

DOWNE TOWNSHIP COMMITTEE
REGULAR MEETING
NOVEMBER 14, 2022 at 7:00 P.M.

The Downe Township Committee met in the Meeting Room of the Municipal Office on Monday, November 14, 2022 at 7:00 p.m. Mayor Michael L. Rothman, presided. Deputy Mayor Edward Bart was absent. Committeeman Robert Campbell, Larry Jordan and Steve Byrne were in attendance. Municipal Solicitor Rebecca Bertram was also present.

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.

ROLL CALL

Present – Byrne, Campbell, Jordan and Rothman
Absent - Bart

APPROVAL OF MEETING MINUTES

June 13, 2022	Executive Session
July 11, 2022	Executive Session
October 10, 2022	Regular Meeting
October 20, 2022	Special Meeting

On a motion by Campbell and seconded by Byrne the minutes of the previously mentioned meetings were approved as presented.

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

DEPARTMENTAL REPORTS

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

- Chief Finance Officer October 2022
- Tax Collector October 2022
- Zoning Office October 2022

BEST PRACTICE INVENTORY – Governing Body Acknowledgment

The Township Committee acknowledged receipt of the Best Practice Inventory results. It was stated that the Township has met the requirements needed for state funding.

ORDINANCE PUBLIC HEARING

Ordinance 2022-6 – *An Ordinance Governing the Use of Travel Trailers and/or Recreational Vehicles in the Township of Downe*

Motion was made by Campbell and seconded by Byrne to open the Public Hearing for Ordinance 2022-6.

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

Sean Pignatelli of Fortescue asked how do you determine which trailers are travel trailers being used by somebody who is not suppose to be using it versus a travel trailer that is just sitting on a property. Mr. Loteck, Downe Township Enforcement Officer, answered it is easy to make the determination by investigating the site. When you see electric wires running into the trailer or you knock on the door and someone answers. These are just some examples. The township will allow for special needs uses. For example, if your house is uninhabitable, you can obtain a special use permit to allow a trailer on your property while you are revamping your house.

Mr. Pignatelli asked what will happen to the residents who have trailers on their properties and use it for family while visiting on a weekend will there be a special permit issued for that use? Mr. Loteck answered yes, you will need a special use permit for this situation.

ORDINANCE PUBLIC HEARING

Ordinance 2022-6 – *An Ordinance Governing the Use of Travel Trailers and/or Recreational Vehicles in the Township of Downe*

Motion was made by Jordan and seconded by Campbell to close the Public Hearing for Ordinance 2022-6.

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

ORDINANCE FINAL ADOPTION

Ordinance 2022-6 – *An Ordinance Governing the Use of Travel Trailers and/or Recreational Vehicles in the Township of Downe*

Motion was made by Campbell and seconded by Jordan to adopt Ordinance 2022-6.

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

MUNICIPAL SOLICITOR'S REPORT

Solicitor Bertram stated a report was prepared for the committee. The report references topics that should only be discussed in Executive Session. Mrs. Bertram asked if the committee had any questions about the report. There were no questions from the committee.

PUBLIC HEARING – 2023 Home Rehab Grant Program – Mark Blauer, Blauer Associates
Mr. Mark Blauer remotely held a Public Hearing which is required by the NJ DCA when applying for new grant funds from the NJ Department of Community Affairs for home rehabilitation.

On a motion made by Jordan and seconded by Campbell the Public Hearing for the 2023 Home Rehab Grant Program was opened.

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

Mr. Blauer stated we have advertised to apply for funds with the 2023 NJ DCA Small Cities Grant program. We have been running an extremely successfully home rehab program in Downe Township since 1999. We have assisted an excess of 150 households. We are continuing to advertise the program and to help people. Each year we probably spend about \$100,000 in home repairs for Downe Township residents with a variety of improvements, roofs, windows, doors, heating systems, cooling systems, insulation, etc. If you name it, we are doing it. We will be running out of funds if we do not apply for more funds. The ideal is to get another \$200,000 to

continue using during 2023 and 2024. Earlier this year in March, we were approved for \$163,000 in funding. Because our program is popular those funds will go very quickly. We are applying for another \$200,000. The application is due on December 7, 2022. They are saying the Lieutenant Governor will make a decision by January and will announce by February. If we are approved the funds will be made available in the Spring to help low- and moderate-income homeowners in Downe Township. This program has been running for a long time and has been very successful. There are a few resolutions on the agenda tonight related to the application. This is the opportunity for the public to ask questions or make comments about the program.

