

COUNCIL MEETING MINUTES – November 6, 2023

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on November 6, 2023 at 7:00 p.m. in the meeting room of 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 Kevin Coombs via phone
Councilmember Roland Roy, Jr.
Deputy Mayor David Perry
Mayor Frank Sippel

Also present: Michael Laffey, Township Manager, David Stefankiewicz, Township Solicitor and Karen Fournier, Deputy Township Clerk

Work Session

Oath of Office - Deputy Chief Donald Vanaman

Chief Lewis read Deputy Chief Vanaman's biography.

Mayor Sippel administered the Oath of Office to Deputy Chief Vanaman while his fiancée, Jessica Fritzingler, held the Bible, and his daughter Liberty and son-in-law William Kocis, pinned his badge. Deputy Chief Vanaman was also accompanied by his three children and grandson.

Consent Agenda

Approval of State Firemen's Association Membership Application: Daniel C Stout Sr, Town Bank Vol. Fire; Courtney Umholtz, Erma Vol. Fire Co.

Approval of Minutes – October 16, 2023

Res. #2023- 346 Authorization for the payment of vouchers \$ 1,054,070.95

Res. #2023-347 Authorization for the Refund of Taxes

Res. #2023-348 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (DEDR \$26,215)

Res. #2023-349 A Resolution Authorizing the Contract with American Bounce for Lower Township New Years Eve Celebration 12/31/2023

Res. #2023-350 Approval of a Professional Service Contract with Wizard's Festival of Fun, Inc. for the Township of Lower's Ferry Merry Christmas Party 12/17/23

Res. #2023-351 Authorization for the Payout of Accumulated Compensatory Time (S.Flitcroft \$4,706.98)

Res. #2023-352 Authorization for the Payout of Accumulated Compensatory Time (M.Gamble \$3,480.31)

Res. #2023-353 A Resolution Adopting a Revised Personnel Policy Manual for the Township of Lower

Res. #2023-354 Appointment to the Planning Board (Class II member – Michael Laffey)

Res. #2023-355 Appointment to the Planning Board (A.Vetrano)

Res. #2023-356 Award of Emergency Contract to Perna Finnigan for Emergency Sink Hole on Delaware Bay Drive across from the Ohio Ave Pumping Station Repairs

Res. #2023-357 A Resolution Approving the Annual Level of Compensation for the Commissioners of Fire District #2, Pursuant to NJSA 40A:14-88 and Local Finance Notice 2021-16

Res. #2023-358 A Resolution Providing a One-Time Waiver of the Imposition of Late Fees Associated with the Required Annual Renewal of Mercantile Licenses

Res. #2023-359 Approval of Change Order #1 for Ford-Scott & Associates LLC for Additional Professional Services Related to the Issuance of Bonds for the Township of Lower

Res. #2023-360 Approving a Professional Service Contract with Phoenix Advisors for Municipal Advisor Assistance with the Bond Sale and Continuing Disclosure Services

Res. #2023-361 Certification of Lot Clearing Charges to the Tax Collector

Res. #2023-362 A Resolution Approving the Annual Level of Compensation for the Commissioners of Fire District #1 Pursuant to NJSA 40A:14-88 and Local Finance Notice 2021-16

Res. #2023-363 A Resolution Requesting the Release of Performance Guarantee for Block 741.04 Lots 13.01 and 13.02, 682 Petticoat Creek Lane; Project Z160501

Res. #2023-364 Authorization for the Payout of Accumulated Compensatory Time (W.Omrod \$2,808.00)

Res. #2023-365 Transfer of 2023 Appropriations

- Res. #2023-366 A Resolution Authorizing and Approving a Shared Service Agreement between the Township of Lower and the Cape May County Municipal Utilities Authority in connection with the Use of Equipment
- Res. #2023-367 Contract Extension and Award for Third Party Collection of Lower Township Municipal Court Debt with Penn Credit Corporation
- Res. #2023-368 Authorization for the Payment of College Credits
- Res. #2023-369 A Resolution Approving the Acceptance and Participation in the State Of New Jersey, Department of Law and Public Safety Emergency Management Performance Grant (EMPG) and Emergency Management Agency Assistance (EMAA) Subaward #FY23-EMPG-EMAA-0505
- Res. #2023-370 A Resolution Approving the Annual Level of Compensation for the Commissioners of Fire District #3, Pursuant to N.J.S.A. 40A:14-88 and Local Finance Notice 2021-16
- Res. #2023-371 Public Facility Grant Application for \$400,000; ADA Accessibility
- Res. #2023-372 Authorizing a Professional Service Contract with Blauer Associates for the Application Submission and Administrative Work, if needed, for an ADA Accessibility Project at the Township Pool
- Res. #2023-373 Resolution to Award Two (2) Police Chevrolet PPV Tahoe(s) 4WD to State Contract Vendor Gentilini Motor Group
- Res. #2023-374 A Resolution awarding a Non-Fair and Open Contract to Birch's Communication for the Outfitting Including the Purchase of Equipment and the Installation for Two (2) Police Tahoe(s)
- Res. #2023-375 Resolution Acknowledging the Award of a Thirty-Six (36) Month Contract to UGI Energy Services for Natural Gas Supply Service under the South Jersey Power Cooperative for the Township of Lower

