

Regular & Work Session Meeting Minutes - May 7, 2012

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on May 7, 2012 at 7:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

The Assistant 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 Assistant Clerk:

Councilmember Thomas Conrad
Councilmember Walt Craig
Councilmember Glenn Douglass
Deputy Mayor Kevin Lare
Mayor Michael Beck

Also present: Township Solicitor Michael Donohue and Municipal Clerk Claudia Kammer

Proclamation - Jeans for Troops - May 24, 2012

Mayor Beck read a proclamation proclaiming May 24, 2012 as "Jeans For Troops" day in Lower Township. An employee can donate \$5.00 and be able to wear jeans to work on that day. All proceeds go towards the G.I. Go Fund which assists veterans with identifying and providing a clear path for obtaining all available Federal, State and Local benefits.

Work Session

Will Morey, World Aerobatic Championship proposal

Freeholder Will Morey addressed Council and requested Council's support on hosting the World Aerobatic Championship at the Cape May County Airport located in Lower Township. Mr. Morey stated that as of three (3) weeks ago, the contest was headed to Nevada. This is a contest where the worlds best pilots compete. The United States sees this contest once every ten (10) years and he was contacted to see if the County would be interested in sponsoring the event. The Delaware River and Bay Authority has been doing a lot of work at the airport recently and Mr. Morey stated he believes the contest could be promoted and add a lot of prestige to Lower Township. Mr. Morey is asking for Lower Township Council to officially support the event. He stated that the event has the County, Delaware River and Bay Authority (DRBA) Cape May County and Township Chamber of Commerce's support. Mr. Morey stated that the president of the committee came down on Friday to view the area and was very impressed with what he saw. Mr. Morey explained that the competition is about 12 minutes long during which time a pilot must locate and perform within a 1000 meter cube. The event is scheduled for October 9th thru 21st, 2013 which will have 60 aircrafts representing 10 to 15 countries. Mr. Morey stated the last weekend of the event proves to be a great opportunity for the public to view the free style competitions. Mr. Morey expressed what a great opportunity this would be to shed a good light on the community and the region and would like to promote the event over the next 15 months. Mr. Morey stated clearly, there would be noise, but it would be manageable. In addition, the U.S. Team would come 3 or 4 times for a day to practice on the field. Mr. Morey stated that currently we are in competition with Texas to host the event.

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Councilmember Conrad stated there would be a lot of Europeans in the competition, and their planes would be quieter. The competition would be from 9am to 4 pm and this contest would consist of a lot less pilots than the Acroblast competition. He stated this event would be a wonderful opportunity for the area and could bring positive attention to Lower Township.

Councilmember Craig stated the Acroblast competitions have been very successful and believes hosting this event will draw attention to the airport and believes it is a great idea.

Mr. Morey stated he has had great conversations with the DRBA and they have been very responsive. He also stated that there would be some road closures during the contest which would impact Fulling Mill Road, but only for 5 minutes or so at a time during the competition. Councilmember Conrad stated that no acrobatic flying would be done over any residential areas.

Councilmember Douglass stated he believes this would be an outstanding event for the region and stated he had attended the Acroblast in the past. He agreed this would be a great opportunity for the Chamber as well.

Deputy Mayor Lare reiterated that this is a great opportunity for Lower Township and we should support the effort to have the event here and requested that the Chief of Police and fire personnel be included in the event planning as it gets closer.

Mayor Beck stated that closing a portion of Fulling Mill Road may require the County's approval as it is a county road and also, part of the road is in Middle Township. The Mayor emphasized that although it will be a minor inconvenience, the plus is so great. Mayor Beck stated that this Council is on board and thanked Mr. Morey.

Recommendations to change certain provisions of Chapter 529, Secondhand Merchants & Dealers of Precious Metals.

Mayor Beck stated there are a lot of proposed changes and suggested meeting with the Solicitor Donohue, Chief Marker and another Councilmember to go over all the changes and bring it back to Council.

