



TOWNSHIP OF DOWNE
TOWNSHIP COMMITTEE MEETING MINUTES
January 3, 2011 – 7:00 PM

Pursuant to the Open Public Meetings Act adequate notice of this meeting was sent to the Official Newspaper and was posted on the Municipal Bulletin Board and Township website. Administrator Richard J. DeVillasanta called the meeting to order at approximately 7 pm.

The flag salute was conducted.

OATH OF OFFICE TO NEWLY ELECTED OFFICIALS

Mr. DeVillasanta announced that newly elected Township Committeewoman Tammi Reynolds will be sworn in by Mayor Tim Shannon of the City of Millville. Mayor Shannon called Mrs. June Berry, mother of Tammi Reynolds, to hold the bible as he administers the Oath of Office to Mrs. Reynolds. The Oath of Office was read and repeated by Mayor Shannon and Mrs. Reynolds.

Mayor Shannon stated the he is honored to administer the Oath of Office to Mrs. Reynolds. There is a long family history with the Shannon Family, the Berry Family and the Reynolds Family.

Mr. DeVillasanta announced that newly elected Township Committeeman Dennis Cook will be sworn in by Pastor Charles Mitchell. Pastor Mitchell administered the Oath of Office to Dennis Cook. Mrs. _____ held the bible as the Oath of Office was administered to Mr. Cook. The Oath of Office was read and repeated by Pastor Mitchell and Mr. Cook.

Mr. DeVillasanta congratulated the newly sworn in Township Committee members. Mr. DeVillasanta conducted a roll call of the 2011 Downe Township Committee Members.

ROLL CALL OF 2011 TOWNSHIP COMMITTEE MEMBERS

| | |
|----------------------------------|---------|
| Robert Campbell, Committeeperson | Present |
| Lisa Garrison, Committeeperson | Present |
| Tammi Reynolds, Committeeperson | Present |
| Steve Simmerman, Committeeperson | Present |
| Dennis Cook, Committeeperson | Present |

Also present: Mr. Thomas Farnoly, Solicitor and Richard DeVillasanta, Clerk

NOMINATIONS FOR MAYOR

Mr. DeVillasanta asked for nominations for Mayor of Downe Township. Mr. Simmerman nominated Lisa Garrison. There was no second to the nomination. The nomination failed.

Mr. Campbell nominated Dennis Cook, Mrs. Garrison seconded the nomination. The nomination carried. Mr. Dennis Cook was named Mayor of Downe Township.

Mr. DeVillasanta turned the meeting over to Mayor Cook for the nomination of Deputy Mayor.

NOMINATIONS FOR DEPUTY MAYOR

Mayor Cook asked for nominations for Deputy Mayor of Downe Township. Mrs. Garrison nominated Steve Simmerman. Mayor Cook seconded the nomination. The nomination carried.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | No |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

Mr. Simmerman was named Deputy Mayor of Downe Township.

OPEN MEETING FOR PUBLIC COMMENT ON RESOLUTIONS

Mayor Cook asked for a motion to open the meeting for public comment on Resolutions R-01-2011 through R-23-2011. **Motion made by:** Mrs. Garrison and seconded by Mr. Campbell.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

There were no comments from the public.

Motion made by: Mr. Campbell to close the public comment on the Resolutions. Motion was seconded by Mrs. Garrison.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

RESOLUTIONS

R-01-2011 *A Resolution Appointing the Township Solicitor for a One (1) Year Term for the Year 2011*

Mrs. Garrison made a motion to appoint Mr. Thomas Farnoly as Township Solicitor for a one year term. Mr. Simmerman seconded the motion.

Mr. Campbell stated there are three professional service positions on the agenda for approval tonight. He received him information packet this morning and feels more time is needed to review the proposals submitted to make a proper decision. He would like to see resolutions pertaining to professionals services put on hold for a special meeting to have time to properly review the proposals.

