personal days will be credited on January 1 of each calendar year; Vacation is five (5) days after one (1) year, ten (10) days starting with year five (5) and fifteen (15) days starting with year ten. Other provisions for clothing, boots, etc. will be spelled out in the terms of the new Contract Agreement sent to AFSCME Council 71.

A motion was made by Cook and seconded by Wilford to ratify the aforementioned terms of the Collective Bargaining Agreement as pertains to the Union Contract as recommended by the Standing Committee.

Roll Call: Aye – Jordan, Wilford, Cook, Bart, Campbell
Nay – 0
Abstain - 0

ADJOURNMENT

There being no further business, the meeting was adjourned on a motion by Wilford and seconded by Jordan.

Vote: All in favor

A handwritten signature in black ink, appearing to read 'Constance S. Garton', written over a horizontal line.

Constance S. Garton
Municipal Clerk