

COUNCIL MEETING MINUTES – December 7, 2015

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on December 7, 2015 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

Pledge of Allegiance – Girl Scout Troop #45296

Girl Scout Troop #45296 led the pledge of allegiance and flag salute and introduced themselves to Council.

Work Session

Proclamation - Officer Darrin Hickok

Mayor Beck read a proclamation honoring Darrin Hickok and congratulating him on his retirement from law enforcement. Officer Hickok expressed his sentiments about serving in the township he grew up in. On behalf of the Lower Township Police Department, Chief Mastriana thanked Officer Hickok for his service and wished him well on his retirement.

Proclamation – Supporting the Drive Sober or Get Pulled Over 2015 Year End Holiday Crackdown

Mayor Beck read the proclamation supporting the Drive Sober or Get Pulled Over 2015 Year End Holiday Crackdown.

Consent Agenda

Deputy Mayor Clark asked Council about moving Resolution #2015-356 to a later date to allow for further discussion. Councilman Conrad voiced opposition to putting off the resolution. Manager Ridgway stressed the urgency in moving forward with the resolution, as he stated the township's beach maintenance permit is currently expired. He also expressed a desire for uniformity throughout the township's beach access points. Councilman Perry commented in support of Manager Ridgway's statement, having recently attended a seminar on dune preservation. He also stressed the importance of safe beach access from an emergency services perspective. Councilman Conrad recommended moving the resolution to the Regular Agenda to continue discussion. Council consented.

Approval of Minutes	November 22, 2015
Res. # 2015-335	Payment of Vouchers \$ 362,378.89
Res. # 2015-336	Certification of Lot Clearing Charges to the Tax Collector (\$1,675.)
Res. # 2015-337	Insertion of Special Item of Revenue Pursuant to N.J.S.A.40A:4-87, Chapter 159 (Drive sober or get pulled over \$5,000)
Res. # 2015-338	Authorization for the Payout of Accumulated Compensatory Time (J.Chew \$7,932.78)
Res. # 2015-339	Authorization for Refund of Taxes

- Res. # 2015-340 Transfer of 2015 Appropriations (\$21,500)
- Res. # 2015-341 Resolution Requesting Release of Maintenance Guarantee for James & Debbie Bailey; Block 499.01, Lot 27.03; Escrow Z96-09-06 (\$4,830.75)
- Res. #2015-342 Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July, 2014-June 2019(Lower Cape Municipal Alliance grant application)
- Res. #2015-343 Authorization for the Payout of Accumulated Compensatory Time (M.Szemcsak \$2,204.45)
- Res. #2015-344 Authorization for the Payout of Accumulated Compensatory Time (K.White \$787.67)
- Res. #2015-345 Authorization for the Payout of Accumulated Compensatory Time (K.Fournier \$796.15)
- Res. #2015-346 Approval of Contribution to Lower Township Rotary (\$800)
- Res. #2015-347 Approval of Contribution to Lower Township Chamber of Commerce (\$4,000)
- Res. #2015-348 Awarding Banking Services Agreement (Sturdy Savings Bank)
- Res. #2015-349 Contract Award for a State Contract AVAYA IP500 Telephone System from TRICOMM Services Corp – Public Safety Building (\$27,551.66)
- Res. #2015-350 Bid Acceptance and Contract Award to Upgrade Police Radio Equipment on Two (2) Towers (Ted Kingston \$18,750.)
- Res. #2015-351 Resolution requesting Release of Demolition Bond for Block 499.01, Lot 27.01, 657 Townbank Road (\$1,000)
- Res. #2015-352 Authorization for the Payout of Accumulated Compensatory Time (J.Saunders \$260.81)
- Res, #2015-353 Resolution requesting Release of Demolition Bond for Block 350, Lot 11, 109 Wildwood Avenue (\$500)
- Res. #2015-354 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on Govdeals Online Auction Website
- Res. #2015-355 Resolution Authorizing a Review of Compliance with Prior Annual Continuing Disclosure Obligations and participation in the Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation Initiative
- Res. #2015-357 Resolution Approving a Professional Service Contract with Hatch Mott MacDonald for the Proposed Lease Area at the Freeman Douglass Jr Memorial Park (\$3,280)

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

Regular Agenda

- Res. #2015-356 Resolution Approving a Professional Service Contract with Hatch Mott MacDonald for NJDEP Beach Maintenance Permit and Design of Beach Access Path Upgrades (\$19,850)

Mayor Beck expressed interest in allowing the public an opportunity to comment. Deputy Mayor Clark agreed and communicated a few concerns from the public about the use of gravel and fencing. Discussion ensued about separating the two items on the resolution: the NJDEP Beach Maintenance Permit from the Design of Beach Access Path Upgrades. Manager Ridgway reiterated the urgency in getting the maintenance permit. Councilmembers Perry and Conrad commented in support of moving forward with the resolution. Gary Douglass, Director of Public Works, validated the use of gravel and fencing for beach access and informed that it was suggested by the NJDEP to put the two items together.

Susan Jacobs, Beach Drive, expressed concern about preserving the dunes in their natural state to support the echo system. She voiced opposition to the use of gravel and fencing and questioned the number of emergencies along the bay this year. She also requested remembrance of our service members for their sacrifice, including Pearl Harbor Day.

