

**TOWNSHIP OF MIDDLE  
TOWNSHIP COMMITTEE  
WORKSESSION AGENDA  
April 20, 2009 4:00 P.M. (prevailing time)**

**CALL TO ORDER:**

Mayor's announcement: I hereby declare that notice has been given to the Herald Times, the Atlantic City Press and posted on the bulletin board of the Middle Township Municipal Building, stating the time and place of the following meeting, as required in P.L. 1975, Chapter 231 of the State of New Jersey. (Sunshine Law). Notice of this meeting was properly given in Resolution No. 26-09 entitled "Establishing Work Session Meeting Nights" which was adopted by Township Committee of the Township of Middle on January 5, 2009

Members present are Mayor Doughty, Committeemember DeLanzo & Committeemember Barry.

Business Administrator Mark Mallett, Township Clerk Kimberly Tomkinson, Municipal Solicitor James Pickering, Municipal Engineer Vincent Orlando.

**FLAG SALUTE:****DEPARTMENTAL REPORTS AND PROJECT UPDATES:****Administration/Finance:**

Municipal Excess Joint Insurance Fund –  
Rights and Duties of Volunteers in Local  
Government

Kimberly Tomkinson: Let the record show that Committeemember DeLanzo is absent.

First item on the agenda is a packet of information, Committee, to take a look at regarding the Municipal Excess Joint Insurance Fund Rights and Duties of Volunteers and Local Government; they are indicating that a recent court decision requires local units of government to extend anti harassment training to sponsored volunteer organizations including but not limited to fire department sponsor, ambulance and EMS units, emergency management volunteers, volunteer police reserves, library boards, board volunteers, recreational volunteers and other volunteers and volunteer boards who are appointed by the local governing unit. This is for your review for possible placement on the next meeting agenda.

**Public Works & Engineering:****Legal:****Construction/Plan/Zoning:****Recreation:****Police:**

Garden State Parkway safety barriers

Chief Evangelista: An accident the police have been taking care of and as you are well aware we have had a second fatal accident on the Garden State Parkway. The people were traveling southbound and I am not sure what created the problem of him crossing to the other lane and hitting a car head on. I had sent emails at the beginning of the year to Senator VanDrew about this and he told me that they would look into it. Well obviously they have been looking into it over the last 4 or 5 months but haven't kept us informed. I emailed him again and the next day they had an announcement that sometime between now and the summer they are going to be putting in a guard rail. I am not sure what that means, but they are going to put some type of divider down the center of the Parkway, probably Exit 6, which is North Wildwood to Crest Haven Road and hopefully that will take care of it.

Mayor Doughty: I believe you are exactly right and I know, Mr. Barry and I have both been in touch with Mr. VanDrew over this exact thing and we are glad to see that we are making some headway in putting this barrier out on the Parkway.

**Buildings and Grounds**

NJ Dept. of Labor & Workforce  
Development – Community Work  
Experience Program

**RESOLUTIONS:**

**ORDINANCES:****SPECIAL PRESENTATIONS OR DISCUSSIONS:**

George Eli Association – Mike Hertzler

Mayor Doughty: Come forward please. You are here on my request. As you can see this is a very flat area and we need to create some mountains and this gentleman is here, I presume you have packets to give out.

Mike Hertzler: Yes.

Mayor Doughty: We will leave a couple up here and after the meeting you are more than welcome to go over these. These people have the....they are under State Contract, correct and this is one of the things that the recreation department is missing and this will be added to our recreation as we move forward with it.

Mike Hertzler: In the past we have had, in terms of our playground equipment, like climbing walls and climbing boards and for the most part you have plastic handles attached to them and you see them a lot of times at community centers. What they did a couple of years ago was basically instead of a climbing wall was they manufactured a boulder instead of getting an actual, unless you can find stone enough as big as this table, they actually manufactured one that is specifically designed with hand holds and foot holds, they can vary the heights on it and basically it looks like that boulder has been there for a million years and it is specifically made to be climbed on and played on by children, maybe adults, depending upon the height of the boulder. In the past couple of years the boulders were like a plastic resin where they were coated with a rough coating to simulate rock. What they found was they would be played on and it would then be smoothed out over time and this defeated the purpose of the item. What they did this year was create a boulder out of clay that was solid all the way through instead of where it was hollow, a plastic hollow shell, a solid piece meaning with heavy use it wouldn't smooth out and wouldn't become slippery from smoothing out, it would stay in its natural form essentially. They have all different sizes of these boulders from small up to 8 or 9 feet. They can be put in different patterns; they can be hooked together with the rope climbers so instead of a playground that everyone is used to seeing, you are creating the same thing only it looks like nature made the playground. There are 5 sizes, you can buy one or as many as you like, you can separate them or link them together with climbing bridges or something like that. I am leaving a catalogue that displays what we are talking about here. If cracks develop over the years, they can be repaired just like you would repair a sidewalk, just fill in the crack and it is prepared, you wouldn't have to replace the boulder. Whatever the setting, it will fit in well. These are specifically designed to be climbed on by children as young as 5 years old and up to adults, has a wide age range so for your money you are not limiting who can use it.

