

DOWNE TOWNSHIP COMMITTEE
REGULAR MEETING
APRIL 4, 2016

The Downe Township Committee met in the Meeting Room of the Municipal Complex on Monday, April 4, 2016 at 7:00p.m. Mayor Robert G. Campbell presided. Committee members present were Larry Jordan, Sr. (Deputy Mayor), Stephen Byrne, and Edward Bart. Committeeman Cook arrived during the Solicitors Report. Municipal Solicitor, John Carr, was also present. Also in attendance is Township Auditor, Nancy Sbrolla and Chief Financial Officer, Jennafer Hernandez.

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

Absent – Cook (arrived during Solicitor's Report)

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

A motion was made by Bart and seconded by Byrne to approve the following minutes: Regular Meetings of February 8, 2016 and March 7, 2016.

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

Nay – 0

Absent – Cook (arrived during Solicitor's Report)

DEPARTMENTAL REPORTS

Mayor Campbell stated no reports were received from the Housing and Zoning Officer, the CFO or the Tax Collector.

MUNICIPAL SOLICITOR'S REPORT

Solicitor Carr presented his report which consisted of information and updates on the following matters: Comcast Litigation, update on Flood Ordinance, request for Right-of-Way abandonment, RFP for website services, update of fines and penalties for the Ordinances of the Township, and the MEL/JIF personnel policy update.

PUBLIC HEARING - 2016 MUNICIPAL BUDGET

A motion was made by Jordan and seconded by Cook to open the Public Hearing for the 2016 Municipal Budget.

ROLL CALL

Aye – Jordan, Byrne, Cook, Bart, Campbell

Nay – 0

Joe Cerone of Newport asked if the budget is higher than last year. Mayor Campbell answered the budget is almost identical except there is extra money in the Public Works line item to cover capital improvements. Mr. Cerone asked if there will be any principal payments made on the money we have borrowed. Mayor Campbell stated payments have been made on the borrowed money. We will not be adopting the budget tonight because we are waiting on the status of an \$86,000 Essential Services Grant we applied for. This grant money must be included in the budget. This grant has been offered since Hurricane Sandy to help towns in keeping their budget flat. If we don't receive this grant our budget will increase about one penny. Mr. Cerone asked is this grant needed to meet the budget. Mayor Campbell stated in the past four years we have applied for this grant which aids us in keeping our budget flat. If we don't get this money our budget will go up.

Bernie Sayers of Newport asked if our budget is flat why is Ordinance 2016-2 necessary. Mrs. Sbrolo answered that ordinance is for the Cap Bank. Some time ago the Appropriations Cap allowed a "0%" increase. The Cap Bank Ordinance allows for a "3 1/2%" increase. If it is needed the Ordinance is in place. This is just a routine Ordinance in case the increase is needed in the future.

There were no further questions from the public.

A motion was made by Bart and seconded by Byrne to close the Public Hearing for the 2016 Municipal Budget.

ROLL CALL

Aye – Jordan, Byrne, Cook, Bart, Campbell

Nay – 0

PUBLIC HEARING – Ordinance 2016-2 An Ordinance to Exceed the Municipal Budget Appropriations Limits and to Establish a Cap Bank

A motion was made by Byrne and seconded by Jordan to open the Public Hearing for Ordinance 2016-2.

ROLL CALL

Aye – Jordan, Byrne, Cook, Bart, Campbell

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 2016-2.

ROLL CALL

Aye – Jordan, Byrne, Cook, Bart, Campbell

Nay – 0

PUBLIC COMMENTS ON RESOLUTIONS

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

Vote: All in favor

- R-57-2016 *Authorizing the Payment of Bills*
- R-58-2016 *Approving Conflict Litigation Subcommittee Members as Larry Jordan and Edward Bart*
- R-59-2016 *Certifying the Submission of Expenditures for Recycling Enhancement Act Reimbursement*
- R-60-2016 *Approving an Amendment to the shared Services Agreement Between the Township of Downe and the Cumberland County Improvement Authority*

Bernie Sayers of Newport asked why a litigation subcommittee is needed and what their responsibilities are.

Mr. Carr answered if there was a litigation matter that involved the members of the litigation committee (and there are no litigation currently) there should be someone the Solicitor can reach out to for discussion and direction.

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

Vote: All in favor

RESOLUTIONS

A motion was made by Jordan and seconded by Byrne to adopt the aforementioned Resolution No. R-57-2016 *Authorizing the Payment of Bills in the amount of \$252,561.34.*

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

Vote: The resolution was approved.

