

DOWNE TOWNSHIP COMMITTEE
REGULAR MEETING
DECEMBER 7, 2015

The Downe Township Committee met in the Meeting Room of the Municipal Complex on Monday, December 7, 2015 at 7:00 p.m. Mayor Robert G. Campbell presided. Committee members present were Larry Jordan, Sr., Stephen Byrne, 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. Mayor Campbell stated this is the final meeting for 2015 and thanked everyone for coming out. He mentioned when talking to other township leaders they comment that only a few attend their meetings compared to the 20 or more who attend our meetings. He hopes next year will be as exciting as 2015. Mayor Campbell led the Pledge of Allegiance and read the Open Public Meetings Act Statement.

ROLL CALL

Present – Jordan, Byrne, Cook, Bart, Campbell

Absent - 0

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

A motion was made by Jordan and seconded by Cook to approve the following minutes: Regular Meeting of May 4, 2015 and September 14, 2015 and Executive Session of October 4, 2015 and November 9, 2015.

Roll Call: Aye – Byrne, Jordan, Cook, Bart, Campbell

Nay – 0

Mr. Bart abstained from voting on approval of November 9, 2015 Executive Session minutes because he was absent for the November 9, 2015 meeting.

PUBLIC HEARING for 2015 Small Cities Community Development Block Grant – Home Rehabilitation Program – Performance Review – Conducted by Mr. Mark Blauer, Grant Consultant

Mr. Blauer stated he has been the grant writer for the township since 1999. He is here tonight because we are at the end of our NJ Department of Community Affairs 2015 Home Rehabilitation Grant. There have been approximately 60 homes that have benefited from these grants over the years. Mr. Blauer stated the basic criteria for homeowners to qualify for the grant funds. We were awarded \$100,000 in November of 2014. We have qualified 7 households for the assistance. We had funds enough to complete 6 homes. There was one property that we are unable to complete because we

have run out of funds. The purpose of this hearing is to review the performance of the program which is a state requirement. He explained this is interest free money to be used for home rehabilitation projects that must be paid back to the township upon the sale of the home. He explained in detail the types of household issues the money can be used for. He stated we applied for new grant funds for 2016 in the amount of \$200,000 and we were not awarded the grant, which was very disappointing. We will be applying again in the fall. We completed our records review with NJDCA representative Colleen Devereux and she was very happy with everything we have done. He asked if anyone in attendance had any questions or comments.

Jesse Briggs of Money Island asked if the payback is interest free. Mr. Blauer answered yes. Mr. Briggs asked if the township has received any pay back money. Mr. Blauer answered yes. The state requires a 5% local match for the funds. The recaptured funds count as township money and can be used to offset the 5% local match. Mr. Briggs asked if there are recaptured fund that can be used right now. Mayor Campbell stated if someone has a needed, we could use that resource but in the meantime we must spend the grant money first.

Mayor Campbell asked if a current homeowner conveys his title to a relative when is the loan paid back. Mr. Blauer stated there is a very specific provision in the program that if you transfer the property to a blood relative, if the blood relative is willing to accept the same conditions, no payment is due. The new owner would sign a lien for the same amount. The new one gets recorded and the old one is extinguished.

Mayor Campbell asked who would manage the program if we are using recaptured funds. Mr. Blauer answered that it is up to the township. The township could contract with Blauer Associates or anyone they choose and to minimize costs, you could do it in-house. He has experience working with recaptured funds.

Gene MacMurray of New Jersey Avenue asked if there are recaptured funds available currently. Are the funds held in a separate account. Mayor Campbell answered yes to both questions. Mr. MacMurray asked for the amount of recaptured funds. Mayor Campbell answered approximately \$30,000.

Doug Cook of Fortescue asked if having recaptured funds the reason we were not awarded another grant. Mr. Blauer stated some communities have been told by the State they should spend down their recaptured funds before coming back for more.

David Pflueger of Money Island asked what happens if a homeowner defaults on their mortgage. Mr. Blauer answered if a person has no mortgage and sells his property we are first to get our money. If there is an existing mortgage, we are placed in second position. If we are second position and the homeowner defaults, chances are good that we will get nothing back.

Meghan Wren of Money Island stated there is a similar program administered by the County so if Downe Township is out of funds a homeowner can apply for the County funds that are available. Mr. Blauer answered yes there is a Cumberland County grant

program. Mrs. Wren stated because of the Hurricane additional moneys were granted to the County.

Kathryn Weisenburg of Fortescue stated she read that mobile homes do not qualify for grant funds. Mr. Blauer stated mobile homes can qualify if they are on a lot which you own. If on a rented lot, a lien can be placed on the mobile home but cannot be placed on a rented lot which is called a security agreement.

Earl Miller of Fortescue asked if materials could be purchased through the grant and installed by the applicant. Mr. Blauer answered no. We do not ever have a homeowner do the work under this program. The state will not allow that.

