



**TOWNSHIP OF DOWNE
TOWNSHIP COMMITTEE MEETING MINUTES
August 1, 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. Mayor Dennis Cook called the meeting to order at approximately 7 pm.

The flag salute was conducted.

ROLL CALL

Robert Campbell, Committeeperson	Present
Lisa Garrison, Committeeperson	Present
Tammi Reynolds, Committeeperson	Present
Steve Simmerman, Deputy Mayor	Absent
Dennis Cook, Mayor	Present

Also present: Mr. John Carr as Solicitor and Richard DeVillasanta, Clerk

SOLICITORS REPORT

Mr. Carr highlighted the information included in his written report. He updated the Committee on information gathered on the sale of excess property within the Township. He updated the Committee on the Robinson Oyster Farm Inquiry on the right of way access request. He suggested that the Township recommend that the two owners come up with a resolution. Mr. Carr updated the Committee on the resident complaint from the last meeting in reference to the lack of upkeep on the property adjoining her property and the poor condition of the bulkhead on that property. Mr. Carr also presented a draft ordinance for review and discussion on the Contractor Pay to Play Reform. That ordinance was a part of the Best Practice Checklist the Township should be in compliance with. Mr. Carr also presented three resolutions for approval and adoption. These resolutions are on the agenda for approval tonight. They are as follows: Appointing Coordinator of Annual Drivers License Check pursuant to JIF Policy, Implementing A Volunteerism Policy, and Implementation of the Policy for Motor Vehicle Record Check. The policies to be implemented are attached to each resolution.

Mr. Campbell asked for clarification on advertising legal notices. Is it necessary to publish the entire ordinance or is the ordinance summary sufficient.

Mr. Campbell stated we have additional requests for sale of properties that we have not discussed. Is it possible to combine all the lots and have one public sale?

Mr. Carr stated the more properties included in the group will help to defer the expenses associated with the sale.

APPROVAL OF MINUTES – OCTOBER 4, 2010 TOWNSHIP MEETING

Mayor Cook asked for a motion to approve the minutes of October 4, 2010 as submitted. **Motion made by:** Mr. Campbell and seconded by Mrs. Reynolds.

Roll Call:

Robert Campbell	Yes
Tammi Reynolds	Yes
Dennis Cook	Abstain
Lisa Garrison	Yes
Steve Simmerman	Absent

Motion Carried

APPROVAL OF MINUTES – JUNE 6, 2011 TOWNSHIP MEETING

Mayor Cook asked for a motion to approve the minutes of June 6, 2011 as submitted. **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	Absent

Motion Carried

ORDINANCE(S)

Adoption of Ordinance 02-2011 Bond Ordinance Appropriating Five Hundred Thousand Dollars (\$500,000) and Authorizing the Issuance of Four Hundred and Seventy Five Thousand (\$475,000) in Bonds or Notes of the Township of Downe for Various Improvements or Purposes Authorized to be Undertaken by the Township of Downe, in the County of Cumberland, New Jersey

Mayor Cook asked for a motion to open the meeting to the public for comments on the adoption of Ordinance 02-2011. Motion made by: Mr. Campbell to open the meeting to the public, seconded by Mrs. Reynolds.

Roll Call:

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

Motion Carried

Bernie Sayers stated given the size of this ordinance it should be put on a ballot and let the voters and the residents decision whether or not we are going to incur this.

Mr. Cerone asked how much of the bond ordinance is going to be used to deal with capping the landfill.

Mr. Campbell stated we have \$45,000 in escrow for closure currently. There is approximately \$45,000 or \$50,000 included in this Bond in case additional funds are needed. We are meeting this week with the DEP in reference to closing our landfill. The closure was very close to completion in 2005. We are going to review and determine what the next steps are to finalizing the closure. By the time of the next township meeting we will have a closure plan and a better estimate of the costs associated with it.

Mayor Cook commented that the bond ordinance will give the community the ability to obtain funding to complete a number of projects within the Township.

Mrs. Garrison stated there is a possibility that the testing of the wells could be a requirement of the Township for many years after the capping of the landfill is completed depending on the levels in the results of the testing.

Mr. Campbell continued that nothing has been done with the landfill since 2006. Now that someone is willing to get the process complete that are a number of people who have a problem with it.

Mr. Cerone continued that there was someone willing to close our landfill for free and lease the property and the township had a problem with doing that.

Mrs. Reynolds asked what line item the fees for the well monitoring testing are coming from.

