

DOWNE TOWNSHIP COMMITTEE  
REGULAR MEETING  
OCTOBER 9, 2023 at 7:00 P.M.

The Downe Township Committee met in the Meeting Room of the Municipal Office on Monday, October 9, 2023 at 7:00 p.m. Mayor Michael L. Rothman, presided. Deputy Mayor Larry Jordan, Committeemen Robert Campbell, Edward Bart and Steve Byrne were in attendance. Municipal Solicitor Rebecca Bertram was 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 – Campbell, Jordan, Bart, Byrne, and Rothman

Absent - 0

APPROVAL OF MEETING MINUTES

- August 14, 2023 Regular Meeting

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

Roll Call: Aye – Bart, Byrne, Jordan, and Rothman

Abstain – Campbell

Nay – 0

Vote: All in favor

DEPARTMENTAL REPORTS

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

- Tax Collector September 2023
- Zoning Office September 2023

SOLICITOR’S REPORT

Solicitor Bertram presented her report which consisted of information and updates on matters that should be discussed in the Executive Session.

RESOLUTIONS

R-97-2023 *Authorizing the Payment of Bills*

R-98-2023 *Resolution Awarding Contract to Bogey’s Trucking & Paving, Inc., for 2022 Municipal Aid Paving Project for Cornell, Newport, and Princeton Avenues*

R-99-2023 *Resolution Authorizing the Redemption of Municipal Tax Sale Certificate 20-00028 In Installments*

R-100-2023 *Resolution Authorizing the Cancellation of 2023/2024 Property Taxes for Property Acquired by Downe Township*

R-101-2023 *Resolution Authorizing the Refund of Property Taxes*

R-102-2023 *Resolution Authorizing Execution of a Lease Agreement with the Dividing Creek Historical Society*

- R-103-2023     *Resolution of the Township of Downe, County of Cumberland, New Jersey, Authorizing the Making of an Application to the Local Finance Board Pursuant to NJSA 40A:2—46 for Financing a Determination that the Municipal Public Utility Shall be Deemed to be Self Liquidating with Regard to the New Wastewater Treatment Plant and Sanitary Sewer System*
- R-104-2023     *Resolution Authorizing Executive Session*
- R-105-2023     *Resolution Appointing Certified Financial Officer*

A motion was made by Jordan and seconded by Bart to adopt Resolution No. R-97-2023 *Authorizing the Payment of Bills* in the total amount of \$293,607.13.

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

Vote: All in favor

A motion was made by Jordan and seconded by Byrne to adopt Resolution No. R-98-2023.

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-99-2023.

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

Vote: All in favor

A motion was made by Bart and seconded by Jordan to adopt Resolution No. R-100-2023.

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

Vote: All in favor

A motion was made by Byrne and seconded by Bart to adopt Resolution No. R-101-2023.

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-102-2023.

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-103-2023.

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

Vote: All in favor

A motion was made by Bart and seconded by Jordan to adopt Resolution No. R-104-2023.

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

Vote: All in favor

A motion was made by Bart and seconded by Jordan to adopt Resolution No. R-105-2023.

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

Vote: All in favor

Mayor Rothman gave the following update:

Mayor Rothman stated that we have our OEM Coordinator Charles Lupton & Deputy OEM Coordinator Kurt Silvers in attendance tonight. They both have a few things they would like to talk about.

Mr. Lupton reported that the Downe OEM purchased a ID Badge machine to issue ID badges to the fire departments. We have almost completed the entire Township Fire Departments. Once Downe Township is completed we will reach out to the other fire departments in the County to see if they are interested in this program. Nadine and I have put in a lot of hours trying to get ID badges for everyone that needs one.

Mr. Lupton reported that the Township has purchased a drone to be used to fly along the beach areas of the township for data collection before and after any storm events. Last month there were warnings of a storm event that could possibly bring damage to our beach areas. We had Leesburg Fire Department with their drone, fly over the beach areas so we could have before the storm data. Downe Township has 4 staff members going through the training to get certified to operate the township drone. The drone could also be used for search and rescue situations in the Township.

