

## COUNCIL MEETING MINUTES – September 16, 2013

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on September 16, 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  
Deputy Mayor Clark  
Mayor Michael Beck

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

### **Work Session**

#### Proclamation - Constitution Week

Mayor Beck read the proclamation designating the week of September 17 – September 23 as Constitution Week. He urged all citizens to study and live by the rights and responsibilities set forth by the Constitution.

#### Presentation to: Diana DeNote – Retirement

Mayor Beck and Council presented Diana DeNote with a proclamation for her thirty-five years of dedicated service to the Lower Township Police Department. Chief Mastriana expressed his sadness regarding her retirement and presented Diana with a plaque from the Police Department, also in recognition of her thirty-five years of dedicated service.

#### Presentation to: Judy Gillis - Certificate of Appreciation

Mayor Beck shined the spotlight on Judy Gillis as he and Council presented her with a certificate of appreciation for her heroic act of assisting a citizen in need. He thanked Judy for her kind heart and dedicated service to Lower Township.

#### Discussion on Aerobic Contest

Councilmember Conrad informed that Freeholder Will Morey approached Council requesting their support of a World Championship Aeronautic Competition to be held in 2016.

Councilmember Neville pointed out that it is an opportunity for economic development.

Deputy Mayor Clark agreed that it could be a great opportunity to put the airport on the map and bring activity to businesses in that area. He did however warn about the noise factor it may present. Councilmember Conrad informed that the European planes have quieter mufflers and times will be restricted.

Mayor Beck agreed with Council and stated that because it is County property, the County will be responsible. He also pointed out that it won't cost the Township anything.

#### Economic Development Advisory Board – Presentation

Deputy Mayor Clark, Chairman of the Economic Development Advisory Committee, expounded upon the formation of the committee and its members and presented a preliminary report by power-point. Please see attached. On behalf of the committee, he thanked Historic Cold Spring Village, the Lobster House, Craig Fitz and Lumenogic.

Deputy Mayor Clark invited several members from the committee to talk in greater detail about their ideas.

Ernie Utsch of Utsch's Marina spoke about brand names getting people's attention and addressed the idea of change. He suggested that Council consider the way we are recognized by changing the Lower Township name to a more recognizable name such as Cape May Township. He suggested a referendum to allow the voters of the township to decide.

Rick Weber of South Jersey Marina seconded the concept of using a brand name to promote his business and agreed that the name Lower Township does not work. He spoke on behalf of the marine industry about dredging

issues, particularly the handling of dredged material. He expressed his opinion that we need a dredged material management plan and that our government needs to be involved.

Deputy Mayor Clark spoke on behalf of Daniel Cohen from Cape Atlantic Fisheries about oyster farming. He also discussed ideas for economic development at the Cape May County Airport.

Ryan Krill, president of the Cape May Brewing Company reviewed how his business got started. He talked about the current economic times and the opportunity for venturing into business. He offered his ideas on development at the Cape May County Airport and suggested that an incentive for investment into the airport would equal an investment into the Township.

Deputy Mayor Clark informed about the idea to have local business leaders' talk to the juniors and seniors at LCMR high school about careers and developing an apprentice program for business entrepreneurs.

Mayor Beck commended Deputy Mayor Clark and all of the committee members on their efforts and their passion.

Councilmember Conrad stated that he likes many of their ideas presented.

Deputy Mayor Clark suggested that Council consider tax abatements as a way to incentivize business at the Cape May County Airport.

Mayor Beck directed his attention to the Cape May Brewery and commended them for the fine job they've done with their business. He agreed that tax abatements could be a key to generating development at the airport.

### **Consent Agenda**

Councilmember Conrad had a question about Ordinance #2013-20. Mayor Beck replied that it has to do with the best practice checklist. Clerk Picard further explained. Councilmember Neville added a note about having to swipe in and out of classes to receive the credits.

Ed Butler of Villas addressed Council regarding resolution #2013-251 and #2013-252.

Mayor Beck explained that the schools pay us for the use of our officers during the school year. Mr. Butler questioned why they don't hire their own officers. Mayor Beck argued that the schools want regular police officers and that we have the advantage of getting our officers back for the summer. Councilmember Conrad informed that the officers also do the D.A.R.E. program and drug education as well as provide communication opportunities for the students.

Mr. Butler referred to resolution #2013-257 and asked the purchase price per acre on Slamb Farm. Mayor Beck informed that it is \$37,000 per acre.