Mrs. Garrison answered that the testing is coming from the Township budget but the escrow is for the closure of the landfill only.

Mr. Campbell stated that if this bond is approved it doesn't mean we are going to run out and borrow \$475,000 it means that we have a credit line and we will take only what we need to complete the closure. The only money that

we know for sure we are going to have to spend is \$150,000 for the bulkhead in Money Island. We have not budgeted for the serious infrastructure maintenance issues in our township and these issues must be addressed.

Mr. Campbell with the assistance of Mrs. Garrison explained to Mr. Cerone where the \$150,000 figure came from.

A resident stated that she commends the committee for looking ahead and preparing to address the issues of the infrastructure and also for finding a way to not lose the \$400,000 grant that was awarded to the township by the work of the previous administration. I encourage each of you on this Township Committee to vote yes to the Bond Ordinance.

Cathy Weisenburg stated there is evidence throughout the township that the infrastructure is in need of much repair. She is in favor of the Bond Ordinance.

A resident asked if the solicitor can explain how the bond ordinance works so the public is not misled on how the money is spent.

Mr. Carr stated tonight you are authorizing the township committee to borrow money. You have not borrowed the money yet therefore you are not paying interest on it. There is a requirement for a super majority vote. The spending of the bond money will be by a majority.

Bernie Sayers stated Mr. Campbell stated that no one has done anything in regard to the landfill since 2005. Does that mean the well monitoring has not been taking place during this period of time?

Mr. Campbell stated that no one has done anything with the closure since the end of 2005. The monitoring wells have been maintained and the reports are available if you are interested.

Bernie Sayers stated that 20 plus years ago he remembers when they did the monitoring wells Dan Headley was Mayor and he said that someone poured cement down the monitoring wells. I assume that was done, but can you enlighten us as to what you know about that.

Mr. Campbell stated that he recalls that event but it seems that it wasn't someone closing the wells it was more an act of vandalism. The wells were replaced.

Mrs. Garrison stated that when Mr. Jordan was on the committee they negotiated with US Silica for some materials for the coverage at the landfill. I think it was approved but the materials have never been utilized to cover.

Mr. Campbell stated the materials were stockpiled, was tested and the results were sent to the DEP. They approved that material for the closures. The engineers did a 100 foot grid of the landfill area. The landfill site is 20 acres and only 7 acres of the landfill was ever used as a fill cell. The fact that it was only used for municipal trash puts it at its lowest level of contamination for the DEP. A topography was done back in the 80's and there is a map with a grid that show where more cover is needed and how much. The material that was stockpiled is to be used as cover using the grid system prepared and approved. For some unknown reason that there was a stop put on any additional work at the landfill.

Bob Marshall stated that he thinks it is very important that everyone understands there are a lot of projects included in the Bond Ordinance. We are a community of several villages and it is not the problem of the village only, it is a community problem. We need to look out for and take care of each other. I hope the committee will look at this bond ordinance in that same way.

A resident stated that she supports the Bond issue and wishes all we had were rainy days. We get all types of weather events here. It is clear the band aids are not working. We have serious infrastructure issues and nobody wants to be on the other end of that. As far as having money for a rainy day, on a personal level the best thing that anyone can have right now is extra cash. It would be nice if the township has the availability of funds when these weather emergencies happen so we are not constantly trying to do a cheap fix. I want our committee to be proactive. We need to find others ways of bringing money into the community other than raising the taxes.

A resident asked if we approved the bond for \$500,000 and we only used \$150,000 for the bulkhead are we only incurring interest on that \$150,000. Mayor Cook answered that is correct. Mayor Cook continued that each time we

would borrow money there is a potential that a new interest rate would be set. It could be a lower rate or a higher rate.

Mayor Cook asked for a motion to close the public comment portion of the meeting. Motion made by Mr. Campbell to close the meeting to the public. The motion was seconded by Mrs. Reynolds.

Roll Call:

Robert Campbell	Yes
Tammi Reynolds	Yes
Dennis Cook	Yes
Lisa Garrison	Yes
Steve Simmerman	Absent

Motion Carried

Mayor Cook asked for a motion to adopt Ordinance 02-2011. The motion was made by Mr. Campbell and seconded by Mrs. Reynolds.

Roll Call:

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

Motion Failed

Mayor Cook thanked everyone for their testimony and comments on the Bond Ordinance.

PRESENTATION – MARK BLAUER, BLAUER ASSOCIATES

Mayor Cook introduced Mark Blauer. Mayor Cook stated Mr. Blauer is present today to make a presentation to review the performance and status of activities and to identify future Community Development Activities for the Small Cities Program.

