

COUNCIL MEETING MINUTES – AUGUST 19, 2013

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on August 19, 2013 at 6:00 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 James Neville  
Councilmember Glenn Douglass  
Deputy Mayor Clark  
Mayor Michael Beck

Also present: Michael Voll, Township Manager, Chuck Sandman, Township Solicitor and Karen Fournier, Clerk's Office

Work Session

**Consent Agenda**

Mayor Beck pointed out resolution #2013-231 allowing for the appointment of Special Counsel, Francis Campbell for the purpose of opposing the City of Cape May's attempt to withdraw from the Lower Cape May Regional School District. Mayor Beck intends to have Mr. Campbell present at the next council meeting to explain our options and position. Terrance Crowley, who will be conducting the feasibility study, will also be present.

Solicitor Sandman disclosed Mr. Campbell's credentials and remarked that he comes highly recommended by the attorneys who have appeared before the Supreme Court on this issue.

Ed Butler of Villas addressed Council to inquire about Resolutions #2013-229 and #2013-230, awarding of vehicles. Mayor Beck and Manager Voll affirmed that these are replacement vehicles for the police department, equipped with the police package and emergency equipment.

Mr. Butler also inquired about Resolution #2013-233. Mananger Voll explained that West Cape May is looking to make a safer bike route along Sunset Boulevard and asking for our support. Mayor Beck added that the resolution is simply a commitment encouraging the use of bicycles for various reasons. He assured Mr. Butler that it will not cost the Township any money.

Approval of Minutes	August 5, 2013
Res. # 2013-221	Payment of Vouchers \$ 3,082,932.54
Res. #2013- 222	Resolution of the Township of Lower Consenting To The Issuance By The Township of Lower Municipal Utilities Authority of Revenue Bonds (Junior Lien), Series 2013 to the United States Of America, Acting Through the Rural Utilities Service, Department of Agriculture, for the Financing of Certain Water System Capital Improvements (approval for MUA bonds not to exceed \$8,167,000.)
Res. #2013-223	Authorization for Refund of Taxes (10 properties \$10,262.76)
Res. #2013-224	Authorizing the Payout of Accumulated Compensatory Time (P. Greene \$22,215.50)
Res. #2013-225	Approval of Good Samaritan Baptist Church's Application to Conduct Flea Markets (Aug 22-24/Aug 29-31)
Res. #2013-226	Drive Sober or Get Pulled Over 2013 Statewide Crackdown Grant (\$4,400. Aug 16 - Sept 2)
Res. #2013-227	Insertion of Special Item of Revenue Pursuant to NJSA 40A:4-87, Chapter 159 (drive sober or get pulled over \$4,400.)

- Res. #2013-228 Insertion of Special Item of Revenue Pursuant to NJSA 40A:4-87, Chapter 159 (click it or ticket \$4,000.)
- Res. #2013-229 Award of One (1) 2014 Chevrolet Tahoe SSV 4x4 or Equal (Mall Chevrolet \$28,650.96)
- Res. #2013-230 Award of one (1) 2014 Dodge Ram Pick-up Truck 4X4 or equal (Hertrich \$24,670.)
- Res. #2013-231 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 (Francis Campbell - not to exceed \$7,500.)
- Res. #2013-232 Issuance of an Ice Cream Operator License for the Year 2013 (Ferad Ferhat)
- Res. #2013-233 Action Plan For Bicycle Friendly Communities (requested by Cape May Point)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
NEVILLE			X			
DOUGLASS	X		X			
CLARK			X			
BECK			X			

**Regular Agenda**

- Res. #2013-234 Approval of Vouchers (Douglass Landscaping \$1,700.)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
NEVILLE	X		X			
DOUGLASS					X	
CLARK		X	X			
BECK			X			

- Res. #2013-235 Approval of Vouchers ( L/T Rescue Squad \$10,000.)

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD					X	
NEVILLE		X	X			
DOUGLASS	X		X			
CLARK			X			
BECK			X			

- Ordinance #2013-16 An Ordinance Amending Chapter Seven Entitled "Traffic" of the Revised General Ordinances of the Township Of Lower (approving stop signs on Farmstead at Farmstead & Cape; on Cold Spring at Cold Spring & Cape and on Mayflower at Mayflower & Cape) 2<sup>nd</sup> reading & public hearing

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
NEVILLE			X			
DOUGLASS		X	X			
CLARK			X			
BECK			X			

Ordinance #2013-17 An Ordinance Amending Chapter 230 of the Revised General Ordinances of the Township of Lower (unobstructed views at corners - changing the requirement from 8 feet to 12 feet)- 2<sup>nd</sup> reading and public hearing

Councilmember Conrad agreed that the ordinance is a good idea considering the size of the vehicles on the road and for the safety of the school buses.