Approval of Minutes	September 4, 2013
Res. #2013-247	Payment of Vouchers \$3,565,953.19
Res. #2013-248	Insertion of Special Item of Revenue Pursuant to N.J.S.A.40A:4-87, Chapter 159 (\$725 award from insurance fund - EPL training)
Res. #2013-249	Amending Resolution #2013-16, The Cash Management Plan (insertion of Fund Balance Policy required by Best Practices Inventory)
Res. #2013-250	Approval of Alcoholic Beverage Control License - Person To Person, Place To Place - Expansion of License Premises - License #0505-36-014-004, T/A Hotel Icona/Coastal Blue Restaurant (from Achristavest Pier 6600 to Icona- adding additional restaurant)
Res. #2013-251	Resolution Approving Interlocal Services Agreement Between the Township of Lower and Lower Cape May Regional School District (School Resource Officer - 3 years \$226,374.84)
Res. #2013-252	Resolution Approving An Interlocal Services Agreement Between the Township of Lower and the Lower Township Board of Education (School Resource Officer 18 months\$110,371.36)
Res. #2013-253	Drunk Driving Enforcement Fund Application \$6,121.42 (app to NJ Dept of Law & Public Safety for grant to subsidize overtime)

- Res. #2013-254 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (\$6,121.42 Drunk Driving Enforcement Fund)
- Res. #2013-255 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (\$5,000 Emergency Management Assistance from Cape May County)
- Res. #2013-256 Authorizing the Refund of Taxes (3 properties paid twice \$2,333.28)
- Res. #2013-257 Resolution Affirming the Review and Final Approval of the Application and Purchase of the Development Easement on Slamb Farm ( 653 Route 9, BI 510/L4.02,4.04 & 22 12.74 acres - Cape May County Open Space & Farmland Preservation)
- Res. #2013-258 Approval of Wizards Festival of Fun Events Ferry Merry Christmas December 22, 2013 and New Year Eve Celebration December 31, 2013 (\$4,235. Ferry Merry Christmas at DRBA terminal & \$2,650 New Year's Eve Event at Rec center)
- Ord. #2013-19 An Ordinance Amending Chapter 441 Entitled "Noise" of the Revised General Ordinances of the Township of Lower (amending to reflect loading and unloading not be allowed between the hours of 10p.m. and 8a.m. seven days a week) 1<sup>st</sup> reading - 2<sup>nd</sup> reading & public hearing Oct 4, 2013
- Ord. #2013-20 An Ordinance Amending Ordinance #2012-01; An Ordinance Amending Chapter 3, Administration of Government of the Codes of the Township of Lower (adding required elected officials training) 1<sup>st</sup> reading - 2<sup>nd</sup> reading and public hearing Oct 4, 2013.

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

## Regular Agenda

### Administrative Reports

Monthly Reports - Animal Control, Construction, Dog, Fire, Municipal Clerk, Police, Tax Collector, Vital Statistics

### Council Comments

Councilmember Conrad stated that he was happy to see Judy Gillis recognized for her hard work. He also thanked those township employees who go above and beyond the call of duty.

Councilmember Neville referred to Jeff Lindsay's letter recommending we fill the Ward 3 vacancy on Council. Due to certain issues at hand, particularly the regional school funding issue, he agreed that Ward 3 should have a representative and feels that Jacqueline Henderson would be well suited for the position.

Motion to appoint Jacqueline Henderson to the interim open Council Ward 3 position moved by Councilmember Neville, seconded by Deputy Mayor Clark.

	MOTION	SECOND	AYE	NAY	ABSTAIION	ABSENT
CONRAD			X			
NEVILLE	X		X			
CLARK		X	X			
BECK			X			

Mayor Beck stated that he was happy with the press coverage regarding the referendum questions on the school funding issue and informed that a reverse 911 call will be going out this week advising residents to vote "no" on their absentee ballots. He also announced the Substance Abuse Symposium at Township Hall on Monday, September 23 at 6:00 p.m., urging parents to attend so they can prevent this evil from entering their homes. Other announcements included: the Cape May County drive-through flu clinic on October 6 from 8:00 – 1:00 at Kindle Ford; the 172 mile, 3 day memorial "Run for the Fallen" begins on Friday, September 27 at Cape May Lighthouse and ends at the NJ Vietnam Veterans Memorial in

Holmdel, NJ. A special flag ceremony dedicated to all NJ fallen service members will be held on September 26 at 6:00 p.m. at Sunset Beach.

