

DOWNE TOWNSHIP COMMITTEE
REGULAR MEETING
JUNE 13, 2022 at 7:00 P.M.

The Downe Township Committee met in the Meeting Room of the Municipal Office on Monday, June 13, 2022 at 7:00p.m. Mayor Michael L. Rothman, presided. Deputy Mayor Edward Bart, Committeeman Robert Campbell, Larry Jordan and Steve Byrne were in attendance. Municipal Solicitor Rebecca Bertram was also present.

ROLL CALL

Present – Bart, Byrne, Campbell, Jordan and Rothman

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

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

DEPARTMENTAL REPORTS

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

- Chief Finance Officer May 2022
- Tax Collector May 2022

MUNICIPAL SOLICITOR’S REPORT

Solicitor Bertram stated a report was prepared for the committee. Mrs. Bertram asked the committee for direction regarding the new model ordinance from the state for electric vehicle facilities. Would you like to send this draft ordinance to the Planning Board for a referral? These are the states minimum that apply regardless of if we want to require more or not. The township can make more requirements during the site plan approval process. The committee agrees that more research needs to be done regarding electric vehicle facilities. There have been many serious issues with these vehicles. We should send it to the Planning Board for their comments. Miss Lockley stated the regulations are also being reviewed and discussed by the Green Team. Mrs. Bertram mentioned a new law from the State regarding the Abandoned and Vacant Property Registration Ordinance. Mrs. Bertram stated she is looking at the Comcast Franchise Renewal documents she received from Miss Lockley. She needs to review the renewal application process. Mr. Campbell gave a history of the previous renewal process that did not go in the Townships’ favor. Discussion continued on the process for the public hearing that is a requirement of the renewal.

RESOLUTIONS

- R-63-2022 *Authorizing the Payment of Bills*
R-64-2022 *Authorizing Executive Session*
R-65-2022 *Authorizing the Redemption of Municipal Tax Sale Certificate 17-00003 in Installments*
R-66-2022 *Approval to Submit a Municipal Aid Grant Application MA-2023-Downe Township-00166 and Execute Grant Agreement with the NJ Dept of Transportation*
R-67-2022 *Resolution Supporting an Appropriations and Levy Cap Exemption for a 3-Year Period for Increases in Liability, Worker’s Compensation Cyber Liability and Property Insurance*
R-68-2022 *Authorizing Executive Session*

- R-69-2022 *Approving the Engineers Proposal for Louisiana, Vassar, Bay, Adeline & Budney Avenue Construction Specifications, and Inspection Support Services*
R-70-2022 *Resolution Appointing Alternate Fund Commissioner to the Atlantic County Municipal Joint Insurance Fund for the Township of Downe*

A motion was made by Campbell and seconded by Jordan to adopt Resolution No. R-63-2022 *Authorizing the Payment of Bills* in the total amount of \$241,270.44.

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

Vote: All in favor

A motion was made by Campbell and seconded by Jordan to adopt Resolution No. R-64-2022.

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

Vote: All in favor

A motion was made by Bart and seconded by Campbell to adopt Resolution No. R-65-2022.

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

Vote: All in favor

A motion was made by Campbell and seconded by Jordan to adopt Resolution No. R-66-2022.

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

Vote: All in favor

A motion was made by Campbell and seconded by Byrne to adopt Resolution No. R-67-2022.

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

Vote: All in favor

A motion was made by Campbell and seconded by Bart to adopt Resolution No. R-68-2022.

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

Vote: All in favor

A motion was made by Campbell and seconded by Byrne to adopt Resolution No. R-69-2022.

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

Vote: All in favor

A motion was made by Campbell and seconded by Byrne to adopt Resolution No. R-70-2022.

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

Vote: All in favor

Mayor Rothman reported there are free Covid tests available. Please contact Nadine or Nicole in the office. There have been a few incidents of trucks spilling sand on the roadways due to work being done in Port Norris. The sand company is contracting for a street sweeper to periodically come down and go over our roadways to clean up the sand. South Jersey Gas has received a permit from the Army Corp of Engineers to start going under the Fortescue Bridge to place a pipe

80ft down to connect the new gas lines in Fortescue. They are continuing to move forward with patching the roadway on Fortescue Road as we have requested.

PUBLIC COMMENT

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

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

Vote: All in favor

Kary Wilson of Fortescue asked for more information on Resolution R-64-2022. Mayor Rothman explained this resolution is for a grant application to help with the sewer project and purchasing some of the equipment (maintenance equipment, testing equipment and vehicle) that are needed. Mrs. Wilson asked why R-68-2022 was voted on but there is no agenda. How can you do that. Mrs. Bertram answered just before we go into Executive Session, we announce what the issues are. We complete the resolution once it is decided what will be discussed in Executive. Mrs. Wilson asked for more information about the winery permit/litigation that was discussed at the February meeting. Mayor Rothman answered there is a State program with the Department of Agriculture that allows a winery to place wine in a NJ restaurant. Even though Downe Township is a dry town the restaurants in town can participate in this program. You can only purchase the bottle of wine and serve yourself, but the restaurant is not serving/pouring the wine. Mrs. Bertram commented that the State has not provided the township with full information about the process. The township is looking into the issue to make sure the restaurants are following the rules. Mrs. Wilson stated she is aware of the attempts to allow alcohol in this township. The township has denied all actions associated with the sale of alcohol in this township. Does the committee support the wishes of the township resident or are you just going to let this go on. Mrs. Bertram answered the committee does not get a vote on this process. The ABC approves the program and that's the end of it. They do not need our permission. Mrs. Bertram explained she has contacted ABC several times and has not received a return call. Mrs. Wilson continued with several questions regarding the permitting of the wine sales. Mrs. Bertram explained that she had no answers to the questions and Mrs. Wilson should contact ABC. Mrs. Wilson asked about the status of the cleanup of the junkyards and other derelict properties in this township. There is a problem that has been escalating over the past 12 years. This could have been headed off a long time ago. There hasn't been anyone stepping in to nip it in the bud. There is Schoolhouse Lane which has been a problem for many years and the one on Fortescue Road that has a tremendous amount of stuff on the property. Mrs. Wilson stated she and her husband have owned a piece of property for years and their properties are completely devalued. There are junk yards, yards with tons of trash on them and yards full of cars. We have 40 acres of property on Ackley Road that we can't use. Mayor Rothman stated we as a group have decided to address these issues. We have budgeted for an enforcement officer this year. This enforcement officer will be on board soon and we can begin to address these issues. We will start writing citations and issuing fines to these property owners. We will start being pro-active instead of re-active. The property on Fortescue Road is in the courts. Mrs. Wilson continued to comment that the township committee hasn't been doing anything for years. Mr. Campbell commented that the township committee has been trying to get the property on Ackley Road cleaned up for years. This property is horrible. Twenty years ago, we called out the health department, state police and the County waste management department to look at that site. They didn't do anything. We have also been to Schoolhouse Lane with the health department and the State police and again they did nothing.