John Skowronski, 607 Arctic Avenue, voiced concern about widening the beach access paths and the plan for drop-offs. Manager Ridgway reiterated the safety issues.

Vince Grimm, 3205 Shore Drive, commented about the beach access paths along Shore Drive and the improper placement of the snow fencing. He also voiced discontent with comparing the bay to the ocean. He agreed with Mayor Beck that the two issues should be separated and need further discussion.

Bill Greenfield, Villas, voiced favor with upgrading the beach access points in the Villas. He stated no preference as to materials to be used, but suggested ramps be placed at some of the entrances.

Robert Rizzo, Mickel's Run, suggested the two issues be separated to allow the people along the Bayfront to voice their opinions. He also questioned Councilman Simonsen for not commenting. Councilman Simonsen stated that he is reserving comment until he has heard from the people.

Gary Douglass, Erma, countered Mr. Rizzo's comment and reminded that the Bayfront is owned by Lower Township, therefore it is for use by everyone, not just the residents along the bay.

Steve Morey, Erma, Hatch Mott MacDonald, informed that the two issues are together due to the need to obtain a beach maintenance permit from NJDEP and NJDEP advising to include the beach access upgrades with the application. He suggested the cost would increase with two separate applications. He communicated the reason for proposing eight feet paths.

Deputy Mayor Clark questioned the permit application process. Mr. Morey offered to present a draft plan before submitting application if Council wishes to do so. He also informed that the matter was discussed thoroughly at the last RAB meeting with members of the public present. He reminded that Hatch Mott MacDonald works at the will of the Township.

Councilman Conrad asked about the use of gravel. Mr. Morey explained the reason for using gravel to allow easier access for pedestrians.

Mayor Beck questioned the time frame to allow public input. Mr. Morey reminded that the plan still has to be drafted but proposed mid-January or February for review.

Councilman Conrad stated that the split-rail fencing is not for dune retention, but to keep people off the dunes. Mr. Morey confirmed the same.

Janet Pitts, Villas, agrees with uniformity and fairness and voiced discontent with the absence of benches along the bay in Villas. Councilman Conrad agreed and expressed interest with the addition of trash cans. Ms. Pitts questioned the prevention of cars on the beach with eight feet access paths.

Eileen Kreis, Villas, supports uniformity and widening the beach access paths, especially in Villas. She also countered Ms. Jacob's comments regarding emergency rescues and stressed the importance of safe access points along the Bayfront.

Councilman Simonsen disclosed his comments in favor of moving forward with the resolution.

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

Res. #2015-358

Person-to-Person Transfer of Liquor License #0505-33-012-009 from Harbour Side, Inc to JEL Liquor Limited Liability Company (this request was advertised and no objections were filed)

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

Res. #2015-359

Authorization for 2015 Incentive Award for Insurance Waiver (\$62,749.99)

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

Res. #2015-360

Authorization for the Payment of College Credits (\$21,700)

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

Res. #2015-361

Authorization for the Payout of Accumulated Compensatory Time (M. Perry \$4,408.19)

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

Council Comments

Manager Ridgway revealed good news from Governor Christy's office that Lower Township has been granted \$550,000 toward the Bayshore Estates Project. He gave kudos to the Township Grants Coordinator, Colleen Crippen.

Councilman Conrad spoke of the many wonderful free events in the community and encouraged everyone to remember those less fortunate than us.

Councilman Perry voiced pleasure with receiving the grants for the Bayshore Estates Project and commended the Grants Coordinator for a job well done.

Councilman Simonsen congratulated Colleen Crippen for her work with the grants and echoed sentiments in remembrance of Veterans on Pearl Harbor Day. He gave an update on the bike path, thanking all the people involved. He informed about upcoming events at LCMR including a presentation on Teens and Social Media, Lower Township Elementary School Winter Concert, Teitelman Winter Concert, and LCMR Winter Concert.

Deputy Mayor Clark echoed sentiments of gratitude in remembering our service men and women and expressed gratitude to our police officers for keeping us safe.

Manager Ridgway announced the upcoming Police Appreciation Breakfast sponsored by the LT Chamber of Commerce and Uncle Bill's Pancake House.

Mayor Beck thanked Colleen Crippen and announced the following upcoming events: Christmas Parade, Wreaths across America, Free Teen Programs, Ferry Merry Christmas and New Year's Eve Party.

Call to Public

Closed Session
Res. #2015- 362

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.
CONTRACT NEGOTIATIONS / LITIGATION /POSSIBLE LITIGATION UPDATE

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

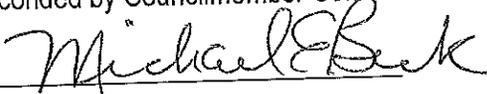
Council adjourned to Closed Session at 8:10 pm.

Council returned to Open Session at 9:05PM.

Motion moved by Councilmember Conrad, seconded by Councilmember Simonsen for the Manager to proceed as discussed in Closed Session. Motion unanimous.

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Simonsen, seconded by Councilmember Conrad. Motion to adjourn unanimous. Meeting adjourned at 9:08 p.m.


Mayor


Township Clerk

Approved: 12-21-15