Kathy Ryan of Fortescue asked how to qualify as a homeowner for the program. Mr. Blauer replied you need to live in Downe Township. You need to be the homeowner. You need to be an owner occupant. We do not support seasonal homes or rental properties. The income qualification are as follows and are based on family size. These are the income limits for 2021 in Cumberland County. For a family of one the income ceiling is \$45,000; for a family of two it is \$51,400; this means that most senior citizens on social security are going to qualify; for a family of three it is \$57,850; for a family of four it is \$64,250; for a family of five it is \$69,400; for a family of six it is \$74,550; for a family of seven it is \$79,700; and we top out with a family of eight at \$84,850. If these income figures apply to your gross household income you may be eligible. Our typical applicant is a senior citizen and they typically and easily fall under these income figures.

There being no further question, on a motion by Campbell and seconded by Byrne the public hearing was closed.

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

Mayor Rothman and the Township Committee thanked Mr. Blauer for his time and years of service to the Township of Downe.

RESOLUTIONS

R-107-2022 *Authorizing the Payment of Bills*
R-108-2022 *Resolution Authorizing the Refund of Property Taxes*
R-109-2022 *Resolution Approving Executive of Agreement with Blauer Associates*
R-110-2022 *Resolution Awarding Asphalt Paving Corporation Contract for the Paving of Louisiana, Vassar, Adaline, Bay and Budney Avenue*
R-111-2022 *Adoption of State Model Citizen Participation Plan for DCA Small Cities Program*
R-112-2022 *Resolution Identifying Small Cities Fair Housing Officer*
R-113-2022 *Resolution Approving Housing Rehabilitation Grant Management Plan*
R-114-2022 *Resolution Adopting Housing Rehabilitation Policies and Procedures Manual*
R-115-2022 *Authorizing the Submission of a Small Cities Community Development Block Grant for Home Rehabilitation FY 2023*
R-116-2022 *A Resolution Opposing the Discontinuation of Buoys in the Upper Maurice River for Maurice River Buoy 17 to Maurice River Buoy 50*
R-117-2022 *Resolution Authorizing the Refund of Property Taxes*

A motion was made by Campbell and seconded by Byrne to adopt Resolution No. R-107-2022 *Authorizing the Payment of Bills* in the total amount of \$665,297.07.

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

A motion was made by Campbell and seconded by Byrne to adopt Resolution No. R-108-2022.

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

Vote: All in favor

A motion was made by Campbell and seconded by Byrne to adopt Resolution No. R-109-2022.

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

Vote: All in favor

A motion was made by Campbell and seconded by Byrne to adopt Resolution No. R-110-2022.

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

Vote: All in favor

A motion was made by Byrne and seconded by Campbell to adopt Resolution No. R-111-2022.

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

Vote: All in favor

A motion was made by Campbell and seconded by Byrne to adopt Resolution No. R-112-2022.

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

Vote: All in favor

A motion was made by Campbell and seconded by Byrne to adopt Resolution No. R-113-2022.

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

Vote: All in favor

A motion was made by Jordan and seconded by Campbell to adopt Resolution No. R-114-2022.

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

Vote: All in favor

A motion was made by Byrne and seconded by Campbell to adopt Resolution No. R-115-2022.

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

Vote: All in favor

A motion was made Jordan and seconded by Campbell to adopt Resolution No. R-116-2022.

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

Vote: All in favor

A motion was made by Campbell and seconded by Byrne to adopt Resolution No. R-117-2022.

