

COUNCIL MEETING MINUTES – May 18, 2015

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on May 18, 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 Clerk.

George Swoyer - NJLM Scholarship Winner

Mayor Beck introduced LCMR senior, George Swoyer, one of three statewide semi-finalists of the Louis Bay 2nd Future Municipal Leaders Scholarship Competition, and presented him with a \$1,000 check from the New Jersey State League of Municipalities. A photograph of Mr. Swoyer will be featured in the New Jersey Municipalities magazine.

George Swoyer read his winning essay "What My Municipal Government Does Best" and thanked Council for the award opportunity.

Kevin Maloney - Cape May Port Commercial Fishing Festival – June 6 & 7

Kevin Maloney of Cape May Maritime Museum and Education Center presented before Council to announce an upcoming Commercial Fishing Festival planned for June 5th, 6th and 7th at Schellenger's Landing Dock. He informed of how the idea came about and touched on some of the details of the event. He also thanked Council and the community volunteers for their support.

Consent Agenda

John Skowronski, 607 Arctic Avenue, asked about beach access on Whittier Avenue and Rosehill Parkway and expressed concern about spending money on an area of uncertainty.

Approval of Minutes	May 4, 2015
Res. #2015-148	Payment of Vouchers \$295,275.04
Res. #2015-149	Rejection of Bid #2015-08; Pool Concession (mandatory items not submitted)
Res. #2015-150	Rejection of Bid for ADA Upgrades & Playground Improvements at the Recreation Center (all bids exceed budget)
Res. #2015-151	Authorizing Payment for 2015 Regional School Taxes (July thru Dec, 2015 \$6,354,102.)
Res. #2015-152	Authorizing Payment to Lower Township Board of Education (July thru Dec, 2015 \$8,158,643.)
Res. #2015-153	Cops in Shops Summer Shore Initiative (grant application)
Res. #2015-154	Insertion of Special Item of Revenue Pursuant to N.J.S.A.40A:4-87, Chapter 159 (Community Wildfire Protection Plan Grant \$5,000)
Res. #2015-155	Insertion of Special Item of Revenue Pursuant to N.J.S.A.40A:4-87, Chapter 159 (2013 Hurricane Sandy Coastal Resiliency Grant \$250,000)
Res. #2015-156	Insertion of Special Item of Revenue Pursuant to N.J.S.A.40A:4-87, Chapter 159 Ducks Unlimited Grant \$1,000)
Res. #2015-157	Approval to Media Five Entertainment Ltd for Five (5) Concert Series to be held at the Delaware River Bay Authority Ferry Terminal (\$8,500.)
Res. #2015-158	Authorization for Refund of Taxes (8 properties \$3,040.80)
Res. #2015-159	Authorization for the Payout of Accumulated Compensatory Time (E.Coombs \$7,802.50)
Res. #2015-160	Grant Agreement between the Township of Lower and the State of New Jersey By and For the Department of Environmental Protection (2013 Hurricane Sandy Resiliency Grant

– same Resolution/3rd time approved by Council – must be approved within 60 days of grant award)

Res. #2015-161
Res. #2015-162

Reappointment of Julie Picard as Municipal Clerk
Resolution Accepting Bids & Awarding the contract to Supply Asphalt for 24 Months (Seashore Asphalt Company)

Res. #2015-163

Resolution Approving A Professional Service Contract with Hatch Mott MacDonald for Environmental Services for Whittier Avenue and Rosehill Parkway Beach Access Paths (\$1,750.)

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

Regular Agenda

Ordinance #2015-02

Ordinance Amending Chapter 166, Animals, of the Code of the Township of Lower – this is the public hearing for the final approval on this Ordinance. This Ordinance has been published, posted and made available to the public.

Helen Thompson, Villas, addressed Solicitor Stefankiewicz about adequate ventilation in the winter.

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

Ordinance #2015-03

Bond Ordinance Providing For Various 2015 Capital Improvements, By and In the Township of Lower in the County of Cape May State of New Jersey (the Township) Appropriating \$1,645,000 Therefor and Authorizing the Issuance of \$1,560,000 Bonds or Notes of the Township to Finance Part of the Costs Thereof – This is the public hearing for the final approval of this Ordinance. This Ordinance has been published, posted and made available to the public.

Ed Butler, Villas, addressed Council with concern about adding debt to the taxpayers and suggested a shared service with the LTMUA for the use of their trucks.

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

Ordinance #2015-04

Ordinance Revising and Restating Chapter 178, Beaches, of the Code of the Township of Lower. This is the public hearing for the final approval of this Ordinance. This Ordinance has been published, posted and made available to the public.

Councilmember Conrad made a suggestion to change the wording in the ordinance to placate the concerns of residents. After a brief discussion, Council besought the advice of Solicitor Stefankiewicz.

Councilmember Conrad motioned to amend the Ordinance to “motorized watercraft”, seconded by Councilmember Simonsen.

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

Deputy Mayor Clark informed about calls from concerned residents and expressed his interest in tabling the ordinance. Councilmember Simonsen agreed.

Dean Umscheid, President of the Property Owner's Association of Cape May Beach (POA), addressed Council to ask permission to begin installing new beach rule signs. He expressed an interest in remaining consistent with the Township beach rules.