Mayor Doughty: Why don't we field some questions?

Butch Hamer: I want to know what is the cost?

Mike Hertzler: The largest boulder is about \$18,000 and it is about 14,000 pounds and a height of just about 8 feet. The smallest is about \$1600-\$1700, which is like the bench boulder. The smallest boulder weights about 100 pounds and then the castle boulder goes to about 14,000. For more than one we work with the community on the price like a discounted rate, we take that into consideration.

Butch Hamer: Have you built anything like this near here?

Mike Hertzler: These are brand new this year and there is nothing in this area. There is an area in North Jersey that is about to purchase one, but it is not installed yet.

Butch Hamer: How about the liability of a child climbing to the top and falling off.

Mike Hertzler: What I would get is, along with a pricing for the actual boulder, we have recommendations for the exact level of the safety surfacing that would need to go below it. We wouldn't recommend that this be put out in a grassy field; we always recommend that the recommended amount of the safety surface be added around it, something like a wood mulch, which is the most common safety surface for a playground. For something that would be 8 feet high, we would recommend at least 8 inches of mulch. You take into account the highest point a child can get to on the boulder, we make sure the safety surface accommodates that high of a fall. I mean if they would fall from a height of 8 feet clear to the ground that that surfacing has enough of a cushion to limit injury.

Butch Hamer: Would that be additional monies other than say the \$18,000?

Mike Hertzler: Yes, with the wood mulch, which is the most common, it is the least cost. The wood mulch is relatively inexpensive when compared to a rubber mulch or tiles of rubber; it is relatively inexpensive so it would be an added cost, but it would be that much, again compared to rubber mulch or a solid surface. We would be able to give the exact amount that you need so that you wouldn't need to buy excess, you would buy just enough that you need.

Eileen Fausey: I am just wondering where Middle would be anticipating using this?

Mayor Doughty: At the recreation center....for children.

Eileen Fausey: Over at the Davies Center?

Mayor Doughty: Yes. It's a recreation facility.

Eileen Fausey: Oh, I thought we were tightening our belts this year, excuse me.

Mayor Doughty: I will discuss that.

Madelyn Filipski: I am wondering what safety statistics you have for this plastic since you wouldn't have any for this and might the statistics be skewed because of the wearing parts getting a little slippery.

Mike Hertzler: Yes, that is why they made the changes over the past year. They had the product in foam and if I had last years catalogue I could show it to you. They had a product that was similar shape and style, but the difference was instead of it being a solid piece, it was a hollow shell and it was coated with resin to simulate the rock. What they found out was that an area that was heavily used, like with the feet, it would smooth out over time. Even though we had repair kits to restore these problems, what they decided to do was develop something that the rough traction would stay, that even through its use that traction would stay.

Madelyn Filipski: Do you have any statistics, would think bouncing off the concrete would be harder on the hip, so wondering if you have any statistics from the first one about injuries.

Mike Hertzler: No, we don't have statistics per each individual piece of equipment, but the basic statistic for playground equipment in injuries is the vast majority by far of injuries on a playground is a fall to the ground and a vast majority of the time is a straight fall from wherever the top of the equipment is, say in this case the top of a boulder, a fall to the ground and either there not being enough surfacing or the wrong type and so that is where the vast majority of these injuries come from, there being an insufficient amount of surfacing. We make sure that any equipment that we sell meets the current New Jersey State Laws Consumer Product Safety Commission standards. However, that doesn't cover every possible liability like nothing does, but in my experience like in any cases of an injury, did the customer provide the adequate safety surfacing, was there regular inspections and maintenance of the equipment. Those are the most common questions that come up, whenever there is a question of liability.

Madelyn Filipski: May I ask you the question correctly, I don't really care about the liability, I care about how many kids fall off of that and those monkey bars or jungle gyms, are there any facts like that.

Mike Hertzler: No, not to specific pieces of equipment. To address an item like the monkey bars, with an item that is metal, since it is a smooth surface, especially you have that danger of it being too slippery not only from a child loosing their grip but just slipping off of it because it is smooth and when it gets wet it increases that. With the boulder, if a child starts to slip off of it you have a rough like surface so they can at least have a chance of stopping themselves if they start to slid and catch either a hand hold or a foot hold. But in terms of this piece of equipment or specific pieces of equipment, there are not statistics just for that item alone.

Chuck McDonnell: The one good thing about this is when you are dealing with playgrounds there is a lot more cases of injuries where you have, besides falling and not having enough surfacing, but when dealing with playgrounds and from the inspection standpoint you are dealing with strangulation points, you are dealing with entrapments and all of that, the one good thing about this stuff it is pretty much playground material, but you don't have those kind of things affecting....I mean it looks like the only negative thing that could go wrong is a straight fall, whereas with a regular playground you have to worry about kids getting trapped, hood strings getting caught on bolts and things like that. Now getting to my question, is this equipment governed pretty much by the same guidelines as a playground?

Mike Hertzler: Yes, it falls under all the government safety guidelines.

