

**MAURICE RIVER TOWNSHIP
ECONOMIC DEVELOPMENT COMMITTEE
MINUTES
Thursday, August 1, 2019 at 6:30 pm**

This meeting has been advertised in accordance with the statutes of the State of New Jersey.

Call to Order

Mayor Oliver called the meeting to order and the pledge of allegiance followed.

Mr. Oliver welcomed guests and asked them to introduce themselves to all in attendance.

Roll Call: J. Roy Oliver, present
Ken Whildin, present
Bill Ashton, present

Members Present: Penny Wells
Brian Griffiths
Robert Baron
K. Louann Karrer, Deputy Municipal Clerk

Guests: Brian Guenther
Debbie Kelsey
Marty Garton
Heiner Moehren

Approval of minutes of previous meetings

Mr. Whildin made a motion to approve the minutes of the previous meeting, seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

Discussion Items

1. Review of status of dredge spoils from other communities

Mr. Oliver reported that he and Mr. Whildin had a meeting with Senator Andrzejczak and Assemblymen Milam and Land in June. Mr. Oliver, Mr. Whildin, and Mr. Ashton then met with Congressman Jeff Van Drew on Monday to request assistance with the dredging of the mouth of the Maurice River soon. Mr. Van Drew requested a composite letter by the township committee and the chairman of the Land Use Board, which will be done at the August 12th bill review meeting. This letter will contain the verbiage needed to assist him in composing a letter to the Army Corps of Engineers (ACOE) and NJ Department of Environmental Protection (NJDEP) to

get some needed action for the ship-building industries and marinas to allow deeper draft ships up the river. He said there was also discussion with the Congressman on Monday regarding the availability of dredge spoils from other municipalities.

Mr. Whildin gave a brief synopsis of the idea proposed to NJDEP by the township of obtaining materials from the shore communities that are being dredged from the shore lagoons and must be transported from the full containment areas for disposal. Since the township is in need of these materials, (deemed clean by NJDEP), it would benefit all involved for the township to receive these materials without cost from the shore municipalities, who are willing to pay for their disposal. These materials are needed for the Matts Landing area referred to as the Northwest Reach. The NJDEP, who owns the land, proposed the idea to the Department of Coastal Resiliency who has the \$100,000 needed for the plans necessary to move this concept forward.

Mr. Whildin said that all parties, at every level he has spoken with believe this to be a great idea. Mr. Whildin said he is confident this will move, but it will take some time.

Mr. Baron questioned why we could not receive the money from the communities willing to pay to get rid of the materials. Mr. Whildin explained that the NJDEP would be the eligible recipient if they chose to receive payment from the shore municipalities, since it is DEP's property. It is possible the township could request money, but at this point we are still in the "idea" stage.

Mrs. Baron also proposed using excess spoils to fill low-lying areas in the township. However it was pointed out these areas might be considered wetlands and filling the areas might not be permitted.

Mr. Ashton said he was encouraged regarding the dredging at the mouth. An email forwarded to him by Ben Stowman contained the latest report about dredging which is appealing to all parties since they will not need to move this material as it can be used at the Northwest Reach. This will save a huge cost for transporting and disposal. Mr. Ashton said that we need to get noticed and keep on top of the plans wherever we can get the help.

Mr. Oliver said that approximately 1.5 million dollars in transportation could be saved on the original cost for dredging project by keeping the materials.

Mr. Oliver stated the existing channel is approximately 7-8 feet deep. He said that in the meeting with Congressman Van Drew, they requested the channel be dredged to the maximum depth that would not trigger the necessity of another study. We need to be cautious to not invite another study, which could negatively impact the timing of the project.

