

COUNCIL MEETING MINUTES – August 7, 2017

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on August 7, 2017 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 Roland Roy, Jr.
- Deputy Mayor Frank Sippel
- Mayor Erik Simonsen

Also present: James Ridgway, Township Manager, Robert Belasco, Township Solicitor and Karen Fournier, Deputy Township Clerk

Consent Agenda

- Approval of Minutes July 17, 2017
- Res. #2017-213 Authorization for the payment of Vouchers \$ 614,909.12
- Res. #2017-214 Authorization for Refund of Taxes (4 properties \$2,146.09)
- Res. #2017-215 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (DEDR \$31,409)
- Res. #2017-216 Authorizing the Payment of 2017 County Taxes (Third & Fourth Quarters)
- Res. #2017-217 A Resolution Authorizing the Township of Lower to Enter Into A Cooperative Pricing Agreement (with Cranford Police Cooperative Pricing System)
- Res. #2017-218 Identifying Small Cities Fair Housing Officer (C.Crippen)
- Res. #2017-219 Submission of a Small Cities Housing Rehabilitation Application \$200,000
- Res. #2017-220 Authorization for the Payout of Accumulated Compensatory Time (K.Black \$1,577.82)
- Res. #2017-221 Approval of Change Order #3 for Additional Engineering Services for the Lower Township Clubhouse Drive Project (\$2,500)
- Res. #2017-222 Approval of Change Order #1 to South State Inc. for Clubhouse Drive Project (\$7,218.89 increase)
- Res. #2017-223 A Resolution Acknowledging the Award to South Jersey Energy Company and Constellation Energy Inc. for Electric Generation Supply Services for the Township of Lower and Cooperative Members
- Res. #2017-224 Renewal of Commercial Excavating (Gravel Pit) Licenses (P.Heun t/a Cape Mining & Recycling, LLC)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY			X			
ROY		X	X			
SIPPEL	X		X			
SIMONSEN			X			

Regular Agenda

Ordinance #2017-09 An Ordinance of the Township of Lower Vacating A Portion of Washington Avenue. This is the second reading and public hearing of this Ordinance. This ordinance has been published, posted and made available to the public.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
PERRY		X	X			
ROY			X			
SIPPEL			X			
SIMONSEN			X			

Ordinance #2017-10 Bond Ordinance Providing for Various Roadway and Sidewalk Improvements to Beach Drive, By and In the Township of Lower, in the County of Cape May, State of New Jersey; Appropriating \$3,200,000 Therefor (Including A Grant From the New Jersey Department of Transportation in the Amount of \$178,000) and Authorizing the Issuance of \$2,870,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof
This is the second reading and public hearing of this ordinance. This ordinance has been published, posted and made available to the public.

Kevin Vrieze, 413 Windward Rd, addressed Council concerning the response letter from the Cape May County Planning Department and suggested tabling the ordinance.

James Penzi, 12 Folsom, voiced discontent with Council's decision to move forward with the project despite the opposition.

William Harron, 3802 Bay Drive, suggested tabling the ordinance and putting a referendum on the ballot.

John Kahil, 7 Elwood, questioned the format for getting answers about the timeline of the project. Manager Ridgway informed that the Township is prepared to reappear before the County Open Space Board. Steve Morey, Mott MacDonald, said there is not yet a schedule to proceed. Mr. Kahil and Mr. Morey discussed the availability of the plans and environmental documents.

Joe Jackson, Trotter Way, voiced his support for the project and questioned the liability of not moving forward. Solicitor Belasco informed that the liability depends on the circumstances.

Kevin Vrieze questioned the availability of the information requested by the CMC Planning Department. Manager Ridgway informed that the information is available in the clerk's office.

Kristen Unknown, 3 Croydon Drive, voiced her support of the project and her belief that the project is overdue.

Sue Danicky, Beach Drive, asked why parking is not being removed from Beach Drive. Steve Morey explained the public parking mandate.

Nancy Markle, Townbank, inquired about the bonds and notes. Manager Ridgway agreed to get the information from Bond Counsel.

AJ Ernst, Tabernacle Road, declared his support for the project and stated the reason it is needed.

Claire Nagel, 101 Shore Drive, questioned the absence of basic safety measures along Beach and Shore Drives.

Lynda McCartney, 903 Clubhouse Drive, voiced her passion for the shore and suggested that Council consider alternative options before disturbing the dunes.

Claire Nagel communicated results from the NJDOT report and the availability of roadway safety consultants.

Jill Connell, Mallery Road, questioned the extent of dune being moved and the impact analysis. Steve Morey explained.