Mrs. Reynolds stated that she is in agreement with tabling the same resolution to properly review the proposals submitted.

Mayor Cook asked for a motion to table resolutions R-01-2011, R-09-2011, R-18-2011, and R-19-2011.

Motion made by: Mr. Campbell to table the listed resolutions. Motion seconded by Mrs. Reynolds.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | No |
| Steve Simmerman | No |

Motion Carried

R-02-2011 *A Resolution Designating Official Municipal Newspapers*

Motion made by: Mr. Campbell to approve Resolution R-02-2011. Motion was seconded by Mrs. Reynolds.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-03-2011 *A Resolution Establishing Meeting Dates*

Motion made by: Mr. Campbell to approve Resolution R-03-2011. Motion was seconded by Mr. Simmerman.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-04-2011 *A Resolution Authorizing the Mayor to Make Appointments for the Head of Various Departments within the Township of Downe*

Motion made by: Mr. Campbell to approve Resolution R-04-2011. Motion was seconded by Mayor Cook.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-05-2011 *A Resolution Adopting the 2011 Temporary Budget*

Motion made by: Mr. Campbell to approve Resolution R-05-2011. Motion was seconded by Mrs. Reynolds.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-06-2011 *A Resolution Appointing an Auditor for the Year 2011*

Mr. Campbell stated there was only one proposal received for the Auditor. Mr. Campbell stated the overall budget for auditing services will be less this year compared to last year because of transitions in personnel.

Motion made by: Mrs. Garrison to approve Resolution R-06-2011 appointing Swartz & Company the Township Auditor for the Year 2011. Motion was seconded by Mr. Campbell.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-07-2011 *Cash Management Plan*

Motion made by: Mr. Campbell to approve Resolution R-07-2011. Motion was seconded by Mr. Cook.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-08-2011 *A Resolution Designating Municipal Depositories*

Motion made by: Mr. Campbell to approve Resolution R-08-2011. Motion was seconded by Mrs. Reynolds.

Mrs. Reynolds stated Bank of America is listed and does not offer any interest and Sun Bank offers interest to all government agencies. Mr. DeVillasanta stated we use Sun Bank and Colonial Bank. We do not have funds in Bank of America. Mrs. Garrison stated Bank of America is listed only for use in an emergency situation. This list of banks allows the Township to use any of them without having to amend the resolution at a future time due to banking market changes.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-09-2011 *A Resolution Appointing a Risk Management Consultant for the Atlantic County Municipal Joint Insurance Fund*

This resolution was tabled.

R-010-2011 *A Resolution Appointing Municipal Joint Insurance Fund Commissioner*

Motion made by: Mr. Campbell for Resolution R-010-2011 to appoint Mr. DeVillasanta as the Fund Commissioner for the JIF. Motion was seconded by Mr. Simmerman.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-011-2011 *A Resolution Appointing Alternate Fund Commissioner for Municipal Joint Insurance Fund*

This Resolution was tabled.

R-012-2011 *A Resolution Appointing Safety Coordinator for Municipal Joint Insurance Fund*

This Resolution was tabled

R-013-2011 *A Resolution Designating Public Agency Compliance Officer*

Motion made by: Mr. Campbell to appoint Mr. DeVillasanta as Public Agency Compliance Officer Resolution R-013-2011. Motion was seconded by Mr. Simmerman.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-014-2011 *A Resolution of Appointment of Tax Search Officer*

Motion made by: Mr. Campbell to approve Resolution R-014-2011. Motion was seconded by Mayor Cook.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-015-2011 *A Resolution Stating Interest Rates for Non-Payment of Taxes*

Motion made by: Mr. Campbell to approve Resolution R-015-2011. Motion was seconded by Mayor Cook.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-016-2011 *A Resolution Cancelling Tax Refunds/Delinquencies*

Motion made by: Mr. Campbell to approve Resolution R-016-2011. Motion was seconded by Mrs. Reynolds.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-017-2011 *A Resolution Establishing Tax Office Fees*

Motion made by: Mr. Campbell to approve Resolution R-017-2011. Motion was seconded by Mayor Cook.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-018-2011 *A Resolution Appointing the Township Engineer for a One (1) Year Term for Year 2011*

This Resolution was tabled

R-019-2011 *A Resolution Appointing the Township of Downe Stormwater Management Manager*

This Resolution was tabled.