Mr. Oliver reported that the owner of Boat World Marina, Phil Risko purchased the "Bacon Field" in the southern end of Leesburg and proposes to develop the 100 acre tract into a commercial shipbuilding and ship repair facility similar to what Yank Marine is doing in Dorchester. Mr. Risko will be appearing at the upcoming August Land Use Board meeting to layout his plans and concepts. Mr. Risko does a lot of work with the wind farms off of Atlantic City and ostensibly will be working on the wind farm supply boats and would like to see the river dredged to 18 feet. However, Mr. Oliver reiterated we would like the river to be dredged to

the maximum depth without triggering another study. Mr. Oliver stated he would like to see 12-13 feet but could not foresee anything deeper than that without it triggering additional studies.

Mr. Oliver invited the Economic Development Committee meeting attendees to attend the August Land Use Board meeting to hear Mr. Risko's proposition. Mr. Risko will be making a large investment into the township—purchasing a travel lift and equipment to start repairing boats. This will bring in jobs and tax revenue for the township. We wish to welcome him and do whatever we can to facilitate his venture.

Mr. Guenther asked if Mr. Risko's operations, and other businesses who benefit directly from the river might be asked to help with the cost factor for periodic maintenance dredging. Mr. Oliver said the maintenance of the channel falls under the ACOE, not the township. Mr. Whildin said it is considered a federal channel and that meetings with the ACOE revealed the necessity of maintenance dredging. They estimate between 5-7 years, the ACOE will need to come back. The initial dredging will be contracted, however the ACOE has small dredges they use to perform maintenance dredging, which saves on their costs.

Mr. Guenther asked what the estimated township costs were for the dredging and spoils. Mr. Whildin said that we have to pay nothing at this point, but we need to keep drawing attention to the township through these agencies to get the work done.

Mr. Whildin stated the engineer from the ACOE advised that this is a small dredging project and our ports are small. Maurice River revenues are only approximately \$100 million per year, compared to other rivers who gross that much each month. She advised the best way to position ourselves for getting this done is to have the plan ready and in place. Then when larger jobs come in under budget, they can funnel the excess funds into these smaller projects. This is to be our approach.

Mr. Ashton said that the ACOE is focusing on flood prevention in their mission statement for either 2019 or 2020. They wish to fix the problem with permanent structures and dredging materials/natural materials. The township needs both commerce and flood prevention and preservation. This fits their goals so we are in a position to benefit, but we are small and could be overlooked.

Mr. Whildin also said the American Littoral Society has received federal grant funding to do the Northwest Reach. Their project will consist of some hard structure on the river's edge to knock down the wave attenuation and containment. They also have funding for the Basket Flats area where the existing barge sits near the mouth of the river. Mr. Whildin stated that it is important to do most of these projects close to the same time, since they are intrinsically connected. The dredging of the river, Basket Flats and the Northwest Reach are all needed to provide stabilization of that part of the river. The American Littoral Society realizes the significance of the environmental and economic factor of these projects.

Mr. Griffiths asked if the ocean shore communities with the dredging spoils were pushing to have their materials transported here. Mr. Oliver stated that their repository areas are being filled. When they are full, other areas need to be sought for storage. The federal and state

governments are the agencies that gain and give approval for the movement of the materials. The city is only responsible for the transportation of the materials.

Ms. Wells wanted to revisit Mr. Guenther's idea about river businesses assisting with maintenance dredging as a contingency plan in the event the 5-7 year maintenance dredging is delayed.

Mr. Ashton said that the township could no longer accept "No" as an answer, and needed to stay on the radar. He spoke of the frustrations with time lines within the state based on a recent meeting with NJDOT relating to traffic issues in Millville. Mr. Ashton stated if economic survival was at stake, thought has to be given to ways of funding projects now.

Mr. Guenther asked about possible assistance from Congressmen and Senators. Mr. Whildin said Mr. Van Drew was in favor and Senator Milam also supported the plan and will assist us by making calls to keep it at the forefront.

2. Follow-up on NJDEP releasing the easement on the Sapello property

Mr. Oliver called everyone's attention to the township engineer's schematic drawing of the Sapello property with the proposal sent to NJDEP for approval.

