

DOWNE TOWNSHIP COMMITTEE
REGULAR MEETING HELD ON
MAY 11, 2020 AT 7:00 P.M. VIA TELECONFERENCE

The Downe Township Committee met in the Meeting Room and via Teleconference at the Municipal Complex on Monday, May 11, 2020 at 7:00p.m. Mayor Robert G. Campbell presided. Committee members present at Township Complex were Michael Rothman (Deputy Mayor), and Steve Burt. Committeemen participating via teleconference include Stephen Byrne, and Edward Bart. Municipal Solicitor, John Carr, was also present.

Due to error with recording, this portion was prepared from meeting notes taken.

CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE / STATEMENT REGARDING COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Mayor Campbell called the meeting to order; led the Pledge of Allegiance and read the Open Public Meetings Act Statement.

ROLL CALL

Present – Bart, Burt, Byrne, Rothman and Campbell

Absent - 0

SOLICITOR'S REPORT

Solicitor Carr presented his report which consisted of information and updates on the following matters: Ordinance consideration regarding future uniform street vacation requests related to the Fortescue Sewer project. At this point the recording resumes. notice received regarding Comcast Franchise Agreement renewal, receipt of a proposal related to the Landfill solar project proposal from a Law Firm interested in working with Township on this project, a mortgage modification agreement relative to Block 48 Lot 16 where a discrepancy was found in the amount extended versus the amount appearing in the recorded mortgage documents, and there is communication related to the purchase of Lake Acres. There is an ordinance on the agenda related to a street vacation relative to the Fortescue Sewer project.

DEPARTMENTAL REPORTS

Mayor Campbell read the Zoning Office, Chief Finance Officer and Tax Collector Reports. The Township Committee acknowledged the receipt of the following report:

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|-------------------------|-------------------------|
| • Zoning Officer | March 2020 |
| • Chief Finance Officer | February and March 2020 |
| • Tax Collector | February and March 2020 |

PUBLIC HEARING

Ordinance 2020-9 – Calendar Year 2020 Model Ordinance to Exceed the Municipal Budget Appropriation Limits and To Establish A Cap Bank (N.J.S.A. 40A:4-45:14)

Motion was made by Rothman and seconded by Burt to open the Public Hearing for Ordinance 2020-9.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell

Nay – 0

Vote: All in favor

Kary Wilson of Newport asked if this is supposed to be published in the newspaper as a public notice. Ms. Lockley answered yes it was published. Kary Wilson stated she did not see it in the newspaper. Miss. Lockley stated the ad appeared the May 1, 2020 edition of the Daily Journal. All of the ordinances on tonight's agenda were published May 1, 2020. Mrs. Wilson asked is they were published all together, collectively and under one heading. Miss Lockley stated there was one ad that listed Ordinances 2020-7, 2020-8 and 2020-9 and there was a second ad that listed the budget announcement. Ms. Wilson asked if they were display ads and not actually public notice ads. She refers to the public notice section of the newspaper online because she is not a subscriber of the newspaper. It did not appear in the public notice section of the newspaper.

There being no further comments from the public, a motion was made by Burt and seconded by Bart to close the Public Hearing for Ordinance 2020-9.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell

Nay – 0

Vote: All in favor

FINAL ADOPTION

Ordinance 2020-9 – Calendar Year 2020 Model Ordinance to Exceed the Municipal Budget Appropriation Limits and To Establish A Cap Bank (N.J.S.A. 40A:4-45:14).

Motion was made by Burt and seconded by Rothman to adopt Ordinance 2020-9.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell

Nay – 0

Vote: All in favor

PUBLIC HEARING

2020 Annual Budget

Motion was made by Bart and seconded by Burt to open the Public Hearing for Ordinance 2020-9.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell

Nay – 0

Vote: All in favor

Kary Wilson of Newport asked if there is a location where the budget can be reviewed on the website prior to adoption. Miss Lockley stated it is on the website under Finance titled 2020 Introduced Budget. Mrs. Wilson stated no one would have a way of knowing that, thank you.

Mayor Campbell stated this is the Public Hearing for the budget. There will not be another public hearing where comments can be made. At the next meeting, the budget will be put up for a vote for final adoption.

