

DOWNE TOWNSHIP COMMITTEE
REGULAR MEETING
June 6, 2016

The Downe Township Committee met in the Meeting Room of the Municipal Complex on Monday, June 6, 2016 at 7:00p.m. Mayor Robert G. Campbell presided. Committee members present were Larry Jordan, Sr. (Deputy Mayor), Stephen Byrne, Dennis Cook 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, Byrne, Bart, Campbell, Cook
Absent – 0

APPROVAL OF MINUTES OF PREVIOUS MEETINGS – April 4, 2016 Regular Meeting
A motion was made by Jordan and seconded by Cook to approve the following minutes: Regular Meeting of April 4, 2016.

Mr. Cook asked if a correction could be made under the second Roll Call that he arrived a few minutes late.

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

Vote: All in favor

DEPARTMENTAL REPORTS

Mayor Campbell highlighted reports from the CFO for April, the Tax Collector for the months of April and May and the Zoning Officers report for the month of May.

MUNICIPAL SOLICITOR'S REPORT

Solicitor Carr presented his report which consisted of information and updates on the following matters: related to survey work discussed at the last meeting, foreclosure on William Hand property a check received for pay back on small cities grant lien, ordinance declaring excess property available for sale by township, information on upcoming litigation matter of Comcast vs Downe Township, information of the public hearing for the update for flood damage prevention ordinance, and ordinance for an unnamed unimproved alley for John Gilligan.

INTRODUCTION OF ORDINANCE 2016-6 *Declaring Certain Parcels of Real Property Owned by the Township of Downe No Longer Needed for Public Use and Authorizing the Public Sale of Same.*

A motion was made by Cook and seconded by Byrne to introduce Ordinance 2016-6. The Public Hearing for this ordinance will be held on July 11, 2016.

ROLL CALL

Aye – Jordan, Byrne, Cook, Bart, Campbell

Nay – 0

PUBLIC HEARING – ORDINANCE 2016-3 – 2016 Salary Ordinance

A motion was made by Jordan and seconded by Cook to open the Public Hearing for Ordinance 2016-3.

ROLL CALL

Aye – Jordan, Byrne, Bart, Campbell, Cook

Nay - 0

There were no comments from the public.

A motion was made by Jordan and seconded by Byrne to close the Public Hearing for Ordinance 2016-3.

Vote: All in favor

A motion was made by Byrne and seconded by Jordan to adopt Ordinance 2016-3.

ROLL CALL

Aye – Jordan, Byrne, Bart, Campbell, Cook

Nay - 0

PUBLIC HEARING FOR ORDINANCE 2016-4 – Flood Damage Prevention Ordinance.

A motion was made by Cook and seconded by Byrne to open the Public Hearing for Ordinance 2016-4.

ROLL CALL

Aye – Jordan, Byrne, Bart, Campbell, Cook

Nay - 0

A resident asked if the flood elevation was changed. Mayor Campbell answered the new flood maps are in the office.

A motion was made by Jordan and seconded by Cook to close the Public Hearing for Ordinance 2016-4.

Vote: All in favor

A motion was made by Jordan and seconded by Cook to adopt Ordinance 2016-4.

ROLL CALL

Aye – Jordan, Byrne, Bart, Campbell, Cook

Nay - 0

PUBLIC HEARING FOR ORDINANCE 2016-5 – Amending the Code of the Township to Update Maximum Penalties for Violations.

A motion was made by Cook and seconded by Jordan to open the Public Hearing for Ordinance 2016-5.

ROLL CALL

Aye – Jordan, Byrne, Bart, Campbell, Cook

Nay - 0

There were no comments from the public.

A motion was made by Jordan and seconded by Cook to close the Public Hearing for Ordinance 2016-5.

Vote: All in favor

A motion was made by Cook and seconded by Jordan to adopt Ordinance 2016-5.

ROLL CALL

Aye – Jordan, Byrne, Bart, Campbell, Cook

Nay - 0

PUBLIC HEARING FOR ORDINANCE 2016-7 – Vacating a Portion of an Unnamed and Unimproved Alley – John Gilligan

A motion was made by Cook and seconded by Bart to open the Public Hearing for Ordinance 2016-7.