Mayor Beck agreed.

Councilmember Douglass agreed that this will help with obstructed corners.

Manager Voll announced that Public Works has been trimming back trees that obstruct stop signs and intersections in an effort to get ready for the new school year.

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
NEVILLE		X	X			
DOUGLASS	X		X			
CLARK			X			
BECK			X			

Ordinance #2013-18 An Ordinance for the Township of Lower to Establish an Energy Aggregation Program, 2<sup>nd</sup> reading & public hearing

Councilmember Neville motioned to Table Ordinance #2013-18 to establish more information pertaining to this matter.

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
NEVILLE	X		X			
DOUGLASS		X	X			
CLARK			X			
BECK			X			

**Administrative Reports**

Personnel Actions Report

Monthly: Animal Control, Construction, Dog, Municipal Clerk, Police, Tax Collector, Treasurer, Vital Statistics

**Council Comments**

Councilmember Conrad commented on the public education session on substance abuse. He hopes this is the first of a series to come.

Councilmember Neville made reference to the dolphins washing up on the beach. He advised people to keep their distance if they encounter one and instructed them to call Animal Control.

Deputy Mayor Clark informed about Mayor Beck’s awareness of every line on the expense ledger, flagging the cost of dog bags for the beach. He also gave an update on the Economic Development Committee.

Mayor Beck announced the following: Lower Township is on Facebook, the Blood Drive takes place tomorrow at Township Hall from 10:00-3:00. He also spoke about the 15-minute Child Break Presentation, commending the parent educator, Kyran Killian and thanking Colleen Crippen for organizing it. In addition, the Township wide substance abuse program will be held on September 23.

## Call to Public

Janet Pitts of Villas addressed Council to speak about the situation with Cape May City Council's attempt to withdrawal from the regional school district. In doing research, she found that the problem is much bigger throughout the state. She expressed a desire for the state of NJ to come up with a different method of funding the local schools that does not cause opposition between towns.

Steve Sheftz of Townbank addressed Council regarding Cape May City Council's attempt to withdrawal from the regional school district. He thanked the Cape May County Herald for publishing his letter. Attached is a copy of his findings upon further research.

Deputy Mayor Clark found the silver lining throughout the school funding discussions, revealing that many of Cape May's leaders disagree with Wichterman's statements. Additionally, Clark feels that this will prompt discussions on how to educate our children more cost effectively.

Solicitor Sandman added that Mr. Campbell will be here at the next Council meeting to educate on the history of the situation and objectively present the facts. Sandman believes we should invite anyone who has an interest in this matter to attend.

Jay Young of Cape May Beach addressed Council to inquire again about repairs to Clubhouse Road. Manager Voll informed that we have not yet received the approval back from the Department of Transportation. His best guess, after speaking with the Township MUA, Public Works Director and Township Engineer, is that by November they will be repaving Clubhouse Road. Mr. Young also addressed the infrastructure problem on Roseann Avenue. Mayor Beck referred to the Cox Hall Creek Watershed Initiative that began in 2004 as a means of controlling flooding in that area. He argued that the township has not been neglecting the problem, but rather waiting on approval from the state.

Robert Rizzo of Mickel's Run addressed Council to suggest an idea to Mr. Young about speeding up the DOT. He also requested that Deputy Mayor Clark comment on the Fishing Creek School events. Deputy Mayor Clark informed that the Friends of Fishing Creek School are responsible for running the fund-raisers; however he continued to give an update on the progress of renovations to the Fishing Creek School. He explained that we are waiting for permission from the Historical Commission, but are able to proceed with the work on the lead abatement. He still hopes to be open for business to children by sometime next year.

## Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Douglass, seconded by Councilmember Conrad. Motion to adjourn unanimous. Meeting adjourned at 6:52 p.m.

  
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Mayor

  
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Township Clerk

Approved: *Sept 4, 2013*