Mark Blauer stated that he is a grant writer. He has been the grant writer for Downe Township since 2000. He continued that he is here tonight as a public hearing is required as we close out the 2008 Home Rehabilitation Project. This program is a deferred loan program that helps homeowners who qualify as low and moderate income to make repairs to their homes. Approximately 60 homes have benefited from this program since 2000. The current grant has assisted 12 homeowners. Mr. Blauer explained the regulations and process associated with the home rehabilitation program.

Mr. Blauer stated that the last requirement of the program is to hold a public hearing to closeout. A month ago a meeting was held with the State, Mr. DeVillasanta and myself to review the program files. We passed the review with no issues. The State was very happy with the program files. This public hearing tonight is also to ask the public for comments on the program and if there is any interest in doing it again. Mr. Blauer asked for any comments or questions from the Township Committee.

Mrs. Garrison asked if we know how much recaptured funds we have at this time. Since we are going through a lot of foreclosures at this time. Could the recaptured funds be affected by the number of foreclosures? In some cases the Township is not the only lien holder on some of these properties.

Mr. Carr stated that in his time here he has not seen that issue and we have not received any foreclosure paperwork. But it is certainly a scary issue.

Mrs. Garrison continued that in some cases the homeowners are vacating the properties and the banks are not doing anything at this point, they are just sitting there.

Mrs. Garrison asked was it 2000 or 2006 that the loans became deferred and not forgiven.

Mr. Blauer stated he believes the first year (2000) the loans were forgiven over a period of time, but by the second or third years they were changing. I am sure that by 2004 the loans was deferred and not forgiven.

Mrs. Garrison asked for a report illustrating how many loans are out there. This would put us in a better position to know how much recaptured funds we have and the potential of getting them in

Mr. Blauer stated the program is in closeout stage and if the Committee wishes to apply for another grant program we have until the end of September to proceed with the process. Mr. Blauer stated that he has not tracked the program to know what the recaptured funds status should be that should be done by the Township Clerk.

Mrs. Garrison asked is it possible to get an accounting on the recaptured funds that we could do an emergency program for the residents who have small issues. We could use those recaptured funds to provide this assistance.

Mayor Cook asked for a motion to open the meeting for a public hearing to review the performance and status of activities and to identify future Community Development Activities for the Small Cities Program. 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	Absent

Motion Carried

Mr. Charlie Miller of Newport asked who determine whether a person is eligible or not eligible for the grant.

Mrs. Garrison stated the Township Committee has always refrained for being involved in the process so there are no issues. The review and selection has been left up to Mr. Blauer. There is an application process.

Mr. Blauer stated the process starts with the Clerk obtaining the applications; they are submitted to Blauer Associates for review. There are State eligibility guidelines for the funds and they are used to determine who the funds will be granted to.

Mr. Miller asked if there is a credit check review of the applicant.

Mr. Blauer continued the grant is for low to moderate income households. There is an income range that must be met. There is no credit check or bank fund check. The applicant must provide income information only.

A resident stated that everyone is paying into these State funds and we are lending money to people and don't know whether it is good or not.

Conversations continued from numerous residents regarding the benefits and issues with the grant fund application process.

Mr. Blauer spoke about the different rehabilitation/repair projects we have done in the Township for many residents. The improvements are not cosmetic by nature they are necessary repairs for these older homes that are falling apart and because of the economy homeowners are finding it difficult and sometimes impossible to do the repairs.

Mayor Cook asked for a motion to close the public hearing. 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	Absent

Motion Carried

OPEN MEETING FOR PUBLIC COMMENT ON RESOLUTIONS

Mayor Cook asked for a motion to open the meeting for public comment on Resolutions R-062-2011 through R-063-2011. **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	Absent

Motion Carried

Mrs. Reynolds stated she would like to put a hold of PO 11-00230. Mrs. Reynolds stated that we must come to a resolution on Animal Control Officers payroll and contract fees situation.

Mrs. Garrison stated she thought Mr. Carr has spoken to Mr. Sutton. Mr. Carr stated that he has spoken with Mr. Sutton and an agreement was reached and since that time he has not been able to get in touch with him.

Mrs. Reynolds stated this is a finding that has been noted in the Audit for the last three years and it needs to be resolved.

Mrs. Garrison stated that the information needs to be sent to the IRS so they can make a determination of whether he is an employee or not an employee. Can we withhold a check that is contractual?