Mr. Oliver gave a brief history of the Sapello property. He reported the Brownfields clean-up was nearly complete and it is now a viable piece of property. The township committee proposes moving the township's recycling operations from its current location to one acre on the Sapello site. This would make the current recycling site which is a 5-6 acre parcel, not located in the Pinelands, on Route 47, a prime location for another economic development opportunity. The Sapello tract, which is more than 5 acres, and adjacent to the school could also be the location of a regulation soccer field. The school currently cannot host intermural soccer events, since it does not have a regulation field. Another consideration for the Sapello parcel is alternative egress/access for buses during the summer traffic season. The plan provides bus access via Fox Street to Route 47 as opposed to Weatherby Road, which is heavily utilized by sand trucks.

Mr. Oliver said that based on emails, once the easement has been lifted, NJDEP was ok with the soccer fields with drainage basins, and ok with the Fox Street egress for buses. (And by using Fox Street, the township may apply for municipal aid for the DOT road improvements.) Mr. Oliver has requested a meeting with the liaison from NJDEP to get the easement lifted and proceed with the final plans for the Sapello Property.

Mr. Ashton said Ms. Carey was the liaison for the township. She emailed that the DEP was looking for the next step in this process for the township. All are hopeful that we are close to completing this process. Mr. Ashton said the township needed to set up a meeting with Green Acres, which was the next step to removing the easement.

3. Status of Bricksboro Bulkhead project

Mr. Oliver reported KG Marine came in \$16,000 under budget. They were in the process of installing 100 feet of fiberglass bulkhead behind the berm located between the swale in

Bricksboro and the river. This will help minimize the impact of predictable flooding for the Bricksboro area such as during Nor'easters and astronomical high tides. Two adjacent property owners were able to apply under the township's general permit to replace their bulkheads either side of the township's bulkhead at their own expense by the same contractor. The anticipated date of completion is late August and will provide in upwards of 400-450 feet of new bulkhead protection for the village of Bricksboro as a viable community in Maurice River Township.

Mr. Whildin said that he recently visited the job site and that the contractors were doing a good job which could be done sooner than the end of August.

Mr. Guenther questioned the possibility of elevated sea levels imposing a threat for the Route 47 corridor in the Bricksboro area as a coastal evacuation route for points south. He pointed out that perhaps this could underscore the importance of dredging at the mouth of the river as well.

Mr. Whildin explained that coastal evacuation was actually a significant point made on the application for this area.

Mr. Guenther also stated that Homeland Security could come into play. Mr. Oliver stated that Yank Marine actually works on US Coast Guard cutters. The depth of the channel determines the vessel size that can be serviced, however it is a good point. Mr. Baron mentioned his involvement with Homeland Security. Discussion ensued regarding evacuation numbers during hurricane season, the importance of mapping, concerns regarding the average rise in the river, etc.

4. Marina property negotiations

Mr. Oliver gave a brief history of the ongoing negotiations for obtaining the 5.7 acres of land from NJDEP where our marinas are located. Mr. Oliver said that the township offered to purchase the land from NJDEP with a reduced cost by trading two parcels of unusable land valued by the NJDEP at \$15,900. They were agreeable to this and the township passed a capital ordinance, for which the estoppel period has passed and the funding is available.

Mr. Whildin met with Dave Golden and the Deputy Attorney General (DAG) on July 17. He learned that the land was originally purchased with a federal grant back in the 1950's. The NJDEP must go through some procedure to consummate the deal. Due to changes in procedures, the DAG requested we contact her in a month to see if she has heard from the feds.

Mr. Oliver said that after the deal is made, the subdivision can make use of the existing easement program without the need for a formal subdivision through the land use board. The township will then sell these parcels to the marina owners at a nominal fee. This will give the marina owners title to develop the land and to get their marinas operational without fear of DEP easement interference.

5. Dollar General update

Mr. Whildin reported that a representative from Dollar General reached out to the Construction Office on Tuesday (7/30) to advise they were in the process of selecting a contractor. There are

no issues on the township end for the project to begin. The project should move quickly once the work actually begins.