John Skowronski, 607 Arctic Ave, asked about the cost of the project and maintaining sand, and he pointed out a problem with drop-offs on the beach access paths. Manager Ridgway explained the cost of the project and said the access paths are being addressed. Mr. Skowronski stated his opposition to the project due to cost and what he believes to be a seasonal road. Steve Morey addressed Mr. Skowronski's concern about maintaining sand.

Joan Curran, Sunset Blvd, voiced her objection to the project.

Sue Robert, Lawnside Rd, asked if the contracts will go out to bid. Steve Morey affirmed that capital projects always go out to bid.

Lynda McCartney countered Mr. Morey's comment about non-indigenous vegetation along the bay.

Eileen Kreis, Villas, validated her support of the project for public safety reasons, and voiced her dissent with the opposition for fighting against County Open Space funding.

Nels Johnson, Townbank, voiced his support and applauded Council for moving forward with the project. He pointed out the danger that exists in the present condition and reminded that the approvals have been granted by experts.

Joe McMenamin, 12 Folsom, voiced his opposition to the project and questioned the choice of a concrete sidewalk.

Bill Tirrell, 105 Beach Dr, professed his support for the project and reminded residents that we live in a representative democracy. He agreed that the project is needed for safety reasons and encouraged Council to seek funding from Open Space.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
PERRY	X		X			
ROY			X			
SIPPEL			X			
SIMONSEN			X			

Administrative Reports

2nd Quarter Treasurer's Report & June Treasurer's Report
Certification of Mailing of Tax Bills

Council Comments

Councilman Conrad commented on the success of the Summer Concert Series.

Councilman Perry applauded the Public Works Department for an excellent job on the bike path and their many additional jobs and responsibilities. He also acknowledged their expertise as a significant benefit to the taxpayers.

Manager Ridgway communicated ideas for possible shared services with Middle Township and the DRBA for the bike path. He applauded the efforts of the Tax Assessor for savings to the Township. He gave an update on Clubhouse Drive and plans for Sheriff Taylor Boulevard. He informed about LTPD bike patrol and commended the efforts of the Police Department. He informed about new programs and the success of the Summer Concert Series.

Councilman Roy – no comments

Mayor Simonsen commended the Police Department for their involvement with the youth, and thanked Officer Barkas and all who participated in National Night Out; he shared plans for the RMT Builders Club and HPC members to be honored at the next meeting; he thanked the County for anticipated road improvements; informed about plans for the bike path; reminded about the Summer Concert Series; and acknowledged the work from the DPW for maintaining sand along Beach Drive.

Deputy Mayor Sippel thanked the Police Department for the success of the Youth Camp and encouraged support for the August 30th fundraiser concert.

Call to the Public

John Skowronski, 607 Arctic Ave, advised of the danger with the crosswalk signs on Beach Drive and asked for an update on Bayshore Road. Councilman Perry gave an update. Mayor Simonsen and Deputy Mayor Sippel also shared informed about County road improvements.

Ray Flickinger, Washington Blvd, commended Council for moving forward with the Beach Drive Project and encouraged them to seek Open Space funding. He also thanked Councilman Perry for supporting the Coombs/Douglass Bayfront Run. He pointed out a problem with overgrown hedges encroaching on the roadway in the area of Scott and Roslyn.

Mike Rosenberg, Villas, inquired about the County's plan for the intersection of Bayshore and Fulling Mill Roads.

Councilman Conrad informed about ADA compliance. Mayor Simonsen shared the list of County Roads scheduled for improvements.

Eileen Kreis thanked the people who stayed for the remainder of the meeting. She reminded that the project has been discussed for years and the people who left missed out on important information. She encouraged residents to get involved in order to stay informed.

Closed Session

Res. #2017- 225

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. **Collective Bargaining Update / Negotiation Update / Attorney-Client Privilege**

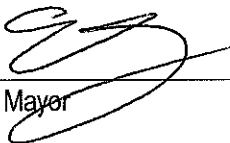
	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
PERRY	X		X			
ROY			X			
SIPPEL			X			
SIMONSEN			X			

Council adjourned to Closed Session at 8:30 p.m.

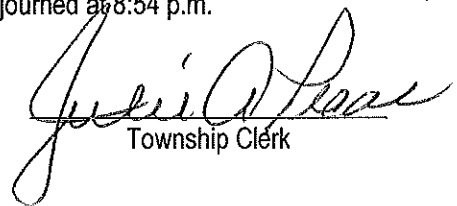
Council returned to Open Session at 8:54 p.m.

Adjournment

There being no further business to address, motion to adjourn moved by Deputy Mayor Sippel, seconded by Councilmember Roy. Motion to adjourn was unanimous. Meeting adjourned at 8:54 p.m.



Mayor



Township Clerk

Approved: *8/21/2017*