Mayor Campbell thanked Mr. Blauer for the great job he is doing for the township.

OLD BUSINESS – There was no Old Business topics for discussion

DEPARTMENTAL REPORTS

Mayor Campbell read the reports received and the Township Committee acknowledged the receipt of the following reports:

- Chief Financial Officer September 2015
- Tax Collector September/October 2015
- Housing/Zoning Officer October 2015

MUNICIPAL SOLICITOR'S REPORT

Solicitor Carr presented his report which consisted of information and updates on the following matters: related to two Small Cities Grant issues, a right-of-way issue in Fortescue, litigation information on a tax appeal, and the municipal clerk position situation.

PUBLIC COMMENTS ON RESOLUTIONS

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

Vote: All in favor

- R-117a-2015 *Authorizing the Payment of Bills*
- R-117b-2015 *Authorizing the Payment of Bills*
- R-113-2015 *Setting Forth Guidelines for Open Public Comments Portion of Township Meetings*
- R-118-2015 *Providing for the Insertion of Items of Revenue in the Budget for FEMA-PW 2755*
- R-119-2015 *Providing for the Insertion of Items of Revenue in the Budget for FEMA PW 2756*
- R-120-2015 *Providing for the Insertion of Items of Revenue in the Budget for JIF-Hurricane Sandy Flood Claim*
- R-121-2015 *Authorizing Transfers Between Budget Appropriations*

- R-122-2015 *Approval of Change Order #2 to Walter's Marine Construction for Money Island Bulkhead Project*
- R-123-2015 *Authorizing Executive Session*
- R-124-2015 *Resolution Regarding a Tax Sale Certificate Assignment and Execution of an Agreement with Natural Lands Trust Dated October 15, 2015 Related Thereto*

Bernie Sayers of Newport stated given the presence of R-113-2016 makes him think the introductory comments about how glad you are to see so many here seems very hollow and circumspect. You thanked us for being here and then say we can't say anything other than a few comments due to the time limit this resolution allows. This is quite insincere and very disappointing. Mayor Campbell stated we are going through the process. We have the resolution, we will introduce and discuss it and it will be voted on. It may not get approved. The resolution states this committee runs the township and decides what's on the agenda. Mr. Sayer and Mayor Campbell debated back and forth on the fact that the Public Portion of the meeting is for the public to comment not the committee. Mr. Sayers asked the Mayor to read the resolution to the public. Mayor Campbell answered no.

Mr. Sayers asked for the specifics of the executive session discussion. Mr. Carr answered personnel issue related to the Municipal Clerk position and litigation issues to include, State vs Novak, Hanson vs Downe and the State of NJ and Blue Acres issues at Money Island.

Karen Smith of Raybin's Beach asked about R-124. She is interested to know what parcel of land this is in reference to and is that an agreement to sell NLT more of our township. Mayor Campbell answered it is a parcel in Dividing Creek. This resolution is an agreement between NLT and a resident. NLT will pay off the tax sale certificate, place a conservation easement on the property and turn it over to a resident so it stays on the tax rolls. This issue has been complicated because there have been a lot of discussion about how to do it. Personally I think it would have been easier to let the resident buy the tax sale certificate and then let NLT pay him to put a conservation easement on it. Mayor Campbell explained the conservation easement process. This protects the land as open space in the future. Mr. Carr summarized how this request was presented to the township for approval. Ms. Smith asked why the property isn't being made available to the public. Mr. Carr answered the property is not in foreclosure and therefore cannot be offered to the public to purchase. Ms. Smith continued to express her feelings about how NLT buys up township property and does not maintain them.

Mayor Campbell announced he just learned that the piece of property on the southwest corner of Schoolhouse Lane and Fortescue Road about 12-15 acres is going to closing in about a week or two to Green Acres. We will be losing another 15 acres that has value. It was purchased for \$74,000. We are fast approaching 85% tax exempt open space in Downe Township. I oppose every bit of it. At what point does this stop. The township will be bankrupt.

David Pflueger of Money Island asked if the Township Committee can pass an ordinance to stop Green Acres from buying up our properties. Mayor Campbell answered if there is a willing buyer and willing seller there is nothing in the world anyone can do to stop it.

Joseph Cerone of Dividing Creek asked about an invoice to pay Bond Counsel. Mayor Campbell answered this is a bill to our Bond Counsel for a Bond Anticipation Note that was put in place by the CFO. Mr. Cerone commented so we are borrowing more money. Mayor Campbell stated we are acting on an Ordinance which was passed in 2012 or 2013. Mr. Cerone asked where it is benefiting. Mayor Campbell answered the interest rate was very low. We need to borrow the money to pay the bills for the FEMA projects so we can get reimbursed. Mr. Cerone commented when the conservation easement goes into effect at the property on Turkey Point the tax rate actually drops. Even though it is on the tax rolls, the taxpayers will get less with this sort of a deal. Mayor Campbell commented he is not certain if the tax rate will drop. He believes it is already assessed at the lowest amount allowed. Mr. Cerone stated that in another month or so the tax office will be preparing for a tax sale; why not sell it at the tax sale. Mr. Cerone asked about R-113. He stated he comes to a lot of meeting and the committee is always talking about being transparent. It seems that this resolution is designed to block transparency and why would an elected official have a problem with answering taxpayer's questions if they are fulfilling their fiducial responsibility as you say you do. Why limit people when they are asking questions. The only reason someone would do that is if they are hiding something from the public. Mayor Campbell thanked Mr. Cerone for his comments.

