

DOWNE TOWNSHIP COMMITTEE
REGULAR MEETING
MAY 5, 2014
7:00 P.M.

The Downe Township Committee met in the Meeting Room of the Municipal Complex on Monday, May 5, 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

PUBLIC COMMENT

A community group was present to request that Gandy's Beach be recognized as a Horseshoe Crab Sanctuary. A petition was presented. Spokesperson for the group was Sandy Boland. The community wants to make sure the crabs get turned over and back into the water. The group wants all of the Gandy's beachfront designated. Michael Oates also spoke. A prior resolution to this effect was adopted in 2009 and was presented for reference. The group requested that another resolution be adopted at the next meeting.

APPROVAL OF MINUTES OF PREVIOUS MEETING

A motion was made by Cook and seconded by Bart to approve the Regular and Executive Session Meeting Minutes of April 7, 2014.

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

DEPARTMENTAL REPORTS

The Township Committee acknowledged the receipt of the following reports:

- | | | |
|---------------------------|-------------|------|
| • Tax Collector | March/April | 2014 |
| • Chief Financial Officer | March/April | 2014 |
| • Housing/Zoning Officer | April | 2014 |

MUNICIPAL SOLICITOR'S REPORT

Solicitor Carr reported on the following topics: Sale of personal property (equipment), Sale of real property (Township owned lots), Ordinance for Raffles/Games of Chance, Amendment to Ordinance 2.05 (Vendor's Licensing), Tax appeal in State Court, Collective Bargaining Agreement and a Tax assessment/billing issue.

PUBLIC HEARING

A motion was made by Wilford and seconded by Cook to open the Public Hearing on the 2014 Municipal Budget Amendment. Mayor Campbell advised that the Public Hearing was strictly on the Budget Amendment and that subsequent action could not be taken regarding adoption of the 2014 Municipal Budget as the Township is awaiting State approval of the Essential Services Grant.

Vote: All in favor

Bernie Sayers, Newport, clarified that the amendment was relative to the Essential Services Grant and asked what an Essential Services Grant is. The Municipal Clerk clarified that the Budget Amendment is relative to \$130,000 for a Community Development Block Grant. The 2014 Municipal Budget cannot be adopted until the State makes a decision on the Essential Services Grant.

There being no further comments, the Public Hearing was closed on a motion by Cook and seconded by Wilford.

Vote: All in favor

PUBLIC COMMENT ON RESOLUTIONS

A motion was made by Jordan and seconded by Wilford to open the meeting for comments on the following resolutions.

Vote: All in favor

- R-56-2014 *Authorizing The Payment Of Bills*
- R-57-2014 *Corrective Action Plan*
- R-58-2014 *Authorizing The Refund Of Property Taxes*
- R-59-2014 *Submission Of A Grant Application TA-2014-Downe Township-00016 And Execute A Grant Agreement With The New Jersey Department Of Transportation For The Transportation Alternatives Program*
- R-60-2014 *Approval To Submit A Grant Application And Execute A Grant Agreement With The New Jersey Department Of Environmental Protection For The Municipal Access Planning & Municipal Coastal Vulnerability Assessment Grant Program*
- R-61-2014 *Opposing Senate Bill S-1801 And Assembly Bills A-2621 And A-2495, Seeking To Authorize County Government To Create County Tax Assessment While Abolishing Tax Assessment At A Local Municipal Level*

- R-62-2014 *Authorizing The Cancellation And Refund Of Property Taxes On Block 49, Lot 17*
- R-63-2014 *Authorizing A Memorandum Of Agreement Between The American Federation Of State, County And Municipal Employees (AFSCME), AFL-CIO District Council 71, Local 3779G*

Sheldon Pepper, Dividing Creek, asked if the two tax resolutions concerning refunds were different. The Municipal Clerk responded yes, different properties.

Doug Cook, Fortescue, asked about the Corrective Action Plan. The Municipal Clerk informed him that it responds to the 2013 Audit Recommendations in terms of what corrective action will be taken to address the recommendations.

Kathy Ryan, Fortescue, asked about R-61-2014. Mayor Campbell responded that the Resolution opposes a senate and assembly bills seeking to authorize the creation of County Tax Assessment while Abolishing Tax Assessment at the local Municipal level. This is giving up Home Rule; it's being done as a Pilot Program in Gloucester County now. Deputy Mayor Cook commented in favor of keeping the local Tax Assessor who is accessible and familiar with our municipality. For instance, our part-time Tax Assessor has done a stellar job relative to the aftermaths of the storms; imagine what property owners would have had to go through if they have had to go to the County. Mrs. Ryan asked what the public could do and it was suggested that petitions be circulated and presented to our district senator and assemblymen.

There being no further comments from the public, a motion was made by Cook 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 R-56-2014 *Authorizing The Payment Of Bills* totaling \$617,180.02.

Vote: All in favor

A motion was made by Cook and seconded by Jordan to adopt the aforementioned Resolutions No. R-57-2014, R-58-2014, R-59-2014, R-60-2014, R-61-2014 and R-62-2014 via consent agenda.

Vote: All in favor

Resolution R-63-2014 was held until the end of the meeting for Executive Session.

ORDINANCES

A motion was made by Cook and seconded by Wilford to introduce Ordinance No. 2-2014 on first reading entitled *AN ORDINANCE DECLARING CERTAIN PARCELS OF REAL PROPERTY OWNED BY THE TOWNSHIP OF DOWNE SITUATE*

IN THE COUNTY OF CUMBERLAND NO LONGER NEEDED FOR PUBLIC USE AND AUTHORIZING THE PUBLIC SALE OF SAME PURSUANT TO N.J.S.A. 40A12-13 ET SEQ. A public hearing will be held at the next meeting, June 9, 2014 at 7:00 p.m. in the Meeting Room of the Municipal Complex, 288 Main Road, Newport, NJ 08345.