Bernice Bronson: I was looking at the ropes that they have to go climbing here and it looks like they can get caught in them and then I noticed the larger rope, but how many kids are going to hold onto that size rope?

Mike Hertzler: Some children will try to go across the bridge by just trying to balance on it and not holding onto the rope. The rope bridge is relatively low to the ground and it just gives the sensation of walking across.....or just that risk factor of where they get that thrill of I am doing something dangerous, I am walking across a rope bridge, but it is relatively low to the ground.

Bernice Bronson: What about that rope climber? Couldn't they get hung up in that?

Mike Hertzler: When they developed that, not only this climber, but we have an item called the playweb; it is like an enclosed structure with all of these climbing ropes in the middle of it. Upon first seeing your first thought would be how could you not get entangled in that. Well, the openings are wide enough that if a child should fall through it there would not be entrapment. If the opening is between 3 1/2" and 9" there is that danger of entrapment. The openings on our structure are large enough that the child could fall through it .

Madelyn Filipski: So you are saying this is safer than the standard monkey bars, the company finds these items to be safer.

Mike Hertzler: Yes, and the reason they do is, they are still out there, but there aren't that many, they have slowly started to fade out. The problem they had was is the way monkey bars were designed, they were like a box on the outside, but then there were all the crossbars in between in the middle and so what they didn't have was if a child climbing to the top of the monkey bars fell, there wasn't a clear shot to the ground.

Madelyn Filipski: But you find this to be safer? So you do have safety data then?

Mike Hertzler: Well not specifically on the item but on the item itself and in terms of style of the item like for instance, monkey bars specifically, what they found was any play item that had, if a child fell from it, and it didn't have a clear shot to the ground and there was something to hit with their head or any other part of their body on the way down, chances of an injury were increased. So they slowly started phasing it out to where given the sensation of the monkey bars with that same hey value but eliminating much of that danger that if they did fall at least giving them a chance of getting to the safety surface without hitting something else on the way down. The new items are considered to be a lot safer because they took into account of the risk that they had, all the data from the past years and developed something safer.

Mayor Doughty: Thank you for coming. For those of you who do not go out to the rec department maybe you ought to give yourselves a treat and take a walk out to the rec department. I think right now we have just had roughly \$5,000 worth of pavers put in front of the rec department, donated, these things are donated, let me get this through your heads, donated, that's people in the community that care about the community that want to see us move forward. K-Mart gave us a scoreboard for the football field, gave us, like people right here. The playground equipment was donated by Mid Atlantic Rotary for \$35,000.....gave us....that is people who care about the community and love the community that they live in in Middle Township. We have the hospital on board donating money every year to the community, to the rec departments, to the people that care about the community. I could go on and on, but I want to make this clear, there will be people donating this, the dollars and cents being put out by the Township are zero. There are people out there wanting to do this as we sit in this room. So, don't worry that your penance will add up into this. I think this will add to the equation of the best rec in Cape May County and we will continue on with it. But I appreciate your coming down and answering all the questions. Thank you.

#### PUBLIC COMMENT:

Steve Barry: Next I want to raise summer camp. We are going to have a full compliment of summer activities this summer. We are going to have a.....the Concerned Citizens are sponsoring a summer camp at the Martin Luther King Center; Lori Fleming, some of you may have had the opportunity to see her Christmas presentation and if she gets enough kids is going to have a sponsored art and dance camp, which will be at elementary #2, she will need at least 10 children to make that work, but I think that will work and we hope to have a summer camp of at least 60 children at the Davies Center as well.

For those of you who may not be here at 6:00 I want to give you 2 dates to note down; there has been a lot of interest and excitement over the Council on Affordable Housing requirements that have applied, not only to Middle Township but to most of the municipalities in the State, and we are going to have 2 presentations, probably 4, and the first one will be on June 4<sup>th</sup> at 7:00 PM and we anticipate that it will be in the Rio Grande Fire Department, I haven't got confirmation yet that we can use their facility, I think we can, if not, we will let everybody know where else it will be and the alternate venue will probably be the cafeteria at the high school. At that first meeting we are going to ask our COAH Attorney and our planner to present the history and the structure of COAH and to that end if everybody that is interested, and I will make this announcement again at 6:00, to the extent that you have questions and concerns that you would like addressed, please email them and our contact person is going to be Jill Zarharchuck here at Township Hall so her email address is [mtgrants@middletownship.com](mailto:mtgrants@middletownship.com), so whatever you are concerned about, get the questions to Jill so that we can assemble them all and we will have answer to those questions incorporated in the presentation and it will be an opportunity to hand in questions there too, so that will be the first on May 6<sup>th</sup>,

Eileen Fausey: May 6<sup>th</sup>, I thought it was June 4<sup>th</sup>.

