

PUBLIC MEETING

before

BEACH ACCESS TASK FORCE  
OF THE  
ASSEMBLY SELECT COMMITTEE ON TOURISM

Beach Admission Fees, Parking Facilities,  
and Beach Access Points

and

ASSEMBLY BILL 3152

(Fair Beaches Act)

September 11, 1987  
Beach Avenue and Grant Street  
Cape May Beach  
Cape May, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Anthony M. Villane, Jr., Acting Chairman

ALSO PRESENT:

Assemblywoman Dolores G. Cooper  
District 2

Assemblyman Edward J. Kline  
District 2

Anne Raughley  
Office of Legislative Services  
Aide, Assembly Select Committee on Tourism

Deborah Smarth  
Research Associate  
Assembly Majority Staff

New Jersey State Library

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MEMORANDUM

September 1, 1987

TO: Members of Assembly Select Committee on Tourism  
Advisory Committee Members

FROM: Assemblyman Anthony M. Villane, Jr.  
Chairman, Beach Access Task Force

SUBJECT: MEETING NOTICE

(Address comments and questions to Anne Raughley,  
Office of Legislative Services at 609-292-9106)

The Assembly Select Committee on Tourism will hold a public meeting on Friday, September 11, 1987 at 1:00 p.m. in Cape May. The meeting will be conducted at Beach Avenue and Grant Street near the Cape May Beach Patrol Headquarters. In the event of rain a new date for the meeting will be established.

During the meeting the committee will hear testimony on and discuss beach admission fees, parking facilities and beach access points. Assembly Bill No. 3152, the "Fair Beaches Act," will also be discussed.

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ASSEMBLYMAN ANTHONY M. VILLANE, JR. (Acting Chairman): I'm sorry for the delay this afternoon. I got directions from Ed Kline about how to get here, so I'm lucky to be here.

UNIDENTIFIED MEMBER OF AUDIENCE: This is really South Jersey.

ASSEMBLYMAN VILLANE: Yeah. I'd like to introduce the Committee for today. We have Assemblywoman Dolores Cooper from Atlantic County and we have Ed Kline, who is not only a member of the Committee today, but he is the Chairman of the committee that will eventually hear this bill.

I want to tell you a little bit about the background about the bill. The bill number is No. 3152, and it's a bill that addresses the problem of access and the fairness or inequities of how we set fees for beaches or allow people to use our beaches in New Jersey. I guess the genesis of the bill is really the Public Advocate's office who came to the State Legislature, or didn't go to the State Legislature and brought five municipalities to court. Those five municipalities, none of them were in Atlantic County and none of them were in Cape May County-- The municipalities that are presently in court with the Public Advocate for having usurious fees are all in Monmouth and Ocean Counties. And they are in the county that I represent; I represent Monmouth County. And so that you know, I've been in the Legislature for some 12 years now.

What I attempted to do was to write a bill that would be fair, not only to the people that use the beaches, but fair to the people that, by law, are required to maintain them and to make them available to the public. The purpose of the bill in the very beginning was really to have the shore municipalities do business with the Legislature who really represents the people rather than do business with the Public Advocate, who I think sometimes works with a heavy hand when it comes to understanding just what we do along the Jersey shore.

The bill in its basic elementary form was a bill that said, number one: that the beaches of the State of New Jersey belong to everybody. And there's no question about that. That's the law -- the public doctrine. The people have the right to traverse the beaches up to the mean high water anywhere in the State of New Jersey. The bill says that we should not impede that availability to the public. We should not build fences from the mean high water line out to the waterfront.

It also speaks to the problem of municipalities deeding away portions of the beaches or portions of the street ends that intersect with the beaches. And it also speaks about municipalities in some parts of the State that have given away, indeed, Ocean Avenue to adjoining property owners.

We don't want to impede the availability of the beaches to the public. It also speaks to some of the parking problems. Some municipalities -- and thankfully not in this part of the State -- don't allow parking within a half mile or a quarter of a mile to the beachfront; in essence, prohibiting public to access to the beaches.

It also speaks on the fairness of what a beach fee should be. Oftentimes, as we've gone along on this process -- and this is the fourth meeting that we've had, the fourth meeting on beach access -- we've found that there are a great deal of expenses by the municipalities to provide the access, to provide lifeguards, to provide first aid treatment, to provide shore protection, and in the area of shore protection a lot of your municipaly people know that when New Jersey decides to rebuild a beach or when New Jersey decides to build a groin or a jetty, that the local municipalities must match that in dollars up to 25%.

It was little understood by a good number of people that there's a good expense, a large expense, to the municipalities just for removing solid waste everyday from the beaches. A big expense is to supply water for showers, and

expense to remove septic systems where we provide bathrooms. So into the piece of the legislation -- in the first draft -- we included some of the specifics that delineated what's reasonable for municipalities to include in their expenses on the beach front. Beaches in New Jersey range from absolutely free, where municipalities pick up the cost, to municipalities that charge up to \$8.50 a day to access the beaches.

Those are the things that we've been putting together. We've designed a questionnaire that we've given out to the people on the beaches to fill in. We ask a number of things. Besides beach fees, besides parking, besides access, we ask about what we can do to make New Jersey beaches better for the people that use them. We got some very interesting comments. The comments ranged from beach fees are too high, to water pollution, floating debris, concern about rashes and irritation, concern about fish kills, and everything that runs the complete gamut. When this tape and this official document from the four hearings are put together, we'll have that made available to any of you that would like to review that. We're going to be using that as recommendations to modify the bill with amendments.