Mr. Silvers reported he is currently working on creating a new Facebook Page for the OEM department. The Facebook page will be used to get any announcements out to our residents.

Mayor Rothman stated due to the needs of the Township we have 4 staff members involved in a very intense course to learn and be certified to operate the drone. The training is similar to training for a pilot's license.

Mr. Campbell stated the drone was purchased from a grant from the Cumberland County Health Department and is 100% grant funded.

Mayor Rothman reported Mr. Loteck is out from surgery and is recovering. This morning former committeeman Steve Burt's mother passed. Also last week resident Joe Cerone passed. Please keep these families in your prayers.

Mayor Rothman stated whoever is heading up this Meet Your Neighbor in Gandy Beach after the meeting is over please come to the front. We would like to meet with your group and hear what you have to say. We will address the issues that you have identified. You will get an answer. It may not be the answer you want to hear. Just like you took the time to get together we are asking for the same respect and cooperation to give us time to deal with the issues. You will not get everything answered tonight. All problems are made to be solved.

#### PUBLIC COMMENT

On a motion by Campbell and seconded by Jordan, 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 Newport had a question for OEM, can you explain what the ID cards are. Are they actually property location or what are they. Mr. Lupton answered it is a card that shows you are a member of a certain fire department. Mrs. Wilson stated she thought the township was working on numbering each property. Mr. Lupton stated we plan to come back to another meeting to discuss the 911 house numbering ordinance once it is adopted. Because we have an outside ambulance service, it is hard to find houses sometimes. We would like all residents to put their house numbers either on the house or on a post in front of their house. Mrs. Wilson asked if there is anything from OEM that the public should be aware of in

emergency situations. Are there any shelters or anything organized for emergency situations. Mr. Lupton stated currently there is nothing but there will be. This Township building is an established shelter for an overnight situation. If there is a big storm event the residents will be shipped to other locations for shelter. This building is used and both fire halls are being equipped to be used as shelters also. Mayor Rothman gave a brief description of what the 911 number system is. Mrs. Wilson asked for the low bid amount for Resolution R-98-2023. Miss Lockley answered \$130,475.20 and the grant amount was \$220,000. Mrs. Wilson asked for clarification on resolution R-100-2023 Authorizing Cancellation of Property Taxes for property acquired by the Township, what properties are included with this resolution. Miss Lockley answered there are 6 properties, would you like the block and lot or address. Mrs. Wilson asked if the resolution would be online soon. Miss Lockley answered yes. Mrs. Wilson asked for clarification on resolution R-101-2023. Mayor Rothman answered the funds are being returned because of a double payment. Mrs. Wilson asked for clarification for R-102-2023 Authorizing the Execution of a Lease Agreement. Miss Lockley stated the lease agreement is for the Dividing Creek Historic Society to have a post office box for mail to stop mail being delivered to individual members homes. Mrs. Wilson commented that is not what the resolution title says. Mrs. Wilson asked about the roads in Downe Township and what other responsibilities does the township have on other properties within the township. Mayor Rothman stated if the township owns the property the township maintains the property. What about the roads that the township owns. Mayor Rothman answered for any of our roads, we will maintain them. Mrs. Wilson stated she had a friend call. She was concerned about a property that she has that she does not have access to part of her property because there is a township road where the grass is not being cut. So, I suggested that she call Mr. Bart. She talked to Mr. Bart and was I surprised to hear that Mr. Bart told her she could cut the grass on the property if she wanted to have access. Mr. Bart stated she asked if she could cut the grass and he answered, "sure you are more than welcome to cut it". Mrs. Wilson stated the person also asked if the township would cut the property and Mr. Bart told her we don't have time. Mr. Bart stated she also asked for signs, and they were delivered to her. Mrs. Wilson continued the person is 70 years old and a widow. Mrs. Wilson and Mr. Bart continued back and forth about the situation. Mr. Bart stated he would have the lot put on the schedule.

John Gilligan of Gandy Beach asked what was purchased from Amazon for \$380 for Gandy Beach. Miss Lockley stopped the meeting to go to her office to get the invoice to relay what was purchased.

