

## COUNCIL MEETING MINUTES – March 3, 2014

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on March 3, 2014 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 James Neville  
Councilmember Erik Simonsen  
Deputy Mayor Clark  
Mayor Michael Beck

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

Police Department Accreditation – Chief William Mastriana – has been rescheduled to March 17, 2014

Fishing Creek Community Volunteer Program Presentations - David Pacevich – rescheduled to April 7<sup>th</sup>

### Work Session

Second Hand Merchant Ordinance - Detective Sgt Ernest Macomber

Detective Sgt Ernest Macomber and Detective Joe Boyle presented before Council to request an amendment to the ordinance for second-hand merchants to include electronics and high dollar merchandise in the Rapid System to aide in tracking stolen property.

Mayor Beck directed Solicitor Gelzunas to draft an amendment to the ordinance for Council's approval.

Cape May County Electronic Recycling - Gary Douglass, Public Works Director – has been rescheduled to the March 17<sup>th</sup> meeting

Recreation Advisory Board Recommendation - Mark DiDonato

Mark DiDonato, Vice-Chairman, and Luke Gegan, member of the Recreation Advisory Board, presented before Council to request consideration for the 2014 Park / Recreation Development Application to the Cape May County Planning Department Open Space Program. Please see attached.

Diamond Beach Dune Project - Mayor Michael Beck

Mayor Beck spoke briefly about the Diamond Beach Dune Project. He directed Manager Voll to have the Planning Board make a recommendation. Manager Voll informed that, at the request of Mayor Beck and Councilmember Simonsen, he directed Bill Galestok, Planning Director, to send notification to area residents of the March 20<sup>th</sup> planning board meeting.

### Consent Agenda

Approval of Minutes	February 19, 2014
Res. #2014-78	Payment of Vouchers \$ 1,623,369.87
Res. #2014-79	A Resolution Requesting Release of Demolition Bond for Block 541, Lot 15; 206 Glencreek Road, Townbank (releasing \$500)
Res. #2014-80	Issuance of Ice Cream Peddling and Ice Cream Salesmen Licenses for the Year 2014 (Mr. Softee)
Res. #2014-81	Appointment of Acting Municipal Engineer for 2014 Without Public Bidding (Engineering Design Associates, P.A. not to exceed \$5000)

- Res. #2014-82 Authorizing Payout of Terminal Leave (G.Curvan \$1,425.14)  
 Res. #2014-83 Authorization for 2014 Incentive Award for Insurance Waiver (G.Curvan \$833.33)  
 Res. #2014-84 Authorizing Payout of Terminal Leave (E.Will \$7,687.51)  
 Res. #2014-85 Approval of Precious Metal License (Adele's Jeweled Treasures)  
 Res. #2014-86 Approval of Change Order #1 ADA Upgrades and Improvements At The "Old" Fishing Creek School (Thomas Barry Construction \$50,000)  
 Res. #2014-87 A Resolution Urging Our US House Members to Vote "YES" On the Homeowner Flood Insurance Affordability Act of 2014, H.R. 3370 (as amended)  
 Ordinance #2014-03 An Ordinance Amending Chapter Seven Titled "Traffic" of the Code of the Township of Lower (No Parking Regulations on Third Ave) 1<sup>st</sup> reading / 2<sup>nd</sup> reading & public hearing March 17<sup>th</sup>  
 Ordinance #2014-04 An Ordinance of the Township of Lower Amending and Restating Chapter 351 - Flood Damage Prevention - 1<sup>st</sup> reading / 2<sup>nd</sup> reading & public hearing March 17<sup>th</sup>

Mayor Beck requested Resolutions #2014-78 and 2014-81 be moved to the regular agenda.

On the consent agenda:

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

**Regular Agenda**

Res. #2014-78 Payment of Vouchers \$ 1,623,369.87

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

Res. #2014-81 Appointment of Acting Municipal Engineer for 2014 Without Public Bidding (Engineering Design Associates, P.A. not to exceed \$5000)

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

**Administrative Reports**

Monthly Reports – Finance, Police

### Council Comments

Councilmember Neville commented on the school closing due to inclement weather and thanked the Police and Public Works Departments for the snow removal. He also mentioned that improvements were made at Two Mile Crab House and looks forward to the season starting.