ROLL CALL

Aye – Jordan, Byrne, Bart, Campbell, Cook

Nay - 0

There were no comments from the public.

A motion was made by Cook and seconded by Byrne to close the Public Hearing for Ordinance 2016-7.

Vote: All in favor

A motion was made by Cook and seconded by Bryne to adopt Ordinance 2016-7.

ROLL CALL

Aye – Jordan, Byrne, Bart, Campbell, Cook

Nay - 0

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-70-2016 *Authorizing the Payment of Bills*
- R-66-2016 *Authorizing Terms Related to the Advertisement and Sale of Real Property No Longer Needed for Public Use Situate Within the Township of Downe*
- R-71-2016 *Approving the Engineers Proposal for New Jersey Avenue Construction Specifications and Inspection Support Service*
- R-72-2016 *Authorizing Change Order to the Walters Marine Construction*
- R-73-2016 *Governing Body Certification of the 2015 Annual Audit*
- R-74-2016 *Corrective Action Plan*
- R-75-2016 *Authorizing Solicitor to Undertake an In Rem Foreclosure to Properties in Which Tax Sale Certificates Are or Have Been Held by the Township for a Period of Six Months or More*
- R-76-2016 *Authorizing TWA-1 Form for 197 Dyers Creek Road*
- R-77-2016 *Authorizing Executive Session*

Solicitor Carr outlined the items to be discussed during Executive Session Meeting which are as follows: Contracts in the matter of the website, Municipal Banking for next year, Municipal Insurance for next year, contract discussion in reference to a Municipal Constable, Litigation in reference to the Blue Acres Buyout, Michael Oates property line issues, Comcast vs Downe Township matters and Hansen vs Downe Township.

- R-78-2016 *Declaration of General State of Emergency for 2016 Hurricane Season*
- R-79-2016 *Awarding J2 Technology Solutions, LLC. For Website Development, Design and Maintenance Services for the Township of Downe*

Mr. Cerone asked for clarification on a Bill List item for the Greater Vineland Chamber of Commerce. Mayor Campbell stated he attends all Chamber meetings because it is a networking opportunity. Mr. Cerone asked if Chamber meeting are held for local business. Mayor Campbell stated it is a local business chamber but everyone who attends are not just business owners. Mayor Campbell stated he attends to network with people who can help Downe Township. Discussion continued between Mr. Cerone and Mayor Campbell on the benefit or attending. Mr. Cerone asked why the Township is paying for this. Mayor Campbell thanked Mr. Cerone for his comments.

Mr. Cerone asked why does Downe Township need a Constable. Mayor Campbell commented the Constable is not needed because the Sheriff Department will provide us with a free sheriff bicycle patrol for the summer season. The committee was asked about hiring a constable and after some research we found the sheriff can provide this service.

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

Vote: All in favor

RESOLUTIONS

A motion was made by Jordan and seconded by Byrne to adopt Resolution No. R-70-2016 *Authorizing the Payment of Bills in the amount of \$256,396.98.*

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

Vote: The resolution was approved.

Mr. Cook asked if the NFW Grant will pay 100% of the charges invoiced by Mott MacDonald. Mayor Campbell answered yes.

A motion was made by Cook and seconded by Jordan to adopt Resolution No. R-66-2016.

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

Vote: The resolution was approved.

A motion was made by Jordan and seconded by Bart to adopt Resolution No. R-71-2016.

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

Vote: The resolution was approved.

A motion was made by Cook and seconded by Jordan to adopt Resolution No. R-72-2016.

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

Vote: The resolution was approved

A motion was made by Jordan and seconded by Byrne to adopt Resolution No. R-73-2016.

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

Vote: The resolution was approved

A motion was made by Jordan and seconded by Byrne to adopt Resolution No. R-74-2016.

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

Vote: The resolution was approved

A motion was made by Cook and seconded by Byrne to adopt Resolution No. R-75-2016.

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

Vote: The resolution was approved

A motion was made by Jordan and seconded by Byrne to adopt Resolution No. R-76-2016.

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

Vote: The resolution was approved

A motion was made by Jordan and seconded by Byrne to adopt Resolution No. R-77-2016.