A motion was made by Byrne and seconded by Bart to adopt Resolution No. R-58-2016.

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 the Resolution No. R-59-2016.

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

Vote: The resolution was approved.

A motion was made by Byrne and seconded by Jordan to adopt Resolution No. R-60-2016.

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

Vote: The resolution was approved

COMMITTEE REPORTS

Mayor Campbell stated we went to Trenton for our pre-application meeting on the Fortescue wastewater treatment plant. The meeting was attended by a large number of different agencies. There was a 100% positive reaction from all in attendance. The County Engineer accompanied me to the meeting. All of the agencies are aware that the county is proposing an extension and realize our project will take less time to complete. Hatch Mott MacDonald gave an excellent presentation. They are proposing an aggressive construction/approval process of 2 years. We were given direction on how to proceed. Once everything has been discussed and details are available, we will hold a Town Hall meeting to discuss the plans with our residents.

Mr. Byrne asked if there is any news on the Fortescue Dredging Project. Mayor Campbell stated Michael Rothman has been very involved with the project. There have been a few problems with the project from all different sides including the contractor, DOT, the weather and the employees working on it. It was held up. Mr. Rothman stated the shoal is completed. The contractor should be back on site tomorrow. The cutoff is April 15th. Mayor Campbell stated their main goal now is to get the channel open. They are planning to come back in September to complete the entire project all the way out to the channel. Mr. Byrne asked if they are planning to dredge the slips. Mr. Rothman answered that is a different project.

Committeeman Cook stated he has been very pleased with our Municipal Court agreement. Things seem to be working very smoothly and we are saving money with that shared service. Mr. Cook requested that the Committee hold work sessions. Only having a few days to digest, understand and most importantly discuss with fellow committee members is critical. He can not do his job for the residents of the township because there are too many things that are not being addressed and discussed. If there is a work session meeting we should show respect to each of the committee members and not hold the meeting at a time of the day when people who may be required to work would be able to participate.

Committeeman Bart stated he has no report at this time.

Committeeman Jordan stated there is a need to have a discussion by the Committee and it would be a good idea to have a work session. Mr. Jordan stated New Jersey Avenue has been patched and we just received the NJDOT grant which will allow us to pave New Jersey Avenue from one end to the other. We are planning to wait until after the beach replenishment project has been completed. Mr. Jordan continued that Union Street is being done this year from last year's grant. The drainage is being

designed and the project will go out for bid. The project should be done within the next couple of months. Mr. Jordan asked Mr. Bart if the new compactor is up and running. Mr. Bart stated the project has been completed and is up and running good. Mr. Jordan stated with the two compactors up and running we don't have to run the trash truck as much. That truck is 20+ years old and needs some work.

Committeeman Byrne stated for the most part everything seems to be calm except for the Fortescue cat problem. We have representatives from Carols Cats here tonight to make a presentation about the programs available.

Carol Hickman from Carol Cats stated she is from Commercial Township. After distributing some brochures to the Committee she continued she is a 501C non-profit. She stated that one female cat combined with one male cat if you count all of the subsequent litters that come from those two cats over seven years time you put 420,000 cats out into your community. Now you have all of these cats and no one knows what to do with them. Carol Cats has become part of the movement for TNVR (trap, neuter, vaccinate and release). Under the program, the cats are trapped and taken to be neutered, they get vaccinated against rabies and then they are returned to wherever they came from. Once that cat is returned there are no litters coming from that cat. If you do not get that cat spayed or neutered, at some point you will have many cats. Municipalities are constantly putting money out. You are paying animal control to come out and trap the cat. You are paying monthly shelter fees for these cats. Then you are paying for 95% of feral, stray and abandoned cats to be put down at approximately \$90 each. This cycle continues for every cat that is picked up by animal control. With this program you are helping the cat population, the municipality and your community. There are grants available with this TNVR program. This is a win win project. She continued to give scenarios on how the cats have become a very big problem. She asked that the Committee consider the TNVR program and she will do anything to help the municipality to get this problem under control. Mayor Campbell asked Mrs. Hickman what her responsibilities would be if the township were to move forward with this program. Mrs. Hickman answered that depends on the Township. For Commercial Township she is the coordinator. Commercial Township was awarded a PetSmart TNVR Grant of \$25,520.00. As the coordinator (who is not paid), I set the vet appointments and arrange for transportation (often times providing the transportation).

Bernie Sayers of Newport asked for a mathematical justification for the 420,000 cats. Mrs. Hickman explained how this number is conceived.