I'm sorry I didn't do this in the beginning, but let me just say first, now it's too late, probably, that this would not have happened if it were not for Guy Muziani. I'm not the Chairman of the Tourism Committee regularly. I'm the Chairman of the Appropriations Committee of the State of New Jersey. Guy Muziani, who is quite ill, and we're all quite concerned about, is really the father of the Tourism Committee. It was through my request of Guy Muziani that he acceded to the idea that I could chair the Committee and to hold these hearings along the Jersey shore. We've held them from Long Branch in Monmouth County to here today in Cape May County. This is the fourth hearing. So, I want to publicly thank Guy Muziani.

And of course, Joe Chinnici has always been a big help along with Senator Hurley, who represents this part of the State. So with that, I would like to allow for the Committee members to make a short opening statement, then I'd like to take testimony from the public today. I would also like to encourage anybody in the public that would like to, please help us by filling out these questionnaires as frankly as possible so that we can get a better handle on what people want and what people need along the Jersey shore.

I would like to introduce Ed Kline, the Assemblyman from Atlantic County. Mr. Kline?

ASSEMBLYMAN KLINE: Thank you, Doc Villane. Good afternoon everyone. It's a pleasure to be here. We're here today to hear you, hear your points of view, your ideas, or your feelings on this particular bill. For those of you who do not know me, I'm the mayor besides the State legislator of a beach community. So, I deal with beach erosion problems, beach accessibility, and I deal with lifeguards and everything that comes along with the beaches. I'm here today to hear what you have to say, what your feelings are, but also to let you know that I eat, sleep, and drink beach problems everyday of my life with my other elected position, being the Mayor of the City of Brigantine. So, I'm looking forward to your testimony. Thank you, Doc.

ASSEMBLYMAN VILLANE: Dolores Cooper?

ASSEMBLYWOMAN COOPER: Good afternoon members and friends, residents of Cape May County. Although I'm not an official member of this Committee, I am the Assistant Majority Whip and I am a 40-year resident of Atlantic City living 50 feet from the beach. No one knows the problems that face vistors as well as residents alike, of a seashore community such as this one.

With the changing times, more problems have arisen than ever before. And now that I have the ability with the

State Legislature to make changes to improve not only Cape May's problems and image, but the whole tourism image of New Jersey. I hope that today will be the final giant step forward that will culminate in the report to make things a lot better, more attractive, and still keep New Jersey number one as a tourism attraction. New Jersey and Us -- Perfect Together. Thank you.

ASSEMBLYMAN VILLANE: Thank you very much. I'd like to introduce, for presentations, the honorable Adrian Capehart, Cape May Deputy Mayor. Mr. Capehart.

D E P U T Y M A Y O R A D R I A N S. C A P E H A R T: May I start?

ASSEMBLYMAN VILLANE: Please do. (referring to mike) If you could talk into both of them at the same time-- This one records it for our tape recorders and that one amplifies it so everybody can hear you.

DEPUTY MAYOR CAPEHART: I have a rather lengthy statement that will take about four or five minutes. Okay, sir?

ASSEMBLYMAN VILLANE: Yes sir.

DEPUTY MAYOR CAPEHART: Greetings, Mr. Chairman and distinguished members of the New Jersey General Assembly and the Select Committee on Tourism. Can everyone hear me?

ASSEMBLYMAN VILLANE: Very good.

DEPUTY MAYOR CAPEHART: On behalf of the City Council of the City of Cape May, as well as our residents and visitors, I welcome you and express our thanks for holding this hearing in our community which is the nation's oldest seashore resort and New Jersey's only national historic landmark city.

It is appropriate that you are visiting Cape May to discuss public beach access, parking, and other issues related to the public's enjoyment of bathing beaches and cool Atlantic Ocean surf because our city has had unique experience in beach access matters that may help the Committee and others in the State who care about our beaches:

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1) Public Ownership: First, our city has this year completed a ten-year \$1.5 million program to purchase all the major beach properties that had been in private ownership. Today, I'm proud to point out that the City of Cape May now owns all the bathing beaches west of Convention Hall -- that would be from the Convention Hall to this way. Most are with fee-simple title. Permanent open space and public access easements were purchased on two properties. This major acquisition effort requires extensive negotiations, expensive litigation, and condemnation actions on several properties. We would be happy to share our detailed experiences with the State and other coastal municipalities that still have privately owned bathing beaches that should be publicly owned.

Though we have not yet received any money from New Jersey for this beach acquisition, New Jersey Green Acres has agreed to provide a grant that in 1976 dollars would have equaled half of the total cost. In 1987 dollars, the actual Green Acres money we expect to receive this year will be approximately eight percent. We appreciate the State help, but wish the amount could still be 50% of the actual total cost. This beach acquisition will ensure public access and no new permanent buildings on our beaches, except for public safety structures such as our stone groins, promenade, rest rooms, and a new beach patrol Headquarters which will be constructed on this site this fall.

2) Public Assess: We have established barrier free ramps along our entire beachfront and have just this year added a number of reserved parking spaces for the handicapped. We provide public rest rooms, benches for resting, boardwalk, a two-mile promenade, and many other public facilities and activities, including a long list of free concerts, programs, and events for our residents and visitors. Beach and ocean access is also open to public view by the fact that our Beach Avenue runs parallel along our entire beachfront. Many people

simply enjoy driving, riding a bicycle, or walking along Beach Avenue. The public is welcome on our public beachfront and our local laws to ensure public access and public safety are reasonable and fair to all.