R-020-2011 *A Resolution Appointing A Deputy Clerk/Registrar & Admin Secretary for the Township of Downe*

This Resolution was tabled.

R-021-2011 *A Resolution Designating the Primary Care Provider for Emergency Medical Service Calls within the Township of Downe for 2011 as Downe Township Emergency Medical Services, Inc.*

Motion made by: Mr. Campbell to approve Resolution R-021-2011. Motion was seconded by Mayor Cook.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-022-2011 *A Resolution Authorizing Recycling Tonnage Application*

Motion made by: Mr. Campbell to approve Resolution R-022-2011. Motion was seconded by Mayor. Cook.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

R-023-2011 *A Resolution of Adoption of Multi-Jurisdictional Hazard Mitigation Plan*

Motion made by: Mr. Campbell to approve Resolution R-023-2011. Motion was seconded by Mayor Cook.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion Carried

COMMITTEE COMMENTS

Mrs. Reynolds thanked Mark Upham for rescinding his resignation as OEM Coordinator. She stated the he does a great service for this community and she is very happy that he decided to stay in the position.

NEW BUSINESS

Holiday Schedule – Mr. DeVillasanta asked for approval of the 2011 Holiday Schedule. This item was moved to a later portion of the meeting. Copies of the schedule would be made available.

PUBLIC COMMENT PORTION OF THE MEETING

Motion made by: Mr. Campbell to open the meeting for public comments and seconded by Mrs. Reynolds.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion carried

Mark Upham stated last month he submitted his resignation as OEM Coordinator. At this time he would like to rescind the resignation and continue his services as Downe Township OEM Coordinator. He looks forward to working with the Township Committee. He congratulated Mayor Cook on his appointment and Mrs. Reynolds on her appointment to the Township Committee. He stated that he wishes to have his salary put into his operating expenses because there is work that needs to be done on the vehicles and equipment.

Mayor Cook commended Mr. Upham for donating his salary to the operating budget for the Rescue Squad Department and thanked him for his dedication and commitment to the community.

Charlie Miller of Newport asked for an explanation on Resolution R-14-2011 the Tax Search Officer is that a new position.

Mrs. Garrison stated there are searches that have to be done for title companies and this position would handle these requests. This service will be performed by the current Tax Collector.

Mr. Miller asked for an explanation on Resolution R-16-2011 Cancelling Tax Refunds and Delinquencies.

Mrs. Garrison stated by statute up to \$10 can be cancelled if the Tax Collector so chooses. This is to clear the books if there is a small balance owed on the tax payment. This covers not just delinquencies, it also covers overpayments.

Mr. Miller asked if there would be another meeting held to pay the bills for the month.

Mayor Cook stated there will be another meeting to handle the business of the month. He will consult with the Committee members to coordinate a date.

Jessie Briggs of Money Island made a suggestion on the appointment of the professionals. Usually the standard contract extends their services until the Re-organization meeting. I think that contract should be changed to read until such time a professional is reappointed to that position. That way we would not be stuck without a Solicitor for our meeting to give guidance in case any legal issue come up.

Bernie Sayers stated he never thought he would be rendered speechless at a meeting and he certainly didn't expect to see Mr. Cook sitting in as mayor already. Welcome aboard Mayor Cook.

Bob Marshall of Fortescue stated he would like to congratulate Mrs. Reynolds and Mr. Cook and thank Mrs. Garrison for her service as mayor. He would like to acknowledge the good work of the Public Works Department as far as New Jersey Avenue in Fortescue is concerned. The residents were plowed out on the morning of the snow and it was in the newspaper that other township was waiting two or three days later to be plowed out.