LeeAnn Ripp from Fortescue stated the committee is doing a great job and she thoroughly enjoys living in Fortescue. Thank you for caring about the community and fixing it up as well. You do not get thanked enough for what you do. Mrs. Ripp stated she is trying to care for her property which is located on the water. She has been investigating several scenarios for bulkhead protection of her home. She is looking for guidance. Mayor Rothman stated there are two lots the township needs to pay closer attention to. One on the North End and one next to Mrs. Ripp's property. We have been in discussion on how to fix the issue. We are working on this issue. Mrs. Ripp stated she has done some investigation on rocks and found that the large jetty type rocks are very expensive. She also found information on a foam type bulkhead, and she sent copies to the Committee about three weeks ago. Mayor Rothman stated if anyone decides to do something to their bulkheads, just know that the DEP is big and if you disturb any land, you will need their approval. We are bringing in a new township engineer who has some background in marine engineering. Mrs. Ripp mentioned that she loves that the sewer project is going in and wonders why we are not doing things to protect our homes before we bring the sewer in. Mayor Rothman stated that one of the problems and who this all started is because of the storms. DEP did not want cesspools. So, they said fix the septic problems or you will become like Sea Breeze. Without addressing the sewer issues, we cannot take the next steps to fix other issues. When the DEP approached Mr. Campbell about this issue it was too big to even comprehend at the time. Mayor Rothman gave a history of the project and how over the years it has changed because of the DEP.

Tammy Norris of 275 Cove Road stated they have a lot of concerns regarding the seawall. In the area where the cap blew off, there is always a lot of water and sand. Talking to other residents they are upset and believe if the cap had been done right it would not have come off so easily. Why can't we get a new cap? Why can't the cement be repaired because of the gap. It doesn't seem like really expensive items to do. Mayor Rothman commented that the bulkhead you are referring to will cost \$1M to repair. Also along with the repair of the bulkhead an additional 200ft of bulkhead is being installed. The advertisement to bid has not gone out yet. The bid notice should have been advertised last week. That is our fault, we didn't stay on top of the schedule. Mayor Rothman spoke about the bid packet we are waiting for in order for the project to be bid.

A resident asked what happened to the FEMA money from Hurricane Sandy that was allocated to Gandy Beach for restoration. Mayor Rothman stated you are not reading the FEMA Audit report right. We will be glad to sit down with anyone to explain the Audit report. Mr. Campbell commented that the FEMA process is very complicated. There are a thousand layers of bureaucracy in FEMA. A good example is South Cove Road. When we started out with FEMA, we got an estimate to do a million-dollar breakwater project instead of the bin blocks. This is a Hurricane Sandy project. We are still waiting to find out what FEMA and DEP is going to allow us to do. We were working on the approval for that project and that got taken away because they wanted us to change the design. IF you look at that audit report it looks, we lost \$1M for the seawall in South Cove Road we did but we received another \$2M in place of it to do a steel bulkhead on South Cove Road which we asked them for in 2013 but were told no.

A resident stated she goes to Elsinboro, and they have built a beautiful beach. They still have the ladders going down from their bulkheads. They are putting in thousands of tons of sand. Where is that money coming from and why is it that we can't get that money to come to Cumberland County instead of Salem County. Mayor Rothman stated we are not Elsinboro, Bridgeton or Vineland, we are Downe Township I can assure you there is not a day that goes by that my phone is not ringing 50 times a day. The dedication of this committee to try to get exactly what you are talking about; I cannot tell you of the level of commitment that is in this committee. The resident asked what is needed in Downe township to get what Elsinboro has. One you need voters. The world is starting to understand that 1200 voters mean just the same as 15,000 voters. We are a small community; would you ever think that we could get approved for a federal grant for \$6M. We have been working hard and we just received a \$6M grant from the USDA which is unheard of. The resident asked how did Elsinboro get their money. Mr. Campbell answered after Hurricane Sandy Elsinboro had a very aggressive township committee and the Mayor was exceptionally aggressive with FEMA and I believe they got the beach replenishment project through a FEMA mitigation program. We have attempted to get these same type of mitigation programs for a few projects and we were turned down. Mr. Jordan stated we had a beach restoration program that was awarded to us which was a US Army Corp project which is now currently waiting for funding. We have an approved plan to do exactly what was done in Elsinboro with the Corp of Engineer that was supposed to start 3 years ago. They were going to put in a jetty in North Cove Road out into the bay at the turnaround. There was a jetty approved for Fortescue by the inlet. These projects have been designed and engineered and the funds got pulled before the project got started. We have been waiting for that project. Mr. Campbell continued to discuss the long wait for the jetty projects for Downe Township. Mayor Rothman mentioned when you look at TV and you hear talks of Congress not passing their budget and shutting down the country. These are the funds for projects they are speaking about.