**Call to the Public**

Bill Greenfield of Villas addressed Council concerning the new flood maps and current reassessments. Mayor Beck informed that the reassessments will be complete long before the new flood maps, but we have to wait for home sales in order to determine the impact of the assessments. He reassured Mr. Greenfield that numbers will be adjusted accordingly if needed. Deputy Mayor Clark commented on the V zones established by FEMA and remains hopeful that adjustments will be made as they evaluate it more closely.

Steve Sheftz of Townbank addressed Council regarding the number of zip codes Lower Township shares. He believes that the time has come for someone to fight for our own zip code. In reference to economic development, he spoke about a business incubator and informed that Will Morey has the study detailing how to establish a plan. Mr. Sheftz is available to talk more on this subject if anyone is interested.

Frank Seracco of Villas addressed Council regarding the elevation maps and requested that they be better marked. Deputy Mayor Clark suggested the best way to view your area is to sit with the Township Engineer and view it from his computer.

George Doherty of Seashore Road addressed Council to ascertain if the MUA is privatizing. Councilmember Conrad informed that based on the last MUA meeting, the executive director made it clear that they are not looking to privatize through 2014.

Ed Butler of Villas commented on the above MUA question and referred to an article in the Star and Wave that explains it. He also expressed a desire to have the camera on the residents as they speak. Mayor Beck opposed Mr. Butler's idea and explained why. Councilmember Conrad agreed with Mayor Beck. Council consented to keep the camera where it is.

Frank Seracco commented about the camera and pointed out that residents identify themselves when they approach Council. Mayor Beck countered his point. Councilmember Conrad referred to the privacy clause. Deputy Mayor Clark concluded by pointed out that conversation between Council and residents would require 2 cameras and an editor. Council again consented to keep the camera where it is.

Dan Santoro of Roseann Avenue addressed Council about the progress on his street. Manager Voll gave an update informing that the engineers who are preparing the maps and surveys are about two weeks from completion. Mayor Beck reminded about the elevation issues and reiterated his point of making sure the problem is fixable before spending money on it. Discussion ensued about Cox Hall Creek. Mr. Santoro referred to a conversation he had with Senator VanDrew on the subject. Mayor Beck said VanDrew is aware of the problem. Mayor Beck stated that elevation may be the answer.

George Doherty addresses Council to inquire about progress on the bike path and offered his thoughts on the opportunity for economic development. Manager Voll informed that the Township has met with the DRBA and Middle Township and we are moving forward, but it will require environmental permits and time.

Manager Voll gave an update on Clubhouse Road. He also informed about the status of the Millman Community Center and compartment space for the Golden Agers.

**Closed Session**

Res. #2013-259

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 Negotiation Updates - AFSCME Rec Aids

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

Council adjourned to Closed Session at 7:55 pm.  
The Mayor stated that Council may re-convene after closed session to adopt another Resolution.

**Return to Open Session**

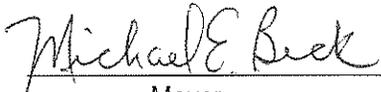
Council returned to open session at 8:05p.m.

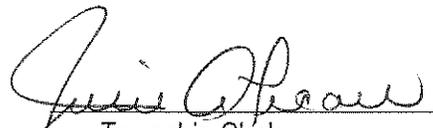
Res. #2013-260      A Resolution to Ratify the Collective Bargaining Agreement Between Lower Township and the Lower Township Recreation Aids Association - Local #3779B, AFSCME District Council #71, AFL-CIO( Rec Aides 2012-2016)

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

**Adjournment**

There being no further business to conduct, motion to adjourn the meeting moved by Councilmember Conrad, seconded by Deputy Mayor Clark. Motion to adjourn unanimous by verbal "ayes". Meeting adjourned at 8:06 pm.

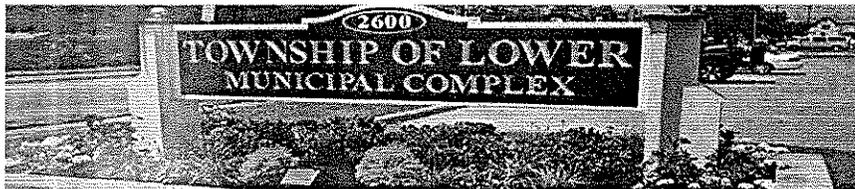
  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Township Clerk

Approved: *Oct 7, 2013*



Lower Township  
Economic Development Advisory  
Preliminary Report  
September 2013



## Members

- **Curtis Bashaw** (Cape Resorts Group)
- **Daniel Cohen** (Cape Atlantic Fisheries)
- **David Craig** (Lucky Bones)
- **Larry Hume** (Sunset Beach)
- **Keith Laudeman** (The Lobster House)
- **John McNulty** (Bayshore Landscaping)
- **Jay Spori** (Seashore Campsites)
- **Mary Stewart** (Mid-Atlantic Center for the Arts & Humanities)
- **Ernie Utsch** (Utsch's Marina)
- **Rick Weber** (South Jersey Marina).