6. Dunkin Donuts update

Mr. Whildin spoke with the owner of Dunkin Donuts on 8/1 with news that the county had approved the septic design. This was a major hurdle that has been overcome. Now the project must be sent to the state, (due to size of the project), and they still need Pinelands approval.

7. New Welcome Sign on Mauricetown Causeway

Mr. Whildin reported that the new sign has been installed, however there are no business signs on display yet. The businesses have all committed to advertise and all of the legalities have been worked out to ensure coverage of all parties. A special use permit has been obtained from the state. Barry will be working with the businesses on sign designs.

8. PSE&G properties

Mr. Whildin reported that PSE&G has offered to donate 5 properties to the township located near the Mauricetown Bridge (north & south of the bridge), behind the current recycling center and a piece in the meadow.

Mr. Whildin reported that the township is interested in these properties and had asked the solicitor to look into the covenants of the deeds for clarification due to some language that was confusing.

Mr. Garton inquired if Thompsons Beach might be accessible to residents as a reclaimed area similar to the fishing areas located at Fortescue. Mr. Whildin replied that the township has been in conversation with the engineer to pave access to the beach via a bike path grant.

Conversation ensued about the PSE&G properties in general and the original purpose for the acquisition of these properties to reclaim wetlands due to citations related to the Salem Nuclear Plant.

Mr. Ashton opined that at one time, Moore's Beach, Thompson's Beach and parts of East Point were maintained by salt hay farmers and were beautiful recreation areas. But since PSE&G purchased the properties and failed to do what was necessary to maintain what was there, it will now take millions and millions of dollars to stabilize the areas PSE&G is now willing to give away.

Mr. Garton asked what could be done to prevent tax exempt entities from obtaining the land. Mr. Oliver stated we cannot prevent tax exempt entities from purchasing land without costly legal battles, which we may or may not win.

Mr. Oliver stated that the Garden State Preservation Funding was created 15-20 years ago to assist municipalities consisting of 40 percent or greater ownership by tax exempt entities. The premise was to set a baseline after which the state would reimburse the municipality the amount

over the baseline. Maurice River Township is currently roughly 50-58 percent owned by tax exempt entities. The fund reimburses the township about \$10/acre.

Mr. Oliver stated that when he previously met with legislators, they promised to revisit the Garden State Preservation Funding Program. His first concern was that there was no sunset clause, which would allow the program to continue ad infinitum. His second concern was that since we are only about 2 percent away from 60 percent threshold of tax exempt properties, we would be entitled to \$20/acre according to the original statute. We currently receive approximately \$240,000 per year. After reaching the 60 percent benchmark, we would essentially double that amount.

Mr. Oliver said that the state has drifted away from the original statute and have taken the position that “what you are getting, is all you’re going to get!” That is why we are pressing on our elected legislators to represent our position and get the funding we need to help offset our losses.

Mr. Whildin said this problem was not unique to Maurice River Township; Downe Township is over 70 percent owned by tax exempt entities. We need to champion together to get what we can.

Returning to the matter of the properties being offered by PSE&G to Maurice River, we are waiting for PSE&G’s attorneys to address the nebulous language so we can accept their donation. These parcels were offered first to the township, and we want them.

The committee spoke of the properties’ potential for access to the river as a boat ramp.

Mr. Moehren from Port Elizabeth voiced his concerns for the integrity of the Mauricetown Bridge. Mr. Moehren’s concern is for rust seeping through cracks, and he is aware of a treatment wherein the cracks can be sealed to prevent further decay. He described the process which is used worldwide and stated that although this treatment is costly, it would be cheaper than a new bridge. Mr. Whildin stated that the bridge is maintained by the county and the county engineer is also very concerned about the bridge.

Mr. Moehren stated that something needs to be done right now because the bridge is deteriorating and will only become more and more costly to repair before replacement is imminent.