Councilmember Conrad suggested Councilmember Craig meet with them. Mayor Beck stated the Township is starting to see a lot of gold dealers pop up and the Ordinance needs to be reviewed. Council agreed to a meeting with the above mentioned participants prior to the Ordinance coming before Council.

Review of Consent & Regular Agenda Items

Consent Agenda

Approval of Minutes	April 16, 2012
Membership Applic.	NJ State Fireman's Association - Michael Raspa & Ryan Toler for Erma Volunteer Fire Co.
Res. #2012-114	Appointing Contact Persons for the Employment Practices Liability Helpline at Atlantic County Municipal Joint Insurance Fund (Annual resolution)

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- Res. #2012-115 A Resolution Requesting Release of Revegetation and Restoration Guarantee for Dune Site Plan; Block 512.14, Lo5 14, Escrow #P01-09-04 (Revegetation & restoration completed)
- Res. #2012-117 A Resolution Approving the Release Dumpster Bond Giordano's (Release of bond for various dumpsters temporarily placed in the Township)
- Res. #2012-118 A Resolution Requesting Release of Maintenance Guarantee for Bayview Properties, LLC; Block 496.01, Lots 1.01, 1.02, 1.03, 1.04 & 1.05; Escrow #P04-02-13 (Final inspections done & work completed)
- Res. #2012-119 Authorization for Refund of Taxes (1 property - overpayment)
- Res. #2012-120 Approval of 2012 Rotary Towing License for Blakeslee Towing & Recovery Inc. DBA Court House Towing (New license)
- Res. #2012-121 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Click It or Ticket - \$4,000)
- Res. #2012-122 Authorization for Greater Cape May Elks #2839 to Conduct Outdoor Flea Markets in 2012 (May 17 & Oct. 6)
- Res. #2012-123 Municipal Enlistment in the Military Initiative (Supporting the Employment Initiative Program of the N.J. Employer Support Guard & Reserves)
- Res. #2012-124 Authorization for Waiver of Fees for Calvary Chapel Cape May (Waiving permissible fees for application to development board for site plan etc. in relocation to their new property at 596 Seashore Road)
- Res. #2012-125 Payment of Vouchers, \$4,389,647.97
- Ord. #2012-11 An Ordinance Amending Chapter 400 of the Revised General Ordinance of the Township of Lower 2012, 1st rdg. (Establishing Guidelines for Beekeeping) 2nd rdg. May 21
- Ord. #2012-12 An Ordinance Amending Chapter 90, of the Code of the Township, Entitled "Police Department", 1st rdg. (Increases fee Twp requires for use of off duty police for private work from \$45 per hour to \$60 per hour) 2nd rdg. May 21
- Ord. #2012-13 An Ordinance Amending Chapter 400 of the Code of the Township of Lower, 1st rdg. (Adding permitted uses within airport hazard zone to include outdoor flea markets) 2nd rdg.

Assistant Clerk Picard read the consent agenda and stated the second reading and public hearing for Ordinance #2012-11,12 and 13 would be on May 21, 2012. Motion to approve consent agenda moved by Councilmember Douglass, seconded by Councilmember Conrad.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
CRAIG			X			
DOUGLASS	X		X			
LARE			X			
BECK			X			

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Regular Agenda

Ord. #2012-06 An Ordinance Amending Chapter 157, Alcoholic Beverages, of the Code of the Township of Lower, 2nd rdg. (Establishes guidelines and regulations for underage consumption of alcohol on private property)

The assistant clerk stated this is the second reading and public hearing for Ordinance #2012-06.