Marge Burger of Dividing Creek stated she has had 17 cats spayed or neutered at \$75 each and urged the Committee to look into some type of program to deal with the cat problem.

Mayor Campbell thanked Mrs. Hickman for her time and stated the Committee will continue to look for a solution for our cat problem.

Matt Walder of Newport commented the cat problem comes from the cats being dropped in this township. We need to put some rules in place to fine the individuals who are dropping these cat off and this will help to alleviate the problem.

Joe Cerone of Newport commented on the problems with releasing the cats back to the town after being spayed/neutered and vaccinated.

Bernie Sayers of Newport stated for the last 25 years he has driven past the convenience center and has never seen more than 6 or 7 cats, where is the cat problem.

CORRESPONDENCE – There is no correspondence to discuss.

NEW BUSINESS

Updated Flood Damage Draft Ordinance – Mr. Carr spoke about this topic earlier.

Downe Township Commissions – Mayor Campbell stated he would like to hold a joint commission meeting. Date selected for the meeting is April 26, 2016 at 6:30pm.

A work session meeting was scheduled for April 19th at 7pm. An agenda will be drafted by Mr. Jordan and Mr. Cook.

PUBLIC COMMENT

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

Vote: All in favor

Michael Oates of Fortescue commented on the number of cats that are being dropped off in Fortescue. Mr. Oates stated a few months ago he sent a letter to the committee about a possible encroachment and has not received a response. Mayor Campbell stated we have looked at the issues you addressed in your letter and we feel it is necessary to further review the situation. Mr. Oates also mentioned the turtle problem in Fortescue that needs the attention of the committee before the State gets involved. Mayor Campbell stated someone has contacted the DEP about the turtles being killed in this township. We have about 1800 feet of roadway that has been blocked for the turtle to travel on. This is also a problem faced by other shore towns in New Jersey. We are reaching out to other shore areas to find out how they are dealing with the turtle population. We are working on it.

Bernie Sayers of Newport stated he submitted an OPRA request back in November or December and read a letter from EHRA threatening to sue the township for non payment. He has not seen a payment to EHRA in the last few months. What is the status of EHRA's payment and or a resolution regarding their threat to sue. Mr. Carr stated there has been no follow up to the threat and no payments have been made.

Mr. Sayer stated Mayor Campbell said the treatment plant would cost approximately 9 million dollars and the plant is just for Fortescue. Where is the money coming from? Mayor Campbell stated the funding would come through grants from NJEIT and USDA. Mr. Sayers asked if these two organizations have agreed to finance the project. Mayor Campbell stated no permanent funding has been secured yet. We have been meeting and discussing the project. Mr. Sayers asked what the tax burden will be to residents who will not be benefiting from the treatment plant. Mayor Campbell answered zero.

Gene MacMurray asked if the committee would compose a written synopsis of the pre-application meeting for the Fortescue Treatment Plant that he could utilize. Mayor Campbell stated he does not want to do that. He feels we are in the very early stages of the project and would like to give our engineers and consultants more time to coordinate a full presentation. Mr. MacMurray stated he had a red sticker placed on his residence by Middlesex Water Company shutting off their water supply. He has owned the property for a year and has never had water service. The water company is asking for \$450.00 in back payments. He has been told by the water company he is obligated to pay the bill. Mayor Campbell stated the township has no involvement with the water company.

Mary Pflueger of Money Island asked if the DEP will allow the township to put fresh water in the salt water bay. Mayor Campbell answered yes. Every sewer system discharges its fresh treated water into the salt water bay.

Mr. Oates asked if the township is aware of any other future sand pumping operations. Mr. Jordan stated he has heard that there are other projects proposed.

Linda Ronketty mentioned there is a tree hanging over an electric line on her property on Louisiana Avenue. Mr. Bart stated the electric company will not come on private property you will have to contact a tree service to remove it for you.

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

Vote: All in favor

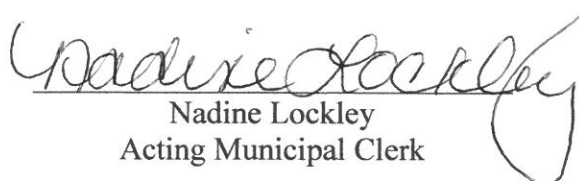
NEXT MEETING

The next meeting of the Downe Township Committee will be held on Monday, May 2, 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 Cook and seconded by Byrne.

Vote: All in favor


Nadine Lockley
Acting Municipal Clerk