Marie Ashman of South Cove Road stated she noticed on one of the bills we paid \$1869.00 on road repair on Dyers Cove Road. She is not sure what that involves, but her problem is North Cove Road it is really in bad shape could we get some repair on the road. South Cove could use some repair also.

Liz Cowley of Fortescue announced on Saturday, October 21<sup>st</sup> at the school we will hold Downe Home Day from 10am – 3pm. It's a community celebration for all of Downe Township. It is free unless you plan to get

in the bounce house or want to eat something, everything else is free. We will have a hayride, vendors and pumpkin painting for the kids, we have something for everyone.

Charles Lupton announced that tomorrow night at the Newport Fire Hall at 6pm there will be an Open House for the Fire Department. There will be refreshments and demonstrations. This is Fire Prevention Week at the school and the fire department will be at the school tomorrow morning.

Ken Festa of Cove Road asked if the seawall project is just to cap the bulkhead. Mayor Rothman answered its the repair of the seawall, the cap and an additional 200 ft of seawall. Mr. Festa asked what about the concrete wall that is busting. Mayor Rothman answered the Public Works Department is working on a fix for that area. The fix is on the way. Mr. Festa asked what does the turnaround consist of. Mr. Campbell answered that before Hurricane Sandy there was sort of a seawall in that area, but it wasn't concrete. During Sandy the area got wiped out. After Sandy we reinforced that turnaround, enlarged it, and we put all of that rubble back in the spot because with FEMA you have to do in place in-kind replacement. FEMA will not pay extra work unless it is for a mitigation plan. That area is just concrete rubble piled up. We need some type of signage down there because there are always people around and if the rocks go there is going to be a real problem. Mr. Campbell said it is a dangerous situation. That is the area where the Army Corp plans to put in a jetty. There was also talk of a beach replenishment project because years ago there was a beach there that you could almost walk to Money Island. The Army Corp project would fix that area and that would stop the flooding at the back of the houses. We have been fighting the DEP for years to fix that area. Mr. Festa welcomed Mr. Campbell back. Mr. Campbell stated over the years and with the storms we have had Downe Township has been awarded over \$20M in grant money from FEMA. We would not have the money to do what we have done if it were not for FEMA projects.

Mrs. Ripp asked as residents should we all be calling our Senators and bugging them. Mayor Rothman answered yes that's what's called being persistent. You should be calling Senator Testa and Senator Booker and Congressman Van Drew.

Sean Pignatelli of Fortescue stated there are some beautiful looking large wooden yard sale signs showing up everywhere. Mr. Pignatelli stated the location of two signs he just passed. Mayor Rothman stated they were supposed to be taken down; he will take care of getting them down. Mr. Pignatelli stated that two weeks ago the Seniors worked their butts off, including Nadine and Nicole for the township yard sale. There were a lot of people who decided they would take advantage of the Senior day and have their own yard sale right down the street. There is an ordinance that you should purchase a permit to hold a yard sale, if not you will be fined. I'm sure most don't get a permit, so we are planning to start enforcing that ordinance. Mayor Rothman answered yes. Mr. Pignatelli asked where Mr. Loteck lives? Does the committee plan to get him an assistant that is local to enforce our ordinances on the weekends. Mayor Rothman stated Mr. Loteck has a very distinguished career with the City of Millville Police Department, and he has been doing a great job here. We need someone in the township to let him know when something is going wrong. Mayor Rothman answered everyone here can contact Mr. Loteck with your concerns or issues. He has a township cellphone and an email. Mr. Pignatelli stated he came across a few owners in Fortescue that are looking to get rid of their trailers/mobile homes that are no longer habitable, however they don't have the funds to pay a demolition company to come in and demo it. Is there some kind of program the township can look into to help provide funds to people who wants to get rid of items on their property. Mayor Rothman stated currently there is no program in the township to help do that.

