

Regular & Work Session Meeting Minutes - July 2, 2012

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on July 2, 2012 at 6:00 p.m. in the meeting room of the Township Hall, 2600 Bayshore Road, Villas, New Jersey.

The deputy 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 Pledge of Allegiance was led by Girl Scout Troop #43966.

The following members of Council were present for roll call taken by the Clerk:

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

Also present: Bill Blaney, Solicitor, Michael Voll, Manager and Asst. Clerk Picard

WORK SESSION

Certificate of Recognition - South Jersey Hurricanes

Mayor Beck and Council presented the South Jersey Hurricanes, a deck surface hockey team for 10-12 year olds, with a certificate of Recognition for their first place victory as National Champs. Stig Bloomquest, former Councilmember and coach, introduced Joe Hill as the coach of the Beaver Team. Mayor Beck and Council also presented the 13-15 year olds with a certificate for their first place victory. Mr. Bloomquest stated how well the young men conduct themselves and thanked the parents who participate. Without the parents, it would be impossible to do any of this.

Certificate of Recognition - Girl Scout Troop #43966

Mayor Beck and Council presented Girl Scout Troop 43966 with a certificate of Recognition for their work in Rotary Park. Tiffany Hutchinson, troop leader, stated that the troop is 2 years old and the girls project this year was to spruce up Rotary Park by the MUA. The girls made and hung 30-40 bird houses, did a rain barrel for water conservation, planted snowball bushes and fixed the roof of the gazebo.

Oath of Office - Kevin Boyle, Jr. - Police Officer

Chief Brian Marker stated we have come here tonight to celebrate the swearing in of Officer Joe Boyle. Officer Boyle was a Class II officer with the Township since 2009, he then left to become a correction officer and then passed the police officer test and the Township is now able to hire him as a full time Police Officer. The State allowed the Township to use his former training, so the Township has been able to utilize Officer Boyle right away. Chief Marker stated he is very proud of Officer Boyle and has known his family for many years. Chief Marker introduced Director Saduca from the Cape May County Police Academy who then told the audience how the Cape May County Police Academy is the second in the state

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when it comes to the number of trained officers. He stated the Academy is so successful because of its trainers and all the help received from the municipalities in the County and other agencies. The academy has a full time staff of two and two part-timers and operates 24 hours a day most of the year. Police agencies throughout the county provide instructors and support. Director Saduca stated some of the finest training officers come from Lower Township and Director Saduca thanked Lower Township for their support. He congratulated Officer Boyle and stated Officer Boyle was one of the finest recruits. Director Saduca stated an candidate undergoes approximately 250 hours of training for a Class II Officer. Chief Marker stated he looks forward to sending new officers to the academy. Mayor Beck swore in Officer Kevin Boyle Jr. Kevin's mother held the Bible and his father pinned on his badge. Chief Marker presented Officer Boyle with an award from the Police Department.

Work Session

NJ DEP Map Revision - Bill Galestok, Planning Director

Bill Galestok addressed Council and stated it should be no surprise that the DEP changed the map again. It is basically the same map except for all the environmentally sensitive areas have been removed. Mayor Beck requested the Township put the map on line. Mr. Galestok stated this should be the final map and once it is filed with the County, tax payers will have the opportunity to discuss it.

John Barron, Cape May County MUA Single Stream Recycling

John Barron, Cape May County Municipal Utilities Authority addressed Council regarding changing to a single stream recycling program. He stated the County has been looking into this for a while and was waiting for several factors before getting this done. He stated the technical advances have gotten to the point where it would be viable to go to a single stream method. Mr. Barron stated there would not be any difference in marketing. He stated that the last major modification to the plant was done about 8 years ago and the next update will cost several millions of dollars. The study which was performed showed that the money could be re-cooped in the additional recycling which will take place. Lower Township receives one of the largest recycling rebates in the County. Cape May County does a decent job of recycling compared to Counties in the North but, it is believed we will see an increase in recycling by going to a single stream. The County believes this is an important decision and wants all the municipalities to have an input in the decision process. Mayor Beck questioned if most counties have already switched and if all municipalities in this county have approved. Mr. Barron replied 8 of 16 have. Mayor Beck stressed the importance of education and the impact it has on recycling. Deputy Mayor Lare questioned the target date. Mr. Barron replied they will try to implement it by next year. Councilman Conrad questioned if new equipment, trucks, will have to be purchased. Manager Voll replied no, we will be able to use the equipment we now have. Mayor Beck thanked Mr. Barron for his presentation.

