

DOWNE TOWNSHIP COMMITTEE  
REGULAR MEETING  
November 14, 2016

The Downe Township Committee met in the Meeting Room of the Municipal Complex on Monday, November 14, 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, Bart, Byrne, Campbell, Cook

Absent – 0

APPROVAL OF MINUTES – August 1, 2016 Regular Meeting

A motion was made by Jordan and seconded by Bart to approve the minutes as listed above.

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

Nay – 0

Vote: The minutes were approved.

DEPARTMENTAL REPORTS

Mayor Campbell announced Departmental Reports would be read into record at the December meeting of the Township Committee.

PUBLIC HEARING ORDINANCE 2016-11 - Declaring Certain Parcels of Real Property Owned by the Township of Downe No Longer Needed for Public Use and Authorizing Public Sale of Same

A motion was made by Cook and seconded by Jordan to open Public Hearing for Ordinance 2016-11.

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

Discussion took place between Mayor Campbell and Solicitor Carr in reference to the Ordinance stated the property would be sold at the assessed value. The attachment to the Ordinance listing the properties for Public Sale includes a starting bid. The Committee agreed the properties listed assessed value is high and the starting bids listed are agreed upon by all. Mr. Cook made a recommendation to exclude the property located at 912-916 Union Street to be sold at the listed starting bid. Mayor Campbell agreed this property should be listed with a starting bid of \$15,000. Mr. Jordan disagreed with the starting bid of \$15,000 and thinks the township should

be more focused on putting the property back on the tax roll and not be in the real estate business. The township has held on to this property for a number of years and it time to do something to start collecting taxes on these properties. Mr. Cook stated he has concerns about the process and how this particular property made the sale list. Mr. Cook stated he would like this property removed from the list. Mayor Campbell asked for the consensus of the committee and it was decided to leave the property on the list. Mayor Campbell stated the goal is to sell the property and have a house built on it. If we can get two houses on the lot that would be even better for our ratable base. Mr. Cook stated during past discussions it was stated that a provision would be placed on the sale required certain conditions. There should be a minimum of two homes built on that property. Mayor Campbell stated those provisions will be placed as conditions at the sale.

Kary Wilson of Newport asked if these properties were listed on the legal ad that was placed in the newspaper. Was there a discussion or resolution prior to the newspaper publication? There was discussion at the workshop recently held but no decision was made it was all casual discussion. Mayor Campbell stated there was an ordinance that was introduced at the last meeting giving everyone a month to comment on the sale.

There being no further comments from the public, a motion was made by Byrne and seconded by Jordan to close Public Hearing for Ordinance 2016-11.

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

FINAL ADOPTION ORDINANCE 2016-11 with one change. Instead of stating “current assessment” in paragraph two it should read “stated herein”.

A motion was made by Jordan and seconded by Byrne to adopt Ordinance 2016-11.

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

#### MUNICIPAL SOLICITOR’S REPORT

Solicitor Carr presented his report which consisted of information and updates on the following matters: Public Auction advertisement and resolution, Budget information for the Joint Court, Foreclosure Complaint within the Township and a non-contesting answer, Information about an added omitted assessment from the Tax Assessor, Information about interest in a possible land donation, Information about a Property Demolition and Follow up Information about an In Rem Foreclosure proceeding in process.

Mayor Campbell asked if anyone was present that is associated with 202 Landing Road. There was no one present.

## PUBLIC COMMENTS ON RESOLUTIONS

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

Vote: All in favor

- R-89-2016     *Awarding Asphalt Paving Corp. the Contract for the Paving of Union Street (Corrected)*
- R-115-2016   *Authorizing Terms Related to the Advertisement and Sale of Real Property No Longer Needed for Public Use*
- R-116-2016   *Authorizing the Payment of Bills*
- R-117-2016   *Authorizing Transfers Between Budget Appropriations*
- R-118-2016   *Resolution Authorizing the Refund of Property Taxes*
- R-119-2016   *Authorizing Executive Session*
- R-120-2016   *Resolution In Support of Senate Bill S-2254 and Assembly Bill A-3821 Which Affirms the Language and Legislative Intent of the Fair Housing Act*

Bernie Sayers of Newport asked about the payment to Hatch Mott Macdonald on page 5 of the bill list. Mayor Campbell stated this is an interim invoice. This is the second grant of \$30,000 from the USDA for the sewer project.

Mr. Sayers stated he has seen no payments for the bond money or interest payments in the last few months. Mayor Campbell stated he does not have an answer tonight but a conversation with the CFO will get the answer. I believe we make one payment a year.

Mary Flueger asked about the payment for the clerks class. Haven't we already done this? Mayor Campbell stated there for 5 classes for the clerk certification and to sit for the exam. This is the 5<sup>th</sup> class.

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

Vote: All in favor

## RESOLUTIONS

A motion was made by Jordan and seconded by Byrne to adopt Resolution No. R-89-2016.

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

Vote: The resolution was approved.

A motion was made by Jordan and seconded by Byrne to adopt Resolution No. R-115-2016.

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

Vote: The resolution was approved

A motion was made by Cook and seconded by Byrne to adopt Resolution No. R-116-2016 *Authorizing the Payment of Bills* in the amount of \$729,597.03.

Mr. Cook asked that we plan to pull the port a pot at the end of December.