Lisa Michaels of Gandy Beach stated she noticed this summer that some of the properties in the area look abandoned and not cared for. Some of the properties have a sticker on them. Mayor Rothman stated if there are stickers on a property the stickers were placed by the DCA Enforcement. Miss Michaels stated there is an abandoned two story house across from her that needs attention. She is trying to rebuild the house she purchased a while ago. She mentioned there are some beautiful homes in the area with abandoned property

next door to it. I am new here and I have an opinion and I should be heard and not interrupted or heckled. What's going to happen with all of these abandoned properties, I feel embarrassed to show my home. Mayor Rothman stated the property you are referring to one owner is deceased, and the other owner is in a nursing facility, and we are trying to reach some family. Conversations continued regarding the abandoned properties in this township. Mayor Rothman stated if he owned a business in this town, I do not want the committee to tell me how to run my business. If I own property in this town, I don't want the committee to tell me what to do with my property. We will continue to try to get this property under control. There was a sticker on that property. Mr. Gilligan said the sticker was on the ground.

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

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

Vote: All in favor

#### COMMITTEE REPORTS

Mayor Rothman reported there was a misunderstanding last month and there was never a point in time that Gandy Beach was not included in the Sewer Project. The sewer project is moving forward in two phases. We are doing two phases to tap into two years of financial opportunities. We are currently waiting for the Authorization to Award (ATA).

Mr. Jordan had nothing to report.

Mr. Bart reported there are new convenience center permits available at the municipal office. Halloween trick or treat will be observed on October 31<sup>st</sup> from 4pm to 7pm. Be careful and watch out for the little ones.

Mr. Byrne reported there will be music at Union Hall on Saturday October 21<sup>st</sup> at 7pm the Snake Brothers will be performing. Also, October 22<sup>nd</sup> is a musical gathering from 2pm – 4pm. Come out and join us. On October 14<sup>th</sup> at the Newport Methodist Church at 6pm there will be a musical event to raise funds to save the steeple.

Mr. Campbell has no report. Everyone expressed how glad we are to have him back with us. Mr. Campbell stated it is good to be on this side of the grass.

Mayor Rothman stated this is your township. What you guys think, what you feel and what your concerns are is why we are sitting here. Everyone of you put us here. We don't want to fight with you, we want to help fix the issues we have. Everyone sitting up here is working for you. We are not here as a target to get yelled at every month. We do this because we care. This was not my life's plan, but I am proud to sit in this seat and represent every one of you everywhere I go. Please know I have no political aspiration after this, when I am done with this seat I will be done.

#### NEXT MEETING

The next meeting of the Downe Township Committee will be held on Monday, November 14, 2023 at 7:00 p.m. in the Meeting Room of the Municipal Complex.

#### EXECUTIVE SESSION

On a motion by Jordan and seconded by Campbell, the meeting was closed to the public and the Executive Session was opened with no action to be taken after Executive Session. Contract/personnel/potential litigation issues will be discussed.

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

Vote: All in favor

On a motion by Bart and seconded by Campbell, the Executive Session portion was closed.

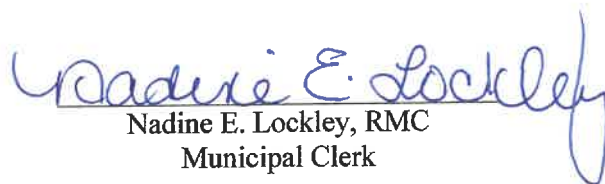
Roll Call: Aye – Bart, Byrne, Jordan, and Rothman  
Absent - Campbell  
Nay – 0

Vote: All in favor

ADJOURNMENT

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

Vote: All in favor

  
Nadine E. Lockley, RMC  
Municipal Clerk