3) Beach Protection and Maintenance: Proper protection and maintenance of our beaches is very expensive. We are still paying off debt for such construction as stone groins, promenades, seawall, and other expensive beach protection facilities most everyone takes for granted. We have, of course, received some State and Federal assistance after storms and to assist in paying for combating the severe beach erosion which Cape May has faced this century and which is very visible at either end of Beach Avenue. We are pleased that a \$15 million permanent beach restoration project is finally getting under way by the Federal government.

Daily maintenance of this entire beachfront is important and something in which we take considerable pride. The sand of our beach is raked, sifted, and cleaned every night to remove litter and other debris. Beach Avenue, the promenade, and many other streets are swept every morning. Rest room repairs and cleaning is a constant requirement. Tons and tons of trash generated by the public has to be removed everyday, and there are many other maintenance tasks that need to be accomplished. And they all cost money, lots of it every year. In fact, it costs \$34.30 a ton to dump rubbish.

ASSEMBLYMAN VILLANE: It's getting higher.

DEPUTY MAYOR CAPEHART: Yes sir, it will probably get higher.

4) Public Health and Safety: Public safety matters on our beaches are handled primarily by our Beach Patrol, a veteran group of outstanding lifeguards, who work to help ensure that bathing in the ocean and surf is safe, and that all activities on the beaches are orderly and safe for all.

Public health concerns relating to the disgusting practice of ocean dumping and other pollution causing practices should be high on your legislative agenda. We sincerely hope that is true. We in this municipality have spent millions of dollars of our own resources to combat pollution from sources within our own jurisdiction, such as sanitary sewers and surface water runoff, but the State needs to do better to end ocean dumping and other pollution now.

5) Parking: As vacant lands formerly used as parking lots have been developed along the beachfront, parking near the beach has become a growing problem. The fairest way to allocate the limited on street parking which we have along the beachfront is with parking meters, which ensure that everybody willing to pay for space has an equal opportunity to park. Those willing to walk a few blocks, usually have no problems parking in Cape May. The city has continually expanded the number of public parking lots and spaces and we continue to explore many concepts for future improvement. The trouble with most people is that they don't even want to walk across the street. If they want to go the lifeguard headquarters, they want to park right in front of the door, which is impossible.

6) Beach Fees: Cape May has not used reasonable beach fees to pay for beach related expenses, those mentioned above, for 10 years. I was a sponsor of the original beach fee ordinance in Cape May and am very satisfied and proud of the way people have been willing to pay their fair share. Each year we take a close look at our actual cost of operating and maintaining our beachfront and compare the total with the latest beach fee revenues to be certain that the fees are fair and at the proper level. We agree that beach fees should be directly related to actual beach cost and should not be a source of excess revenue. Cape May was the first resort in this county to establish a daily beach tag and the fee has remained at a reasonable \$2 daily since its inception several years ago.

The City of Cape May welcomes the Legislature's interest. We are eager to hear more about the various measures being proposed to help ensure public access and assist municipalities like Cape May in our well-established and successful efforts to protect this valuable seashore.

Just one thing that I would like to add. I'm going to give you a list of our beach tag fees just to assure that I don't think that they are excessive. As just mentioned, in some periods it is \$8.50 a day. Well for \$10, you can bathe for the whole season. For a week you can bathe for \$5, and it's \$2 a day for bathing. If you break that down, I think a seasonal tag will cost you less than ten cents a day. Thank you very, very much.

ASSEMBLYMAN VILLANE: Thank you very much, Mayor. It was a very complete report, and a very interesting one too. I'm just curious and I'm sure the Committee would be interested-- Could you tell us generally what your beach budget is?

DEPUTY MAYOR CAPEHART: We usually budget what we--

ASSEMBLYMAN VILLANE: Is your Administrator here? Do you want to get your Administrator up here?

DEPUTY MAYOR CAPEHART: My Administrator would probably have the figures. Could you come up, Mr. Coldren? I could give you a some general idea, it's around \$300,000, but he could be more accurate.

F R E D C O L D R E N: The beach patrol, its salaries, and its other expenses are in the \$300,000 range, but when you add the other costs of cleaning the beach, maintaining it, paying off the debt service for the facilities that we have, it's in excess of 400 and some thousand dollars -- 420 or something.

ASSEMBLYMAN VILLANE: Your income from beach tags, and your income from parking meters related to the beach activities, what, in a ball park figure, is that?

MR. COLRDEN: We haven't included the parking meter revenue as directly related to the beach for various reasons.

We'd be interested in looking into that, but I don't have those numbers for you today. But the beach revenues themselves presently exceed 300 and--

DEPUTY MAYOR CAPEHART: Around \$346,000 last year.

MR. COLDREN: They're going to go about \$350,000 we think.

ASSEMBLYMAN VILLANE: What do you-- These are offhand questions, and I don't expect accurate answers, but somewhere in the ball park, if you could. Do you know what your liability insurance costs in relationship to your beach activity?

MR. COLDREN: No. I can provide that information. It's part of our general overall public liability policy and general liability policy for the whole city and it's not broken up by department and section.

ASSEMBLYMAN VILLANE: The bill that we have here speaks to limiting the liability for beach related lawsuits which would be a benefit to the municipalities and in essence it would lower our expenses in running some of the beaches. That's an interesting part of it. But if you can give us some of those numbers, the parking revenue, and your cost for-- Do you have a cost for solid waste removal? Have you broken that out at all?

DEPUTY MAYOR CAPEHART: (speaks away from mike) Sir, I think solid waste removal is around (inaudible) a ton.