Councilmember Simonsen spoke of the Hansen family and their involvement in the St. Baldrick's fundraiser held at the Two Mile Crab House. He commented on the South Jersey Middle School Honors Band held at the LCMR Performing Arts Center as well as the Honors Choir held at the Middle Township PAC. He provided information on the LCMR girls basketball playoff game and announced the accomplishments of three LCMR students competing in the NJSIA state championship at Boardwalk Hall in Atlantic City. He disclosed the approval of the Open Space Trust Application for the Life-Saving Station and Maritime Museum at Higbee Beach and he hopes to see improvements take place there soon.

Deputy Mayor Clark reported that the sentiments from the last Council meeting regarding the school funding issue have echoed throughout Cape May. He informed that the Friends of Lower Township Campaign will be reinstated this year to support the recreational programs throughout Lower Township.

Mayor Beck announced the Health and Wellness Fair to be held on April 22<sup>nd</sup> at the Recreation Center. He offered information about the Employment Services Network for anyone interested in the GED program or career exploration. He also talked briefly about a resolution being passed to support the House Bill 3370.

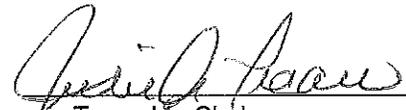
### Call to Public

No one addressed Council.

### Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Simonsen, seconded by Deputy Mayor Clark. Motion to adjourn unanimous. Meeting adjourned at 6:28 pm.

  
Mayor

  
Township Clerk

Approved: 3-17-14

**Lower Township  
Recreation Advisory Board**

February 25, 2014

Mr. Michael Voll, Manager  
Township of Lower  
2600 Bayshore Road  
Villas, NJ 08251

Re: Recreation Advisory Board Recommendation  
Cape May County Planning Department Open Space Program  
2014 Park/ Recreation Development Application

Dear Mr. Voll;

The Recreation Advisory Board (RAB) is working on the Township of Lower's 5-Year Recreation Master Plan Update for 2014 – 2017. We expect to have the "Draft" Master Plan Update completed for presentation to the Mayor and Council in April of this year. Within the "Draft" updated Master Plan the RAB is recommending that the Township explore appropriate sites for development of additional park facilities, indoor facilities and other recreation infrastructure projects. The RAB has identified five such projects that the Board anticipates will enhance the overall recreation capital in the Township. (Beach Drive/Shore Drive Public Access Improvements, Bike Path, Douglass Park Expansion, Sunset Promenade and Indoor Pool) These five projects were prioritized by the RAB based on their value to the community, phase of planning, potential permitting constraints, costs and shovel readiness. The project given the highest priority is the Beach Drive / Shore Drive Public Access Improvements project. This project recently received its NJDEP CAFRA permit and construction of the proposed improvements will greatly enhance the experience of Township residents and visitors on the Delaware Bay waterfront. A full description of the project and its benefits is attached.

The purpose of this letter is to request that Mayor and Council consider this project for an April 2014 - Park and Recreation Development application to the Cape May County Open Space Program. The Beach Drive / Shore Drive Public Access Improvements project meets the purpose and objectives of Open Space Program funding as a project that will provide an amenity at a recreational area, meet local service needs and it demonstrates a project that will enhance the community. Based on all of the above we recommend that the Township see this project as its first priority to enhance the recreation and open space enjoyment of its residents and visitors alike and pursue this available funding opportunity.

