

## COUNCIL MEETING MINUTES – April 9, 2018

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on April 9, 2018 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 Roland Roy, Jr.  
Deputy Mayor Frank Sippel  
Mayor Erik Simonsen

Also present: James Ridgway, Township Manager, David Stefankiewicz, Township Solicitor

### Work Session

Proclamation - Supporting the 2018 UDrive. UText. UPay. Distracted Driving Crackdown April 1-21, 2018  
Mayor Simonsen read the Proclamation.

### Consent Agenda

Approval of Minutes - March 19, 2018

Approval of Closed Session Minutes - March 19, 2018

Res. #2018-126 Payment of Vouchers \$ 1,006,261.74

Res. #2018-127 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (JIF Optional Safety Award \$2,000)

Res. #2018-128 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Atlantic County JIF Cyber Risk Award \$750)

Res. #2018-129 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Atlantic County JIF Safety Incentive Award \$2,400)

Res. #2018-130 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Atlantic County JIF Wellness Incentive Award \$1,000)

Res. #2018-131 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (NJ DOT Municipal Aid \$175,000)

Res. #2018-132 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Emergency Mgmt Performance Grant \$9,400)

Res. #2018-133 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on GovDeals Online Public Auction Website (vehicles/printers/copier/office equip)

Res. #2018-134 Recycling Tonnage Grant Certification of Taxes Paid (\$33,389.52)

Res. #2018-135 Recycling Tonnage Grant Resolution (yearly)

Res. #2018-136 A Resolution Authorizing A Grant Application to the Cape May County Open Space Program for the Development of An Aquatic Center

Res. #2018-137 A Resolution Awarding Eight (8) Concerts to be Held at the Delaware River Bay Authority Ferry Terminal to Media Five Ltd, Frank Kielb and Anderson Entertainment Management, Inc. (Twp total \$15,275.00)

Res. #2018-138 Contract Award to Provide the 2018 Fireworks Show including the Barge to S. Vitale Pyrotecnico Industries, Inc. (\$46,500.00)

Res. #2018-139 Authorizing Payout of Terminal Leave (E.Dougherty \$437.29)

Res. #2018-140 Approving a Professional Service Contract with DeBlasio & Associates for Professional Engineering Services for FY2018 NJDOT Municipal Aid Reconstruction of Georgia Avenue, Alabama Avenue and Main Street (\$44,500.00)

Res. #2018- 141 Resolutions Authorizing the Leasing of Certain Real Property Located in the Township of Lower from the County of Cape May (405 Breakwater Rd)

Res. #2018-142 Renewal of 2018 Campground Licenses (Cape May KOA/Seashore/Beachcomber & Cape Island)

Res. #2018-143 Amending Resolution #2018-91; An Agreement Between the County of Cape May and the Township of Lower for the Purchase of Gasoline and Diesel Fuel through the Commodity Resale System (amending to a five (5) year term)

Councilmember Conrad expressed concern with a portion of the lease agreement for the Public Safety Building restricting dangerous weapons and explosives. Solicitor Stefankiewicz amended Resolution #2018-141 Lease Agreement – page 7(b) to read... "bring into or permit to be kept in the Property any dangerous, explosive or obnoxious substances with the exception of law enforcement supplies/equipment." Motion to amend Resolution unanimous.

Consent Agenda:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
PERRY			X			
ROY		X	X			
SIPPEL			X			
SIMONSEN			X			

**Regular Agenda**

**Ordinance #2018-06**

An Ordinance Amending Ordinance #2013-01; Police Department, of the Code of the Township of Lower – 1975, As Amended, Amending Article 1, Subsection 90-1. This is the second reading and public hearing for this Ordinance. This Ordinance has been published, posted and made available to the public.

On the question:

Tom Poussart, 1B Shawmont Avenue, suggested changing the word Patrolmen to Patrol Officers. Mayor Simonsen agreed.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY			X			
ROY			X			
SIPPEL	X		X			
SIMONSEN		X	X			

**Manager's Report**

Manager Ridgway reminded Council about the upcoming "Ocean Drive Causeway" meeting hosted by Lower Township at the Millman Center on Monday the 16<sup>th</sup> from 3-5pm. The Manger updated on numerous capital improvements, Fire Safety's return to the Public Safety Building as well as the progress of the Rescue and Court portions of the Public Safety Building.

**Administrative Reports**

Personnel Action Report  
February- Police, Treasurer

**Council Comments**

Councilmember Conrad informed of the County road reconstruction from Wilde Avenue to Weber Avenue including the intersection of Bayshore Road and Fulling Mill. The project should last approximately six weeks with portions of Bayshore Road closed for two weeks at a time. An update was given on other upcoming road projects.

Councilmember Conrad announced the arrival of the "Knock out Opioid Abuse" program to Cape May County, and reminded of the "Escape the Cape" triathlon on June 9<sup>th</sup> & 10<sup>th</sup>.

Councilmember Perry shared an update on the Beach Drive Pedestrian Safety Project which is running on schedule and expected to be complete by Memorial Day Weekend. He informed the Rosann Ave project is moving forward.

Councilmember Roy announced a beach cleanup on May 12<sup>th</sup> from 9am-12pm sponsored by the Historic Preservation Committee. He also mentioned upcoming street repairs in the 3<sup>rd</sup> ward.

Mayor Simonsen informed residents of the Low Income Housing Energy Assistance Program (LIHEAP), as well as other sources of aid for energy bills. The Mayor announced the upcoming rabies clinic, little league opening day and the summer concert series schedule.

**Call to the Public**

Mr. Rizzo, Mickels Run, requested attention be given to the Fishing Creek School, specifically the front door.

Debbie, Bates Avenue, would like to see trash cans placed along the beach, and better advertisement for leaf pick up and Council meetings.

Bill Tirrell, 105 Beach Drive, commended efforts along Beach Drive, expressed approval of the new sidewalk and the care taken with the replanting of the dune grass.

**Closed Session**

Res. #2018-144 A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provision of the New Jersey Open Public Meetings Act N.J.S.A. 40:4-12 – Attorney/Client Privilege; Shared Service Discussion

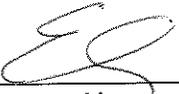
	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
PERRY	X		X			
ROY			X			
SIPPEL			X			
SIMONSEN			X			

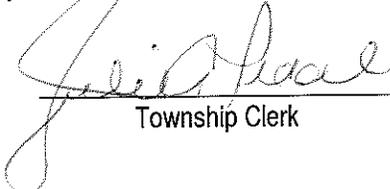
Council adjourned to Closed Session at 7:36 pm.

Council returned to open session at 8:20pm

**Adjournment**

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Roy. Motion to adjourn was unanimous. Meeting adjourned at 8:20 p.m.

  
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 Mayor

  
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 Township Clerk

Approved: 4/16/2018