Council Comments - none

Public Comment - Kim Mounce, Cape Assist, addressed Council and stated alcohol is the number one drug in Cape May County. The average age of usage starts at 11. Studies have proven that if a child starts drinking before age 15, they are at greater risk of having problems later in life. She stated that a child's brain is not fully developed until the age of 25 and the brain develops from the back to front so drinking will interfere with normal development. This can be used as a deterrent to children and enables them to think about the consequences of underage drinking. Mayor Beck stated that Cape Assist has been a driving force behind this Ordinance and thanked them. Kim Mounce gave an explanation of a law that was passed in March of 2009 giving underage children who have been the drinking the ability to call 911 for help without being prosecuted. You must be the person who calls for help, you must stay with the individual who is intoxicated and then you will not have a permanent mark on your record, even though you may still get in trouble with your parents.

Motion to adopt moved by Councilmember Douglass, seconded by Councilmember Craig.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
CRAIG		X	X			
DOUGLASS	X		X			
LARE			X			
BECK			X			

Ord. #2012-07 An Ordinance Repealing Ordinance #2012-02, entitled An Ordinance Amending Chapter 400 of the Revised General Ordinances of the Township of Lower, 2004 (Repealing the ordinance that banned all new outdoor wood burning furnaces), 2nd rdg.

The Assistant Clerk stated this is the second reading and public hearing for Ordinance #2012-07

Council Comments - none

Public Comment - John Flemming, 8 North Andrielle addressed Council and stated the people in his area spearheaded the Ordinance to ban the boilers, then a petition was brought to Council that got Council to reconsider the issue and now this Ordinance repeals the ban Ordinance. Mr. Flemming requested that Council not pass this Ordinance until the Planning Board comes up with some regulations. He stated he believes the residents in that area should be given consideration for all their work in bringing up this Ordinance.

Motion to adopt Ordinance #2012-07 moved by Deputy Mayor Lare, seconded by Councilmember Conrad.

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	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
CRAIG		X	X			
DOUGLASS			X			
LARE	X		X			
BECK			X			

Ord. #2012-08 Ordinance of the Township of Lower, in the County of Cape May, New Jersey \$63,000 for the Acquisition of Various Vehicles to Be Funded by the Capital Appropriating Surplus Fund, (4 vehicles w/higher MPG's) 2nd rdg.

The Assistant Clerk stated this is the second reading and public hearing for Ordinance #2012-08

Council Comment - None

Public Comments - None

Motion to adopt Ordinance #2012-08 moved by Councilmember Conrad, seconded by Councilmember Douglass.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
CRAIG			X			
DOUGLASS	X		X			
LARE			X			
BECK			X			

Ord. #2012-09 Ordinance Re-Appointing \$45,000 of the Proceeds of Obligation Not Needed for Their Original Purposes in Order to Provide for the Acquisition of Various Equipment In and By the Township of Lower, In The County of Cape May, New Jersey, (Funds not needed for original purpose being used for recreation equipment) 2nd rdg

The Assistant Clerk announced this is the second reading and public hearing for Ordinance #2012-09

Council Comment - None

Public Comment - Colleen Hughes questioned if part of the re-appropriation was to fund Project Lifesaver. Mayor Beck replied it had already been paid.

Motion to adopt Ordinance 2012-09 moved by Councilmember Conrad, seconded by Councilmember Craig.

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	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
CRAIG		X	X			
DOUGLASS			X			
LARE			X			
BECK			X			

Ord. #2012-10 Bond Ordinance Providing for Various Capital Improvements of the Township of Lower, in the County of Cape May, New Jersey, Appropriating the Aggregate Amount of \$905,000 Therefor and Authorizing the Issuance of \$830,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof,(Various capital improvements for Court, Police, Public Works and Recreation) 2nd rdg.

The Assistant Clerk stated this is the second reading and public hearing for Ordinance #2012-10.

Council Comment - None

Public Comment - None

Motion to adopt Ordinance #2012-10 moved by Councilmember Craig, seconded by Councilmember Douglass.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
CRAIG	X		X			
DOUGLASS		X	X			
LARE			X			
BECK			X			

Administrative Reports

Personnel Action Report

March Report Animal Control

Council Comments

Councilmember Conrad stated he believes a lot of people will be happy with what is happening in the Township and the things this Council is passing.