Ord # 2023-21; An Ordinance Amending Chapter 340, Fire Prevention, Article II, Uniform Fire Safety Code, of the Code of the Township of Lower, in order to Modify Annual Fire Inspection Fees

Ord # 2023-22 An Ordinance Amending Chapter 90, Police Department, of the Code of the Township of Lower to Amend the Requirements Associated with the Employment of Police Officers to Ensure Compliance with the New Jersey Police Licensure Act This is the first reading of both Ordinances. The Second Reading and Public Hearing will be on December 4, 2023.

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

Regular Agenda

Ord. #2023-20; An Ordinance Amending Chapter 340, Fire Prevention, of the Code of the Township of Lower in Order to Eliminate Reference to the BOCA Basic Fire Prevention Code and to Replace Same with the State of New Jersey Uniform Fire Code. This is the second reading and public hearing of this Ordinance. This Ordinance has been posted, published and made available to the public.

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

Manager's Report

Manager Laffey gave updates on the Fishing Creek Road improvements, Rotary Park Renovations, Diamond Beach Park Project and David Douglass Memorial Park improvements.

Reports

Personnel Action Report

Finance – Quarterly

Public Comment

Helen Maguire, 30 Bennett Ave., addressed Council regarding the rental fee increases in Shawcrest and urged the

Township to impose rent control.

Kevin McDonough, 28 Keyhoe, addressed Council to voice disfavor with the unconscionable rental fee increases in Shawcrest.

Eileen McDonald, Shawcrest resident, addressed Council regarding rent increases and unsanitary water conditions in Shawcrest. She pointed out the amount of people present from Shawcrest requesting the Township's help and stressed the need for rent control.

Jeannie Strunk, Shawcrest, addressed Council requesting any updates on rent control since the September meeting.

John Barton, Shawcrest, addressed Council to voice frustration with rental fee increases in Shawcrest and urged the Township to help.

Bruce Tell, 397 Corson Lane, HPC member, addressed Council to thank them for the work done at the Foster House.

Pary Tell, 397 Corson Lane, HPC Chairperson, addressed Council regarding additional work needed at the Foster House. Ms. Tell also voiced concern about the process for demolition permits and preserving the Township's rural culture.

Manager Laffey informed Ms. Tell about hiring an architect to address the work needed on the Foster House.

Carole & Tim Daly, Millman Lane, addressed Council regarding their request for a hardship to install gas lines on Millman Lane.

Clerk Picard communicated the reason the request was not approved.

Bill Greenfield, Villas, shared information about using propane as a temporary means for gas appliances.

Manager Laffey read a prepared document in response to the request from Shawcrest residents for the Township to impose rent control.

Solicitor Stefankiewicz communicated a recourse for renters in the Landlord/Tenant Law.

Manager Laffey, for reasons mentioned in the above statement, recommended the Township not implement rent control at this time.

Mayor Sippel asked Council if anyone wished to entertain a motion to implement rent control. No motion was entertained.

Council Comments

Councilmember Conrad thanked everyone who helped with the Veterans Day Parade.

Councilmember Roy commented on the success of the Township's Halloween events.

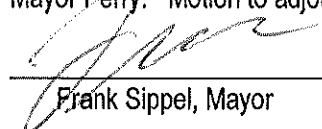
Councilmember Coombs congratulated Deputy Chief Vanaman on his promotion.

Deputy Mayor Perry – no comments

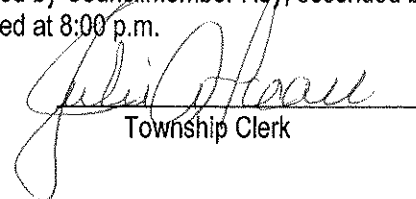
Mayor Sippel – no comments

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Roy, seconded by Deputy Mayor Perry. Motion to adjourn was unanimous. Meeting adjourned at 8:00 p.m.



Frank Sippel, Mayor



Township Clerk

Approved: *November 20, 2023*