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

A motion was made by Wilford and seconded by Jordan to introduce Ordinance No. 3-2014 on first reading entitled *AN ORDINANCE AMENDING ORDINANCE 2.05; AN ORDINANCE TO REQUIRE THE REGISTRATION OF TRAVELING VENDORS OF MERCHANDISE.* A public hearing will be held at the next meeting, June 9, 2014 at 7:00

p.m. in the Meeting Room of the Municipal Complex, 288 Main Road, Newport, NJ 08345.

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

The introduction and first reading of Ordinance No. 4-2014 entitled *AN ORDINANCE REGARDING GAMES OF CHANCE FOR DOWNE TOWNSHIP AND REPEALING ORDINANCE 87.3A ENTITLED "AN ORDINANCE ADOPTING 'BINGO LICENSING LAW' P.L. 1954 C.6 P. 32 IN THE TOWNSHIP OF DOWNE, COUNTY OF CUMBERLAND AND STATE OF NEW JERSEY'* was postponed until the next meeting, June 9, 2014.

COMMITTEE REPORTS

Mayor Campbell reported that legislation has been introduced to reinstate the 2.3 million dollar Pilot Program funding that was taken away; the USDA just announced another big program and maybe we can get some money for the Charlesworth; the new preliminary flood insurance rate maps have been delivered and are available to review; the CAFRA Permit is done and ready to go for the Money Island Bulkhead and we're waiting for the money to be transmitted into the township's account; a Steering Committee and Engineers will be present at the Planning Board Meeting next week regarding the Bicycle and Pedestrian Plan; the Commission's Meetings will be at 6:00 p.m. before the Planning Board Meeting; the Township received 1,000 saplings in connection with Arbor Day and the Mayor asked if those in attendance received one.

Deputy Mayor Cook reported that notification was received from Commercial Township that the Joint Municipal Court fee will increase from \$10,000 to \$15,000 even though the caseload has decreased. Data relative to this matter has been requested from the Administrative Office of the Courts, other options may be investigated; a proposal for a buzzer system for the Senior Center and offices is being reviewed for the security of all. A new electronic key system is being reviewed also and cameras may be added in the future. The Township Committee will have to fully review the systems; in terms of the environmental issue for new elevations as they apply to Downe Township he feels they should be reviewed and possibly appealed; Deputy Mayor Cook invited Kary Wilson of the Recreation Committee to announce the next planned event. She advised that a

Horseshoe Crab Festival will be held in Fortescue on Saturday, May 31 from 10:00 a.m. – 5:00 p.m. She talked about festivities planned, had flyers for those interested and referred folks to downbythebay.org for more information.

Committeeman Bart reported that Amnesty Month (April) went well. Many tires were brought in. He suggested that the Ordinance regarding the disposal costs for tires be amended in the future to address the price difference. The current cost is \$2.00 and it's costing us \$3.50.

Committeeman Jordan added that about 22,000 pounds of tires were taken in which equals about 800 tires. The Program was started in the 1990's when it cost about \$1.00 ea. to get rid of about 200 tires. The Program has grown which is a good thing and he agreed that the matter needs to be looked at. Four more jobs were picked up by the Public Works Department this year over last year.

Committeewoman Wilford reported that the compiled list of Township owned properties is still being worked on.

CORRESPONDENCE

Mayor Campbell addressed any correspondence under his Committee Report.

PUBLIC COMMENT

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

Vote: All in favor

Bill Miller, Fortescue, informed the Township Committee about speeding on New Jersey Avenue and Downe Avenue. He suggested that radar be brought in and said that speed limit signs are needed. Committeeman Bart commented that speed bumps are being constructed in other towns now.

Bernie Sayers, Newport, asked what Engineer Battistini was being paid \$21,000 for. Mayor Campbell read the purchase order which reflected Garrison Avenue \$2,700, Gandy's Beach Bulkhead \$18,000, DEP Meetings \$490 and the balance is general. Mr. Sayers stated that a bill was \$399.38 for a cell phone (singular) and asked if it was correct. He was informed that was for the cell phone account, not just one phone.

Kathy Ryan, Fortescue, asked about elevation certificates. Mayor Campbell told her to contact a local engineer/surveyor and informed her that a certificate should cost no more than \$300.00. Mrs. Ryan said the grates were lovely, but water in her yard is increased due to the tunnel that was dug on State ground and trash gathers in the grate. Committeeman Bart said that the Captain's Association dug the ditch and Mayor Campbell suggested she talk to them.

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

Vote: All in favor

NEXT MEETING

The next meeting of the Downe Township Committee will be held on Monday, June 9, 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 Wilford to adopt Resolution No. R-64-2014 *Authorizing Executive Session In Accordance With The Provisions Of The New Jersey Open Public Meetings Act – N.J.S.A. 10:4-12b(4), N.J.S.A. 10:4-12b(7) and N.J.S.A. 10:4-12b(8)* to discuss a matter relating to the Collective Bargaining Agreement, Contract Negotiation and Personnel as pertains to the Union Contract.

Vote: All in favor

OPEN SESSION

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

Vote: All in favor

A motion was made by Wilford and seconded by Jordan to adopt Resolution No. R-63-2014 *Authorizing A Memorandum Of Agreement Between The American Federation Of State, County And Municipal Employees (AFSCME), AFL-CIO District Council 71, Local 3779G* as updated; Solicitor Carr summarized the updates as discussed by the Township Committee during Executive Session.

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

ADJOURNMENT

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

Vote: All in favor



Constance S. Garton
Municipal Clerk