Mayor Cook asked that we hold all payroll check for Mr. Sutton because of his no show status with the Township.

Mrs. Garrison asked for Mr. Carr's recommendation on holding Mr. Suttons paychecks. Mrs. Garrison and Mr. Carr asked that this issue be discussed in executive session.

Mayor Cook stated that the September 12th Township Committee meeting will have an executive session to discuss that situation and Mr. Sutton should be contacted and made aware of the meeting.

Mr. Campbell stated that he would like to put a hold on PO 11-00294 for the mower repair. We would like to get the mower here and test it out before we pay the invoice.

Mrs. Garrison stated that PO-11-00277, First Due EMS Supplies should not be on our bill list. Mrs. Garrison stated PO 11-00260 Cascade Subscription should also not be included on our bill list. If it is Emergency Management I don't have a problem. I would like an explanation for why they are on our bill list.

A comment from the public concluded that no one in the public knew the meeting was open for public comments. The meeting was opened for a second time for public comment on the payment of bills and resolutions.

Bernie Sayers stated there has been a problem with the audio system for months. He is having trouble hearing tonight. In reference to Resolution 046-2011 Implementing a Volunteerism Policy. What does "resolve various Township issues" mean as stated in the second paragraph? What are people volunteering for and who is the local contractor. This makes no sense.

Mr. Campbell stated the last paragraph that references Gandy's Beach should be omitted. As far as the verbiage in paragraph two if we could get a volunteer to do such activities as raking the leaves which would benefit the township.

Mrs. Garrison asked if we plan to limit this policy to a skill level. What would be the liability to the Township?

Mr. Campbell answered that the application/questionnaire will cover the skill level issue. We currently pay JIF additional fees for protection of a volunteer policy that will protect the Township.

Mrs. Garrison stated there should be a resolution or agreement with the volunteer and the township committee. This should be an organized process. The policy should state that the volunteers will be appointed by a resolution. Who is going to determine who is capable to do a job?

Mr. Campbell stated the Township's Recreation Committee has volunteers who do a number of things. Who screens those volunteers? Mr. Campbell explained how the original talk of a volunteerism policy came about to everyone in attendance. This explained to Mr. Sayers why the paragraph he referenced was placed in the resolution. I think a volunteerism policy would be a great addition to the township for any situation that would occur in the future but if the committee thinks we shouldn't that is fine.

Mrs. Reynolds stated she agrees with Mr. Sayers that the verbiage from paragraph should be omitted. Also if we have to approve a resolution every time someone volunteers what is the sense in having a policy. The time when a volunteer is needed is usually an emergency situation and we may not have the time to approve a resolution.

Conversations continued on the pros and cons of a volunteerism policy.

A Resident ask if Resolution 63-2011 Annual Driver License Check is proposed to institute a new policy to check drivers license or has driver license always been check. He continued that he drives a company vehicle and he is approached just about every six months with a review. It is hard to believe that the Township doesn't have this in place already.

Mrs. Garrison stated she would like to see drug testing, which is mandatory with the CDL's, be included. Has anyone been doing drug testing? I didn't realize that we were doing drug testing and I apologize. The CDL testing is done on a random basis. If we haven't been doing the License checks and the drug testing this should be combined. This policy should also include anyone operating heavy equipment. We should amend this resolution to be sure we are including everything that is a mandatory JIF requirement.

Mr. Carr stated that a drug policy needs to be prepared separate from the drivers license check.

Mayor Cook asked Mr. Carr to prepare a drug policy for the township.

Mr. Gravely asked was there any penalties being paid this month's for bills that didn't get paid last month.

Mayor Cook stated we paid the bills that would have incurred a penalty or interest. There are no vendors who we have incurred penalties.

Mayor Cook asked for a motion to close the public comment portion of the meeting. **Motion made by:** Mr. Campbell to close the public comment on the Resolutions. Motion was seconded by Mrs. Reynolds.

Roll Call:

Robert Campbell	Yes
Tammi Reynolds	Yes
Dennis Cook	Yes
Lisa Garrison	Yes
Steve Simmerman	Absent

Motion Carried

RESOLUTIONS

R-062-2011 *A Resolution Authorizing the Implementation of the Policy of Motor Vehicle Record Check for Volunteers and Employees*

Motion made by: Mr. Campbell to approve Resolution R-062-2011. Motion seconded by Mrs. Reynolds.

