

COUNCIL MEETING MINUTES – June 19, 2023

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on June 19, 2023 at 5:00 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 Kevin Coombs
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 – Robert White & Steven Gindville

Police Chief, Kevin Lewis, shared Patrolman Robert White's biography.

Mayor Sippel administered the Oath of Office as Ptl. White's Uncle, Michael Cronin, held the Bible and his mother, Colleen White, pinned his badge.

Chief Lewis shared Patrolman Steven Gindville's biography.

Mayor Sippel administered the Oath of Office as Ptl. Gindville's father, Steven Gindville, held the Bible and his mother, Tresa Gindville, pinned his badge.

Mayor Sippel thanked the Police Department for their hard work.

Public Hearing – Renewal of Liquor License #0505-31-024-001; Sunset Beach Sportsman Club, 6 Sunset Blvd, Lower Township

Mayor Sippel announced the Public Hearing for Sunset Beach Sportsman's Club and shared a letter of objection, dated April 17, 2023, from NJDEP Fish & Wildlife Division.

Chris Gillin Schwartz, attorney for Sunset Beach Sportsman's Club, communicated the reason for the public hearing, stating that the liquor license renewal process should be routine in nature, however, due to the objection, a public hearing is required. He acknowledged the number of people present in support of the Club's renewal, and noted no one present to represent the objection. He stated that the Sunset Beach Sportsman's Club is still in possession of the clubhouse and meets all the qualifications for renewal. He provided documents to support the Club's position, including a copy of the lease from the State of New Jersey, dated July 7, 1999 and thanked Council for their consideration.

Ed Claven, President of Sunset Beach Sportsman's Club, thanked the Township for their consideration and thanked the Club members for their time and support of the cause.

Solicitor Stefankiewicz advised Council that the NJDEP's real-estate dispute with the Club is a separate issue from the Club's liquor license renewal. Based on his opinion, there is no impediment to renewing the license as long as the Club meets all requirements.

Mayor Sippel commented in favor of the Club and thanked them for being great stewards of the community.

Councilmember Conrad commented in favor of the Club.

Council Action on Liquor License #055-31-024-001

Resolution #2023-243 A Resolution Authorizing the Renewal of Liquor License #0505-31-024-001

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

Consent Agenda

Approval of Minutes – June 5, 2023

- Res. #2023-217 Authorization for the payment of vouchers \$ 1,401,491.16
- Res. #2023-218 Bid Acceptance and Award of Concession Contract to Supply, Install and Service Vending Machines in the Township of Lower 2023-2025
- Res. #2023-219 Annual Renewal of Liquor Licenses for the year 2023-2024
- Res. #2023-220 Award National Cooperative Purchasing Agreement with Sourcwell to Jesco, Inc. to Purchase One (1) 2023 John Deere 524 P Tier 4WD Loader (\$236,220.)
- Res. #2023-221 Award National Cooperative Purchasing Agreement with Sourcwell to Hunter Jersey Peterbilt to Purchase One (1) 2024 or Newer Peterbilt 389 Tri-Axel Cab & Chassis (\$237,818.)
- Res. #2023-222 Approving Change Order #1 to South State Inc. to Grout Existing Concrete Pipe, Remove Existing 12" Corrugated Plastic Pipe, Install 4' Manhole due to Vacuum Sanitary Sewer Trench Conflict for the Reconstruction of Carriage Lane, Briarwood Drive, Bridle Path, Paddock Lane, Timber Lane and Trotter Way Project (LT-C-032) (\$40,400.78)
- Res. #2023-223 Authorization for 2023 Incentive Award for Insurance Waiver (\$50,416.67)
- Res. #2023-224 Revise Resolution to Add Pitney Bowes Inc. and Idemia Identity & Security USA LLC to the Annual New Jersey State Contract Vendor Listing Pursuant to N.J.S.A. 40A:11-12a
- Res. #2023-225 A Resolution authorizing a Grant Application to the Lead Grant Assistance Program
- Res. #2023-226 Approval to Submit a Grant Application MA-2024 – Resurfacing of Ridgewood Avenue – 00052 (Bayshore Road to the Western End of Ridgewood Avenue) and Execute Grant Agreement with the New Jersey Department of Transportation
- Res. #2023-227 Approval of a Professional Service Contract with Wizard's Festival of Fun, Inc. for the Township of Lower's Independence Day Celebration, July 3, 2023
- Res. #2023-228 Award National Cooperative Purchasing Agreement with Sourcwell to Granturk Equipment Company Inc. to purchase One (1) Elgin REGENX-RM Sweeper Mounted on 2025 Freightliner M2 Chassis (\$295,000)
- Res. #2023-229 Approving Change Order #1 to MJJ Construction LLC for the Installation of an Additional Shower, Foot-wash and Bottle Filling Station for the Lincoln Boulevard Restroom Facility (LT-C-035) (\$11,119.)
- Res. #2023-230 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on GOVDEALS Online Auction Website
- Res. #2023-231 Approval of Holy Spirit Lutheran Church application to Conduct a Flea Market
- Res. #2023-232 Renewal of 2023 Campground License
- Res. #2023-233 Reappointment to the Zoning Board of Adjustment (D.Brand)
- Res. #2023-234 Reappointment to the Planning Board (S.Supplee)
- Res. #2023-235 Approving Change Order #2 to MJJ Construction, LLC for a Contract Time Extension at No Cost from 60 days to 128 Calendar Days for the Lincoln Boulevard Restroom Facility (LT-C-035)
- Res. #2023-236 Approval of an Alcoholic Beverage Control Plenary Retail Consumption License (Pocketed) Person to Person transfer; License #0505-33-012-012; From PM Cape May, LLC to RL Farms, Inc.
- Res. #2023-237 Award National Cooperative Purchasing Agreement with Sourcwell to Jesco Equipment Inc to Purchase One (1) John Deere Model 320 P-Tier Backhoe Loader (\$146,131.)
- Res. #2023-238 Resolution of the Lower Township Council Amending Resolution #23-211 to Include the Governing Body's Commitment to Long Term Maintenance of the Exterior Improvements at Diamond Beach Park
- Res. #2023-239 Authorization for the Payout of Accumulated Compensatory Time (W.Omrod \$2,874.59)
- Res #2023-240 Approval for Whale of a Day Festival (July 8, 2023)
- Res. #2023-241 Bid Acceptance and Contract Award of Purchase of Palfinger Roll Off Container Hoist with Hydraulic Tarping System or Equivalent Installed on Existing (new) 2024 Peterbilt 389 Tri-Axel Cab & Chassis (Hunter Jersey Peterbilt \$56,860.67)
- Res. #2023-242 Appointment to the Lower Township Environmental Commission