Mary Pflueger of Money Island asked why do we keep seeing the Kubota Leasing every month on the bill list. Mayor Campbell stated this is a piece of equipment that was leased for the FEMA project in Fortescue this is not complete yet. It is a 24 month lease. We are reimbursed for the lease costs. Mrs. Pflueger asked if FEMA gives the township \$1860 a month. Mayor Campbell stated the reimbursement is not received by the township on a monthly basis. We do not submit documentation for reimbursement on a monthly basis. The submittals are grouped. Mrs. Pflueger asked what amount has been spent and what amount has been reimbursed. We have borrowed a lot of money. As the reimbursed funds are coming in are they being put aside to pay back the bond money. Mayor Campbell stated the money goes into the capital fund and when the bonds come due we pay them. We have paid off a couple of bonds earlier this year. Everything is good. Financially we are in great shape. The CFO can be in attendance at these meetings to explain the money situation if you like. FEMA has informed us that things are moving slow and they apologized. Mayor Campbell explained that we will get reimbursed. Mrs. Pflueger asked when the bond comes due will the township have the money in hand. Mayor Campbell answered all of our grants are reimbursements. We have to spend the money and wait to get it back. This is the way the system works.

Mr. Cerone commented the piece of equipment we are spending \$1800 a month for has been sitting in one place in Fortescue for the last year and a half.

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

Vote: All in favor

Mr. Cerone continued to be disruptive.

RESOLUTIONS

A motion was made by Cook and seconded by Bart to adopt Resolution No. R-117a-2015 *Authorizing the Payment of Bills* in the total amount of \$254,980.71.

Mr. Cook stated the Kubota Leasing is brought up monthly. Can we gather information and have it available for the public in terms of when the lease began, what type of lease, how much has been paid, what kind of assurance do we have from the state that we will be reimbursed. There are probably some other questions. We need to get out to the public very accurate and specific information about an expense that is consistently bought up at each meeting. This information will be very helpful to have. How long does this go on. Mayor Campbell and Mr. Cook continued to debate about the Kubota Leasing issue. Mayor Campbell left the room. Mr. Cook continued he needs this information for himself because he sees the equipment is not getting the kind of usage to justify this expense. There are other expenses that now are in very serious jeopardy as to whether or not FEMA will ever reimburse them. From the information we have received FEMA is not going to reimburse a certain major expense the township has incurred. Mr. Jordan asked Mr. Cook to share that information with the rest of the committee. Mr. Cook answered the EHRA consultants bills of which FEMA has indicated many of those expenses are not legitimate expenses. We are to be accountable for every penny. Mayor Campbell returns. Mr. Cook continues to speak about how things continue to be handled by one person and not by the full committee. Mr. Cook stated he would like to remove the Kubota Leasing invoice for a month and discuss it. Mayor Campbell announced that Mr. Cook would like the Kubota invoice removed from the bill list. We will vote on the bill list and see if the rest of the committee wishes to pay the Kubota Leasing invoice. Mr. Cook commented there is an "A" bill list and a "B" bill list. He continued he was in the township building on Wednesday evening and didn't get the bill list, Thursday evening and didn't get a bill list, Friday evening and didn't get the bill list and at 3:45 on Saturday didn't get the bill list. Mr. Bart stopped Mr. Cook to ask why this is not being brought to the attention of the CFO who doesn't do her job. Mr. Bart commented this is not the Mayor's fault. Mr. Cook continued to be argumentative. Mr. Bart leaves the room. Mayor Campbell announced the State Police have been called and are on their way. This is a business meeting. We come here to do the business of the township whether we agree with each other or not. Mayor Campbell expressed how much has been done in the last six years. Things have been happening in Downe township that were never thought of. There may even be a sewer system in Fortescue. Mr. Bart returns to vote on the resolution. Mr. Bart commented there is a purchase order on the bill list for \$4.75 to reimbursement Harry Levenknight. Three years ago we passed a resolution to have petty cash. Why she hasn't done it, I don't know, she does what she wants to do. It costs us more to do a purchase order and a check instead of petty cash. Mayor Campbell stated he supports petty cash and we will adopt another resolution to get that taken care of.

