

COUNCIL MEETING MINUTES – May 16, 2016

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on May 16, 2016 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

The Clerk announced that the meeting was being held in compliance with the Open Public Meetings Act and that adequate notice of the meeting had been provided according to law.

The following members of Council were present for roll call taken by the Clerk:

Councilmember Thomas Conrad
Councilmember David Perry
Councilmember Erik Simonsen
Deputy Mayor Clark
Mayor Michael Beck

Also present: James Ridgway, Township Manager, David Stefankiewicz, Township Solicitor and Karen Fournier, Deputy Township Clerk

Work Session

Steve DelMonte - Update on Escape the Cape Triathlon - Councilman Conrad
Councilman Conrad invited Steve DelMonte to give an update about road closures during the Escape the Cape Triathlon. Steve DelMonte spoke about the upcoming fourth annual triathlon and his plan to notify residents of road closures. He encouraged everyone to get involved. Visit delmosports.com, or call 849-8908 for more information. At the request of Manager Ridgway, Mr. DelMonte shared news about Joe Malloy, resident of Wildwood Crest, who qualified for the Olympic team. Mayor Beck thanked Mr. DelMonte for organizing a first class event.

Consent Agenda

Mayor Beck pointed out the added Resolution # 2016-164, amending the resolution appointing Frank Campbell, Special Counsel. He thanked Mr. Campbell for his assistance opposing Cape May's attempt to withdraw from the LCMR School District.

Approval of NJ State Firemen's Association Membership Application – T. Gilliam, Villas Vol Fire Co

Approval of Minutes May 2, 2016

Res. #2016-147 Payment of Vouchers \$340,045.28

Res. #2016-148 Authorizing Payment to Lower Township Board of Education (Tax - 7/1/2016 thru 12/31/2016 \$8,386,373.)

Res. #2016-149 Authorizing Payment for 2016 Regional School Taxes (7/15/2016 thru 12/31/2016 \$7,020,228.50)

Res. #2016-150 Authorization for Refund of Taxes (5 properties veteran exemption \$1,370.29)

Res. #2016-151 Click It or Ticket 2016 Seat Belt Mobilization (grant application)

Res. #2016-152 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Click it or Ticket \$5,000)

Res. #2016-153 A Resolution Approving a Professional Service Contract with Wizards Festival of Fun, Inc. for the Township July 3, 2016 Celebration (Rides - \$14,500)

Res. #2016-154 Renewal of 2016 Campground License (Holly Shores Camping Resort)

Res. #2016-155 Re-Appointment to the Recreation Advisory Board (R.Lamoreux)

Res. #2016-156 A Resolution Authorizing and Approving a Shared Service Agreement between the Township of Lower and the County of Cape May for Law Enforcement Coverage at a Township Event – (Escape the Cape Triathlon – to be reimbursed by Delmo Sports – No cost to the Township)

Res. #2016-157 Authorizing the Relocation of a Bus Stop on Bayshore Road, Lower Township (from Bayshore & Delaware Ave to Bayshore & Atlantic Ave)

Res. #2016-158 Re-appointment to the Zoning Board of Adjustment (J.Hanson)

Res. #2016-159 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on GovDeals Online Auction (office equipment)

Res. #2016-160 Authorization for the Payout of Accumulated Compensatory Time (D.Fisher \$3,490.42)

Res. #2016-161 Re-appointment to the Recreation Advisory Board (D.Johns)

Res. #2016-162 Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A.40A:11-12a (allowing the Township to purchase from approved State Contracts)

Res. #2016-163
Res. #2016-164

Re-appointment to the Recreation Advisory Board (E.Kreis)
Amending Resolution #2014-77; Appointment of Special Counsel for the Purpose of
Opposing the City of Cape May's Attempt to Withdraw from the Lower Cape May Regional
School District (Making total contract \$40,162.50) - This amendment encumbers the
additional money needed to pay final bill

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
PERRY			X			
SIMONSEN			X			
CLARK		X	X			
BECK			X			