Update from Citizen's Advisory Board

Mr. Will Marsden and Mr. Robert Olivio addressed Council and gave a update on the Citizens Advisory Board whose goal it is to bring ideas, solutions, projects and suggestions to Council. The board would like to put together a plan that would allow businesses and community organizations to adopt a gateway to

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our Township. The Board would also like to see a dog park in the Township. Cape May seems to have a very successful one and with the combined efforts of the Rotary Club, girl scouts ect, we could also have a successful park. Mr. Olivio stated these suggestions are just that, we are at the beginning of the projects and wanted to get Council's input, to see if Council would endorse any of the ideas, if so, the board will gather all the pertinent information and return to Council.

Review of Consent & Regular Agenda Items

Councilman Conrad stated that Resolution 2012-121 is a six cylinder truck.

Public Comment on Consent Agenda

Ed Butler addressed Council and questioned Resolution #2012-166, the capitol budget amendment. Manager Voll replied it this resolution is required as part of the Bond Ordinance adopted on April 2nd.

Debbie Johns addressed Council regarding Resolution #2012-178 and stated the committee needs to move to the next level, to get some drawings and soft costs approved.

Bob Olivio addressed Council and stated this pier is a huge undertaking but is very beneficial for the entire Township. He stated there is a need to get started on the archeological and engineering information. He stated there is a need for a professional plan to be submitted in order to be eligible for the funding that may be available down the line.

Donna Nicholas addressed Council regarding the Fishing Pier and stated she is a resident on Beach Drive at Lincoln and questioned if any other areas have been looked at and what revenue the Township thinks it will receive from this. Mayor Beck stated as part of the Beach Access Plan, this area was looked at, as well as the area where piers were located in prior years. Mayor Beck invited Ms. Nicholas to attend a meeting and assured her all her concerns would be addressed. Ms. Nicholas stated she is not against a pier, just the location.

Consent Agenda

Approval of Minutes	June 18, 2012
Res. #2012-162	Payment of Vouchers, \$1,503,083.46
Res. #2012-163	Issuance of a New Taxi License to Robert White
Res. #2012-164	Issuance of a Duplicate Tax Sale Certificate (original lost)
Res. #2012-165	Renewal of Commercial Excavation (Gravel Pit) Licenses for Thomas F. Brodsesser, Jr.(annual renewal)
Res. #2012-166	Capital Budget Amendment (Required as part of bond ordinances adopted April, 2 nd)
Res. #2012-167	Authorization to Cancel General Ledger Balances (\$167,847.69 Anticipated

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- revenues not used/needed)
- Res. #2012-168 Approving Project Proposal Between Hatch Mott MacDonald And The Township of Lower For Engineering Services Related to 2011 Delaware Bay Shore Outfall Extensions (\$38,100.00)
- Res. #2012-169 Resolution of the Township of Lower Endorsing the CMCMUA Proposed Switch of the Cape May County Intermediate Processing Facility to Single Stream Recycling (Supporting change to single stream recycling which will end separating paper from the other recyclables)
- Res. #2012-170 Award of One (1) 2013 Ford Escape (Construction)
- Res. # 2012-171 Award of One (1) 2012 Chevy Colorado Puck-Up Truck Regular Cab 2 Wheel Drive (Recreation)
- Res. #2012-172 Award of Two (2) 2012 Ford Focus's (Construction)
- Res. #2012-173 Authorizing Pay Out of Terminal Leave (C. Petronzi \$840.06)
- Res. #2012-174 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (\$1,525.JIF Award)
- Res. #2012-175 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (\$2,000.JIF Safety Budget)
- Res. #2012-176 Authorizing Pay Out of Terminal Leave (T. Mills \$6,756.10)
- Res. #2012-177 Awarding An Economic Development Loan To Jan & Elizabeth Rupinski (Anco Ace Hardware & Snippers Salon)
- Res. #2012-178 Resolution Creating A Special Committee to Determine the Feasibility of Construction Of A Delaware Bay-Front Fishing Pier In The Township of Lower

Motion to adopt 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			

Regular Agenda

Ord. #2012-11A

An Ordinance Amending Chapter 400 of the Revised General Ordinances of the Township of Lower 2012 (Establishing guidelines for Beekeeping in Lower Twp.) 2nd reading & public hearing - Copies of the ordinance have ben made available to the public and was posted on the bulletin board at Township Hall

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Council Comments -

Councilmember Conrad stated this Ordinance has been kicked around for a long time. It is not perfect, but should be passed and if changes are needed, they can be addressed in the future.