Laurie Williams of Fortescue stated would the committee consider an ordinance for the construction of bulkheads that would prohibit the use of a plastic (fiberglass) type bulkhead. This material cannot withstand the force of the wave action on the bay front but is okay in other areas. It should never be allowed for the bayfront. Mr. Campbell stated the fiberglass type bulkheads disintegrated in Hurricane Sandy. The only bulkheads that survived Hurricane Sandy were the wood bulkheads and steel bulkheads. Please consider mandating this material not to be used on the bayfront. Ms. Williams asked if once our enforcement officer is in place can he reinforce the policy of securing your trash with a trap when driving to the convenience center. It is frustrating every Wednesday and Saturday to see the trash along the roadway that has blown out of a vehicle carrying trash to the convenience center. Lastly, we keep hearing that the sewer project is waiting on the DEP. Should we be concerned about the sewer project? What exactly is the issue?

Liz Cowley of Fortescue thanked all the committee members for their support for the Horseshoe Crab Festival. It turned out to be one of the hardest days to be a volunteer in Downe Township, but you are appreciated. There is an issue at the south end of Fortescue across the bridge in the parking lot, there are no trash receptacles in that area. People who are using Raybins Beach are putting their own containers out. Can we work it out with the State to put containers down there, it would be very helpful. There is a trash can missing at the bridge that needs to be replaced also.

Meghan Wren of Fortescue thanked everyone for their help with the festival. I would like to officially thank Liz and Laurie at the next meeting for all of their hard work for the festival. There are two ordinances the Green Team would like the township to support next month. If these ordinances are adopted by August, we can get Sustainable Jersey points for them. The ordinances are for the electric vehicle charging stations and a water conservation ordinance. Mrs. Wren gave a brief description of the two ordinances. These two ordinances will give us 20 points with Sustainable Jersey.

Sean Pignatelli of Fortescue asked if the Fortescue Creek would be closed while South Jersey Gas is doing their work. Mayor Rothman answered no. We understand that we have obtained grants for all of the Fortescue roads, is Downe Avenue being considered for repaving even though it is a County Road. Mr. Campbell answered we believe the Township and the County will work together to make sure all the roads are repaved after the sewer is installed whether they are County roads or Township roads.

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

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

Vote: All in favor

COMMITTEE REPORTS

Mayor Rothman reported July 4th holiday is coming. The township parade is Saturday, July 2nd. Mayor Rothman commented that we have done everything to get this sewer project completed and it has been very frustrating.

Mr. Campbell stated the delays in moving the sewer project forward have been on the financing side. All engineering is done, and the permits are coming in. We just received the NJPDES permit. The financing with the USDA requires a public comment period that we are working out. There are a lot of little things popping up that must be dealt with. According to everything we know we should be going out to bid around August or September. Mr. Pignatelli had a question regarding the process to close existing septic systems. Mr. Campbell explained how it is done.

Mr. Bart had nothing to report.

Mr. Jordan had nothing to report.

Mr. Byrne reported that there will be music this Saturday, June 18th at 7pm by Lenny Spruce and Joe Kille. This is a must see.

Mrs. Bertram stated tonight's executive session will consist of discussion on a matter related to litigation/Real Estate regarding campgrounds and contracts/Real Estate the streetscape project and Real Estate the Coll/Pontz alley vacation. There will be no action taken.

NEXT MEETING

The next meeting of the Downe Township Committee will be held on Monday, July 11, 2022 at 7pm.

EXECUTIVE SESSION

On a motion by Campbell and seconded by Jordan, the meeting was closed to the public and the Executive Session was opened with no action to be taken after Executive Session.

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

Vote: All in favor

On a motion by Jordan and seconded by Byrne, the Executive Session portion was closed.

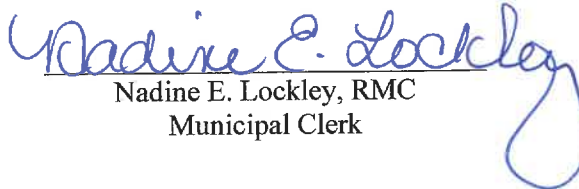
Roll Call: Aye – Bart, Byrne, Rothman, Jordan, and Campbell
Nay – 0

Vote: All in favor

ADJOURNMENT

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

Vote: All in favor


Nadine E. Lockley, RMC
Municipal Clerk