Roll Call: Aye – Jordan, Byrne, Bart, Campbell
Nay – Cook

Mayor Campbell stated we have a separate bill list to reimburse Mr. Jordan for an item he purchased for the Historic Commission.

A motion was made by Byrne and seconded by Bart to adopt Resolution No. R-117b-2015 *Authorizing the Payment of Bills* in the total amount of \$289.78.

Mr. Cook asked to discuss this resolution. Mr. Cook stated to Mr. Jordan you took a lot of time and said at least four times at the last meeting that you are not accepting this money. You don't want it. Mr. Jordan said he asked for it to be taken off the list at the last meeting. Mr. Cook stated that is not what Mr. Jordan said at the last meeting. Mr. Cook asked Mr. Jordan if he plans to vote on this resolution. Mr. Jordan answered no. Mayor Campbell stated that is why there is a separate bill list. Mr. Cook continued that Mr. Jordan grandstanded at the last meeting and pontificated about how he was not going to accept this money under any circumstances. You should just tell the truth. Mr. Jordan stated there is one thing you will not do Mr. Cook and that is you will not tell Larry Jordan what to do. Do not sit there and put words in my mouth. I said take the bill off the list. Mayor Campbell interrupted Mr. Jordan put out the money and he needs to be reimbursed. Mr. Jordan stated it is pretty obvious to everyone on this committee what Mr. Cook's intentions are. Mayor Campbell stated we need a vote of no confidence for Mr. Cook. Mr. Bart stated he was absent at the last meeting but he feels Mr. Jordan should be reimbursed.

Roll Call: Aye – Byrne, Bart, Campbell
 Nay – Cook
 Abstain – Jordan

Mayor Campbell stated he watched the County Freeholders meeting and they have a time limit policy for public comment sessions. They have public comment before resolution like we do of five minutes and you get one turn at the mic. At the end of their meeting they give you five minutes and you get one turn to express your comments.

Mayor Campbell stated we are not required to have public comments on resolutions. We do it to give everyone a chance to give us their comments.

A motion was made by Byrne and seconded by Jordan to adopt Resolution No. R-113-2015.

Mr. Cook stated what that just happened in the last twenty minutes is the reason why this is such a hypocrisy. We are going to limit the public when we don't even discuss these things ourselves. We sit here and shout each other down and we shout the public down. Mr. Cook continued to speak about how the meetings are conducted. When we, the committee, get our house in order then we can talk about limiting our public to five minutes. I feel the frustration of the public. This is only going to engender far more OPRA requests and put our staff under that stress even more. All the other resolutions that should be coming before the public; this is embarrassing and I will not support it. Mr. Bart stated he has reservations about the resolution because he feels the public should have freedom of speech. The Mayor should have the power to be able shut down someone who is out of order. If the meeting gets out of order, we should adjourn. Mr.

Jordan stated he is to be blamed for this resolution. He was attempting to get control of our meetings. Maybe we need to just sit here and shout at each other for three or four hours each month and get it out of our system. There are some people who seem to really enjoy it. I don't enjoy this. I think there is a better way we can do business. Mr. Byrne stated he thinks we should try it for 6 months and see how it goes. If there is still the shouting and so forth then it is a failure but if it somehow creates decorum then it is worth doing and keeping.

Meeting was stopped while the Mayor left the room to meet with the State Police.

Mr. Jordan stated he hopes that everyone attends these meeting because they care about their community. That is the reason he is here. He asks the public to help the committee better control our meetings.

Motion was made by Jordan and seconded by Cook to take a break until the Mayor returns. Vote: All in favor

Mayor Campbell stated he has always been in favor of open discussion with unlimited time and questions between the committee and the public. He appreciates all who attend the meeting. A lot of good questions are asked and the public input is good. We want the open dialogue. I really don't want to put these time constraints on our meeting I like the open dialogue. We can't continue our meeting this way.

Bernie Sayers of Newport stated a lot of you don't realize this but I have come and sat in this chair for the last 26 or 27 years. I have never in 27 years seen what that has been taking place at the last three or four months. For the Mayor to single out Mr. Cerone and say what he did is totally wrong. Mayor Campbell is the cause of the disruptive actions at these meetings because he doesn't give the public the opportunity to speak without interrupting them.

Roll Call: Aye – Byrne
Nay – Cook, Jordan, Bart, Campbell
Resolution was not adopted

A motion was made by Cook and seconded by Bart to adopt Resolution Nos. R-118-2015, R-119-2015, and R-120-2015.

Mr. Cook stated there was a typo in these documents that caused a lot of concern. He apologized for the misprint. He didn't know the error was corrected because he didn't receive an email to inform him of the change.

Roll Call: Aye – Cook, Jordan, Byrne, Bart, Campbell
Nay – 0

A motion was made by Bart and seconded by Cook to adopt Resolution No. R-121-2015.

Roll Call: Aye – Cook, Jordan, Byrne, Bart, Campbell
Nay – 0

A motion was made by Cook and seconded by Byrne to adopt Resolution No. R-122-2015.