9. Ackley property update

Mr. Oliver asked everyone to refer to the engineer’s conceptual plan provided to them for the redevelopment of the Ackley Garage site which was a Brownfields clean-up site. The site is almost ready for finalized closure of the Brownfields project. There was only one concern by our environmental consultant near the back of the property, which was an above ground dump that has been cleaned up. The good news reported by our engineer is the gain of wetlands buffer area. This would provide the required setback for a septic system, etc. for future development.

This beautiful piece of property is located in the Village Highway Business zone and is nearly ready to be marketed for possible development by the right business as a ratable.

10. Master Plan Revisions/COAH

Mr. Oliver explained the state required township to establish areas as Village Centers (VC). However our current VC designation has begun to run out. Recently, the township committee did not see the need to renew the revisions of these VC's because it appeared to have no significance at the time. However, since then, the recent purchase of the land by Phil Risko (mentioned previously) has indicated the necessity of revisiting the Master Plan Revision and renewal of our VC designation, which has a COAH (Council On Affordable Housing) factor and would now be to our advantage to renew.

Mr. Oliver, Mr. Whildin, and Mr. Ashton will be working on drafting a letter to extend our VC designations following the August 12th bill review meeting, primarily to keep the COAH mandates in place.

Mr. Whildin said that he recently met with the state planner and he advised that if we don't do this, it could negatively impact CAFRA (Coastal Area Facility Review Act) rules that are currently in place—they could increase to 300 feet. If we renew it, anything that's already in place, the existing setbacks of 150 feet would remain the same. We don't want to lose anything to build along the waterfront areas.

Mr. Whildin said that careful consideration needs to be thought-out regarding COAH.

Mr. Oliver reminded the committee that any developer interested in affordable housing in Maurice River Township would need to bear the cost for septic and water issues since we do not have public water supply or sewer system infrastructure. Most of the properties designated are relatively small and would inhibit multi-family development by COAH interests.

Mr. Guenther mentioned the zoning restrictions curtailing the installation of mobile homes and trailer parks which are a part of COAH in many communities and bring in revenue. He believes the township's construction code should be examined to permit developers to invest in the township. He recommends comparing our codes with those of Cape May and Atlantic Counties to improve the possibility of attracting developers.

Mr. Oliver said that it is possible that a mandate through the court system might require we install a certain number of COAH facilities. Mr. Oliver explained that half of the township is in the Pinelands, which would disallow a water treatment plant. Other potential sites are limited. Mr. Oliver said that they will look at existing codes, however there are other limiting factors impeding development.

Ms. Wells questioned grants for walkways, etc. Mr. Whildin explained that we do not have the COAH infrastructure to qualify. Availability of public water and public sewer, and public transportation, i.e. taxi or bus service all come into the application process for COAH. Sidewalks for foot traffic are also a part of the requirement.

It was discussed that it is in our best interest to comply with the Master Plan VC designation, not so much for the sake of COAH, since it is not likely that developers will be attracted to Maurice River Township, but for the negative CAFRA changes that may take place should we not comply.

11. 5G Implementation

Mr. Oliver reported that by the end of the year, the federal government will award a contract to a communications vendor to begin installation of 5G equipment. He said that our solicitor is working on a 5G Ordinance, containing technical language for the implementation process. The ordinance will specify limitations on pole height, the number of boxes to be mounted on poles on township roads, etc. The ordinance will provide guidelines for what can be emplaced.

Mr. Guenther asked what could be done about dismantling and removal of equipment from previous iteration. He complained about the unsightliness and danger of leaving unnecessary equipment and lines dangling from the poles.

Mr. Oliver said our solicitor is working on the ordinance which should address issues for township roads.

Ms. Wells stated that all municipalities within the county will be dealing with this change and the issues related to this technology.

Mr. Whildin said he is concerned with the health aspect related to the radio frequency issue should there be clusters of these boxes installed. He said this was not addressed in what he has read about this technology. The 5G information has been provided by the FCC, and limits township authority for almost everything. He said when the vendor applies for the installation of this new technology, there is a window of less than 30 days, (possibly only 10 days), in which to approve the application or it is automatically approved. Since meetings only occur once per month, this process has to be streamlined for approval within the time limit.