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

Vote: The resolution was approved

A motion was made by Jordan and seconded by Byrne to adopt Resolution No. R-78-2016.

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

Vote: The resolution was approved

A motion was made by Cook and seconded by Jordan to adopt Resolution No. R-79-2016.

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

Vote: The resolution was approved

COMMITTEE REPORTS

Mayor Campbell stated Downe Township joined the Coastal Coalition which is a group of oceanfront communities who are working together in reference to beach protection. Downe Township is the only township on the Delaware Bay side that has joined this group of 15 or so communities. There was a meeting held last week about the CRS (Community Rating System). This is a very complicated government process that rates your community so that your residents will get the lowest insurance premiums for homeowners in any flood areas in your township. There are a number of activities necessary to participate in the rating system. Downe Township is in need of volunteers to help with meeting the requirements of the rating system. To get ratings from a 10 to 5 there are informational projects that need to be completed. Some of the tasks are simple and time consuming. If anyone is interested please contact Nadine in the office.

Mayor Campbell continued we received a grant from the NJDOT to repave New Jersey Avenue in the amount of \$181,000. We received a grant from Clean Communities for \$9800. We plan to discuss Comcast during the Executive Session to prepare for our meeting with them on June 21st. The deadline for submitting Senior Tax Freeze applications is October 17th. While in Trenton last week a lot of discuss took place on opposing the licensing of casinos in North Jersey. On Tuesday at the County Freeholders office there will be a bid opening and pre construction meeting for bridge repairs for the Raybin Beach bridge and the Fortescue bridge. We received the Cumberland County Health Departments report for the month and for all the money we send them they do absolutely nothing for Downe Township.

Committeeman Cook stated he would like to recognize correspondence received from the Public Works Foreman about patrolling for the beach area and the amount of time spent every week in clean up the debris on the weekends. This issue needs to be addressed. Residents have shared other health and safety issues and negative interactions that are occurring between residents and non-residents in these areas. We will be spending time looking at the whole issue and come up with a plan that is going to address these issues.

Committeeman Bart reported on the results of the April Amnesty Day. Mr. Cook mentioned the County will be holding its Hazardous Waste Day on this Saturday from 8am-2pm.

Committeeman Jordan had nothing to report.

Committeeman Byrne stated he has attempted to contact Carol's Cats and has received no response. He will spend some time researching other avenues to deal with the cat problem.

OLD BUSINESS

Mayor Campbell stated in reference to the Downe Township Commissions the Historic Commission is very active and all of the other Commissions are active. It would be nice to get some interest in the other commissions. We will attempt to hold another joint commission meeting in the next few weeks.

NEW BUSINESS

Request for Proposals for Website Design and Maintenance – will be discussed during closed session.

Abandoned Property Ordinance was addressed through the adoption of an ordinance earlier tonight.

PUBLIC COMMENT

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

Vote: All in favor

Bernie Sayers of Newport asked what procedures were done to contact the Sherriff's department to have a deputy here tonight. He doesn't remember any vote happening or any meeting where it was discussed. Mayor Campbell stated it was initiated by an event here where the State Police was called in. It was recommended at that time to contact the Sherriff Department for presence at our meetings. Mayor Campbell spoke with Sherriff Austino and his office agreed to send an officer to our meeting at no cost to the Township. There were no resolution and no meetings where it was discussed. Mr. Sayers stated the decision was made by the Mayor without discussion with the other committee members. Mr. Campbell stated he had the support of the committee. Mr. Sayers wanted to go on record to express his dismay about the hiring of the Sherriff department. Mr. Sayers comments were accepted.

Mr. Cerone stated he understands the Mayor has an assistant. Mayor Campbell stated he has someone who helps him and he pays that person out of his pocket.

Mr. Sayers stated in the Committee Reports there are two members of the committee who are on the same committee. We are two on the same committee. Mr. Jordan stated we can hold a meeting with the two department heads and not be required to advertise the meeting.

Mr. Sayers asked the Solicitor to elaborate on the litigation with Comcast. Mr. Carr stated it is a pre-trial session that has to do with the Comcast agreement that calls for a certain amount of upgrades over the life of the contract.