Roll Call: Aye – Cook, Jordan, Byrne, Bart, Campbell
Nay – 0

A motion was made by Cook and seconded by Bart to adopt Resolution No. R-123-2015.

Roll Call: Aye – Cook, Jordan, Byrne, Bart, Campbell
Nay – 0

A motion was made by Jordan and seconded by Byrne to adopt Resolution No. R-124-2015.

Mr. Cook stated this will result in a reduction of taxes on that property. I think it is a good piece of property that I would like to see it offered to the public. As a township we can receive more dollars than under this arrangement. Each month more land is lost. Silently they are not notifying the township about these purchases. We have not discussed this as a committee. We have had no work session on this and I can't vote for it. I don't think it is in the best interest of the township. I think this needs more review and we shouldn't vote on it tonight. Mayor Campbell added this has been around for a couple of months. NLT's proposal states when the tax certificate is assigned to them they will secure a clear title to the property and then transferred to the resident. Before the property is transferred, NLT will place a conservation easement on it that prohibits development. Mayor Campbell read the proposal details. Mayor Campbell stated at the end of the day he would like to see the property stay on the tax rolls.

Roll Call: Aye – 0
Nay – Campbell, Cook, Bart, Byrne, Jordan
Resolution was not adopted

COMMITTEE REPORTS

Mayor Campbell asked if anyone has seen Blue Acres representative in Money Island. Mr. Cook answered yes. He stated there were two gentlemen from the Hazard Review office and they did a walk around. They did not enter any dwellings. They were looking at septic systems, wells and any underground tanks. That was their mission. As I understand it they concluded that mission on Thursday. There was at least one appraiser on Friday that had been hired by the State. This individual was going onto properties and had scheduled appointments with certain residents. I heard a homeowner ask if the tax assessed value was being offered to the residents and again and again the answer was no. The appraisal will not be your tax assessed value. This is so unfair to residents. Mayor Campbell reported the Fortescue Creek (which is a State DOT project) project had their pre-construction meeting. They are moving the dredge equipment in the next couple of weeks. The start date is January 1, 2016. This is a \$3.8M dredging project. Mayor Campbell continued a conceptual plan is progressing for the Fortescue Sewer project. There will be a pre-application meeting scheduled after the first of the year in Trenton with DEP to present the plan. Things are still in the works for Money Island and Gandy Beach. There is no information about the county project. There was a

meeting a couple of months ago when a plan for a sewer main extension was displayed. We have not heard from them since.

Committeeman Cook reported that Greg Facemeyer is taking the lead for the county in terms of the whole Verizon failure to comply with their contract issues. Mr. Facemeyer thanked the Township for passing a resolution and for the shared service agreement. They are in need of stories from residents on how you have been impacted by Verizon policies. We need to tell our story. Mayor Campbell asked if the focus is only on challenging Verizon or are with working with Comcast too. Mr. Cook answered this is about Verizon.

Committeeman Bart – No report

Committeeman Jordan asked Mayor Campbell to report on the meeting they attended. Mayor Campbell stated they attended the Bridgeton Chamber meeting of the combined Chambers of Commerce with Assembly Majority Leader Lou Greenwald as speaker. I reminded him that we were still here. He later contacted me and asked for more information about our Pilot Funding situation. Mr. Jordan stated we will continue this until we get our Pilot Funding reinstated. He has agreed to introduce legislation to reinstate the Pilot Funding and maybe make it permanent.

Committeeman Byrne stated we received an inquiry about stray cats in Fortescue and the problems they create. There is not a whole lot we can do about this situation. These cats are sometimes dumped in these areas. They are being fed every day. Ms. Weisenburg commented that she can't take her dogs down there because there is food all over the place where people are trying to feed these cats. Mayor Campbell stated this is an enforcement issue. The township has placed signs directing people not to feed the cats but it is ignored. We have trapped these cats and borne the expense of taking them to shelters. This is very expensive and is a serious problem for us.

CORRESPONDENCE – No correspondence to discuss.

PUBLIC COMMENT

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

Vote: All in favor

Mary Pflueger of Money Island stated our website is still down. Mr. Cook stated we have reached out to two potential firms with no response. We will continue to work on it. Mrs. Pflueger stated Mr. Sayers has offered and there was someone from Fortescue who has made an offer. It is a disgrace. We don't have our agendas and minutes but you can go on the website to pay your taxes. We were told at the last meeting that the public would be able to access current information about our meetings through the website. Mrs. Pflueger stated to Mr. Jordan that he did say to remove his invoice from the bill list and you would donate it. We all heard you. Mr. Jordan stated that he will never spend any of his money in the future to help Downe Township. Mrs. Pflueger stated you should be reimbursed but you did make that statement. Mrs. Pflueger continued that Mayor