Mr. Ashton said he believes the solicitor had said we are responsible for drafting our own permitting process. But it needed to be something we can live with. It was his understanding that the county was considering giving municipalities approval over county roads.

Mr. Baron complained that although there are township codes, they are not being enforced. He mentioned two properties on Route 47 south of Route 55 which he reports appear to be in violation of codes and give a negative impression of the township to motorists traveling in the township. He is frustrated that although the properties in question have been investigated, they were found to be in compliance. He states that it is obvious these are businesses operating without licenses.

Mr. Whildin reported that, at Mr. Baron's request, code enforcement visited the property and there were five cars in the yard, however all five had legitimate tags on them. The township's ordinance deals with unlicensed vehicles. Mr. Baron asked if the owner was permitted to sell vehicles from that property. Mr. Whildin said an owner may sell one vehicle at a time that he

owns from his property, per the ordinance. When the code enforcement officer visited the site, there was one car for sale, but five tagged vehicles were in the yard. Mr. Baron stated that the owner erected a wall on the property. Mr. Whildin said that the owner had been previously fined.

Mr. Oliver stated that if code enforcement determines the need for a court case, we will pursue it, otherwise we should not subject the township to a lawsuit. Mr. Oliver said owners have rights.

12. NJDOT - Route 55/47/347 Interchanges

Mr. Whildin and Mr. Ashton met with NJ Department of Transportation (NJDOT) officials recently near to discuss issues related to accidents at the Route 55/47 interchange. Mr. Whildin said it was a good meeting however somewhat frustrating. Mr. Whildin and Mr. Ashton were able to voice their concerns.

NJDOT provided statistical data regarding accidents that took place there over a period of time for the area approximately 150-200 yards north and south of the jug handle. Mr. Whildin asked them to extend the area to include the Schooner Landing overpass and down to Spring Garden Road. Mr. Whildin had obtained accident information from the county for that area and found that the number of accidents doubled from the NJDOT data provided with the addition of these two sections adjacent to the area of study.

NJDOT asked Mr. Whildin and Mr. Ashton their opinions about what could be done. The group gathered at the interchange and witnessed many of the concerns presented by live traffic illustrations—motorists cutting one another off, slamming on brakes, etc.

Mr. Whildin said cheaper fixes such as rumble strips and better signage, possibly lighting could be provided. In the long term, there was some discussion of taking away the 47 south lane and making motorists use the 55 light to make a right turn to access 47 south. But this would require major reconstruction for tractor-trailers and some reconfigurations to make it work. Of course, this would potentially cause the light to change differently and allow traffic to back up on Route 55. Additional study will need to be done to determine how this would best work.

Ms. Wells questioned why the fast lane becomes the primary lane on Route 55 where the road goes to one lane. Mr. Whildin said he asked the engineer about that and he reported that both ends of 55 are the same. The engineer agreed this was not favorable, however he was not aware that he could change it. Mr. Whildin suggested putting a light on Route 55 advising motorists that there is a red light ahead.

In other matters, Mr. Whildin and the county assistant engineer drove the length of Route 616 to move forward in reducing speed limits. The speed limit will be 50 mph from Rt. 47 to Carlisle Place Road and drop to 35 through Dorchester. The limit will drop to 25 mph in Leesburg, on around the bend at the Post Office down to the old railroad bed and then pick back up to 35 mph into Heislerville. The limits will not change in Heislerville but new signage will be provided to replace unreadable signs.

Mr. Whildin is not sure when these changes will happen, but the email has been sent confirming the request to change.

Mr. Ashton cautioned the NJDOT committee to meet again before any changes are made.

Mr. Oliver asked for any final comments. Ms. Wells commented that this Economic Development Committee has made progress and applauds the committee for getting the work done. Mr. Oliver thanked the committee for their work.

Adjourn

Mr. Whildin made a motion to adjourn; seconded by Mr. Ashton.

K. Louann Karrer, Deputy Municipal Clerk