

## COUNCIL MEETING MINUTES – JUNE 1, 2020

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on June 1, 2020 at 5:00 p.m. via internet at GoToMeetings, 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 via video conference for roll call taken by the Clerk:

Councilmember Thomas Conrad  
Councilmember Kevin Coombs  
Councilmember Roland Roy, Jr.  
Deputy Mayor David Perry  
Mayor Frank Sippel

Also present: via conference call: James Ridgway, Township Manager and David Stefankiewicz, Township Solicitor. Karen Fournier, Deputy Township Clerk was physically present.

### Work Session

#### Consent Agenda

Approval of Minutes – May 18, 2020 and May 21, 2020

Res. #2020-161 Payment of Vouchers \$ 1,083,762.69

Res. #2020-162 Approval of a Professional Service Contract with Marcus Karavan as Special Tax Counsel for the Morell & Hanson Tax Appeal Case Without Public Bidding (\$10,000)

Res. #2020-163 A Resolution Establishing a Five (5) Year Moratorium on the Issuance of Road Opening Permits for the Portions of

Roads Resurfaced at Pontaxit Avenue, Pakahake Street, South Kethemeche Street and Mathemek Street Effective the Date of the Completion of the Project

Res. #2020-164 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (JIF Operational Safety)

Res. #2020-165 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (JIF Cyber Risk Award)

Res. #2020-166 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (JIF Safety Incentive)

Res. #2020-167 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (JIF Wellness)

Res. #2020-168 Authorization for the Payout of Accumulated Compensatory Time (M.Nuscis \$8,241.86)

Res. #2020-169 Authorization for the Payout of Accumulated Compensatory Time (S.Flitcroft \$4,452.99)

Res. #2020-170 Approving a Professional Service Contract with DeBlasio & Associates for the 2019 Road Program – Phase 2 – Section 1; Construction Phase Services (\$19,000)

Res. #2020-171 Bid Acceptance and Contract Award of 2019 Road Program Phase 2, Section 1 for Arizona Avenue, Capital Lane, Republic Lane, Union Lane and Federal Lane (South State \$396,300.)

Res. #2020-172 Appointment of a Lower Township Hearing Officer As a Professional Service Contract Without Public Bidding (S.Secare – Not to exceed \$7,500)

Res. #2020-173 A Resolution Relaxing the Procedures Associated with Site Plan Review and Approval for Existing Restaurants in Relation to Current Social Distancing Restrictions Enacted in Connection With the Ongoing Coronavirus Public Health Emergency

Res. #2020-174 Authorization for Refund of Taxes (2 properties)

Res. #2020-175 Capital Budget Amendment

**Ordinance #2020-12** Bond Ordinance Providing for Various 2020 Capital Improvements, By and In the Township of Lower, in the County of Cape May, State of New Jersey (“the Township”; Appropriating \$2,055,000 Therefor and Authorizing the Issuance of \$1,950,000 Bonds or Notes of the Township of Lower to Finance Part of the Costs Thereof

**Ordinance #2020-13** Bond Ordinance Providing for Various Roadway and Drainage Improvements, By and For the Township of Lower, in the County of Cape May, State of New Jersey; Appropriating \$3,185,000 Therefore (Including a Grant from the New Jersey Department of Transportation in the Amount of \$185,000) and Authorizing the Issuance of \$2,840,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof

**Ordinance #2020-14** Bond Ordinance Providing for Various Improvements to the Clem Mulligan Sports Complex, By and In the Township of Lower, in the County of Cape May, State of New Jersey; Appropriating \$1,999,000 Therefore (Including a Small Cities Community Development Block Grant in the Amount of \$400,000) and Authorizing the Issuance of \$1,490,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof. This is the first reading of Ordinances 2020-12; 13 and 14. The second reading and public hearings have been scheduled for June 15, 2020

Solicitor Stefankiewicz commented on a letter he received from Andrew Catanese regarding Resolution #2020-173. Mr. Catanese addressed his concern regarding Resolution #2020-173, to be inclusive of breweries. Solicitor Stefankiewicz offered his legal opinion regarding the verbiage of the Resolution as currently written. Deputy Mayor Perry suggested that the resolution, if amended, also include wineries. Discussion continued about amending the verbiage of the Resolution. Solicitor Stefankiewicz suggested, as a matter of policy, to move Resolution #2020-173 to the Regular Agenda.