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Councilmember Craig concurred with Councilmember Conrad regarding the bond issuance and added it is spring time spoke on the programs Lower currently has running, little league, t-ball, lacrosse, and how residents should come out and enjoy and cheer on our teams.

Councilmember Douglass stated how over the last 4 or 5 weekends, he has seen so many people surf fishing on the bay - and catching some nice fish - and how the Dave Douglass Park has been so packed you can't even park.

Deputy Mayor Lare stated how worthwhile the underage drinking Ordinance will be for Lower and stated that for 6 years he was the administrator of the grant through the County - "We Check For 21" program which was aimed to curb the underage drinking epidemic in the county. Deputy Mayor Lare emphasized that parental responsibility is first and foremost but this Ordinance is a piece of the puzzle. Deputy Mayor Lare stated that tons of good things are happening in Lower Township Recreation and a large part of it is coming through Jim Ridgeway and Mitch Plenn. Deputy Mayor Lare stated that on April 27th, the Lower Girls Lacrosse team swept the season series against Middle Township. The event was great, both the boys and girls played the same night and the youth teams played in between the games. In our Township, there are over 700 children involved in soccer, baseball, soft ball and lacrosse, which is amazing since the programs are run by volunteers. Deputy Mayor Lare stated that this Council spent a lot of money tonight and some of the purchases which will be bought from the funds include: vehicles for police dept/radar devices/recording devices/copies/fax machines/portable 2-way radios. For Dept of Public Works a heating/air conditioning unit/traffic sign materials/dump truck/refuse truck/computer equipment. For Recreation resurfacing the basketball courts at Mitnick Park and work at the Millman Center.

Mayor Beck congratulated Deputy Mayor Lare for his daughters accomplishments of her 100th goal. The Mayor made the following announcements:

Saturday, May 9th, South Jersey Gas will be at the Hall to help homeowners switch to gas.

Starting in June, Township meetings will begin at 6:00.

Code Enforcement will be out on the weekends throughout the season.

Saturday, May 19th, Lower Township Community Day at the Lower Township Rec Center - 12-3pm. It is a free event and a lot of fun. Music, hot dogs, free t-shirts, pony rides, bike rodeo, bike auction, police/fire representation.

Shredding Day - June 2nd, Town-hall 9am-12 noon

Cape May County Municipal Utilities Authority - Hazardous waste collection day - Saturday, May 12th at the transfer station 8 a.m. - 11 a.m.

Call to the Public

Tom Frisoli addressed Council and stated this Sunday is Mother's Day and is important to a lot of mothers. This Saturday is the Lower Cape May Regional Prom at the Cape May County Convention Center and the after prom at the high school from 11 p.m. to 6 a.m. Most of the volunteers who will be attending will be mothers. It is an honor that these mothers think enough of our children to keep them out of trouble like this.

Ed Butler addressed Council and spoke of the robbery at his house in January and within two weeks, the Lower Township Police found the perpetrators and he got some of his jewelry back. Mr Butler thanked Chief Brian Marker and the police officers and detectives for doing such a great job and also stated some of his jewelry was found in Atlantic City.

Jim Neville addressed Council and stated on May 31, Lower Cape May Regional High School will be hosting their

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Fine Arts Show. All the work is done by the students and is an amazing show and invited all to attend and support the students.

David Shank, pastor of Calvary Chapel addressed and thanked them for waiving the fees.

Fred Long addressed Council and stated he could not be at the last Council Meeting regarding the Neiman property and stated a trust fund was set up in 1989 for open space and farmland and the accent was to preserve farmland and informed Council that 70% of the property is already reserved.

Colleen Hughes addressed Council and thanked Deputy Mayor Lare for getting a "potty" for the Cape Storm rugby team and invited all to go and watch a game.

Adjournment

There being no further business, motion to adjourn moved by Councilmember Douglass, seconded by Councilmember Craig. Meeting adjourned at 7:59 p.m by verbal "ayes".



Mayor



Township Clerk

Approved: *May 31, 2012*