MR. COLDREN: That's just the cost of the landfill.

ASSEMBLYMAN VILLANE: I know but I'm talking about how much waste do you pick up on the beaches in tons and what it costs in vehicles, transport, and landfill?

MR. COLDREN: Yeah. We do have that information. We don't even count the labor and the cost of collecting in our beach costs that we just told you about. So, we're dealing with probably taking in about half of what it really costs us to operate this beach.

ASSEMBLYMAN VILLANE: Then would you say as Mayor and administrator, would you say that you subsidize the beaches through local property taxes in Cape May?

DEPUTY MAYOR CAPEHART: Not entirely. No sir.

ASSEMBLYMAN VILLANE: Subsidize to a degree?

DEPUTY MAYOR CAPEHART: Of course I couldn't give you a specific amount, but years ago, prior to 1977, it was all paid for by the taxpayers' dollars.

ASSEMBLYMAN VILLANE: Totally picked up by the taxpayers?

DEPUTY MAYOR CAPEHART: Exactly. There was no beach fees then. Everything. Lifeguards, boats, oars, everything was picked up by the taxpayer.

MR. COLDREN: One final comment, if I could, Mr. Assemblyman?

ASSEMBLYMAN VILLANE: Make as many as you want.

MR. COLDREN: It will be quick. And that is, there is a difference in the personality of different resorts, as you gentlemen well know, having come from several of them. Some towns do specialize in the day trip. Some towns specialize in the week long vacationers, and I think you're going to hear from some officials of those towns today. We're a mixture and we're fortunate to have quite a mixture of that. We do have a lot of day trip people come to Cape May, and that was the reason we put in the day tag several years ago. We've been real satisfied with the way that's worked out. But I do want to indicate that there are different personalities and different resorts and all of them may not be able to live within the guidelines that I see set forth in the bill.

ASSEMBLYMAN VILLANE: Well, just so you know, the bill in New Jersey -- and you learn a lot traveling up and down the coast-- We have municipalities that provide nothing at all; not a place to change, maybe one or two lifeguards, and hardly any cleaning. Some municipalities provide all of those things

and provides swimming pools and hot and cold showers and lockers and cabanas. So it goes from a gamut of nothing at all to a high beach fee.

But what we're looking at and we've entertained an idea, is that maybe we ought to have a maximum beach fee that's adjusted periodically. And if you want to exceed that beach fee, you would have to make application to the State with justification of what you provide and what your costs are.

MR. COLDREN: The other thing that I've seen is very helpful in comparing costs is I've often asked people what do they pay to go to their private pool in Philadelphia, or in Camden, or in New York, or wherever there come from? And a lot of times the daily fees to get into a pool -- it doesn't have all kinds of overhead or all kinds of liabilities, or all kinds of maintenance -- the closest one I think is \$8 a day just to get into a swimming pool.

ASSEMBLYMAN VILLANE: Have you done a survey in the make-up of your beach population? Do you know your demography? Where do they come from?

MR. COLDREN: We have a number of surveys that have been done, and we might be able to provide that kind of information if you want that.

ASSEMBLYMAN VILLANE: You have people from, I understand, Canada and Pennsylvania.

DEPUTY MAYOR CAPEHART: California -- nationwide. I would say just about every state in the Union and Canada. Quite a few from Canada too, sir.

MR. COLDREN: This is a southern resort, Doc. We're south of the Mason-Dixon line here in Cape May. So, we get a heavy concentration of people from Wilmington, Delaware, Baltimore, Washington, and that area, plus from Philadelphia. But there are other resorts that are more attractive to Canadians and more attractive to urbanites, so to speak, than we are here in Cape May City.

ASSEMBLYMAN VILLANE: I would recommend to you -- you've probably been there already, but if you ever want to see a mini Cape May, go to Ocean Grove, New Jersey. If you've been there -- I don't know if you've been there, Mayor -- but I'd be glad to host you up there one day. It's a town that I represent and it has all the Victorian charm and splendor that you have right here in Cape May.

I want to thank you very much on behalf of our Committee for hosting our hearing today and also for your testimony.

DEPUTY MAYOR CAPEHART: Thank you very much for having it here. We appreciate it immensely.

ASSEMBLYMAN KLINE: Give me your numbers on your manpower -- how many lifeguards, how many beach patch inspectors? What's your manpower?

MR. COLDREN: Lifeguards were around 50 full-time and then eight to ten part-timers depending on the season. Right now we're having to rely heavily on our part-timers. But they're all qualified, they're all certified, and they all have CPR training and are certified, and we have a very good record of safety here on this beach. Beach tag employees, at our highest point this year, we had 15. We were able to cover the beach adequately in that way.

We have a very laid back approach here. We don't press too hard, but our people do know everyone on the beach pretty much and they try to show them the advantages, and as you see from our fliers, we try to stress the positive part of what these fees are for. I did object to the way in which the Committee named these things as admission passes or admission fees. They're not admission fees. They are intended to cover the cost of the services. It's not an admission charge to our beach or to most beaches. I think they are intended to cover the cost. So, I think that language should be dropped from the rhetoric.

ASSEMBLYMAN KLINE: What's your hours? What time does your beach open and close?

MR. COLDREN: Ten a.m. to five p.m. is the guarded time. We watch the beach tags most of these hours. Although, frankly, we don't find it very productive near the end.

ASSEMBLYMAN VILLANE: Ms. Dolores Cooper has a question.

ASSEMBLYWOMAN COOPER: Just one question.