There being no further comments from the public, a motion was made by Rothman and seconded by Bart to close the Public Hearing for the 2020 Annual Budget.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0
Vote: All in favor

RESOLUTION:

R-51-2020 – Introduction to Amendment #1 to the 2020 Annual Budget.

Mayor Campbell stated there will be a public hearing on this resolution at next months meeting. This amendment will insert an additional \$135,921.00 into the budget. This is revenue we did not anticipate from the State in which we are receiving these funds from pilot funding program.

Mayor Campbell called for a motion to introduce R-51-2020. Motion was made by Rothman and seconded by Burt.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0
Vote: All in favor

RESOLUTIONS

- R-55-2020 *Authorizing the Payment of Bills*
- R-56-2020 *Approval to Submit a Grant Application LAIF-Downe Township-00050 and Execute Grant Agreement with the New Jersey Department of Transportation*
- R-57-2020 *Resolution Authorizing the Township of Downe to Submit an Application for a Rural Business Development Grant to the United States Department of Agriculture for the Delaware Bayshore Science and Research Center*
- R-58-2020 *Approval to Submit a Municipal Aid Grant Application MA-2021-Downe Township-00017 and Execute Grant Agreement with the New Jersey Department of Transportation*
- R-59-2020 *Authorizing Purchase from New Jersey State Contract Vendor for One (1) BC1200SL-12" Brush Chipper with Gas Engine (Vermeer North Atlantic Sales)*
- R-60-2020 *Resolution of Acceptance of Equipment Delivery and Authorizing Final Payment – Brush Chipper*
- R-61-2020 *Resolution Authorizing the Appointment of the Historic Preservation Advisory Commission*

A motion was made by Bart and seconded by Rothman to adopt Resolution No. R-55-2020 *Authorizing the Payment of Bills* in the total amount of \$654,111.97.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0

Vote: All in favor

A motion was made by Burt and seconded by Rothman to adopt Resolution No. R-56-2020 through R-58-2020.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0

Vote: All in favor

A motion was made by Byrne and seconded by Bart to adopt Resolution No. R-59-2020.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0

Vote: All in favor

A motion was made by Byrne and seconded by Bart to adopt Resolution No. R-60-2020.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0

Vote: All in favor

A motion was made by Rothman and seconded by Burt to adopt Resolution No. R-61-2020.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0

Vote: All in favor

PUBLIC HEARING

Bond Ordinance 2020-7 Bond Ordinance Appropriating Fifteen Million One Hundred Forty-One Thousand Dollars (\$15,141,000) and Authorizing the Issuance of Up to Fifteen Million One Hundred Forty-One Thousand Dollars (\$15,141,000) Aggregate Principal Amount General Obligation Bonds or Notes of the Township of Downe, County of Cumberland, New Jersey for the Construction of a New Wastewater Treatment Facility to Serve the Fortescue and Gandy's Beach Sections of the Township

Motion was made by Rothman and seconded by Bart to open the Public Hearing for Ordinance 2020-7.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0

Vote: All in favor

Patty Allen of 118 Garrison Avenue in Fortescue asked where the sewer would be located. Mayor Campbell stated the sewer plant will be located behind Pennsylvania Avenue. It is a big open space and the area was once used for boat storage. Ms. Allen stated the property does not belong to the State or the Township, are we purchasing the property. Mayor Campbell answered the Township has purchased the property. Ms. Allen asked what funds have been obtained for the project. Mayor Campbell stated the estimated cost of the project is \$15M. We have \$9.5M in fund from grant funding. Ms. Allen asked how many homes this project will service. Mayor Campbell answered

between Gandy's Beach and Fortescue about 450 homes. Ms. Allen commented that is a large amount for the number of properties. Mr. Bart commented we either install the sewer or our residents will lose their homes. Mayor Campbell stated the concern for the residents should be the monthly fee for your sewer. Based on what we have now those fees will be between \$80-\$100 a month sewer bill. The more money we get in grant funding the lower the fee will be. We are continuously looking for additional grant funding. This project will benefit us all and eliminate the need to deal with the health department. Our home values will stabilize and hopefully go up. As Mr. Bart said, if we don't do this, the county health department and future storms will put all three beaches out of business. Mayor Campbell stated we have been working on this project for almost 8 years. The Engineers have just sent all the applications and fees to the State for their approval of the project. We are long to go out to bid and into construction by this fall. Ms. Allen asked if someone has just bought a home and installed a new sewer will they have to hook up. Mayor Campbell stated everyone must hook up. Mayor Campbell stated we have been working with the health department regarding new purchaser being allowed a waiver for the septic systems.