Campbell called out her husband when he laughed about the sewer but you should understand why sewer talks are so ridiculous to us. We have been waiting and waiting. Mayor Campbell stated the situation is not funny to him. A sewer system is a very difficult thing to accomplish in Money Island when you have the county against it. Mrs. Pflueger commented you told us the guys from EHRA were supposed to be working on those plans. Mayor Campbell stated OEM in Trenton is still working on that PW. Mrs. Pflueger stated they had their house appraised this week by Blue Acres and as much as they do not want to sell we were told if we don't sell they can take it from us. Mayor Campbell stated he challenged Blue Acres at the meeting they held here for the Money Island resident. I asked who is selling out because they have been intimidated and half of the resident raised their hands. I did that because this program is not voluntary. They have threatened and intimidated all of you residents. As far as the sewer goes, if there is someone else on the committee you would feel more comfortable with pursuing the sewer issues, no problem, I am just one guy. Mrs. Pflueger stated all 5 of you should be working on the issue. This is all very frustrating. We don't want to sell but what should we do. Mayor Campbell stated he doesn't want anyone to sell out, lose your house or want the health department to win. He wants sewer and water in all three beaches. I work every single day to try and get down that road. Mrs. Pflueger stated that message needs to get out to the public because the whole time the state was torturing us we needed to hear you saying "hold your ground". People are scared and are jumping on board every day. We laugh out of frustration. Discussions continue about how the whole process has grown to where we are today with Blue Acres buying us out.

Gene MacMurray of Fortescue asked Mr. Cook what he is doing to stop the buyout of the lands by the state. Mr. Cook stated we will be holding a special meeting to discuss this situation and it is my hope that we take it to court. Mr. MacMurray stated that after Sandy hit Mayor Campbell was there. As far as he is concerned you have done everything right. I appreciate you and I appreciate your dedication to the township and thankful that you are the Mayor of this town. Mayor Campbell thanked Mr. MacMurray for his comments. Unless these guys up here support what I am doing, I can't do it. They have always been supportive until recently. Mr. MacMurray continued he understands the desire to control the meeting and limit our speaking time. I would also like to suggest that you limit your comments to five minutes. Mayor Campbell stated a great discussion should have no limits. The accusations and attacking tactics you have every meeting is the stuff I can't deal with.

Meghan Wren of Money Island stated I am a resident that was barred from attending the Blue Acres meeting after receiving a letter from the Mayor to attend. Mayor Campbell stated the letter stated you would be receiving an invite to a meeting from Blue Acres to give you instructions on the program. Mrs. Bernadette Donahue of Money Island commented the heading on the letter stated you are invited to a kick-off meeting. Mayor Campbell stated it was not a township meeting. It was arranged by Blue Acres and they asked if it could be held here. They tried to make it look like we were part of the plan and I made it very clear that we were not part of the plan. They invited who they wanted to attend. It was a one on one meeting for the people that want to sell out. Mrs. Wren continued as a resident of the island I don't want to leave but if the outcome is everyone is going to be bullied if they don't sell. I would like to be educated about what the

program is about. I am not on their list. I misinterpret my letter. I didn't appreciate that we were not allowed in the meeting to just ask some simple questions about the program. The word on the street prior to that meeting was Blue Acres would pay pre-Sandy values. Mayor Campbell suggested to Mrs. Wren to send a letter of interested to the Blue Acres Program to discuss the process with them. It is my understanding the residents can back out of the program up until the settlement day. Mrs. Wren commented it should be public information available about the process. Mrs. Bernadette Donahue stated she has attended other meetings that have been scheduled by Blue Acres. Mayor Campbell stated there were 27 people invited to that meeting by Blue Acres. All of those invited have applied for the Blue Acre program. Mrs. Donahue stated the township should put an article in the newspaper and let everybody in Cumberland County know how they are intimidating us and how they are making us feel that we have to sell out whether we want to or not. Mayor Campbell state we agree with you. We will be discussing just how to move forward at our executive session tonight. Mr. Cook commented that Larry Baird the head of enforcement called people and said you must attend the meeting. They have broken every promise they have made. They are breaking the law. The only thing they understand is legal action. This is not a friendly takeover it is a hostile takeover. They even had the sheriff's department here. The Commissioner of the DEP stated that if you don't go voluntarily they will regulate you out. We must take this to court, the sooner the better. Mrs. Pflueger commented on the issues she has been dealing with at the DEP and the health department about her septic issues. Mayor Campbell stated this all started with a Health Department violation, then a land use violation, and then a tidelands violation. This is why we have to exercise our due process rights. They are working very fast.