ASSEMBLYMAN VILLANE: A little louder, Dolores.

ASSEMBLYWOMAN COOPER: Just one question which arose as a court suit in Atlantic County. Do you pay your lifeguards a pension? Are they on a pension plan?

DEPUTY MAYOR CAPEHART: No, they are not at the present time, but it is anticipated in the next year. There is talk about establishing a pension plan for the lifeguards.

ASSEMBLYWOMAN COOPER: Because that will appear in your long-range planning as far as future beach fees are concerned, and I was wondering how you were going to face it?

MR. COLDREN: That will have to be added.

DEPUTY MAYOR CAPEHART: That's going to take a lot of work, because they are only seasonal employees and only work about ten weeks or somewhere in that vicinity.

ASSEMBLYMAN VILLANE: One other thing, before you leave. There's been some suggestion as we've gone up and down the beaches, that there ought to be no beach fees and that the State should take over the operation of the beaches. Mostly the shore people like us who are-- I don't see the State being able to run them, but I'd like to ask the Mayor, who's been a mayor for a long time, what your opinion would be?

DEPUTY MAYOR CAPEHART: I would hate to see the State run it, because I don't think that they would do an adequate job as each municipality does. You see, a lot of times when bureaucracy takes something over, it begins to get a little shoddy. That's my opinion. I think you agree with me, too.

ASSEMBLYMAN VILLANE: I do. I certainly do.

MR. COLDREN: We'd like to do better in the things that are in our jurisdiction, and we know we can always do better. But we think the State can do better in a lot of things that are State jurisdictions. And the one big area of concern, as Mr. Capehart said today, is to get this pollution thing straightened out, and I think the State Legislature of New Jersey has the authority to do it and the Governor has the authority to exercise his veto, and we hope those actions would take place promptly, because otherwise we're in real trouble. And the cost of collection of beach tags becomes an irrelevant issue to closed beaches.

DEPUTY MAYOR CAPEHART: No question about it. If the beaches are closed, then that just puts a taboo on every seashore resort along the shore. People will not come if there is fear of pollution. If they feel that the water is not safe, they're not coming. Thank you, very much.

ASSEMBLYMAN VILLANE: Thank you. Just so we can talk a little bit about the pollution problems and what the State Legislature is doing, I guess within 24 hours from now there will be indictments handed down as a result of the Attorney General's activity in trying to track the people who caused the first slick of medical garbage that appeared so disgustingly in the State of New Jersey. That's being done. I spoke with the Governor yesterday. They were over to an incinerator of hospital waste in New York yesterday with about 25 or 30 officers from the State of New Jersey Law and Public Safety Division, Attorney General's office.

I spoke with the Governor personally yesterday. We will be coming out on Monday with a new surveillance activity that we're going to dedicate probably up to \$5 million for, which will not only deter dumpers, but will prosecute and collect the evidence immediately. We've introduced in the Legislature and these colleagues have cosponsored a

cradle-to-the-grave manifest system for hospital waste. We will not allow hospitals to give to transporters of garbage the garbage or medical waste unless it's certified and notarized that's it's been incinerated in the time and quantity and the volumes that are gotten rid of.

I can tell you, I represent the other end of the State along the Jersey shore and the people have had it up to here. We are definitely going to put every resource that we have into cleaning up, probably, the biggest treasure of the State of New Jersey -- and that treasure is the Jersey shore.

At this time, I'd like to call on Jack Fitzpatrick, President of the Stone Harbor Chamber of Commerce. Mr. Fitzpatrick? (no response) He's not here. I'll get back to him latter. He may have gone out for a Coke. Mr. Gerry Thornton from-- Let's see, Gerry you're from Cape May County Board of Chosen Freeholders. I'm sorry, Gerry. It's nice of you to come out here today. We'd like to hear from you.

**F R E E H O L D E R   G E R A L D   M .   T H O R N T O N :** I'd like to wish everyone a good afternoon and say that it's another beautiful day in the County of Cape May, and we plan this usually for State officials when they come down to visit us. We try to have the nicest weather we can possibly have. The Governor was very impressed. It was about a month ago when he came down. It was the warmest, hottest day we ever had in Cape May County.

I'd like to thank the Select Committee for coming here today. And certainly it gives us the recognition that's long overdue in Cape May County. And certainly tourism's recognition is more than needed in the State of New Jersey as you well know, since that industry generates hundreds of millions of dollars a year in State revenues, and also jobs and the residual effects that those jobs have throughout our economy in our community.

And as you well know, without the leadership of our Assemblyman in Cape May County, Guy Muziani and his dedication

to tourism and the aggressive approach he's taken over the years since he's been a member of the Assembly, I'm sure that that recognition would have never been realized what we're seeing today.

When we talk about fair access to the beaches and public access to the beaches, it's very obvious to me as a representative of the Board of Freeholders in the County of Cape May, that the municipalities in this county, overall, have taken a most aggressive approach in trying to keep the beaches free and keep them open and make sure there is public access. Many of those municipalities have beach fees. I think they would be resistant and I would personally be resistant as Director of the Board of Freeholders, to any cap on a beach fee. And the reason why, is that each municipality itself has determined what their beach fee is going to be. As you well know, during budget time each year in January, they have to cut a budget so that they can address the use and the cost of their beaches and their operating costs.

So, it will be very difficult for the State to set a cap on the beach fees, is the first thing. And the second thing is, to be very honest and candid about it-- If any municipality would be crazy enough to set a beach fee that was too high, it would be so cost-restrictive that the tourists certainly wouldn't come here. So, that would be extremely damaging, so I don't think they would be interested in doing it.