Steve Barry: May 6<sup>th</sup>, May 6<sup>th</sup> at 7:00 PM is the first one and also on June 4<sup>th</sup>, that is the 2<sup>nd</sup> one that we have scheduled, hopefully at the same location. I am working with the fire department now to use their hall cause their hall holds over 300 people. What we are going to do is have a very short presentation by our planner then we hope to break up into groups so that we can have citizen's suggestions on how to deal with these issues. That is more of a visioning enterprise in terms of how do we address these issues and we will probably have a couple of more, but we only have those 2 scheduled for now and that is May 6<sup>th</sup> and June 4<sup>th</sup> at 7:00 PM and we anticipate at the Rio Grande Fire Department and the questions that you would have for May 6<sup>th</sup>, please send them to Jill Zarharchuck whose email address is [mtgrants@middletownship.com](mailto:mtgrants@middletownship.com).

Eileen Fausey: Are both the meetings the same meetings or are they going to be 2 different.

Steve Barry: Two different. The first will be a presentation. Hopefully everybody has done their assigned reading from our last meeting, if not you will have until May 6<sup>th</sup> to read the article I gave you. Unfortunately that article is not available on line. You have to go read it because it is copyrighted. But I am sure that and individualized concerns you have will lead to many questions and if you would, fire them off to [mtgrants@middletownship.com](mailto:mtgrants@middletownship.com) and that will be an informational session.

Eileen Fausey: The first or the second.

Steve Barry: The first will be informational. Informational first, Vision second.

Madelyn Filipski: My understanding is, and first off thank you for having those, there is such a lot of interest in the community and I think that it is really good that you are providing this opportunity, but my understanding is that we have to have comments to COAH about the Fair Housing Plan that was submitted by the 23<sup>rd</sup>. So I am wondering, it sounds like what you are providing is just the thing that we need to respond by the 23<sup>rd</sup>, and I am wondering if you have any thoughts about it because has there been an extension by COAH....

Steve Barry: No, and any concerns or questions you may have certainly shoot them off to COAH. Now most of the comments, and I am not sure how many there are, were not copied to the Township, we only have Ms. Fausey's, so it is really impossible for us to address comments with which we weren't copied. But we have very, very alerted experience council and I think it will be very helpful for everybody to get a history and a background and an explanation of Mt. Laurel generally, COAH generally and Middle Township's special situation. This is something that has been going on for decades and will probably continue to go on for decades. We are in a mighty muddy fast moving river, so yes absolutely get your comments in but we are looking for a really long term involvement here sadly.

Eileen Fausey: Just to answer that question, when I spoke with people in Trenton, they did say that even after the date of response the Committee can amend their plan at any time.

Steve Barry: Absolutely, right, now the amendment process is really just like the initial process. It goes through all the same steps, but we certainly will be looking at the....we are looking at and have always been looking at that so we continue to look at the question of how to better amend the plan.

Mayor Doughty: Lisa, step forward. Lisa will tell you about the summer camp.

Lisa Kobercoski: I am currently a teacher at Margaret Mace School. I teach Pre-K, I also teach gymnastics at Wildwood Rec Department, I have worked with the Crest Pier Summer Camp for about 5 years, I was also the Assistant Director to Parks and Recreation in Fairfield, Ct. and in that community I ran their summer camp for 1 summer before moving back to the area. I have been involved with summer camps for a number of years and my current position also fits into the realm of what kids should be doing in a summer camp.

Mayor Doughty: Thank you very much. We are quite honored to have her aboard. By the way, this summer camp will be self-sustaining. We are proposing roughly 60 children to come into the summer camp and we will make it self sustained. In other words, there will be nothing going out of the Township, she will be selecting people to work with her and we are very fortunate to have her with us.

Steve Barry: I have one last thing on COAH. Another place to look apart from that New Jersey Practice article that I gave you the site to is Proposed Senate Bill 2524 and there is a companion Assembly Bill that is identical, but you can just go to Senator VanDrew's website and get a copy of it. What it does is try to clean up some of the uglier clichés in the bill. You might get some ideas from that for your questions.

Eileen Fausey: Can we discuss anything on the budget today.

Mark Mallett: I thought we were just going to wait until the hearing to continue that conversation. I have your email and we are going to try and put together....

Eileen Fausey: Is the hearing going to be the same day the votes are accepted or not accepted?

Mark Mallett: On May 4<sup>th</sup>, I believe.

Eileen Fausey: So we will have the hearing the same day the budget is presented...

Steve Barry: Any point you want to raise now or in the interim, just raise it.

Mark Mallett: You can certainly stop in and meet with us.

Jim Pickering: You are welcome to ask questions...whether we have the answers tonight is a different issue, but you are welcome to ask questions.

Eileen Fausey: I had noticed at one of the presentations you gave you gave this year's tax increase and last years, and then 2007, which is just a flat line, I think you referred to it as baseline or something.

Mark Mallett: Yes it was baseline because we had the reval so looking at it the way I was it didn't make a lot of sense, but I know you shot me an email to go back 5 years and I was going to take a look at that.

Eileen Fausey: I talked to a number of people about that and they said that is kind of a normal thing to do and I know everybody has reval, but I think that the way it was presented was just 2 years and it is just my own opinion that it gives an erroneous feeling that our taxes have not gone up too much and I think that most residents in Middle Township don't really feel that way.