Karen Smith of Rabins Beach commented on a property that was torn down by the DEP of which they have not maintained. Why is the township not an overseer when these state departments come in and do these demolitions to make sure they are being done properly. We have a bridge that has been in disrepair for about 5 years and the county wants a parking lot near a bridge that can't support the current traffic that we have. The county is not even responding to us about when the bridge is going to be repaired. There were people there last week from the Army Corp of Engineers surveying and they were on my property. I asked if I could help them they told me they were there for a project that has to do with beach replenishment. The DEP comes down there with no respect for the residents, the migratory birds, the turtles, or the condition of the bridge or the roads. Mrs. Smith stated she has 5 cats that live under her house and have been there for 7 or 8 years. They have been spayed, neuter and given shots at her expense they live on her property. These are not cats that are contributing to having any cat problems.

Mayor Campbell stated he met with Mr. Knoop of the County Engineers office and they have assured me they have the funds for the bridge at Rabins Beach and the bridge going into Fortescue. When this will happen I don't know. I will take a look at the area you spoke about.

Kathy Weisenberg stated when the turtles are laying their eggs with are having problems with the bin block we placed down there. They get trapped in the blocks. I have picked up the turtles when I see them. About the cats, I have seen them bat the turtles around

like a hockey puck. I have seen the cats chase the little birds and chicks. A cat can be fed but they will also kill just for the fun of it. Something has to be done about the cats.

Bernie Sayers of Newport asked what the vote count on R-113 was. Mayor Campbell answered five "no's". Mr. Sayers continued he wants the Mayor to realize he interrupted him 7 times when he was speaking during the resolution public comment portion. How come you don't do that to others? Mr. Sayers continued he OPRA requested some information that is astounding. Why has the township spent over \$30,000 on water testing? Mayor Campbell stated about \$20,000 was spent on water testing for the Money Island water quality issue that the DEP started. This is a FEMA project which will be reimbursed by FEMA. I understand that a few residents have been investigating the water testing by making calls and requested information from the testing company. Then rumors start floating around that Bob Campbell is spending \$30,000 on water testing and using three different companies. This information is not true. The Money Island testing was conducted by a testing company and a laboratory. The other testing company is conducting annual testing at the landfill as part of the state permit requirements. Because no one bothers to contact the office for this information a rumor was started all over town with incorrect information. Mr. Sayers stated based on his attendance at meeting I have not heard any discussion among the committee in regard to the water test. There are no resolutions awarding a contract to have this done. Mayor Campbell stated the water testing is being done under a FEMA PW. The testing result will be a part of potential litigation with whomever we decide to litigate. Mr. Sayers commented part of what you have to do before going into executive session is to name the parties involved in the litigation. Mayor Campbell answered it will be NJDEP.

Mrs. Bernadette Donahue of Money Island stated Mr. Cook said the DEP or Blue Areas was down in Money Island, where were they. Mr. Cook answered they were on the west side to the 27 residents who responded to their program. Mrs. Donahue continued about 10 years ago there was a major problem with cats in Fortescue. The township contacted a group from Cherry Hill who came down. They would trap the cats and take them to be spayed and neutered. They brought them back and they were unable to increase the cats population. Maybe the town still has their contact information. Lastly, when you guys come together it seems as though you don't meet prior to the meeting and you haven't discussed anything since the last meeting. Why don't you have a work session between meetings so you would have you agenda correct and be on the same page or be able to discuss it in a mannerly way instead of getting hostile. Mayor Campbell stated we have talked about having work sessions and even having them before the regular meeting. I am available 24 hours a day 7 days a week to talk with the committee. If someone comes to a meeting and they don't know what's going on it is because they haven't reached out. Mr. Cook stated he categorically disagrees with that statement. We are not a monarchy. In his experience, five people working together and interacting is better than a top down approach where one person makes all the decisions and hands it down. Due process is not occurring and this is a flawed system that doesn't work. I have consistently tried to have work sessions and I have been stymied in this effort. Until they occur what you see here is going to continue.

Bob Pignetelli of New Jersey Avenue asked what is being done about the steel house. Something was said at the last meeting about it being knocked down. Mayor Campbell answered there was no discussion about it being knocked down. They have contacted the township with a request to vacate the street. It was stated the doors are wide open at that property. Mrs. Weisenburg stated there was an excavator there last week doing something in the dark. Mr. Pignetelli asked what the timeline on the sewer in Fortescue is. Mayor Campbell answered 18-24 months. Mrs. Weisenberg asked what will that cost the residents. Mayor Campbell answered everyone will have to pay to hook up even if they are seasonal. The septic systems go away, the county health department goes away and the property value will go up. It opens opportunities for commercial development to bring in business. Most investors won't invest in a community that doesn't have public sewer. This is still in the planning process and public hearings will be conducted throughout the process.

A resident at 320 New Jersey Avenue stated there is a house about three houses down from him that is abandoned and is filled with cats and raccoons. Can the township go after the homeowner and have it demoed. Mayor Campbell answered we can not force a demolition of the property unless it is more than 50% damaged.