Motion to move Resolution #2020-173 to the Regular Agenda moved by Deputy Mayor Perry, seconded by Mayor Sippel:

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD			X				
COOMBS			X				
ROY			X				
PERRY	X		X				
SIPPEL		X	X				

On the Consent Agenda:

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD	X		X				
COOMBS			X				
ROY		X	X				
PERRY			X				
SIPPEL			X				

**Regular Agenda**

Res. #2020-173 A Resolution Relaxing the Procedures Associated with Site Plan Review and Approval for Existing Restaurants in Relation to Current Social Distancing Restrictions Enacted in Connection With the Ongoing Coronavirus Public Health Emergency

Motion to Amend Resolution #2020-173 – to ADD Breweries, Wineries and Distilleries – Motion moved by Mayor Sippel, Seconded by Deputy Mayor Perry

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD			X				
COOMBS			X				
ROY			X				
PERRY		X	X				
SIPPEL	X		X				

Motion to Adopt Res. #2020-173 as amended, moved by Deputy Mayor Perry, seconded by Councilmember Roy

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD			X				
COOMBS			X				
ROY		X	X				
PERRY	X		X				
SIPPEL			X				

Res. #2020-176 Authorizing the Payment of Vouchers (Rescue \$35,000)

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD					X		
COOMBS	X		X				
ROY		X	X				
PERRY			X				
SIPPEL			X				

Res. #2020-177 A Resolution Authorizing a Grant Application and the Execution of a Grant Agreement with the New Jersey Department of Transportation for Wilson Drive

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD			X				
COOMBS		X	X				
ROY	X		X				
PERRY			X				
SIPPEL			X				

Res. #2020-178 Authorization for 2020 Incentive Award for Insurance Waiver

	MOTION	SECOND	AYE	NAY	RECUSE	ABSTAIN	ABSENT
CONRAD		X	X				
COOMBS	X		X				
ROY			X				
PERRY						X	
SIPPEL			X				

**Manager's Report**

Manager Ridgway gave an update on several matters including Public Works tree and branch schedule, the Roseann Avenue Project, cancellation of the Independence Day festivities, tentative recreation activities, animal control and Township Hall being open for business.

**Council Comments**

Councilmember Conrad thanked residents for their tolerance during these trying times and reminded everyone to stay safe.

Councilmember Coombs thanked residents and Township employees and communicated concern for the safety of first responders during the riots.

Councilmember Roy echoed the previous Council comments and reminded everyone to stay safe and patient during these uncertain times.

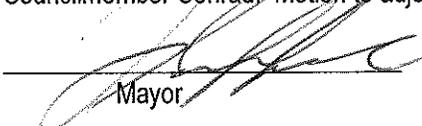
Deputy Mayor Perry echoed the previous comments and thanked the citizens for their patience.

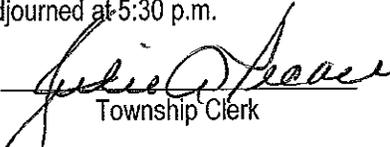
Mayor Sippel commented on Res. #2020-173 and the process to get businesses up and running. He also explained that the fireworks and festivals are prohibited due to the Governor's directive.

**Call to the Public**

**Adjournment**

There being no further business to address, motion to adjourn moved by Councilmember Roy, seconded by Councilmember Conrad. Motion to adjourn was unanimous. Meeting adjourned at 5:30 p.m.

  
Mayor

  
Township Clerk

Approved: June 15, 2020