Mark Mallett: One of your comments in your email was that you believe going back 5 years is going to be an indication of where we are going forward and I think that is something that is very difficult to say where we are going to be going forward because going back 5 years, let's face it, it was a different world than where we are today, I think they should take a look at the economy. So, while we can do that, I know your comment was do you think it is going to be a good way to look to the future, I am not sure if that is especially true, but I think it is important to take a look at.

Eileen Fausey: At any rate since you brought up the barriers on the parkway, I know that is a State road, correct?

Mayor Doughty: That is correct.

Eileen Fausey: I have been asking you to look into the crosswalk on Route 9 from the Court House....good way to really hurt yourself if you want to.

Chief Evangelista: There is one crosswalk that is right in front of the court and we have signs there and then there is a crosswalk at the corner. So I don't know what it is that you are.....

Eileen Fausey: Well what I am looking for is, I have been in other places where people really take the crosswalk seriously and I just know that it is an extremely dangerous thing. I have been in the clerk's office and heard people saying how terrible it was crossing the street today, they can't see you the way the parking is and you have to basically step in front of a car to even be seen the way the parking is in front of the court house and across the street and I know that people were killed on the parkway and I would just hate to think that somebody is going to get hurt because there is this line, state road, county road, middle township road; what difference does it make if one of our people or one of our visitors get killed. I mean then you can ok to put something a little better there; then it is beside the point because it is too late for that family. I was just saying that it would be nice if Middle Township would be proactive on.....

Mayor Doughty: Let me put it this way, I have been very proactive on this, I was the one that got the crosswalk put there, the State came and put that in and that was the extent of what they had. I have been in contact with the county, the county buildings of the people and tried to get the sheriff's department out there, they have a lot of people working in the sheriff's department and they don't want to do it. They are protecting the state and the county workers.

Eileen Fausey: Right, exactly and Middle Township people you know, just because you are not going to the court house doesn't mean you won't think that crossroad is safe and people have actually hit that sign, I don't think that little sign there is much of a deterrent.

Mayor Doughty: I think probably the best way to look at this is probably go to a Freeholder meeting and make them aware of what is going on in their community.

Eileen Fausey: They don't like seeing me anymore than you do.

Mayor Doughty: I didn't say I didn't like seeing you, I'm just calling a spade a spade.

Chief Evangelista: They put that crosswalk there for people's convenience and in actuality people are so lazy, all you have to do is walk to the corner and cross at the light.

Eileen Fausey: That is what I am saying. Get rid of the crosswalk.

Chief Evangelista: Well that are not going to do that because they are trying to encourage the people to park in that parking lot .....

Mayor Doughty: The Napoleon lot.

Chief Evangelista: Yes and they cross in the middle of the street, not even in the crosswalk.

Mayor Doughty: Wherever they park their car they walk across, correct.

Vince Orlando: Understand one thing, we cannot put any signage or do any delineation because it is a state highway.

Eileen Fausey: I agree, but we could be proactive.

Vince Orlando: Ok, give me a second. That is the maximum state standards of what they do. If you look at any state highway in any community, that is their design, it is that signage and that crosswalk, they don't do anything else. So if it is not there, I mean we can lobby to not put it there but didn't lobby to put it there, it was, as you indicated, was the county so that is their standard. So there is nothing that we can do, to say OK put flashing lights, make a bigger sign, do a better crosswalk delineation, that is the specification that the State of New Jersey uses.

Eileen Fausey: Ok, then on the same hand we are talking about changing COAH, which is a state thing.

Vince Orlando: That is apples and oranges, the State DOT, I deal with them on a constant basis. The best place to start is with Senator Van Drew and see if he can change the standards.

Eileen Fausey: Been there, done that.

Vince Orlando: I understand the comment, the Mayor has asked me to look at this, there is nothing that we can do to change that standard.

Mayor Doughty: Call the Sheriff's Department.

Eileen Fausey: I have called them. I have called everyone I can think of. So, I won't bring it up again....obviously everyone is impotent.

Bernice Bronsen: It's about the boulder, I was concerned, even though people are donating all of this, would we be insured for that in case something would happen, because we don't want to be sued. I mean a lot of people might donate for something and thinking one thing and.....

Mayor Doughty: Bernice, this is well under control, this is why we have different people insuring things, it will be done properly, you are in Middle Township, a child friendly community.

Bernice Bronsen: Ok, another I have to say about the emergency care, like the ambulance, I understand that we have to pay \$300 or \$400 a trip, would that be for every trip a person makes.

Mayor Doughty: If you have insurance you don't have to worry about it. That is what the insurance carrier is all about.

Bernice Bronson: I know years ago the Township was paying everything and the visitor wasn't paying anything and I am just saying because you have seniors that go maybe once or twice and each time they have to make that payment.

Steve Barry: The numbers you are talking about are for out of town people who don't provide their insurance information or probably don't have it. For people who have Medicare, Medicaid, Blue Cross Blue Shield, AmeriCare, whatever it is they have, that company is billed and whatever they pay is acceptable, so it really is not a practical issue and for local people who are not covered, that is don't have the insurance coverage, we will waive it if they are not in a position to pay, so it hasn't been an issue.