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

Vote: The resolution was approved.

A motion was made by Byrne and seconded by Cook to adopt Resolution Nos. R-117-2016 thru R-120-2016.

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

Vote: The resolution was approved.

#### COMMITTEE REPORTS

Mayor Campbell stated we are waiting for Dan Kennedy of NJDEP to provide us with a draft Memorandum of Agreement between the Township, the County and the NJDEP on the Fortescue Sewer System. The project is moving forward. The Army Corp and NJDEP beach projects are still in the works and the design phase is being stalled by the Army Corp. Between Gandy Beach and Money Island there is a program laying oyster baskets and concrete blocks to build a wave to block erosion.

Committeeman Cook stated the Senior Commissioner has been meeting and a discussion took place to implement automatic door openers of both sides of the building. He thanked the Commissioners for the ideals and efforts to the township. They are requesting the township investigate the condition of the door and then move forward with ADA compliance. In 2017 we need to look at ways to make our building more ADA compliant. The Seniors provided a letter of recommendation for the doors to the committee. He also thanked Doug Cook and Bill Miller for their assistance in locating and obtaining a proposal from a door company. There is an estimate for each door separately and the total for both doors is approximately \$6,000 with a 4-year warranty.

Committeeman Bart reported the Public Works Department has been working with the Clean Shore Program. They have completed Ackley, Blizzard, Turkey Point, Maple and 553 from Dividing Creek to Newport in 5 days. The project will continue for 5 more days. To date 93 bags of trash including 14 tires have been collected.

Committeeman Jordan had no report.

Committeeman Byrne stated everything is under control.

## 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 Flueger of Money Island asked why the Mayor has an administrative assistance with a township business card. Mayor Campbell answered she is his assistant who manages his schedule and runs errands for him and he pays her out of his pocket. The discussion continued between Mayor Campbell and Mrs. Flueger.

Karen Smith of Raybins Beach stated she has an issue with the yellow house that was torn down and is now the property of the NJDEP. There are now vehicles entering that lot. The township needs to do something to protect our dunes and block the access. Mayor Campbell stated we should send a letter to the NJDEP asking them to clean up the property and secure it.

Dave Flueger of Money Island asked why there is not sewer project for Money Island. Mayor Campbell stated he has fought for Money Island since day one. Once the Fortescue Sewer project gets moving discussion about including Money Island may be more feasible to go to Money Island to pick up what properties that are left. Mr. Flueger asked why the township didn't contact FEMA for the Money Island sewer. Mayor Campbell stated when discussions began about a sewer system in Downe Township, Money Island was included. Bob Martin, the Commissioner of NJDEP stated a sewer system in Money Island would never get approved.

Doug Cook of Fortescue stated 26 people in attendance at the last Senior monthly meeting agreed to the automatic doors. Mayor Campbell stated the committee is in support of the automatic doors.

James Giles of Money Island stated Nantuxent Road is deplorable. Someone is going to end up running off of the road. The road is undermined before the curb and after the curb. Mayor Campbell stated the road is very bad and he has been in contact with the county about fixing it.

Bernie Sayer of Newport asked for a copy of the letter from Bob Martin. Mayor Campbell stated the statement was made in front of 20 people include the Freeholder Director it was not in written correspondence.

Kary Wilson of Newport stated on Friday, December 30<sup>th</sup> there will be a Red Cross Blood Drive here at the Senior Center from 2pm-7pm.

Bernie Sayers of Newport asked for items of discussion for the Executive Session. Mr. Carr stated Michael Oates survey, Mr. Strain Property Donation, DEP and the demolition property. Mr. Sayers asked if the township website is finished. Ms. Lockley stated yes.

Mary Flueger of Money Island stated Mr. Martin also made another interesting comment that if Money Island was given up down to the bridge he would give car blanc to this township in the other parts of the township. Mayor Campbell stated Mr. Martin after walking up and down Money Island said if the township works with us and supports us in the Blue Acres buyout, we



will make sure that anything you want to happen in other parts of the township happens. Mayor Campbell replied no deal. Unfortunately, the homeowners did not fight as hard as I thought they would and they all decided under this volunteer program to sell out. Mr. Cook commented we had legal standing. This committee stated it would take legal action and we didn't. We have been cowards and don't have the guts to do it.

Dave Flueger asked what the township will do after the buyout. Are you going to cut spending or increase the taxes for the rest of the residents? Mayor Campbell stated our only option is to increase the taxes.

Bernadette of Money Island asked if all of the properties in Money Island will be bought out by Blue Acres. Mayor Campbell stated there have identified 58 properties and sent out letter to.

Annette Perry of Money Island asked the committee to consider the automatic doors as soon as possible. When will be get the generator that was promised in 2014. Mr. Jordan says the generator project is still in the works. They were here last week for an inspection.

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

Vote: All in favor

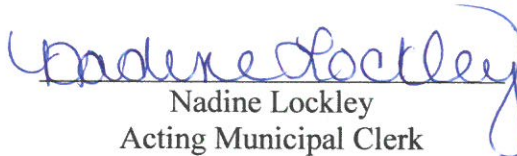
#### NEXT MEETING

The next meeting of the Downe Township Committee will be held on Monday, December 5, 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 Cook.

Vote: All in favor

  
Nadine Lockley  
Acting Municipal Clerk