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

Vote: All in favor

Mayor Rothman made the following comments prior to opening the meeting for public comment. Mayor Rothman reported the Coast Guard has decided to remove buoys from Mauricetown Bridge all the way up to Fowler Landing. There reason is unknown to all of us. There are a few newspaper articles talking about this issue. If you are interested in sending a letter in opposition,

see Nadine Lockley or any of us. There has been a lot of activity of the river from Millville to the Mauricetown Bridge. It is not a good idea from an EMS standpoint. The buoys are instrumental in that process for locating and for reference points. It is very important that these buoys stay in place. Mayor Rothman stated he is very proud to sit here and say we received our final permit for the Fortescue Sewer Plant. This committee has worked very hard in getting to this point. There is one little hang up that we are waiting for and it is the ATA (authorization to advertise). The USDA and DEP are currently working out their internal issues and details. We have been told that sometime this week will have the ATA. Everyone here has worked very hard on this. It has been nine years of Bob Campbell and everyone pushing. His persistence kept us in line with this project. Bob Campbell stated he has been called a lot of things in the past ten years and crazy was one of them. As soon as the ATA gets signed off on, we can go out for bids. Everything is ready to go out to bid. We are concerned that the prices may change. It was originally at \$15M project and with inflation and the supply chain problems everyone is having we are guessing the project may end up costing around \$17M-\$18M. We are anxious to see what amount the bid proposals will come in with. That is the next big step. We could possibly have a shovel in the ground in January. This is big news and is great news for Downe Township along with the installation of South Jersey Gas. It is a new day for the Bayshore. Mr. Campbell asked for a show of hands in the audience of everyone who has installed South Jersey Gas. There were quite a few hands up. Miss Lockley reported there have been 124 road opening permits approved so far. Mr. Jordan commented it is a proud day in Downe Township to finally get that last permit. He continued he has come in the office numerous times to hear Nadine say every time we are going to get our permit and every time I would reply, I don't think so. It feels good and he is proud to be a part of it. Mr. Campbell stated it was really a combined effort and having a committee that all had the same vision and the same positive mental attitude. That was important along with having the support of the community overall. Even though a lot of people were skeptical and it took much longer than we ever anticipated. Thank you all. Mr. Byrne stated he would like to thank Bob Campbell for starting this project to begin with. We all have worked at it but it was because of him this all happened. Also, I think he has the right to the first flush.

Mayor Rothman continued South Jersey Gas was around last week patching holes again. We will be in touch with them on moving forward. We are still looking into the bulkhead ordinance. We are reviewing the ordinances from surrounding areas. We will figure out how to do this in our area. We understand the financial commitment a project like this can have. We will keep you updated. The Township is in the possession of a sapling from the Salem Oak Tree. We have been working with Lawrence Township and the property owner where the old oak tree once stood. He has agreed to allow us to put that sapling on that property. The County is willing to give us bin blocks to surround the tree sapling to protect it. Systems Electric from Cedarville has agreed to donate a solar light as well as a flag pole. We need to work with the County because they are going to supply some materials, personnel and equipment as well as Lawrence Township and Downe Township and we are all going to put the oak tree back. So, it won't be long before someone can say, "turn left at the oak tree". Nadine found the Salem Oak Tree sapling distribution and the rest of the committee talked about it and that is the best place for our tree. Mr. Rothman reported that Mr. Loteck has found 23 violations so far throughout the township. Many of them have been answered and there has been some property maintenance done, there has been a court case that has not been settled but has been given definition on Fortescue Road. The property owner appeared in court, had words with the Prosecutor, was told to not speak to the Prosecutor in that manner. The Judge asked if the Township would be willing to grant an extension to have the property cleaned. Mr. Loteck explained to the Judge there have already be extensions in the past and no The property owner has only moved the debris from one location on his property to another. So, it appears he is cleaning and it doesn't look like he is removing anything. This is not acceptable to the Township. At that point he was fined \$500 and given 30

days to clean the property. If the property isn't cleaned in 30 days, he will be fined \$500 per day until it is done. These are the things we are trying to do because of the requests/complaints from our residents. There are a few other who have received citations. Lastly, Mayor Rothman stated he wishes he had a good report for the abandoned sailboat in Fortescue but all we know is our hands are tied but there is a court date set in January. Mr. Loteck commented that the seven day a week Fortescue Road yard sale is now over after he made contact with the property owner.