Roll Call:

Robert Campbell	Yes
Tammi Reynolds	Yes
Dennis Cook	Yes
Lisa Garrison	Yes
Steve Simmerman	Absent

Motion Carried

R-063-2011 *A Resolution Appointing Coordinator (Township Administrator) of Annual Driver's License Checks Pursuant to JIF Policy*

Motion made by: Mr. Campbell to approve Resolution R-063-2011. Motion seconded by Mrs. Reynolds.

Roll Call:

Robert Campbell	Yes
Tammi Reynolds	Yes
Dennis Cook	Yes
Lisa Garrison	Yes
Steve Simmerman	Absent

Motion Carried

OLD BUSINESS

RESOLUTION(s)

R-045-2011 *A Resolution for Payment of Ordinary and Necessary Monthly bills (4/4/11 meeting)*

Motion made by: Mr. Campbell to approve Resolution R-045-2011. Motion seconded by Mrs. Reynolds.

Roll Call:

Robert Campbell	Yes
Tammi Reynolds	Yes
Dennis Cook	Yes
Lisa Garrison	Yes
Steve Simmerman	Absent

Motion Carried

R-046-2011 *A Resolution Implementing a Volunteerism Policy for Downe Township (4/4/11 meeting) (subject to Paragraph Three and Paragraph Five being omitted).*

Motion made by: Mr. Campbell to approve Resolution R-046-2011. Motion seconded by Mrs. Reynolds.

Roll Call:

Robert Campbell	Yes
Tammi Reynolds	Yes
Dennis Cook	Yes
Lisa Garrison	Yes
Steve Simmerman	Absent

Motion Carried

PAYMENT OF BILLS

Mayor Cook asked for a motion to approve the July and August Bill List *Payment of Bills* (with revisions) in the amount of \$662,838.08. Motion made by Mr. Campbell to approve the Bill List as presented, seconded by Mrs. Reynolds.

Roll Call:

Robert Campbell	Yes
Tammi Reynolds	Yes

Dennis Cook Yes
Lisa Garrison Yes
Steve Simmerman Absent

Motion Carried

NEW BUSINESS

CERTIFICATION OF THE BEST PRACTICE CHECKLIST FOR 2011

Mr. DeVillasanta stated this checklist was started at the State level last year as an evaluation tool. He thanked Committeewoman Garrison for her assistance in the completion of the checklist. Mrs. Garrison questioned what policy is in place for cross referencing the submittal of certificates of occupancy. Mr. DeVillasanta stated that there is a policy in place that addresses cross referencing these certificates with the zoning officer and the tax assessor. Mrs. Garrison stated that item #1 under the Financial Standards should be marked prospective. Mrs. Garrison stated Item #1 under Health Insurance should be not applicable. Item #1 Under Energy should be prospective grant contingent.

Motion made by: Mr. Campbell to approve the Certification of the Best Practice Checklist for 2011 with noted changes. Motion seconded by Mrs. Reynolds.

Roll Call:

Robert Campbell Yes
Tammi Reynolds Yes
Dennis Cook Yes
Lisa Garrison Yes
Steve Simmerman Absent

Motion Carried

ORDINANCE INTRODUCTION

ORDINANCE 03-2011 *An Ordinance Establishing the Contractors Pay to Play Reform*

Mr. Carr stated this Ordinance comes as a recommended methodology from the Best Practice Checklist that the Township adopts and supports the Pay to Play Reform legislation which is a State Law. At this time we are seeking to introduce the ordinance. It will be published and ready for final adoption by the Committee.

Motion made by: Mr. Campbell to Introduce Ordinance 03-2011 as presented. Motion was seconded by Mrs. Reynolds.

Roll Call:

Robert Campbell Yes
Tammi Reynolds Yes
Dennis Cook Yes
Lisa Garrison Yes
Steve Simmerman Absent

Motion Carried

COMMITTEE REPORTS

Mayor Cook stated that he would like to have a resolution to appoint Mr. DeVillasanta as our Acting Registrar for the next six months.

Mr. Carr stated that you will be looking at a resolution that states Mr. DeVillasanta will act in the capacity as your acting registrar from now until the end of this year with the understanding that the technical credentials may not be in place to be the registrar. The State directive is that anyone can hold the job for 6 months at that point they have to be in compliance.

Resolution 064-2011 Resolution Appointing Richard DeVillasanta as Acting Municipal Registrar for Downe Township Pursuant to N.J.S.A. 26:8-1 et seq.

Motion made by: Mr. Campbell to adopt Resolution 064-2011 as presented. Motion was seconded by Mrs. Reynolds.