And furthermore, along with that is that the business community itself would not tolerate a high beach fee. The business communities in those areas of those town along the Jersey shore would be the first to be up in arms because they're here in the wintertime. If the State is going to mandate that we have certain parking and access and ramps and with the cost of the walks and ramps to the beaches-- Well, then let the State pay the price of that. Over and over and over again -- and we see it and you see it in your towns --

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whether you are a mayor or whether you are a freeholder or wherever you sit, again, over and over again we have mandated costs that come down and the burden eventually is placed on the property taxpayer in that particular municipality or in the county. We can't do that. We can't afford to do that.

But let me go on to what I think is a greater issue here. It's almost fruitless for us to discuss beach fees and parking and access because of the recent crisis that was created by illegal ocean dumping and the headlines that are being made over and over again about the legal dumping of waste in the ocean. Doc, I want to say to you that I was extremely happy to hear your comments today about people who are now being indicted. I hope they are incarcerated. It's long overdue and I want to thank the Governor and the Attorney General's office for taking such an aggressive approach.

But if that crisis hadn't been so great, I wonder just how long we would have gone before somebody would have taken an aggressive approach, because as you well know, it's not the State of New Jersey that's necessary at fault. I have a great deal of reservation-- I told the Secretary of Transportation in Washington last week this. I have a great deal of reservation about the Federal government and what they are doing. I think it's an outrage to allow dumping 106 miles off the coast of Cape May and not expect that someday it's going to wash up on the beaches of New Jersey. It's going to happen.

When we have residents that come here and pay on the average of a summer rental cost anywhere from \$400 to \$1800 dollars a week and they pay for motel units anywhere from \$45 to \$110 per day, these people expect to have public access, they expect to have clean beaches, and they expect to have safe recreational waters so that they can wade and swim in those waters. Are they expected to pay a beach fee so that they can have the rare opportunity to play with New York's dangerous hospital waste? I wonder. I think that's what we have to look at.

You know, Cape May County has been a leader in the ocean and water monitoring program since the late 1960s, and the reason we've done that is because we recognized early on what a valuable asset our beaches have been. That cost is borne again by the property taxpayers of the County of Cape May. They pay for that cost through the County Health Department. We have the most modern up-to-date environmental health laboratory in the State of New Jersey. There's not a county that has one better, I can assure you. As the Freeholder Director of that Health Department, over the years we've appropriated more than \$400,000 to upgrade our equipment in the Health Department because we're concerned about our beaches and our waters.

We were first to be given the authority to enforce the Environmental Health Act. We had a big ceremony with Don Graham, Deputy Commissioner of DEP. He came down. He said, "Gerry, you did a great job. We evaluated the County of Cape May. We're going to allow you to enforce the Environmental Health Act." We had a big ceremony.

Again, I can only emphasize to you that only the State can stop ocean pollution -- the State and the Federal government. We can detect it, we can find it, but you have stop it. This year Cape May County waters were the cleanest we've had in a decade -- in a decade. I can tell you that every week, two or three times a weeks I see those water counts, those bacteria counts, and I can assure you sitting right here today that we have the cleanest beaches probably anywhere in the State. And it's because we've taken an aggressive approach to try to clean up our waters. We've created a very costly regional wastewater treatment program, that's just starting to come on-line. But again I emphasize, why worry about beach fees and parking if many of the tourists are not going to come to New Jersey -- they are going to vacation somewhere else?

One thing we haven't recognized and I think should be recognized is the toxic pollution and the waste pollution that we see, is going to crush the fishing industry -- not only the commercial industry but also the recreational fishing industry that's such big part of our economy here in Cape May County. If you would go along Route 9 and Ocean Drive and these areas up here as you come into Cape May, if you want to see a parking problem, you see a definite parking problem there by the number of recreational fishermen that they have there, by the number of commercial fishermen that they have there, and yes, it has to be addressed.

But again, we're not going to have a parking problem and we're not going to worry about parking if we continue to pollute these waters. The bluefishing industry and the bluefish have already been tainted by toxic pollution. And I'm going to say this and I thought about this when I wrote this statement. I literally hope -- and I hope that the Attorney General and the Governor would take the approach that we can literally blow New York and Pennsylvania right out of the water. I think it's long overdue.

When I see the New York tourism commercials that say, "I Love New York," to me that means that New York loves to dump on New Jersey. And you know I think that just maybe off Long Island if they would dump the hospital waste from the Bronx, somewhere in the Hamptons area and they charge a beach fee to the tourists so that they can clean up on Montauk Point, you would see a big difference by the officials of the State of New York. The residents of New Jersey's shorefront are not singing, "I Love New York."

And another one I love is that, "You've Got a Friend in Pennsylvania." Well, if it's a sign of friendship to have sludge and ocean dumping off the coast of Cape May, then we should treat friendship with a great deal of contempt. I say to you, and again I say to you, we should not have any ocean

dumping of any kind. It's simply an insult to the State of New Jersey, its residents, and its visitors to be trashed by New York and Pennsylvania.

I want to thank you again for coming to Cape May County. It's extremely gratifying to me as a county official to see you here and see your response to this in this county. And I'll finish by saying that if my comments were ungracious or hostile to the officials of New York or Pennsylvania, I really intended to be that way. Just let them clean up their garbage without dumping on our back yard.

I want to say to you I hope that you'll recognize the municipalities in the County of Cape May have done everything possible to maintain free access to the beaches or public access to the beaches and I would not want to see a limit on the beach fee. I think that is something that should be done by the local governing body. Thank you.