PUBLIC COMMENT

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

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

Vote: All in favor

Liz Cowley of Fortescue reporting for the Green Team stated she hopes everyone that attended the Downe Home Day had a great time. It was a beautiful day weatherwise. We had a great crowd. We received super support from the teachers, administration and the 8th graders. Everything went very smoothly. The school made \$6,300 for the After Glow Program. They are well on the way to have a great graduation celebration this year. The Green Team donated \$1,100 for the event. Thank you to all the volunteers. We even had the pleasure of watching Mr. Campbell on the hayride. Ms. Cowley reported that Heart and Soul has interviewed over 600 people that either live, work or play in Downe Township. We will be continuing that through the end of this year. Come January we will start reporting on the feedback received to the public to let everyone know what we have heard from the interviews. We will let you know what kind of money we have and what projects are feasible with that money based on what we heard from the residents.

Laurie Williams of Fortescue stated she would like to thank Bob Campbell for his perseverance and thank everyone who has been involved in the sewer project. It literally is going to save our Bayshore community over time. Without it, it will be detrimental to the future of our communities. For the perseverance and patience, Nadine and all of you, thank you so much.

Sean Pignatelli of Fortescue said congratulations on the sewer project, by the way. Also can you go over how the sewer is being paid for and could you also comment on the street paving. The South Jersey Gas contractors did an awesome job with the installation of gas service but the street paving is not so good. If we run into a problem a year down the road, are they going to come back to fix the streets. Mayor Rothman answered all of the roads/streets in Fortescue will be repaved once the sewer is completed. We have secured grants to cover this. Mayor Rothman stated the whole street will be paved through the NJDOT grants we have secured. Mayor Rothman continued the sewer project will be funded through USDA grants and a loan and the IBank will be kicking in funds through a grant. The sewer project is user funded, which means the people who are hooked up to the sewer are the ones responsible for funding it, not the residents of Newport or Dividing Creek. One of the things that have been asked is whether additional hook ups will be allowed. For example, on Newport Neck Road where Mr. Jordan lives and a series of other property owners live, they are not allowed to connect to the sewer even though pipes will be laid right in front of their property. This is some of the issues we have been dealing with because of the NJDEP. NJDEP calls this urban sprawl and they will not allow it. As we have been fighting this fight, we have to be careful with what battles we pick. Let's get our permits, get the project going and as it comes along, we will start these conversations again with the NJDEP. These residents should be entitled to the sewer also.

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

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

Vote: All in favor

COMMITTEE REPORTS

Mr. Jordan had no report.

Mr. Byrne reported on Saturday at Union Hall we will have The Next Chapter with Gene Tubertini playing from 7-9pm. On Sunday there is a music gathering from 1-4pm. We are going to have a Christmas Sing Along on Saturday, December 17th and the last Sunday music gathering for the year on December 18th until March 2023.

Mr. Campbell reported that the substation expansion on Ackley Road has started.

Mayor Rothman stated one of our biggest issues to discuss with the NJDEP is for the residents of Fortescue who were not in agreement with signing the easement documents. Some have now sold their property and the new owners are not included in the sewer project. This issue has to be worked out because the sewer system has a mandatory hookup and I know there will be other issues.

Mayor Rothman commented forget about all the nonsense in the world and enjoy your friends and family this Thanksgiving because tomorrow is not promised to anyone. Happy Thanksgiving to all.

Miss Lockley commented to Liz Cowley that she didn't announce the Green Team was successful in making sure Downe Township received its Bronze Certification with Sustainable Jersey.

NEXT MEETING

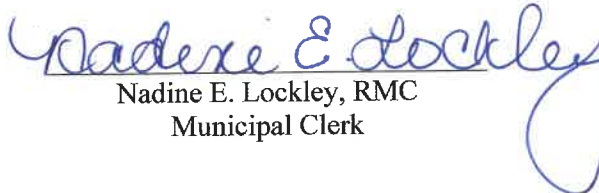
The next meeting of the Downe Township Committee will be held on Monday, December 12, 2022 at 7pm.

ADJOURNMENT

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

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

Vote: All in favor


Nadine E. Lockley, RMC
Municipal Clerk