

Regular & Work Session Meeting Minutes - November 21, 2011

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on November 21, 2011 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 Erik Simonsen
Councilmember Glenn Douglass
Deputy Mayor Kevin Lare
Mayor Michael Beck

Also present: Michael Donohue, Solicitor, Michael Voll, Manager and Recording Secretary Julie Picard

Presentations - Certificates of Appreciation - Hurricane Irene Agencies & Volunteers

Mayor Beck, Council and Rich Harron, Lower Township Emergency Management Coordinator, presented Certificates of Appreciation for all the work performed during Hurricane Irene to the following agencies: Lower Township Police Department, Public Works Department, Construction Office, Animal Control Office, MUA, Fire Bureau, Erma Volunteer Fire Company, Townbank Volunteer Fire Company, Villas Volunteer Fire Company, Lower Cape May Regional School District Busses and Lower Township Elementary School District Busses. Volunteer Certifications were presented to: Linda Bowker, Joan Koeck, James Godfrey, David Perry, Penny Graham, Penny Kraus, Rick Kraus, Sandy Pierpont, Bruce Pierpont, Gloria Olexa, George Strayline, Roy Connors, Margaret Harron, Darryl Benjamin, Nan LaCort, Melisa Lawrence, Lou Marccucu and Suzanne Davis.

Presentations - Certificates of Appreciation for Township Hall & Recreation field updates

Deputy Mayor Lare explained that the work done on the Freeman Douglass Baseball Field and Hockey Rink had been done by volunteers who not only volunteered their time, but donated supplies as well. Deputy Mayor Lare, Mayor Beck and Council presented Certificates of Appreciation and plaques to: Novasak Turf Farms, Daves Trash Removal, Action Supply, Bayshore Landscaping, Church's Nursery, Smeltzer & Sons Feed & Pet Supplies, Lower Cape Hockey Association, South Jersey Hurricanes, Lower Township Phillies Mens Senior Baseball and Lower Cape May Little League

Work Session

Discussion - Mobile Meetings - Dep. Mayor Lare

Deputy Mayor Lare proposed moving a Council Meeting a quarter to the firehouses starting with the December 19th meeting at Townbank Fire Company and then establishing the dates for next year at the re-organization meeting in January. Having Council's approval, Deputy Mayor Lare will coordinate with the Manager and the fire companies to get tentative dates for next year.

Regular & Work Session Meeting Minutes - November 21, 2011

Discussion - Public Safety Building - Mayor Beck

Mayor Beck gave a history of the Public Safety building and all the problems the Township is currently facing with the up-keep of the building including fixing the roof and referred to the report that had been previously prepared on the building. Mayor Beck suggested forming a committee including himself, the Deputy Mayor and one appointment from each Councilmember with full knowledge the committee could not spend a nickel, only make recommendations to Council. Councilmember Conrad stated he was in agreement. Councilmember Simonsen stated the issue had been visited by the Mayors Advisory board previously and some research was done and he believes it would be a good idea to get as much input as possible to come up with the right solutions. Councilmember Douglass stated he had no problem with it and the key people would be involved - including the public. Deputy Mayor Lare stated he believed there would be no harm in exploring the situation and seeing what the issues were.

Review of Consent & Regular Agenda Items

Council Comments - Councilmember Simonsen noted a correction to the minutes.

Public Comment -

Joe Winters, Scott Ave, questioned if the Township has a federal Firearms dealer permit. Manager Voll replied we do not, but it is a common practice throughout the State of New Jersey to allow a retiring officer to purchase his service weapon.

Bob Webber, Cardinal Ave, questioned if any changes other than the "sunset" clause needed to be changed in Ordinance 2011-20 and suggested putting in an ending date.

Consent Agenda

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| Approval of Minutes | November 7, 2011 |
| Res. #2011-298 | Payment of Vouchers, \$170,489.67 |
| Res. #2011-299 | Authorization for Refund of Taxes |
| Res. #2011-300 | Authorization for the Township of Lower to Apply for an Emergency Management Agency Assistance Subgrant |
| Res. #2011-301 | Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Body Armor Grant - \$3,908.30) |
| Res. #2011-302 | Resolution Authorizing an Interlocal Service Agreement with the Township of Middle for Emergency Animal Control Services (To be used only when Lower's ACO's are unavailable and an emergency exists - Middle Township has reciprocal agreement with Lower when they need emergency animal control) |
| Res. #2011-303 | Authorizing Sale of Personal Property Not Needed for Public Use by Private Sale (Sale of service weapon to Captain Lou Russo for \$275.00) |
| Ord. #2011-19 | An Ordinance of the Township of Lower Vacating a Portion of Mulberry Road, 1 st rdg. (Vacates Township's interest in 50' x 100' street end - 2 nd rdg Dec. 5) |
| Ord. #2011-20 | An Ordinance Amending Chapter 570, Entitled "Solid Waste" of the Code of the Township of Lower, 1 st rdg. (Deletes provision that would have ended commercial trash collection as of Dec. 31, 2011 - 2 nd rdg. Dec. 5) |

Regular & Work Session Meeting Minutes - November 21, 2011

Motioned to adopt the consent agenda moved by Councilmember Douglass, seconded by Councilmember Conrad.

Roll Call Vote:

Councilmember Conrad	Yes
Councilmember Simonsen	Yes
Councilmember Douglass	Yes
Deputy Mayor Lare	Yes
Mayor Beck	Yes

Regular Agenda

Ord. #2011-18 An Ordinance Authorizing Certain Traffic Control Signage and Markings on Station Road in the Township of Lower, (Authorizing 10 mph speed limit and school crossing markings on Station Road) was presented for second reading and final adoption. The Clerk announced the ordinance was posted and published according to law and copies were available in the Clerk's Office.