ASSEMBLYMAN VILLANE: Gerry, just stay there a minute to get a couple of questions. In the County of Cape May, what is the stage and treatment of septic waste -- sewage treatment in Cape May?

FREEHOLDER THORNTON: Okay. That's a good question because I'd love to answer it. Right now we have in the early summer of 1988 the last segment of the region will come on-line in the Wildwoods region and at that time will complete secondary sewage treatment in the County of Cape May. The only region that's left is in the Wildwoods. Wildwood, North Wildwood, Wildwood Crest are the only regions that are left. At that time we would clean up the entire back bay area and the oceanfront area as far as our wastewater treatment is concerned.

ASSEMBLYMAN VILLANE: Some years ago I was down here and we had a septic problem right here at the end of Cape May City. That, I guess, was eight or ten years ago.

FREEHOLDER THORNTON: That was back in 1976.

ASSEMBLYMAN VILLANE: I remember that.

FREEHOLDER THORNTON: And usually what happens -- and this will be corrected with on-line secondary treatment systems -- is that when we have a heavy rainfall -- because of the runoff through the storm sewage, we have a problem. I had the sad task some two years ago of taking a very hard approach to a terrible situation that happened in the Wildwoods because of an overburdened antiquated sewage treatment system there.

ASSEMBLYMAN VILLANE: What is the future designated disposal site for septic waste residuals -- sludge?

FREEHOLDER THORNTON: Well, I can tell you what we're going to do. We're going to try to compost it and burn it. We're working on that now. To be candid, we're having difficulty because of the technology. The technology is difficult to deal with. But we have a modern plant. I have special meeting this evening, and I say modern or I'll get killed this afternoon. But I have a special meeting with the Board of Freeholders this afternoon at 4:00 p.m. on this, and the reason why, is because that plant is generating some odors and the neighbors are being burdened by the odors. That's going to have to be corrected. I think the technology is there; we're just going to have to spend the money to do it. So, we do have a sludge composting plant to deal with that.

ASSEMBLYMAN VILLANE: One other thing. In my part of the State which is Monmouth County and I represent 24 municipalities right on the waterfront, our water quality, bacteriologically speaking, is the best we've seen in 15 years. We're beginning to see six, eight, and ten feet into the Atlantic Ocean, but the floating debris problem is ten times worse. What's the nature of the problem in Cape May?

FREEHOLDER THORNTON: Doc, I just-- And that's what I'm trying to emphasize. As far as the bacterial counts, we've had bacteria counts that were so low this year that I can assure you that the sea gulls do more damage. We've had the purest waters we've had in a decade here off the beaches in

Cape May County. But the minute somebody is frightened because they see New York's hospital waste floating up on our beaches, it doesn't make any difference how clean our water is, because they're frightened to death.

ASSEMBLYMAN VILLANE: It really insults the sensitivity of a family to consider that you're swimming in a the water with hospital waste. And it's just frustrated all of us and equally as well the Governor. And we intend to do it, no matter what it costs to clean up this problem.

FREEHOLDER THORNTON: Well, again, I'll emphasize that at our meeting with the Secretary of Transportation we urged her last week -- in fact on Tuesday, this week -- we urged her to give the Coast Guard more resources so they can enforce the environmental laws. She was very receptive to our response. In fact, the head Speaker was there with us in Washington.

ASSEMBLYMAN VILLANE: Thank you very much.

FREEHOLDER THORNTON: Thank you, Doc.

ASSEMBLYMAN VILLANE: We really appreciate you being here with us today, we really do, Freeholder. Nice job. Mr. Kline, would like to ask him a question.

ASSEMBLYMAN KLINE: I'll make a comment about it. Gerry, I think it's been great today. I think you know that all of us up here are very close with Guy Muziani. You're here today. I know that you're running for his seat, and I wish you luck. And I think that you did an outstanding job of representing this area today. A great speech. Let's get New York and Pennsylvania. I'm with you.

ASSEMBLYMAN VILLANE: I ought to just make a comment. I'm sure the Freeholder would be interested.

ASSEMBLYMAN KLINE: Guy would be proud of you.

ASSEMBLYMAN VILLANE: Right now America is one of the countries that has not agreed to the MARPOL V Agreement which is an international regulation that would prohibit the jettison of garbage in the ocean prior to going into a port. And we've

really begun to put a tremendous amount of heat on the Federal government of the United States of America to sign an agreement of the MORPOL V and that would prohibit, and cause shippers a little bit more money, but they would off-load their garbage into docks to be put into sanitary landfills rather than polluting our oceans. We find, especially in the northern part of New Jersey, a great deal of plastics that come off of the international shipping. Now that's another one of the initiatives that we are working on. I'd like to-- I'm sorry, Dolores?

ASSEMBLYWOMAN COOPER: Just before I arrived here, Doc, on the 1:00 news, seven people were indicted already. That just came through. And Gerry, I want to wish you good luck, because you and I started on as Freeholders together and I know of your dedication and sincerity to Cape May County, and isn't that what it's all about? Lot's of good luck.

ASSEMBLYMAN VILLANE: Thank you very much. I'd like to hear of the mayor of a neighboring municipality, one that I've done some business with in the past. I'd like to hear from Mayor R. B. Light, Mayor of Avalon. Mr. Light?

