

Army Corps dune line affecting beach smoking decision

By Christopher South

December 14, 2016

WILDWOOD CREST – A proposed U.S. Army Corps of Engineers project is hindering the Wildwood Crest Board of Commissioners from making a decision on how to address smoking on Crest beaches.

At the Dec. 14 commissioners meeting, Mayor Carl Groon said the borough does not yet have the final plans for the dune, which the Army Corps plans to construct from North Wildwood to Diamond Beach. According to Groon, what they have received from the USACE is about 30 percent complete. He said he would like to see what is going to happen with the dune before the borough enacts a no smoking policy on the beach.

The House of representatives recently approved \$55 million for local beach work, including funding for the the dune project and other work (see related story).

Groon said the commissioners talked about setting a policy but never got to the point of drawing up an ordinance. He said the borough could adopt a total smoking ban on the beach, or set up designated smoking areas. Commissioner Don Cabrera said, for him, one of the major issues was not a total ban or designated areas, but how to enforce the rules.

“I’m not one to have something in the books if we are not going to enforce it,” he said. Groon agreed enforcement would be an issue considering there are 50,000 to 60,000 people on the beach each day in the summer.

New borough administrator Connie Mahon, who took her position on Nov. 30, said passing a smoking ban, or establishing smoking areas, does have an effect on the public.

“Ordinances do reduce smoking,” she said. “Of course, there will always be people who say they have a right to smoke.”

Mahon said borough employees can always point out the smoking regulations to violators, but they would have to call the police for a summons to be issued.

If smoking is banned on the beach, the proposed 16-foot high dune would be an obstacle for people wanting to leave the beach to smoke.

“The problem is you are going to have a wall between the beach and the street,” Groon said. “Any smoking area would have to be east of the dune line.”

Groon said one suggestion was to put the smoking area near the trash receptacles, which are midway between the street and the water’s edge. Cabrera said his original thought was to locate smoking areas near the dune walkovers that would have to be constructed.

“Maybe we should see how the dune project pans out,” he said.

“That’s a good idea. There is a lot to be figured out with the Army Corps,” Groom said. Cabrera said one thing the borough should consider are signs asking people to pick up their cigarettes, saying people use the beach like an ashtray. Groom said he believes people, for the most part, respect the beach and clean up after themselves.

Groom also addressed the idea of reducing hours for parking meters in the south end of the borough, having them go off at 6 p.m. rather than 10 p.m. He said he still has mixed feelings on the issue and proposed not making any change for 2017.

In other business, the Board of Commissioners passed Ordinance 1247 after a public hearing in which there was no public comment. The ordinance, dealing with rental license regulations, amended the borough code to remove the requirement for mercantile license for rentals of 175 days or more. Borough solicitor Doreen Corino said the change came as a result of an Appellate Court decision in Timber Glen Phase III v. Township of Hamilton. The Appellate Court ruled that the owners of rentals of more than 175 days were not required to obtain a mercantile license.

“The borough can ask for them to register,” Corino said. “And the borough can ask for proof they are not a seasonal or monthly rental.”

Corino said there is adequate reason for having property owners who do not live on site to register with the borough, such as to accommodate fire inspections, or to give to emergency responders.

Resolutions

The Board of Commissioners also passed the following resolutions on Dec. 13:

1. Authorized a certain appropriation transfer.
2. Amended the appointment term of the chief financial officer to be in accordance with N.J.S.A. 40A:9-12.1.
3. Authorized approval of Change Order Number 1-final and estimate certificate Number 7-final, for the reconstruction of W. Buttercup Road, which decreased the borough of Wildwood Crest’s portion by \$83,405.
4. Authorized approval of Change Order Number 2-final, and rescinding previous approved Change Orders 2 & 3 for the 2013 street and utility reconstruction of various streets.
5. Authorized cancelling the borough of Wildwood Crest’s \$15,000 term MetLife Insurance Policy.
6. Authorized the submission of a grant for FY2018 Greater Wildwood Municipal Alliance Consortium.
7. Authorized supporting Senate Bill 2663 and Assembly Bill 4234.

8. Amended Resolution No. 809-16 regarding the Policies and Procedures Manual.
9. Authorized property tax refund in the amount of \$1,365.62 to Frank and Claudia Acocella for property located at 220 E. Myrtle Rd. and made payable to Corelogic Real Estate Tax Service.
10. Authored EMS refund due to overpayment made on Aug. 30, in the amount of \$92.97 and made payable to AARP Health Care Options – Medigap.
11. Authorized the EMS refund due to overpayment made on Aug. 27, in the amount of \$76 and made payable to Maryann Majewski.
- 12 through 16 authorized street opening escrow refunds to Atlantic City Electric in the amount of: \$1,223 for property located at 6100 Atlantic Ave.; \$1,291 for property located at 8500 New Jersey Ave.; \$986 for property located at 6102 Park Blvd.; \$1,291 for property located at 215 E. Washington Ave; and \$1,291.20 for property located at 133 E. Palm Rd.

http://www.shorenewstoday.com/wildwood/army-corps-dune-line-affecting-beach-smoking-decision/article_34d22f92-e243-516d-9096-20463ad0827c.html