Mr. Marshall stated he noticed on the agenda there were no public concerns listed from previous meetings. He would like to encourage everyone to continue to try to get these ongoing concerns on the agenda. I would like to say a few words about the feral cat situation which has been talked about for a few months. I personally don't think the cats are as much of a problem as is the fact that we don't have a plan for the cats. We don't have any clear direction or a plan to deal with the situation. The cats are a nuisance but they are of some help to the residents in controlling the mice and rat population.

Discussion continued on the feral cat population in the community and the efforts of a non-profit organization that is involved in the care and protection of these cats.

Bernie Sayers asked why are we taking Township Committee time to talk about a problem that is on private property. We are spending our money to deal with this situation when we should be charging the Natural Lands Trust for these cats. This is not a Downe Township problem.

Mayor Cook mentioned a conversation he has had with residents, one with complaints about a coyote roaming the area because of the cats. Mayor Cook stated he would get involved and gather information on the feral cat situation so the Township can develop a plan of action.

Mr. Sayers stated the Mayor should not get involved with this cat situation. The problem is the responsibility of the landowner and the zoning officer.

Karen Smith of Rabin's Beach stated she lives in the area where the cats are and it is her understanding that the people providing the care of the cats plan to contact the Township Committee and request a meeting to discuss the situation. I was very impressed that they were spending their time and their money to make sure these cats were healthy and cared for. This is a savings to the Downe Township. I believe the Township needs to prepare an Ordinance to address the cats.

Mimi Marlow from Gandy Beach welcomed the new members. She stated she would like to say thank you to all for the immediate emergency repair to our bulkhead. Instead she must ask how many members of the committee have been down to see the repair. The Committee approved over \$47,000 in invoices to fix the bulkhead and it is an atrocity. It is already blowing out. What are we going to do about it? I would like to note the engineer was not there on a daily basis. He could not have given daily reports. The people who were awarded this project did a horrific job. They didn't follow and of the instructions they were provided. This Committee paid this contractor before finishing the work. We spent a large sum of money irresponsibly.

Mr. Campbell stated he agrees with Mrs. Marlow's comments. He spoke to the engineer today and raised some of the issues about the workmanship. He plans to meet with the Administrator and review the bills received for this project.

Mrs. Marlow continued that it's everybody's problem now because you now have no recourse because you paid these people. You paid them to do their job and they didn't do it. You are not going to get your money back. None of you committee members went down to look at this project. You have now wasted \$47,000. It is ridiculous. I hope all of you committee members take on your current positions in a different light.

Mayor Cook asked that this topic be included under ongoing projects on the next meeting agenda until the issues are all resolved.

Mr. Campbell asked if by resolution or motion the project could be put on hold until it has been thoroughly investigated.

Mark Upham stated he would like to thank the Public Works Crew for the fabulous job they did on the snow removal which allowed the EMS Department to get out on calls for the community.

Mayor Cook called for a motion to close public session.

Motion made by: Mr. Campbell and seconded by Mrs. Reynolds.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion carried

Motion was made by Mr. Campbell to approve the Holiday Schedule as submitted. The motion was seconded by Mrs. Reynolds

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion carried

Mr. Campbell made a motion to approve a resolution to authorize a hold on all activity regarding the bulkhead project on North Cove Road in respect to both the contractor and engineer services provided. The motion was seconded by Mayor Cook.

Roll Call:

| | |
|-----------------|-----|
| Robert Campbell | Yes |
| Tammi Reynolds | Yes |
| Dennis Cook | Yes |
| Lisa Garrison | Yes |
| Steve Simmerman | Yes |

Motion carried

Mayor Cook thanked everyone for coming out and asked that they continue.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Mr. Campbell, seconded by Mrs. Reynolds and unanimously carried.

Respectfully Submitted

Richard DeVillasanta, Clerk