Regular Agenda

Res. #2016-165

Approval of an Alcoholic Beverage License Person to Person, Place to Place Transfer –
Including Expansion of Licensed Premises – License #0505-33-011-003, Five P's Inc. t/a
Bayview Inn (This transfer has been advertised and no objections were received - this is
the public hearing & Approval)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
PERRY			X			
SIMONSEN	X		X			
CLARK			X			
BECK			X			

Administrative Reports

Monthly Reports - Clerk, Construction, Dog, Tax, Treasurer, Vital Statistics
Quarterly Report - Treasurer

Council Comments

Councilman Conrad announced LTMUA news updates on the Villas East Project and Wissahickon Sewer Project. He gave an update on the Nathaniel Foster House and reported on the success of the Coast Guard Community Festival and Relay for Life events, thanking all who were involved.

Councilman Perry pointed out the increase in population with summer approaching and wished everyone a happy and safe Memorial Day weekend.

Councilman Simonsen thanked everyone involved with Relay for Life. He gave a brief update on the Exit Zero Interchange, and also congratulated Joe Malloy on his accomplishment.

Deputy Mayor Clark gave an update on the Delaware Bayshore Council and Fishing Creek School.

Mayor Beck announced the following: Memorial Day Services at VFW Post 5343, Community Day at Town Hall, Bike Auction at Recreation Center, Runway 5K/Fun Walk at Airport Museum, and Armed Forces Day at WWII Lookout Tower. He also observed the passing of Ed Butler, resident and founder of the Lower Township Taxpayer's Association.

Call to Public

Mike Trainor, Mike Trainor Roofing, distributed documents to Council, Manager Ridgway and Solicitor Stefankiewicz regarding the Consumer Affairs Contract Registration Act. He briefed Council about a grievance with another contractor in the Township whom he claims to be unlicensed and uninsured. He continued with accusations regarding Township officials. Mayor Beck questioned Manager Ridgway's knowledge of the situation. Solicitor Stefankiewicz suggested to Mr. Trainor that investigation and enforcement of these activities is done at the state level; the local municipality is not the licensing entity. Mr. Trainor revealed harassment charges brought against him and alleged that the other contractor cost him money. Solicitor Stefankiewicz advised that personnel matters be reserved for closed session. Mayor Beck advised Mr. Trainor to put any requests to the Township in writing.

Pete Wilson, North End Thrift, addressed Council regarding the second hand merchant's license law. He gave the background of a previous meeting with Township officials where discussion took place about the wording of the law and the RAPID system. He voiced frustration with the Township and the issuance of twenty-three citations for stolen merchandise. Solicitor Stefankiewicz interjected to communicate the Township's obligation regarding the ordinance. Mr. Wilson argued that the ordinance lacks clarification. Solicitor Stefankiewicz assured him that the ordinance is being reviewed. Mr. Wilson questioned the number of merchants using the RAPID system and made allegations of selective prosecution. Solicitor Stefankiewicz explained that Council makes the decision about license issuance. Mr. Wilson threatened action against the Township. Solicitor Stefankiewicz advised that settlement negotiations with the prosecutor are not appropriate for Council.

Lois Jacobs, Beach Drive, addressed Council regarding the letter she received from Hatch Mott MacDonald notifying appropriate property owners of beach access improvements. She stated her objection to the timing of the notice. Solicitor Stefankiewicz communicated the Township's compliance of the law with regard to the notice. Ms. Jacobs voiced concern and discontent with sand being moved at Rosehill Parkway. Manager Ridgway gave a brief explanation of the emergency permit granted from the DEP to move the sand for safety reasons. Ms. Jacobs stated her reasons for disapproval. She also suggested something patriotic for the Independence Day Festival.

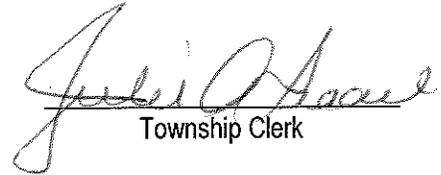
Eileen Kreis, Villas, voiced her appreciation for the work done at Rosehill Parkway.

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Perry, seconded by Deputy Mayor Clark. Motion to adjourn unanimous. Meeting adjourned at 7:55 p.m.



Mayor



Township Clerk

Approved: June 6, 2010