Kary Wilson of Newport stated it was her understanding that there was a non-compliance issue that the township did not fulfill in July about the website. Mayor Campbell answered that is not true. Mrs. Wilson asked what is the hold up. Nadine Lockley answered she use to be able to use Microsoft Frontpage to update the website. When our domain name was renewed with GoDaddy they reported they no longer support Microsoft Frontpage. I need to learn a new software program. Mrs. Wilson continued that normally these new software programs have templates. It is really just a drag and drop process. Ms. Lockley replied that is not her understanding. Mrs. Wilson continued it is very user friendly. You can just go in and type on a template and add your pictures or whatever you need to add. You don't have to have software that is compliant with GoDaddy. It is a simple process. Maybe you need to just keep the design the way it is and upgrade your package. Ms. Lockley stated she knows her limits and this is too much for her. Mrs. Wilson continues it is pretty simply. Ms. Lockley commented that maybe Mrs. Wilson should do it. Mayor Campbell stated we will continue to work on it. Mrs. Wilson stated you have expressed a concern about properties that are being sold to Lands Trust. On Schoolhouse Lane there are properties for sale and there has been an ongoing problem on Schoolhouse Lane. We have pockets of homes that have junk yards starting that are right next to well-kept properties. On Landing Road near Mr. Jordan's property there is a house that has chickens, duck and garbage and junk all over the place right on a main street. Their neighbors will never get the full value of their homes because of the condition of the home next door to them. My property on Ackley Road has two little junk yards starting with all kinds of debris. The Zoning Office needs to step up. I know we have a reactive policy but we need a more proactive policy. The residents should not be put in a position where they have to call about their neighbor.

Sheldon Pepper of Dividing Creek asked if the township is currently involved in any litigation. Mayor Campbell state no. Mr. Cook stated we have the Hanson tax appeal. There is also an issue in Money Island with Novak.

Meghan Wren of Money Island stated she received a call from a staff member at DEP that sounded promising. This is related to the Bayshore Council. There are many different aspects to the DEP. They are not all in the same kind of conspiracy mood. This person called specifically to ask what he can do to support the needs of the Bayshore community. One individual is Rick Brown and another is Dave Vanns. I am hopeful that this group is standing their ground on the importance of the Bayshore Counsel. I plan to have a conversation with them and enlighten them on the big picture and as a resident of Money Island. I will air some of my concerns with them.

Mayor Campbell stated there are people with these state agencies that are on our side and then there are others that won't be.

Mr. Cook continued we are being set up and used by the state agency. The Fortescue Captains Association can take it from me that their lease will not be renewed. This is being done for the big developers who will be coming. They are taking one community after another. Mrs. Wren stated she deals with a lot of people who say "we" and "they" and you are never sure who they are. Everybody is just a person and there are different perspectives. I am not willing to accept there is a whole underground agreed on plan. We can have an effect on this by maintaining a positive force. This is my intention. Mr. Cook stated we are doing all of that. But when we see what they actually do at the end of the day it is a different picture. David Rosenblatt did not advocate for the Money Island bulkhead. He does what he is told. He doesn't have power. Mr. Cook and Mayor Campbell continued about how the state is taking our lands and the deterioration of Downe Township. Mayor Campbell commented he plans to fight this until the very end. We will continue to push back. Mr. Cook commented the state does not care if Downe Township loses ratables. We get little or no leadership direction from our County Freeholders. That is why we continue to be the poorest county in the state.

Bernie Sayers asked when is someone going to tell us how much this lawsuit is going to cost the people who don't live on the Bayshore. Mayor Campbell answered when we know you will know. This will be discussed in executive session.

Karen Smith of Rabins Beach said since you are entertaining the possibility of legal action she was informed by an attorney friend that there is only one person if you decide to fight the state that has won every case he has been involved in his name is Jeffery Barone. I have been told when they see a letter from him they back off. His specialty is land use law. Mayor Campbell thanked Ms. Smith for that information.

Kathy Weisenberg of Fortescue stated that road patch does not last. As soon as it rains the patch is gone. Mayor Campbell stated the damage to that roadway was caused when we were building the south end. FEMA will reimburse us to patch it. He has talked to FEMA about this situation and we are in the process of writing a PW to convince them to do a complete overlay instead of patching. This is in the works and we will let you know as soon as we know. We have a couple of quotes for the work.

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

Vote: All in favor

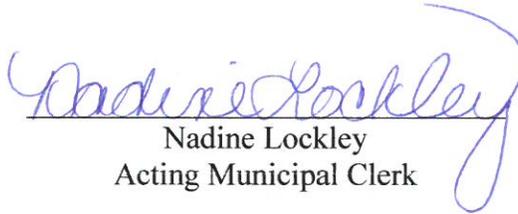
NEXT MEETING

The next meeting of the Downe Township Committee will be the Re-organization Meeting and will be held on Monday, January 4, 2016 at 7:00 p.m. in the Meeting Room of the Municipal Complex.

ADJOURNMENT

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

Vote: All in favor



Nadine Lockley
Acting Municipal Clerk