Kary Wilson of Newport commented the bond is broken down to cover grants and loans that are associated with the \$15M. There is also roughly \$2M that is designated to pay for interest, bonds, underwriting fees, and legal fees. Do you have an idea of what the interest will be for the bond, the grants and the loan? Mayor Campbell stated we have used professionals to do all of the calculating. Mayor Campbell asked Joel Fleishman, our Bond Council, to jump in to answer the questions. Mr. Fleishman answered there is no interest on a grant, they are interest free. Grants are like a loan, but you do not have to pay it back so there is no interest. We must distinguish what is a grant and what is a loan. In reference to grants, your Mayor and Committee has done a phenomenal job at getting 2/3 of this project covered by grants between the DEP and the USDA. We really do not know today what the interest rates will be. We used an assumed rate of about 2.375% as a rate on the USDA portion of the loan, about \$1.5M and that is the smaller loan. The other loan is the I-Bank loan which is about \$4M and we used a 1.5% interest rate. Half of the loan is interest free and the other half is at market rate. Mrs. Wilson asked if the loans are used first before the grants. Mr. Fleishman stated we will structure this, so the bulk is coming out with as low of an interest rate possible. Mrs. Wilson stated the township has received grants from other entities that required bonding. Mrs. Wilson asked if there are any unexpected fees that will have to be covered. Mr. Fleishman stated we have all looked at this amount and feel very comfortable that the \$1.9M will cover everything. The largest portion of that amount is the engineering fees. The project construction estimate is be about \$12M-\$13M.

Mrs. Wilson asked if the construction costs include the hookup costs for the resident and the cost to run the batch plant. Mr. Fleishman stated the monthly fee for the residents is as stated by the Mayor to be around \$80-\$100. The operation and maintenance cost are included in that estimated monthly fee. Mrs. Wilson asked if last bond ordinance the township approved for about \$1.9M is included in this bond. Mayor Campbell answered yes. Mrs. Wilson asked if the property purchase amount of \$250,000 is included in this bond. Mr. Fleishman answered yes this was a bond ordinance to appropriate the money to purchase the property. Mrs. Wilson stated the township has a grant for Delaware

Avenue and New Jersey Avenue and there is approximately \$117,000 match and a \$125,000 match are these amounts included in this bond also. Mayor Campbell stated there are not matches to these grants. Both grants are from NJDOT which are 100% grants. These paving grants are being held until the sewer contract is done. We are also writing a grant to re-pave all of the roads in Fortescue after the construction is complete.

There being no further comments a motion was made by Rothman and seconded by Burt to close the Public Hearing for Ordinance 2020-7.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0
Vote: All in favor

FINAL ADOPTION

Bond Ordinance 2020-7 Bond Ordinance Appropriating Fifteen Million One Hundred Forty-One Thousand Dollars (\$15,141,000) and Authorizing the Issuance of Up to Fifteen Million One Hundred Forty-One Thousand Dollars (\$15,141,000) Aggregate Principal Amount General Obligation Bonds or Notes of the Township of Downe, County of Cumberland, New Jersey for the Construction of a New Wastewater Treatment Facility to Serve the Fortescue and Gandy's Beach Sections of the Township

Motion was made by Rothman and seconded by Burt to adopt Bond Ordinance 2020-7.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0
Vote: All in favor

PUBLIC HEARING

Ordinance 2020-8 An Ordinance Providing for the Vacation of a Portion of a Certain Street Known as Bridgeton Avenue Being a Right-of-Way Situate in Fortescue in Downe Township, Cumberland County, New Jersey

Motion was made by Byrne and seconded by Rothman to open the Public Hearing for Ordinance 2020-8.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0
Vote: All in favor

Kary Wilson of Newport asked if this is for access to the sewer plant. Mayor Campbell stated there will be no activity from Bridgeton Avenue to the sewer plant. The plant access will be from Pennsylvania Avenue.

