

Cape May Court House, J
June 26, 2012 2:00pm
SPECIAL CLOSED SESSION
MEETING FLAG SALUTE
THIS MEETING IS BEING RECORDED:

This Special Closed Session Meeting was called pursuant to the provisions of the Open Public Meeting Law. Notices of this meeting were emailed to the Cape May County Gazette, Atlantic City Press and the Cape May County Herald on June 22, 2012. In addition, copies of notices were posted on the bulletin board in the Municipal Building and filed in the office of the Municipal Clerk on aforementioned date. Notices on the bulletin board have remained continuously posted.

The Township Committee met on the above date at 2:00PM at the Middle Township Municipal Building. Members present were Mayor Lockwood, Committeemember Donohue, Committeemember DeLanzo, Township Business Administrator Mark Mallett, Deputy Township Clerk Dawn Stimmel, Municipal Solicitor Marcus Karavan, Michael A. Jedziniak, Esq, Elizabeth Terenik

- I. RESOLUTION 286-12- CLOSED SESSION-COAH TRUST FUND-RAILROAD AVENUE LITIGATION: CONTRACT NEGOTIATIONS On motion by Committeeman Donohue seconded by Committeewoman DeLanzo and passed on roll call, the following resolution was adopted

Votes: Aye: Committeewoman DeLanzo, Committeeman Donohue, Mayor Lockwood
Nay
:

*Upon adoption of this resolution and conclusion of this meeting the governing body will convene on the following topic in closed session: COAH TRUST FUND-RAILROAD AVENUE LITIGATION: CONTRACT NEGOTIATIONS. This matter will be released to the public when the matter has been deemed resolved and the need to hear said item in closed session no longer exist. The public will be invited back into open session at the conclusion of this meeting and formal action may be taken.

Committee went into closed session 2:15pm

Committee re-entered regular meeting at 5:25pm

PUBLIC COMMENT:

Betty McGurk wanted to know when we would move forward on the COAH spending. Mayor Lockwood said it may be something that happens via several different actions.

Mike Jedziniak said there is an effort in the Assembly and Senate to try and get a law passed extending the Trust Fund for another 2 years.

Eileen Fausey wanted to know if that would provide time to change the COAH rules? Mayor Lockwood said no, that a lot of municipalities are being put at a disadvantage.

Mike Jedziniak said that we do not know what COAH is doing at this point. They were supposed to adopt regulations to give direction to municipalities.

Mayor Lockwood said we are still working on getting answers to a lot of different questions. Committeeman Donohue said they are trying to protect the Township as much as possible.

Carl Arenberg wanted to know if the Habitat home on Raleigh Avenue was a done deal. He feels that it would have a negative impact on Raleigh Avenue.

Mayor Lockwood said it is not a done deal. They are listening to the people and this is housing that is acceptable to the public.

Betty McGurk wanted to know how many lawsuits were going

on. Marc Karavan said there were 2.

Betty McGurk spoke of trying to get the property re-determined by the State. Said the piece of property Conifer wants to build on is a Federal Acquisition Site and there are endangered species there. The people are upset that their voices are being taken away.

Mayor Lockwood said that even a clean application still has to provide site specific conditions that have to be met.

Eileen Fausey wanted to know what the Committee could do, as representatives of the tax payers, to help change the COAH regulations.

Mike Jedziniak said they will have an opportunity to be heard when the new COAH regulations are proposed.

Mayor Lockwood said your concerns are echoed through us to our professionals, you give us feedback.

Mike Jedziniak said this governing body is taking this more serious than others that are going through this.

Committeeman Donohue said that what the State wants and the Township wants are not compatible.

Eileen Fausey wanted to know what the State can do if we do not do

this. Mike Jedziniak said he did not want to think about that right now.

Committeeman Donohue said we can give the money to the State, but that we still have an obligation.

Committeewoman DeLanzo said we were told by the Appellate Courts to deal with Conifer, it was deemed an Inherently Beneficial Use. That if we didn't do this, we take a chance of having 90 units on that piece of land as opposed to 48 units. Wanted to know if that is what they wanted.

Betty McGurk said people were never told anything about Inherently Beneficial Use, this was the first time she was hearing this.

Committeeman Donohue said that the consequences could be dire if we lose the fight.

Eileen Fausey said we are at the mercy of the builders and if we don't do what they want they can sue us. Concerned about the fact that people less well off will be living in the units being built and may bring a bad element to Court House.

Committeemen Donohue asked Ms. Fausey, "When did less well off people automatically become evil and a "bad element" in our town. He said our exposure is greater if we don't come up with a plan.

Committeewoman DeLanzo said we are just trying to do what we need to follow COAH rules, but they keep changing them.

Mayor Lockwood said that at this point we are getting 2 credits per unit. We are working on getting all information in all areas before making a decision.

Carl Arenberg complimented all for their fight in

this. Motion to adjourn meeting: 6:18 PM

1st Committeeman Donohue 2nd Committeewoman DeLanzo

Roll Call Vote: Committeewoman DeLanzo, Committeeman Donohue, Mayor Lockwood

Respectfully Submitted By:

Dawn Stimmel, Deputy
Clerk