Very Truly Yours,

*Deborah A. John, Chairman RAB*

## 1. Beach Drive/Shore Drive Public Access Improvements

Beach Drive and Shore Drive comprise a single continuous roadway that parallels a popular strand of beach along the Delaware Bay in the local communities of North Cape May and Town Bank. The local beach is popular for swimming, fishing, kayaking, beach combing, sunning and solitude. Beach access points are provided at or in close proximity to all of the twenty-three local streets and the two collector roads of Lincoln Boulevard (US Rt.9) and Townbank Road (CR. 648) that intersect with Beach Drive and Shore Drive at Lincoln Drive to Fernwood Road. This roadway is popular for its vista points for viewing the world famous Delaware Bay sunsets. The Township's NJDEP Municipal Public Access Plan identifies the beach access at Beach Drive and Lincoln Boulevard as a "Destination Public Access Point" where visitors are offered ten public parking spaces, including two handicapped spaces and access directly onto the beach. In the summer months a food vendor is typically set up at this popular location. Of regional significance this location is identified as a Delaware Bay "vista point" on the recently adopted 122-mile Bayshore Heritage Scenic Byway, a State sponsored regional planning initiative that emphasizes the unique natural and historical landscapes along southern New Jersey's "western shore" in Salem, Cumberland and Cape May counties.

This Township roadway is a two lane minor collector road that supports two-way vehicular traffic access to residential streets and to the beach. Beach Drive extends north from Lincoln Boulevard (US Rt.9) to Emerson Road. This section of the roadway has a varying paved cartway width of approximately 30 feet that includes a 6 foot wide shoulder on the northbound side with no shoulder along the southbound side where the road interfaces with the dunes. Curbing exists discontinuously on the residential side of the street. No curb exists along the beach side with the exception of a one block long curb between Scott Avenue and Browning Avenue. On-street parking is only permitted on the east side or northbound side of Beach Drive between Lincoln Drive and Emerson Road. Shore Drive extends north from Emerson Avenue. The paved cartway between Emerson Avenue and Fernwood Road has a varied width of approximately 25 feet. This section of roadway has no shoulders, curbs or sidewalk on either side. No parking is permitted on either side of Shore Drive.

No sidewalks exist along the bay side of the roadway. In many locations within the project area the southbound travel lane is partially impeded by drifting sand from the adjoining dunes. Present conditions have pedestrians, bicycles and motor vehicles sharing the existing cartway. This condition creates conflicts with motorists and pedestrians who utilized the southbound cartway for, (1) ingress and egress at the many beach access paths along the roadway, and (2) for recreation as a "favored walkway" along the Delaware Bay beachfront.

The purpose of the public access project is to improve pedestrian safety and beach access along one of the Township's most popular waterfront destinations. The proposed roadway improvements are intended to mitigate present roadway deficiencies that have pedestrians, bicycles and automobiles sharing the cartway by providing a separate path for pedestrian circulation along the beach to take place outside of the cartway and provide a bicycle compatible roadway that conforms to current roadway design standards. The proposed 1.5 mile long walkway will be constructed with a continuous 6 feet wide concrete sidewalk and curb that will improve pedestrian circulation and access to each street intersection and designated beach access point from Lincoln Boulevard to Fernwood Road. Marked pedestrian crosswalks will be constructed with American Disabilities Act (ADA) improvements at the intersecting streets between the residential neighborhood and the beach. Signage will be added in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). The roadway will be improved to provide consistent and appropriate cartway widths for a bicycle compatible "share the road" roadway in conformance with NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines.

The new roadway will consist of 12 foot wide lanes in each direction with a minimum 8 foot wide parking lane along the east side of the road. This proposed road width will maintain the existing parking from Lincoln Boulevard to Emerson Avenue. From Emerson Avenue to Fernwood Road 12 foot wide lanes are proposed in each direction with no shoulders, curb or parking along the either side of the road consistent with existing conditions. The roadway will maintain a consistent cartway width required for shared use bicycle compatibility. The new 6 foot wide sidewalk meets the minimum Residential Site Improvement Standards (RSIS) and width requirements for ADA compliance.

The project will enhance the recreational opportunities along the beach by providing safe ingress and egress at existing beach access paths, as well as provide a continuous safe pedestrian travel way for walking, jogging and sightseeing along the Township's popular waterfront. Lower Township Council, Recreation Advisory Board and the Lower Township Police Department have endorsed the project. This project was also adopted into the Township's Municipal Public Access Plan (MPAP) as one of five projects identified by the Township to improve the level of public access to its tidal waters.

On January 17, 2014 Lower Township received a NJDEP CAFRA permit for its proposed Beach Drive/ Shore Drive public access improvements.

Projected construction cost: \$900,000.00