# Thanks

- Historic Cold spring Village
- Lobster House
- Craig Fitz
- Lumenogic

**Sunset Beach Gifts**

**SEASHORE**  
CAMPSITES

**Bayshore**  
**LANDSCAPING**

**CONGRESS HALL**  
A CAPE PLEASURE

**LUCKY BONES**  
BACKWATER GRILLE

**Atlantic Capes**  
FISHERIES, INC.

Atlantic Capes Fisheries, Inc. is your direct source for the finest scallops and other quality seafoods. Our own fleet of fishing.

**CAPE MAY FERRY**

**SOUTH JERSEY**  
Serving all your boating needs

## Approach

- Think regionally, with both long and short term ideas
- Engage more participants than just the 10 appointed members
- Brainstorm to generate ideas (37)
- Ongoing prioritization of ideas with "Idea Pageant"
- Research and receive presentations regarding most favored ideas
- Rate according to feasibility
- Make final report of recommendations from committee to council in November 2014

## Timeline

- Formed 2/20/13 – Concludes 12/30/14
- April meeting – Curtis Bashaw
  - Think regionally, both long-term and short-term
- June meeting – brainstorm session
  - Over 30 ideas suggested
- August meeting – Danny Cohen
  - Aquaculture, harbor dredge maintenance
- November - Mary Beth DiVincenzo "How to set up a successful economic development council....lessons from success in Chester County, PA".

Available Tokens:   

Your Investments  Ideas 

-  **Bridge across the bay**  
 Have a bridge or tunnel built across the Delaware Bay. [View this idea](#)  
 Published by whitecoyote on Aug 26, 2013
-  **Sunset viewing platforms**  
 A series of viewing decks built over the dunes on the bay with comfortable places to sit. [View this idea](#)  
 Published by jermquibson on Aug 26, 2013
-  **Chamber of Commerce grade incentive program**  
 Collection of business will offer discounts to students and families who perform well in school. [View this idea](#)  
 Published by johnquibson on Aug 26, 2013
-  **Reintroduce skatepark**  
 Bring out the skate board park, and organize the droves of children with skateboards. [View this idea](#)  
 Published by johnquibson on Aug 26, 2013
-  **Expansion of Halloween events at the airport**  
 Haunted houses and hayrides draw huge crowds, we could publicize a lot better and draw the crowds of around 25,000 people. [View this idea](#)  
 Published by johnquibson on Aug 26, 2013
-  **Incubator for local business development:**  
 Funding coordination Regulatory guidance Business development assistance Local business network. [View this idea](#)  
 Published by bayshoreboy on Aug 26, 2013
-  **Green energy (wind/ solar)**  
 Accommodate more wind/solar development in LT with updated policies/ zoning. [View this idea](#)  
 Published by bayshoreboy on Aug 26, 2013
-  **Other Technology-enabled Remote Services:**  
 Customer Service Center/Telephone and web-based customer service or sales for retail businesses. [View this idea](#)  
 Published by bayshoreboy on Aug 26, 2013
-  **Technology-enabled Remote Healthcare Services:**  
 Teleradiology Telepharmacy Teleresults Medical transcription. [View this idea](#)  
 Published by bayshoreboy on Aug 26, 2013
-  **Birding community to Cox Hall**  
 Create comfortable viewing platforms and environments like those at the Point to attract the birding community. [View this idea](#)  
 Published by johnquibson on Aug 26, 2013
-  **Use the CMC Airport for "fly-in" conferences**  
 add here. [View this idea](#)  
 Published by bayshoreboy on Aug 26, 2013
-  **Sidewalks along the bay**  
 Welcoming walking areas draw attention and shows the township cares about their pedestrians. [View this idea](#)  
 Published by johnquibson on Aug 26, 2013
-  **Find ways to attract businesses to Cape May County Airport**  
 Business ideas include: 3D manufacturing Light fabrication Computer-aided design Software, Web. [View this idea](#)

## Idea Champions

- Curtis Bashaw – guest gateways
- Ernie Utsch - harbors
- Rick Weber – harbors
- Danny Cohen – oyster farming
- Ryan Krill: Tax abatements at the CMC airport