Ordinance #2023-15 An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 3, Parking, Specifically SS7-3.3, Parking Prohibited at All Times on Certain Streets, of the Code of the Township of Lower to Prohibit Parking on Village Road and Bates Avenue. This is the first reading of this Ordinance. The second reading and public hearing has been scheduled for July 17, 2023

Motion to TABLE Resolution #2023-236

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

On the CONSENT AGENDA:

Bill Greenfield, New Jersey Ave., addressed Council to request New Jersey Avenue be added to the Ordinance #2023-15. Mayor Sippel agreed to look into it for future consideration.

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

Regular Agenda

Engineer Report

Will Hanson gave Council an update on the following projects being handled by DeBlasio & Associates including: Diamond Beach Park Improvements; Reconstruction of Fire Lane; Replacement of Various Pavilions; Municipal Pool Renovations; Reconstruction of Wildwood Avenue; Reconstruction of Carriage Lane, Briarwood Drive, Bridle Path, Paddock Lane, Timber Lane and Trotter Way; Lincoln Boulevard Restroom Facility; Beach Access Paths; Rotary Community Park Renovations and Bay Outfall Extensions.

Mayor Sippel inquired about lettering for the tops of the pavilions. Manager Laffey informed that the lettering has been ordered from a local sign company.

Monthly Reports

Clerk, Construction, Dog, Tax, Vital

Public Comment

Cherie Eleissawy, Bayshore Café, addressed Council regarding her property relative to the Cannabis Overlay Zone.

Solicitor Stefankiewicz advised Council to refrain from comment due to the matter being in litigation. He communicated that the Township followed the legal process to adopt the ordinance. He suggested Ms. Eleissawy communicate with the attorney handling the litigation.

Council Comments

Councilmember Conrad reminded residents to use caution, as schools are out for summer.

Councilmember Coombs echoed Councilmember Conrad's comments.

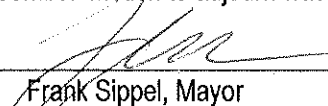
Councilmember Roy acknowledged the reappointments to the Planning and Zoning Boards and thanked the volunteers for their service.

Deputy Mayor Perry voiced anticipation for a successful July 3rd celebration.

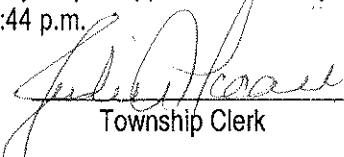
Mayor Sippel pointed out the itinerary for the July 3rd event, including road closures.

Adjourn

There being no further business to address, motion to adjourn moved by Mayor Sippel, seconded by Councilmember Coombs. Motion to adjourn was unanimous. Meeting adjourned at 5:44 p.m.



Frank Sippel, Mayor



Township Clerk

Approved: July 5, 2023