Bernice Bronson: Ok, I was thinking about the price and when I went to a meeting and they were saying the price, I am saying Oh my God, how many times a person may have to go and each trip they would have to make that payment.

Steve Barry: I just took a long trip and you know how you wind up in these crazy discussions, I had an argument with my wife, she claimed we had taken our son to the emergency room 12 times and I claimed it was 22, and we finally compromised on 19, so I still think it was 22, he went twice on his own in the ambulance, but I can relate. All insurance companies, Medicare and Medicaid all pay for ambulance rides and they will pay for this so it is very, very seldom a practical problem.

Bernice Bronson: About the sewer that is being done in Whitesboro, have the people been notified of the amount of money they will have to pay for the sewer.....the connection and everything.

Mayor Doughty: No.

Jim Pickering: Actually Mayor, I believe that Ms. Meers has probably sent a letter out to everyone there as to what their obligations are. I believe there is also a grant program to pay for connection fees if people are eligible for that.

Mayor Doughty: Right, there is a grant program that they can work on that.

Steve Barry: This is going to be a great thing for smaller lots with failed septic systems or lots that are really too small to get a septic system that are now buildable so it is going to be a very positive thing. That fee is nothing compared to putting in a septic system.

Bernice Bronson: I heard it is about \$900 to hook up.

Steve Barry: A septic system is more like \$20,000.

Bernice Bronson: \$20,000 is what, to put the system in.

Mayor Doughty: Well, we have an engineer here.

Vince Orlando: With the construction of a septic?

Bernice Bronson: You have the pipes and stuff there in Whitesboro and I was wondering what the people was informed of.....

Mayor Doughty: Excuse me, I think what Steve was saying is what it cost to construct a septic system as of today.

Vince Orlando: It is between \$20,000 and \$25,000.

Steve Barry: Verses a hook up fee, and a lot of those lots are not big enough to get a permit to put a septic system on, so there is not just the cost but the creation of a buildable piece of land.

Bernice Bronson: What are those lots, about 25'....

Jim Pickering: The way the CAFRA permit reads is that there are certain homes that are existing that can be hooked up. Then there are a number of vacant lots which are specifically identified in the CAFRA permit for which there would be another step required before they would be able to hook up. Just because the sewer is there doesn't mean that all that vacant land is going to be developed. The CAFRA permit does not allow that as it is currently written. I know that I have a meeting sometime in the next month or so at the DEP to go over some of those implementation issues with the sewer department and our sewer engineer.

Mayor Doughty: May 5<sup>th</sup> to be exact.

Madelyn Filipski: I wanted to address the Whitesboro issue because several of us went to the Concerned Citizens of Whitesboro last month with a variety of issues and one of the issues was the fact that after we were looking at the trouble that the residents of Lower Township were having hooking up to their new sewer system and it was \$1500 per household plus whatever plumbing fees, that we wanted to encourage the citizens of Whitesboro to start planning ahead and see how we could all help each other out in that circumstance and please correct me Eileen if I am getting the wrong impression, they are under the impression, at least the people that were in that room, that the town is taking care of this and that they would have no further expenses. Is that the impression that you got?

Eileen Fausey: I think that if they didn't think that, they hadn't thought about it at all about spending any money, they were just getting sewers, period.

Madelyn Filipski: Yes, they were very sure, they seemed very sure that they didn't have to worry about any of that like Lower Township, that you would be taking care of them. So what I would suggest, just for the sake of harmony, somebody better get over there and inform them of more than a post card in the mail of some speculation about what they might be charged.

Mayor Doughty: I think this is quite a few sewer systems that we have hooked up in Middle, please don't categorize us with Lower Township, we are not Lower Township, don't misunderstand me....

Steve Barry: It's a fine place...

Mayor Doughty: Yes, but it is not Middle. There will be many meetings held and it will all work out. This is the number we have gone through with different sewer and water hookups and it has all worked out.

Madelyn Filipski: My next question is about the legal requirements of budget presentations to the public because the budget has not been presented to the public at a Committee meeting. The first meeting it was presented at I believe was the 30<sup>th</sup> and that was billed as a Work Session on the Website and when I called about it to the Clerk's office I was told it was a Work Session, it was not a Committee meeting, so you have given out a budget on the 30<sup>th</sup> in a Work Session in 5 minutes with no discussion, you have had it again at a Work Session...

Kim Tomkinson: No....

Madelyn Filipski: Well, I went back to the website to see if I could download those and you have already removed the spot where it said Work Session...

Kim Tomkinson: Alright, I will explain it to you real quick. There was a special meeting where they introduced the budget, but they did it by resolution, which is what the law stipulates. They also had a Work Session thereafter where they....

Tracey Taverner: Kim, can I also just mention they did an Introduction by Title Only, which is perfectly legal, we then still have to have a public hearing...

Madelyn Filipski: On what date?

Kimberly Tomkinson: Which will be May 4<sup>th</sup>.

Madelyn Filipski: No, on what date did you have the Introduction by Title Only?