Mr. Sayers asked what the procedure is to hire people who are working for the Township. Mayor Campbell answered they fill out an application and get called in for an interview. Mr. Sayers continued it doesn't appear to be any committee action to do the hiring. Mayor Campbell stated in the case of the convenience center, we passed a resolution a while ago that the Department Head could hire for that position because of the quick turnover. Mr. Jordan

commented that Mr. Bart has the authority to interview and hire for that position. There is no vote by the committee.

Mr. Sayers stated while reviewing his notes from the last meeting the Mayor made a statement that he would like clarification on. The Mayor stated there was “a little glitch in my FEMA plans”, what was that about. Mayor Campbell answered there have been a lot of glitches in our FEMA plans. One would be, we went down to Fortescue with a team from FEMA to look at the sand we lost during Winter Storm Jonas, which is part of one of our PDA’s, while there they mentioned our old wooden bulkhead why not put a steel bulkhead there. FEMA stated they would do a mitigation application and get rid of the sand and put in a steel bulkhead. This is how projects can evolve. This is what is meant by “a glitch”. We were trying to get one thing done and it evolved into something totally different. Mayor Campbell gave the example of South Cove Road.

Kary Wilson of Newport commented on the talk about the constable and other enforcement type issues and asked for additional signs to be placed in Fortescue. Mayor Campbell stated we have signs to put up but it is on hold until all construction is completed. It is time to put up these signs and get some control down there. Once a plan for the sign locations has been completed we can move forward. Mr. Jordan stated he would meet with Public Work in the next few days to put a plan together. Mr. Cerone stated he has a solution to the problem of stolen signs. A new sign material is being used which is made out of a PVC material. The aluminum signs have some value but these new PVC signs do not and could eliminate them from being stolen. The PVC signs are cheaper than the aluminum signs.

Mr. Sayers ask if the township has paid any EHRA bills because he hasn’t seen them listed on the bill list. Mayor Campbell stated there will be no payments to EHRA because we do not owe them any money. Mr. Jordan continued they sent in bills and we sent them to FEMA because our agreement was if the bills would not be reimbursed by FEMA then the township is not responsible to pay them. FEMA confirmed they were not reimbursable.

Patricia Gormley of Money Island asked why was the dune in front of her house knocked down when she was promised it would not be taken down. There was a wall put up in place of the dune and water comes over it and has nowhere to go leaving a pool there. Mayor Campbell stated the contactors will be there this week to start the completion of that road. The road will be slightly elevated which will alleviate the pooling of the water there and then the road will be paved. Mr. Jordan continued the dune was removed to install the bulkhead.

Ms. Gormley asked why there is no access to that beach. Mayor Campbell stated there will be access to the beach when the construction is completed. Ms. Gormley commented the bulkhead is hideous.

Mr. Cook commented it is tragic that the DEP and the Health Dept. are regulating Downe Township residents out from the bridge west. There won’t be Downe Township residents living there much longer. Mr. Cook continued about the history of the bulkhead design. It is my opinion this project was intentionally held up by the NJDEP. What project takes 8 years to complete? They made a number of changes to this project over that 8 year period.

Mr. Pignatelli asked for an update of the sewer project. Mayor Campbell stated there have been a few changes in the plan in respect to the discharge. It was first proposed to discharge into the Bay and now a discharge pipe running down on Downe Avenue into the Fortescue Creek by the bridge is being proposed. This new discharge method will not require a 6-month water testing period for the permitting. Mr. Pignatelli asked if there is a cost saving in the new plan.

Mr. Pignatelli asked for the beginning and end points for the New Jersey Avenue paving project. Mayor Campbell answered the paving will go from Downe Avenue all the way to the public fishing beach start.

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

Vote: All in favor

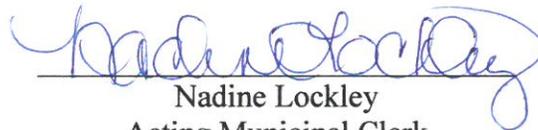
NEXT MEETING

The next meeting of the Downe Township Committee will be held on Monday, July 11, 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 Bart and seconded by Cook.

Vote: All in favor



Nadine Lockley
Acting Municipal Clerk