Roll Call:

Robert Campbell	Yes
Tammi Reynolds	Yes
Dennis Cook	Yes
Lisa Garrison	Yes
Steve Simmerman	Absent

Motion Carried

Mrs. Reynolds read the June Tax Collectors Report. In reference to the Finance Department, she stated that she is currently working on a policy for the next meeting on more detailed information regarding repairs. While going through the payment of bills she noticed some invoices that need better descriptions and tracking. There is nothing to report on the Board of Education.

Mrs. Garrison stated she has nothing to report at this time.

Mr. Campbell stated that we have had a number of DEP meetings in the Township regarding bulkheads, road cave ins and pipes, etc. We have more meetings this week to resolve some other issues. He attended a seminar that had to do with public beach access. The State imposed some regulations on public beach access. In 2007 it was extremely restrictive and imposing on private property owners and commercial businesses. From the Seminar it was stated that the DEP is revisiting their rules because of many complaints. The Township will have to develop a public beach access program. If we don't do it in a certain period of time the State will step in and prepare it for us. Some of the highlights are the access requirements along beachfronts and waterways will be every quarter mile where there is public activities and public bathrooms access requirements will be for every half mile. The committee should conduct a workshop to discuss and implement these rules. A number of State agencies will be available to help us develop a reasonable beach access plan. The Natural Land Trust will be holding a Kayak Trip at Charles Mill. We now have new lights in the parking lot. We are still working with a company to get our street lighting bill reduced by 20% and they haven't been extremely responsive. We are working on stormwater reports that have to be submitted soon.

COMMITTEE COMMENTS

There were no committee comments at this time.

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	Absent

Motion carried

Edward Bart asked if the Bond Ordinance passed. The Mayor responded that it did not pass. What is the Township Committee planning to do with the repairs that will not be done because of the Bond Ordinance failure? Mayor Cook answered that the Committee will have to discuss the comments received and make some decisions.

Mrs. Marter questioned Mrs. Garrison's no vote on the Bond Ordinance. There is obviously something in the Ordinance that you didn't like and you had two months to make a decision on it. Why would you not make recommendations for changes of the things that you didn't like? You have to work together as a committee. You have to come to an agreement. You just can't keep saying no, you have to participate in the committee.

Mrs. Garrison responded that she stated at the last meeting she attended that she had a problem with Cove Road being included in the bond because we can apply for a DOT grant. I had a problem with the landfill and the stormwater drainage being included. I had no problem with any repairs to Gandy's Beach or Money Island.

Mrs. Marter replied to Mrs. Garrison did you make any reasonable recommendations or have you rewritten the bond to address your concerns.

Mrs. Garrison stated the committee would have to make the decision to rewrite the ordinance she could not make the changes or rewrite the ordinance.

Discussion continued between Mrs. Marter and Mrs. Garrison on why Mrs. Garrison didn't act on here recommendation to make the bond ordinance a product she would vote yes on. Mrs. Garrison stated she would vote yes on the bond if it is reduced to cover only the repairs at Money Island and Gandy Beach.

Mr. Ravely asked how much money has the township spent on the bond ordinance to date.

Mr. Campbell stated between \$2,000 and \$3,000.

Mr. Ravely stated that now the beach projects will take longer to be completed and also if another storm comes we could be facing a larger repair situation which will cost more money. This committee needs to work together.

Mr. Campbell stated that as of right now the bond was defeated. There is no money to do Money Island and there is no money to finish the repairs in Gandy's Beach, there is no money to fix the sewer and the flooding in Fortescue, and there is no money to fix the flooding in Dividing Creek. As of now none of those projects will get done. They have been stopped. If we have to start over, it will be another two or three months and probably next year before anything happens. God forbid if we are faced with a hurricane or more bad weather.

Mr. Ravely stated that this is exactly what happened at Sea Breeze. Mr. Ravely asked if anyone knows why Deputy Mayor Simmerman is absent tonight.

Mrs. Garrison answered that he is on vacation and had stated that he would not be at the August meeting months ago.

Mr. Ravely asked how many meeting a committee member can miss before he can be dismissed.

Mr. Campbell stated it is four consecutive meetings.

A resident stated that Mrs. Garrison did not have a report on anything she should be reporting on at this meeting. She was not present at the last meeting so there was no report at that meeting. There has been no report from her on the departments she chairs for two months. I noticed that we have paid a lot of money to the animal control officer and she hasn't given any reports on his activity. November is not coming none too soon.