Kimberly Tomkinson: It was a special meeting...

Tracey Taverner: What date was the special meeting, do you remember off the top of your head?

Steve Barry: March 3<sup>rd</sup>, wasn't it!

Kimberly Tomkinson: Correct, March 3<sup>rd</sup>.

Madelyn Filipski: This special meeting was entitled a Work Session....

Kimberly Tomkinson: No it was not, absolutely not.

Madelyn Filipski: It absolutely was because if you...

Kimberly Tomkinson: If you want to come in tomorrow, see I wish you guys would....if you would call me I can go over these things with you and we can clarify them prior to coming here and then making a big announcement about....

Madelyn Filipski: I did call...

Kimberly Tomkinson: Did you speak with me?

Madelyn Filipski: I don't know if I spoke with you.....

Kimberly Tomkinson: There is only one person in my office and that is me.

Madelyn Filipski: I called here and I asked specifically, you have this on your website as a Work Session, is it a Work Session and I was told yes. That is not a Committee meeting.

Kim Tomkinson: I will take a look at the agenda meetings, but it was a, and it was advertised, as a special meeting.

Madelyn Filipski: I understand that, and I also understood that it was read in the meeting as a meeting, but it was advertised as a Work Session.

Kimberly Tomkinson: I don't believe that is correct. It was definitely not advertised as a Work Session, it was definitely advertised as a special meeting and I do not believe that it was put on the Web Site, but we will discuss this with Mrs. Russ because when I give her the agenda it is labeled at the top of the agenda, Special Meeting. The

Work Session agenda, which you see on the right hand side where it says Work Session Agenda. The agenda that was placed on that website said Special Meeting, so I don't know what you were reading....

Tracey Taverner: We never adopted that resolution....

Kim Tomkinson: Correct, there is no formal action taken at a Work Session....

Madelyn Filipski: That is why I called because I thought that it was inappropriate to do that to introduce it.

Kim Tomkinson: OK, this is the procedure that took place. It was introduced at a special meeting,

Madelyn Filipski: We would like to check it if we could because....

Kim Tomkinson: Absolutely, I am at work 8:30 to 4:00 on Monday through Friday and you are well aware that you can come in at any time. By having to come here and me not having the documents to show you, I am at work Monday through Friday.

Madelyn Filipski: Here is how I view it. I believe it was put as a Work Session and that will get resolved. What, 3 or 4 or 5 people were at the meeting and you held a discussion of that budget at another Work Session and didn't give out any budgets, so the only thing

Tracey Taverner: Budgets were available at the Work Session, I had them down here. I actually ran upstairs and took them upstairs and I believe, Mark didn't you come up because you needed more brought back down....

Mark Mallett: Yes, we brought them back down...

Madelyn Filipski: Are you speaking of the 1 or 2 budgets we had in the audience that day because.....

Kim Tomkinson: I don't believe you were here Ms. Filipski, that day.

Eileen Fausey: I was here and there were a certain amount there .....

Kim Tomkinson: Right and then Mark went upstairs and got more from Tracey.

Eileen Fausey: I have to say that I had to give mine away, I didn't even have one and people have been telling me that...

Kim Tomkinson: But they are always available in the Treasurer's office, you can always call and we can always mail them.

Eileen Fausey: It really would be a nice service to the people if you would have enough....

Madelyn Filipski: And also it give the people a chance to discuss the budget prior to the vote because now you are saying we have to have discussion, but, so there is no opportunity for the people that are going to be voting on that budget to maybe amend it....

Kim Tomkinson: Well, there is always opportunity to amend, just because you are going to have a budget hearing at the next meeting, which is the 4<sup>th</sup>, but there is always opportunity to amend, it is not just because it is placed on there they have to adopt that night. State Statute indicates that we have to have a public hearing, which we will on the 4<sup>th</sup>.

Madelyn Filipski: Being thoughtful though, you want to sit down and have the opportunity to spend some time on it and have some opportunity for perhaps these gentlemen to think about what they are doing, not just that evening and then vote on it.

Kim Tomkinson: Ok, let me just explain this outline one more time to you ok and its not that they were just given to them just recently and they have to adopt it within the next week or so. We introduced it on the 30<sup>th</sup>, then they had a Work Session in which they went over a little bit more at the Work Session and they were made available, they are also made available in the Treasurer's office from the time they were introduced to the time it is going to be adopted. Even though you might not be able to make here 8:30 to 4:00, like I said you can always call and they will always mail you a copy. Then they are going to have a public hearing on May 4<sup>th</sup>, at which time they can decide to adopt the budget, so it is not like they weren't given an opportunity to review it, nor were you.

Tracey Taverner: And also prior to the introduction, Mark and I spent how many work sessions going over revenues alone, capital alone, expenditures alone.

Steve Barry: I have had numerous meetings with Tracey, with Mark and with Glen Ortman before any budget was ever finalized.

Kim Tomkinson: So to say that we didn't follow procedure is not correct. And like I said, I wish that you could contact me prior to and you know that I am always willing to help you guys, so.....