Councilmember Craig stated he believes it is time to move on this Ordinance. Council has received a lot of information on the issue over the past few weeks and feels this Ordinance is a good compromise.

Councilmember Douglass stated he concurs.

Deputy Mayor Lare stated he is ok with the Ordinance.

Mayor Beck stated he believes the Ordinance is a good compromise.

Public Comment -

Bill Easley, president of the Jersey State Bee Keepers Association, commended Council for taking positive action on honey bee control. He stated he is not in total agreement with the Ordinance, but applauds Council's actions in supporting bee keepers.

Ed Butler addressed Council and questioned the validity of the Ordinance, questioning if it is the first or second reading. Clerk Kammer replied the Ordinance was voted on AS AMENDED for first reading at the June 18th meeting. The Ordinance was advertised as Amended Ordinance # 2012-11A, posted on the board and made available to the public. This meeting is the second reading and public hearing on this Ordinance.

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

Ord. #2012-15

An Ordinance Granting Renewal of Municipal Consent to Comcast of Wildwood, LLC to Construct, Connect, Operate and Maintain a Cable Television and Communications System in Lower Township, New Jersey (Cable franchise agreement -15 years) 2nd rdg & public hearing Copies of this ordinance have been made available to the public and was posted on the bulletin board at Township Hall

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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			

Administrative Reports

Personnel Action Report

Council Comments

Councilmember Conrad wished everyone a healthy and safe Fourth of July and congratulated our local little league champs.

Deputy Mayor Lare reminded everyone of our hallmark event along the Bayfront on Tuesday, July 3rd and reminded all that the fireworks will begin promptly at 9:15. He noted that this event wouldn't take place if not for the generosity and support of the private business community. Over \$70,000.00 has been contributed over the past 3 years and we owe a debt of thanks to all who have supported the event.

Mayor Beck read a few announcements including the following:

- Township Pool open from 10AM to 6PM daily
- July 3rd Festival - Bayfront 5-9pm Beach Drive
- July 25th, Free concert at the Ferry - Bstreet band

Call to the Public

Helen Thompson addressed Council and questioned what the Animal Control Officer's job is. The Mayor replied to enforce the Township's Ordinances regarding animals. Ms. Thompson went on to speak of a situation where she believes the officer did not promptly handle the situation. Manager Voll stated he believes our Animal Control Officers do the very best they can and assured Ms. Thompson he was aware of the situation she was speaking of and will continue to monitor the situation.

Betty Somers addressed Council and showed the newspaper article regarding the pier in Ocean City. She stated she remembers dancing on the former piers and had great fun on them. The piers never bothered anyone.

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Closed Session

Res. #2012-179

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." (Acquisition of Property, Litigation -Stango v. Township of Lower et al; Possible Litigation - Neighborhood Dispute - Glenwood Place - Right of Way)

Motion to approve 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			

Council adjourned to Closed Session at 7:30p.m.

Council returned to open session at 7:58 p.m.

Return to Open Session

Ord. #2012-16

Bond Ordinance Providing for the Acquisition of property in and by the Township of Lower, In the County of Cape May, New Jersey Appropriating \$210,000 Therefore and Authorizing the Issuance of \$200,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof, (possible 1st rdg.) (Acquisition of real property) 2nd rdg. and Public Hearing July 16

Motion to approve 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			

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Ord. #2012-17 An Ordinance Authorizing the Acquisition of the Fee Simple Interest in Real Property Owned by Carmen R. Manzoni and Joyce R. Vitale, Known As Block 410.01, Lot 63.02 on the Tax Map of the Township of Lower and also Known and Designated as 2610 Bayshore Road, Villas, New Jersey 1st reading - 2nd rdg & public hearing . July 16, 2012

Motion to adopt 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			

Adjournment

There being no further business, motion to adjourn moved by Councilmember Douglass, seconded by Councilmember Conrad. Meeting adjourned at 8:00p.m. by verbal "ayes".



 Mayor



 Township Clerk

Approved: July 16, 2012