Mr. Cerone stated that he would like to commend Mrs. Garrison for looking out for the best interest of the taxpayers in the entire community. The bond needs to be done properly and she did the right thing. The amount of money this bond requested should have been spelled out more clearly. Addressing the Mayor he stated that according to his own words he doesn't live in this Township. There is no such thing as dual residency as far as the election board is concerned. I think we should be talking about straighten out your position here in this community. Why you went to the extremes you did to become an elected official is suspicious. Mrs. Garrison never received the information she requested to back up the figures used in preparing the bond. He would like to see the information because he doesn't believe the figures.

Mr. Campbell stated to Mr. Cerone that if he puts in an OPRA request for the information, he will receive it.

Mr. Cerone stated that he hasn't asked for it because Mr. Campbell stated that he would bring the information so where is it.

Argument continued between Mr. Cerone and Mr. Campbell

Mayor Cook asked if there were any other comments from the public.

Nancy Campbell stated that this Saturday is the Townships Back Home Day (August 4th) from 1pm to 4pm. There is also a community kayak day scheduled for next Wednesday (August 10th) for 4th and 5th graders. She stated that only one kid has signed up for the event and others are complaining that there is nothing held for the kids in the community. There is another event scheduled in Millville for August 24th. Natural Lands Trust supplies the kayaks and the Recreation will supply hot dogs and sodas for August 10th and on the August 24th you have to supply your own lunch and transportation. There is no charge.

A resident stated that she didn't realize the Bond Ordinance didn't pass tonight. How many votes were needed to pass?

Mayor Cook answered that you need a super majority to pass an ordinance that means it would have needed four votes.

Bernie Sayers stated that we went on the township website this afternoon and he doesn't understand why there are only five out of eleven sets of minutes on the website.

Mr. DeVillasanta answered that we have quite a hugh workload. We have quite a large number of OPRA request. We are trying our best to get them done and by the next meeting and get them on the website as soon as possible.

Mayor Cook stated that we are busy cleaning up the past. It takes the time it takes. We have a staff that has very limited hours given the tasks of not only today's work but last year's work too. We are still digging out. This will take many many months. We have been terribly remiss as a township committee historically in just getting the basic requirement accomplished. We will continue to do our due diligence in attempting to address all of these issues. I personally do not think we are going to be able to have all of those minutes by the next meeting.

Mr. Sayers stated that he has found out in the past days that the township has been overcharging for CDs of meetings. You are charging \$5 per CD which is not in line with the State guidelines. I requested a CD of a meeting a couple of days ago and I was charged 56 cents as opposed to \$5. I mentioned this to Mr. DeVillasanta earlier today and I am hoping that Mr. Carr can look into the issue but I am going to file a complaint with the General Records Council that you are overcharging for the CDs. The way I understand the legislation you charge the cost of the material. You cannot charge for Mr. DeVillasanta's time because it goes in the general workload.

Mr. Carr stated that he would look into it.

Mayor Cook stated that he would now like to amend his previous statement that we will have the past due minutes as well as other things caught up in month, just add two more months. When someone doesn't work with you and give you a chance or when anyone has made a mistake that certainly was not intentional but then you add workload and expense to the township this is the way to do it. We agree on the face of this and Mr. Sayers is correct but we will immediately make the change and we will reimburse Mr. Sayers.

Mr. Sayers stated we don't even know if he is correct with his statement.

Mayor Cook stated that before you go filing charges why wouldn't you try the gentle approach and give your fellow residents an opportunity to comply. That sets into motion time consuming and an expensive process which penalizes the township. If we want to resolve this issue we can resolve it instead of this tedious approach that repeats itself over and over again in this township.

Mr. DeVillasanta stated that we will have resolution to this situation. If Mr. Sayers wants his money back we will give him his money back if we are wrong or a credit of two years of free OPRA request.

Mr. Sayers stated that if you find that what I have said is correct I will bring in the receipts from past OPRA requests and you can reimburse me based on whatever the charges will be. What I said is if you can't resolve it my only choice is to file a complaint with the GRC.

Mr. Sayers asked why there is a boat at the convenience center. Why was the township used to move the boat from wherever it was to the convenience center?