There being no further comments a motion was made by Burt and seconded by Rothman to close the Public Hearing for Ordinance 2020-8.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0
Vote: All in favor

FINAL ADOPTION

Ordinance 2020-8 *An Ordinance Providing for the Vacation of a Portion of a Certain Street Known as Bridgeton Avenue Being a Right-of-Way Situate in Fortescue in Downe Township, Cumberland County, New Jersey*

Motion was made by Rothman and seconded by Burt to adopt Ordinance 2020-8.
Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0
Vote: All in favor

COMMITTEE REPORTS

Mayor Campbell reported all applications have been sent to the NJDEP and there has been correspondence back and forth between the engineers and NJDEP since the submittal. They were expecting the application and we are hope they are all ready to expedite while we are all on Covid-19 lockdown. We are looking for approvals by mid-year, out to bid by fall and hopefully award a contract for construction by the end of the year with construction next year. On the beachfronts the Army Corp has approved the feasibility engineering study for the beaches in Gandy's and Fortescue to bring the sand in from the Delaware River Channel dredging to our beaches and they are also talking about some sand for Cape May which is a 2022 project. They are proposing the installation of a 150 foot rock jetty at the north end of Cove Road and proposing to extend the jetty in Fortescue about 100 foot and repair the existing. These projects are in the works.

Deputy Mayor Rothman stated this is a very difficult time for everyone right now. Please continue to stay safe.

Mr. Bart stated he has nothing to report at this time.

Mr. Byrne stated we had a really nice spring season of music set up for the Union Hall but everything had to be cancelled. The good news is everyone plans to reschedule in the fall.

Mr. Burt thanked everyone in Downe for social distancing, we have one of the lowest counts of positive cases in the county. Continued to do what you have been doing because it is working.

PUBLIC COMMENT

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

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0

Vote: All in favor

Kary Wilson of Newport asked what were the repairs that were done on Union Hall. Mr. Byrne stated the pipes were wrapped for the winter to avoid shutting off the water. Mr.

Bart continued that the bell tower and roof have been fixed. The hall can now be used in the winter months. We are looking at air conditioning the site and some other fixes so the hall can be used year around. We are looking into grant money for update the facility.

Mrs. Wilson stated there was a general announcement made regarding a grace period for property tax payments, will this township be implementing this grace period. Mayor Campbell stated the announcement stated that each municipality could extend a grace period until June. The Downe Township tax collector decided we will not use the extension.

Mrs. Wilson stated the engineer from Mott MacDonald stated all permits for the sewer project would be noticed in the newspaper do you have any information about that. Mayor Campbell stated they were sent this week to the State and they will be available at the township for anyone who would like to see them. While they are being reviewed it is possible they will change with comments from the DEP. There will also be a public comment period once the application is approved which will be advertised.

Mrs. Wilson asked for the names of the persons who are going to be on the Historic Preservation Commission. Mayor Campbell stated we need volunteers. We have some name but not enough.

Colleen Simeti of Fortescue asked if the fees mention earlier (\$80-\$100) for the sewer project would also cover the water service. Mayor Campbell answered no, they are separate fees. We are trying to work with Middlesex Water Company to eventually have our fire hydrants charged with water in Fortescue and also provide water service in Gandy Beach. If we cannot get them on board, we may be looking for a water company. Mayor Campbell continued the hydrants were installed in anticipation of a water tower installation by Middlesex that has never happened.

There being no further comments, the public comment portion was closed on a motion by Burt and seconded by Rothman.

Roll Call: Aye – Bart, Burt, Byrne, Rothman and Campbell
Nay – 0

Vote: All in favor

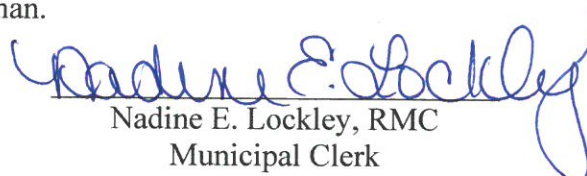
NEXT MEETING

The next meeting of the Downe Township Committee will be held on Monday, May 11, 2020 at 7:00 p.m. in the Meeting Room of the Municipal Complex.

ADJOURNMENT

There being no further business, the meeting was adjourned on a motion by Burt and seconded by Rothman.

Vote: All in favor


Nadine E. Lockley, RMC
Municipal Clerk