Lois Jacobs, Beach Drive, voiced favor with implementing new beach rules and asked about charcoal fires, alcoholic beverages, and bathroom facilities on the beach, as well as who will be monitoring the new beach rules.

Micky Kane, Arbor Road, addressed Council to suggest enforcing the current beach rules rather than implement additional rules.

Rich Anderson, Arbor Road, disagreed with adding new beach rules and instead suggested enforcing the existing rules.

Vicky Parent, 319 Beach Drive, addressed Council in favor of implementing beach rules for health and safety reasons.

Mike Morley, 426 Hollywood Road, fully supports enforcing the current rules rather than banning dogs from the beach.

Byron Frye, 15 Folsom Avenue, POA Board Member, addressed people carrying rowboats with separate engines onto the beach. He also spoke on behalf of a resident who suggested permits to allow dogs on the beach.

Helen Thompson, Villas, voiced her opposition to limiting dogs on the beach. She suggested enforcing the rules already in place.

Anthony Carino, 6 Beach Avenue, voiced discontent with adding new beach rules.

Bill Connors, 3904 Shore Drive, expressed approval with the addition of beach rules to deter people from abusing the beach with their dogs.

Bill Greenfield, Villas, voiced opposition to new beach rules so close to the start of the season. He inquired about issues such as barking dogs and alcohol on the beach and suggested a town meeting to inform residents of potential changes.

Carl Barrens, North Cape May, congratulated George Swoyer on his scholarship and respectfully cautioned Council with regard to changing laws that will affect the way of life in our bay community.

Jay Young, Shore Drive, cautioned Council about making new rules.

Bob Crane, Townbank, spoke about the beauty of the beach and cautioned the implementation of too many rules. Jim Galloway, Edna Avenue, suggested a wording change prohibiting drunken disorderly activity.

Steve Morey, Recreation Advisory Board (RAB), explained that the RAB made the recommendation to revise the

beach ordinance in an effort to regulate courtesy, avoid conflict and protect the Township.

Councilmember Conrad suggested tabling the ordinance to fine tune it.

Councilmember Perry voiced concern about the health and safety of the public with increased population, but agreed that the wording needs to be cleaned up. Councilmember Simonsen agreed. Deputy Mayor Clark encouraged further discussion to make people more sensitive and aware. Mayor Beck stated his desire for increased enforcement on the beach. He thanked the RAB for their work and agreed that the ordinance needs to be recrafted.

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

Administrative Reports

Monthly Reports - Clerk, Construction, Dog, Fire Safety, Police, Treasurer, Tax Collector, Vital Statistics

Council Comments

Councilmember Conrad reminded about Memorial Day Flag Ceremony at Sunset Beach and Relay for Life at LCMR. He talked about hiking the Appalachian Trail with his scouts and expressed an interest in youth involvement on the Recreation Advisory Board.

Councilmember Perry restated his commitment to the residents of Lower Township and vowed to do his best with the safety issues on Rosehill Parkway and Whittier Avenue.

Councilmember Simonsen commented on the ribbon cutting at the Cape May Brewery and was proud to announce that we are officially a Coast Guard Community. He gave an update on the Regional Safety Team and announced the meeting of the Department of Transportation to present the final plans for the Exit 0 turnaround on the Parkway.

Deputy Mayor Clark spoke about Kathy Louderback's Township pride challenge and encouraged people to vote for the top 10 places in the Township. He also spoke about signage for designating the new Bayshore Heritage Byway.

Mayor Beck announced the following: Shred Day, Relay for Life, pool passes on sale at the Recreation Center, Community Day and Bike Auction, Escape the Cape Triathlon, Independence Day Festival and Fireworks, and the Summer Concert Series.

Councilmember Conrad requested that DelMo Sports give a brief information session about road closures.

Call to Public

Frank Saracco, commented about the reference to Cape May fishing port and corrected it to recognize Lower Township.

Helen Thompson, Villas, asked what the plan is for publicizing the extreme weather ordinance. She also made comments on the beach ordinance.

Vicky Parent, addressed Council to comment on the Lenape Indians and requested that things be better publicized.

Steve Morey, made a rebuttal to an earlier comment about dogs defecating on the beach. He also commended the Chamber of Commerce on the community pride idea and encouraged people to identify and celebrate the beauty that Lower Township offers.

Ed Butler, Villas, addressed Council about a letter to Lobiondo regarding the FEMA maps.

Bill Greenfield, Villas, addressed Council about the amount of people on the beach in North Cape May versus the amount in Villas.

Closed Session

Res. #2015-164

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. -
PREPERATION FOR COLLECTIVE BARGAINING

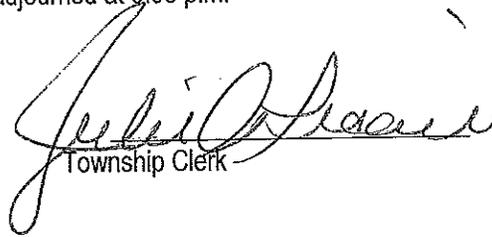
	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY			X			
SIMONSEN	X		X			
CLARK		X	X			
BECK			X			

Council may return to open session to award Insurance Agreements

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 9:06 p.m.


Mayor


Township Clerk

Approved: 6-1-2015