Mayor Cook stated that the State Police got a report of an abandoned boat. They attempted to resolve it out along the bay waters. They were unable to resolve it. Without any discussion with the township, they towed the boat into the state marina into a slip that the coast guard was using with the cooperation of the Captains Association that oversees the administration in this area. The Coast Guard then complained because they were in the process of an inspection and this would have been unacceptable in terms of their inspection. The State Police were unable to return and remove the boat in a timely fashion and they asked if Downe Township coordinate with them in terms of getting the boat out of the water. I would like to thank the Captains Association because we placed a call to them, they immediately responded and at no charge they pulled the boat out and emptied it and got it on shore. We contacted the State Police and they asked that Downe Township cooperated with them in the final removal of the boat. We (Mayor Cook, Mr. DeVillasanta, and Mr. Campbell) agreed to remove the boat. The boat was brought to the convenience center where it will be cut up and collapse it and cart it away. The State Police Marine division is appreciative of our quick response. The State Police attempted to identify the owner and they were unsuccessful.

Fire Marshal from Fortescue stated that there are public concerns that keep falling by the wayside and it has been said that they will be included on the next agenda and it never seems to happen. There are a lot of towns bigger than Downe Township that does not have the turnout that these meetings receive. I think it is a great thing that we have this amount of turnout at our meetings. It is very discouraging for people when they can't hear. I would like to have then audio system checked out and the status placed on the next meeting under public concerns. Has there been any resolution or communication to the ongoing street lighting situation.

Mr. Carr stated that he has received no further respond. He has never been given the contact information from Mrs. Garrison.

Mrs. Garrison stated that she doesn't know the individual for this area but she will give the name of the individual she works with.

A resident stated that we should just write a letter and say that if we don't receive an itemized bill then we are not going to pay the bills. Maybe this will get us somewhere.

A resident stated that he recalls that boat was registered back in 1995 and is probably an abandoned boat that was dumped in the marsh and was tagged and became a float in the bay and needed to be taken care of before someone got hurt because of it. I think it is great the Township stepped in with the State Police to take care of the situation. Do we know how much money and time is spent in the Township with OPRA requests? That is a lot of time used just to process the OPRA request which is a right of anyone resident, but by doing so it bottles down government. Could we keep a track of how much time it takes an individual in the office to process these OPRA requests so that the residents have an idea of how much money the township is actually spending on OPRA requests.

Mr. Campbell stated that he had a conversation with Mr. DeVillasanta recently about all the money that is spent and I am sure it is thousands of dollars. If a complaint is filed that's a cost of \$2,000 or \$3,000 to the township to answer and respond to a GRC complaint.

The resident continued that common sense in a small community like this goes a long way.

Bernie Sayers stated that Mr. Battistini has been sitting here for over three hours, how much is that costing the township. Will he have to put in an OPRA request for that information? Why is he here tonight?

Mayor Cook he was asked to be here to answer any questions from the committee or the community in terms of the bond ordinance. It is disappointing that we did not get one question over the last two months.

Mr. Campbell continued that Mr. Battistini and he spent a tremendous amount of time and energy in preparing a report at the request of Mrs. Garrison regarding the issues in the bond. Because they weren't detailed and specific she wanted to know the specific on the projects included in the document. We prepared that information and presented it and nobody addressed it.

Mr. Sayers asked if he has permission to comment or can he only ask questions. I have been coming to meetings for 23 years and I have never seen so much discontent as seen from this committee. It is unfortunate. I don't understand at all why you guys and members of the audience are picking on Mrs. Garrison. I happen to believe and support her 100%. She is doing it correctly. I have a right to put in OPRA request. I care about this community. It took me 20 years to care and I have lived here for 45 years. I started coming to meetings because of the illegal garbage dump that you people take your garbage to.

Mayor Cook interrupted Mr. Sayers and stated this is not a debate, please address the committee and not member of the audience. Mayor Cook continued that we are not going to rehash Mr. Sayers convenience center issues again tonight. Do you have anything further that you would like to address the committee?

Mr. Sayers asked Mayor Cook where does he live.

Mayor Cook responded he lives at 114 Bayview Road which is his primary address.

Mr. Sayers asked where did you live on Monday.

Mayor Cook responded at 114 Bayview Road.

Mr. Sayers stated that is not what you stated to the Upper Deerfield Planning Board.

Mayor Cook stated that he is incorrect. Does he have anything else for the committee? Mayor Cook asked if there were any other comments.

Mr. Cerone continued to speak out of turn ignoring Mayor Cook.

Motion made by: Mr. Campbell to close the public portion of the meeting and seconded by Mrs. Reynolds.

Roll Call:

Robert Campbell	Yes
Tammi Reynolds	Yes
Dennis Cook	Yes
Lisa Garrison	Yes
Steve Simmerman	Absent

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