Mayor Beck opened the meeting for comment on the ordinance. There being no comments, Motion to adopt moved by Councilmember Conrad, seconded by Councilmember Simonsen.

Roll Call Vote:

Councilmember Conrad	yes
Councilmember Simonsen	yes
Councilmember Douglass	yes
Deputy Mayor Lare	yes
Mayor Beck	yes

Administrative Reports

Department Reports Animal Control, BOCA, Dog License, Bureau of Fire Safety, Clerks, Court, Engineer, Police and Vital Statistics

Council Comments

Councilmember Conrad wished everyone a very safe and Happy Thanksgiving.

Councilmember Simonsen reminded everyone of the Lower Cape May Regional High School Anchor Bowl being held on Thanksgiving Day and wished everyone a Happy Thanksgiving.

Upcoming Events in the Township include:

November 29 - 7p.m. - Tree Lighting Service at Lower Township Recreation Center

December 2 - Lower Township Hospitality Night

December 10 - 12 noon Veterans Memorial Service at Cold Spring Cemetery

December 10 - 7p.m. Lower Township Christmas Parade

December 3 - West Cape May Christmas Parade

Regular & Work Session Meeting Minutes - November 21, 2011

December 8 - 7p.m. Richard M. Titleman Winter Concert at Lower Cape May Regional High School
December 14 - 7p.m. Sandman School Winter Concert
December 15 - 7p.m. Lower Cape May Regional High School Winter Strings Concert
December 20 - 7p.m. Lower Cape May Regional High School Band and Choir

Councilman Douglass wished everyone a safe and Happy Thanksgiving.

Deputy Mayor Lare wished everyone safe travels and a Happy Thanksgiving

Mayor Beck, on behalf of Council, thanked Lower Township employees, volunteers, residents and veterans for all they do to make Lower Township a beautiful place to call home.

Call to the Public

600 Seashore Road

Scott Nusser, Seashore Road, addressed Council regarding 600 Seashore Road. It was a Zoning issue which ultimately resulted in a superior court ruling stating the lot was not to be used for commercial purposes. The property owner has since parked old junk tow trucks on the property violating the zoning ordinances and requests Council to do something about the situation. Solicitor Donohue replied he and the manager have visited the property and taken pictures and will be discussing the situation within the next few days.

Public Safety Building

Jack Sparks addressed Council regarding the Public Safety Building and requested they look into every possibility and also suggested this project may be a ballot referendum because of the cost.

Heritage Trail

Robert Rizzo, Mickels Run, addressed Council regarding the Heritage Trail article in the paper and thanked the Mayor, Council and all the people involved. He said hopefully, the Township will get something from this.

Drugs /Gangs

Marianne Rementer, Alexander Ave, addressed Council regarding drugs and gangs in the Villas. She said the cops and the prosecutors office blame each other and our young people are being effected. Ms. Rementer requested help dealing with these situations.

Uniform Fire Code

Dan Copley, 1425 Bayshore Road, addressed Council regarding the Uniform Fire Code and requested the excessive fees currently being charged be looked into and also questioned why Fire Safety has raised the fees for fire inspections.

600 Seashore Road

Karen Matthews, Weekslanding Road, addressed Council regarding the abandoned vehicles on the

Regular & Work Session Meeting Minutes - November 21, 2011

property and stated she was almost in an accident because of the abandoned vehicles blocking the view.

Mike Sanger addressed Council to agree with the other residents that they are in fact junk vehicles on the property.

Angela Alexander, Weekslanding Road, addressed Council and stated the abandoned vehicles on the property were towed there.

Jeremy Roth, Weekslanding Road, addressed Council and stated the abandoned vehicles on the property are cutting off the street at the bus stop.

Abdelkrim Fadel, Seashore Road, addressed Council and requested something be done regarding the abandoned vehicles on the property.

Joe Boyle, 313 Arizona Ave, addressed Council and thanked the veterans.

Recreation Roof

Joe Winters, Scott Ave, addressed Council and questioned the status of the recreation roof. Manager Voll replied the Township is still addressing current situations but will not sign off until assurances are received no additional leaks will be found.

600 Seashore Road

Lou Altobelli, Seashore Road, addressed council and stated he is the property owner of 600 Seashore Road. He stated he went through the zoning process and both Lower Township Zoning Board and the Court have upheld the finding that the property can be used for the storage of vehicles. Most of the vehicles on the property are registered and operational. He said the property was deemed to be a storage facility by the court and by Lower Township, that is what it is being used for.

Joe Petruccelli, Seashore Road, addressed Council and stated he did not believe storage of vehicles should be extended to the edge of the property line. It is dangerous. He requested council to look at how many trucks are parked on the property and see they are unsafe and an eye-sore.

Closed Session

Res. #2011-304 Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12." (Personnel - Police Dept., Potential Litigation, Labor Relations)

Motion to adopt moved by Councilmember Douglass, seconded by Councilmember Conrad.

Roll Call Vote:

Councilmember Conrad	Yes
Councilmember Simonsen	Yes
Councilmember Douglass	Yes

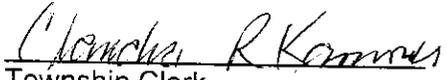
Regular & Work Session Meeting Minutes - November 21, 2011

Deputy Mayor Lare Yes
Mayor Beck Yes

Council returned to open session and there being no further comment, motion to adjourn moved by Councilmember Douglass, seconded by Councilmember Conrad. The meeting unanimously adjourned by verbal "ayes" at 9:15 p.m.



Mayor



Township Clerk

Approved: December 5, 2011