Madelyn Filipski: Yes, you have always been helpful, but in discussing the budget what you did was prevent a fete of complete, and what we had asked for last year and you weren't here then Mr. Mallett so you would not understand this, we had asked for a complete breakdown for all the departments so we could all sit here and look at the budget and discuss where could we put money, what is working, what is not working, what can we take out of it, and that has never happened. I did email you and ask to see this evening, for instance a list of all the vehicles that we own and when they were purchased and what kind .....

Mark Mallett: I apologize, but I was on holiday all last week...

Tracey Taverner: I also received the email but I was also out last week.

Madelyn Filipski: Ok, I understand but from my perspective we asked for this last spring and I frequently get people who come up to me and say "oh my God, they've got 37 cars parking at the building and they never move and what are we paying taxes on, so from the perspective of the person that kind of speaks out at meetings and somebody that might say something, I get badgered with these questions. What are they doing with the money in the rec department? I don't know. When I ask for the rec budget, what I see was \$53,000 worth of expenditures and \$109,000 on the budget and I see nothing for Whitesboro, so I don't see the things that I am kind of looking for and that would be how much money are we putting in the baseball department, how much do we get back from fees, is this the amount we want to pay, are we paying enough, maybe we need to put more in there....maybe we need to put less.

Tracey Taverner: All of that information is available in my General Ledger. I know you did come in and you did start to look at some of the stuff, you never got a chance to come back so you and I never had a chance to discuss it because you didn't come back. I have also,..there have been a lot of questions that you have asked me, but you always ask me here and I think what Kim is saying is I can answer these questions very easily in my office, I am not a walking encyclopedia, I don't remember everything, I have called you numerous times on Hockey Rink Bond Ordinance and I even left you my cell phone number saying look Madelyn call me in the evening, I don't care when.....

Madelyn Filipski: And I think at the last meeting we said when you come back from vacation that the 3 of us were going to sit down and meet with you and do that. So I think we have made a commitment with you and we will do that.

Tracey Taverner: If you would just give us a call, it is a lot easier for us to print out reports and show you while sitting at our desk as opposed to me bringing down what I think you might be looking for and I find out it is not what you are looking for.

Madelyn Filipski: Ok, what I am looking for is a list of all the vehicles the Township owns and their mileage and all that and I am looking for the complete expenditure for the legal department, and I am looking from the start of the Ravitz case, all the legal expenses with that and I really want to know at what point and time the Township was told that they could just stop this lawsuit by rescinding that ordinance, because I think that makes a difference in how much money was spent to that lawfirm. So, I am asking you for that information, I had hoped you'd do it this evening, I understand everyone went on vacation and I appreciate that and I hope that at some date before the voting on the budget we can have the answers. Thank you. Oh, and I do want to say that you can like your town and love your town and not have the money to donate somewhere. Just because a person or an organization is well of enough to be able to donate the money to put bricks in front of some place, and another person doesn't, doesn't mean they don't care about their organization and you need to be scouting pennies and we wouldn't be.

Eileen Fausey: I just want to ask Kim a question. You said something that kind of aroused my curiosity. The night that we have the hearing we don't have to pass the budget that night?

Kim Tomkinson: If you read the State Statute it indicates that the municipality is required to introduce the budget and it says that you can introduce by title only as long as a synopsis is published, which we have done. You are also required to have a public hearing and you are also required to adopt via resolution as well.

Eileen Fausey: You have to have the hearing and the resolution the same .....

Kim Tomkinson: I didn't say that. What I said is you are required to have a public hearing and you are also required to adopt via a resolution. In our synopsis we are required to indicate when we are going to have our public hearing, which we have done.

Eileen Fausey: So they don't necessarily have to pass the budget that night?

Jim Pickering: I know we went through this last year and I think we had a half hour discussion about it last year at the budget meeting and

Eileen Fausey: Well we did but it is like do we have to do it right now

Kim Tomkinson: There is a timeline that we are permitted through the State that we have to get this all done, that we have to adopt within a certain time frame, we have to introduce within a certain time frame. We can't just keep continuing public hearing, after public hearing, after public hearing...

Tracey Taverner: and even despite the time frame that is statutorily, we also have the issue of the delay in adopting the budget delays sending out the tax bills, which cuts out our cash flow and we actually run into a cash flow crisis and that happened a few years ago when the county delayed in adopting, we were required to turn over all tax monies to the county, yet we weren't collecting any because the county hadn't adopted their budget. There are a lot of different factors.

Eileen Fausey: I know, the state hasn't always adopted exactly on the date that they were supposed to, so what I am saying is if people have questions and we only have one public hearing,,

Kim Tomkinson: It is not so much that you have one public hearing, from the time that they introduced the budget, to the time they adopt the budget, you have time to present any questions that you might possibly have.

Eileen Fausey: I appreciate the fact that we can ask questions, but it doesn't seem like it really matters.

**MOTION TO ADJOURN THE MEETING:**

Meeting adjourned: 5:24

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Kimberly Tomkinson, Twp. Clerk

Prepared by D. Stimmel, Deputy Clerk