MAYOR RICHARD B. LIGHT: My name is Light -- Richard Light and I'm the Mayor of Avalon. This is Tom Ciccarone, also of Avalon, the Business Administrator. We welcome this opportunity to be here today and speak with you. The first thing that I would like to observe is that thanks to Assemblyman Villane and some of his associates, Avalon now has some of the most beautiful beach in Cape May County.

ASSEMBLYMAN VILLANE: I'm glad to hear that.

MAYOR LIGHT: And we're inviting everyone, including those in the audience to come up to Avalon anytime soon.

ASSEMBLYMAN VILLANE: Don't steal any customers from the Mayor here.

MAYOR LIGHT: I don't like to invade Fred Coldren's hospitality, but I'll risk it anyway. The first thing that I

would like reiterate is Gerry Thronton's concern about beach fees, public access, etc. I think what many of us fail on occasion to realize is what made this country great was the free enterprise system, not a charitable institution, not governmental body in any shape or form. And I think in view of that, we should all remember and recognize the fact that municipalities have got to be operated as a business, and it's a big business in each case. And when we talk about business, we talk about beaches, and when we talk about beaches, we talk again about balancing a budget and paying the expenses that are involved.

I don't think for a minute that we in Avalon, as an example, need a control on beach fees, nor do we need one on beach access. As an example, we have a beautiful parking lot adjacent to our boardwalk which will park about 340 cars. The unfortunate thing about it is that people take advantage of it (indiscernible) there is no charge, park their cars, go to Europe; and those in the neighborhood park their cars for weeks at a time; and my advocacy, and I think it's shared by our council people, is that we should be permitted to install beach parking meters simply not for the kind of purpose of revenue, but to keep the lots clear so that those people coming to the beach have a place to park. We're not talking about a huge sum. We haven't really arrived at a reasonable figure at this point, but we think that a reasonable charge for four or five hours would be well within the scope of reasonableness and congeniality as well.

One of the problems that we have is to make expenses. We lose on an average for the last four or five years about \$150,000 to \$160,000 a year. We rake our beaches every day, seven days week, we clean up the debris, we have 280 steel drums that are collected everyday from the beach and taken to the landfill. The landfill charge for this summer alone for cleaning up the beach is about \$5376. The total expense of operating the beach, including lifeguards, raking the beach,

cleaning up the debris, and so on, is in the neighbor of 500 and some thousand dollars. So, we do need some help in that regard.

To pick up on the subject of pollution, the last week in 1976 we sold \$5826 worth of beach tags. This year, it was \$1330.

ASSEMBLYMAN VILLANE: Mayor, I think you said 1976.

MAYOR LIGHT: '86 -- I'm sorry.

ASSEMBLYMAN VILLANE: Just to get that right for the record could you go over those numbers again.

MAYOR LIGHT: Yeah. For '86 the figure for the last week was \$5826. For the last week in '87 it went down to \$1330. Now we had bad publicity as did all the Jersey beaches. The people who came to Avalon and were so enthusiastic to watch and view and film our beach fill, when we called them about our clean water, they didn't appear to be interested. They don't like good news, all they like is bad news. And apparently they got plenty of that.

Tom, do you have any observations that you would like to make to them?

THOMAS CICCARONE: Yeah.

ASSEMBLYMAN VILLANE: Your name, please.

MR. CICCARONE: Tom Ciccarone, Business Administrator in the Borough of Avalon. I really just want to emphasize and reiterate what everyone has already said here today, and that is that the municipalities in Cape May County, there's not one that you can point to and say that their beach fees or their access policies are unreasonable. Cape May County ranges from having towns with beach fees to some municipalities that don't have beach fees at all. Clearly the reason for that is that we've placed some major emphasis on tourism, and we're not going to hurt ourselves. We're begging people to come to Cape May County and to avail themselves of our resources. There's nothing at all restrictive in our policies to try to deny access to the beach.

As the Mayor indicated, we're losing probably about \$150,000 this year. I think that's probably a conservative estimate. That's not really taking into account, the cost of equipment, the cost of insurance, the cost of the beach fill projects, and things like that. You know the State certainly is contributing to heavily in that area. Nevertheless, it's still been very expensive for us as well.

I have a feeling that the Assembly's intentions are good here, but you might be barking up the wrong tree in talking about looking at what we're doing in the southern half of the State. The fact that there are a few municipalities in the northern beach coastal area that have restrictive policies, I don't think should be used against us to layer us with one more State agency or one more level of bureaucracy that we have to deal with. It's tough enough as it is dealing with the State agencies that we currently have.

I would just urge the Assembly to take a closer look at this bill and see whether or not it's really even needed. We certainly welcome any assistance that the State would like to give us to meet the problem of improving access to the beach areas. Perhaps what you should be looking at is finding ways of assisting us with the funding and perhaps with some of the large ticket items such as equipment purchases, lifeguard salaries, and those kinds of things. It gets to be very costly. If the State can find a way to come with some money to assist us, perhaps through sales tax revenues or something that we are particularly generating here, that might make a little more sense than to be trying to regulate something that doesn't need to be regulated.

ASSEMBLYMAN KLINE: How many lifeguards do you have on your beach?

MR. CICCARONE: We have about 50 or 60 lifeguards. Our salaries for 1987 for beach patrol alone is \$290,000.

ASSEMBLYMAN KLINE: I also know that in some shore community areas we've had mandated by planning boards or CAFRA developing sturdy walks or some kind of beach accessibility on that level. Have you had the opportunity to have any developers build anything or help you with your beach?

MR. CICCARONE: No. And we're not looking for anything either.

MAYOR LIGHT: No we haven't. We really don't have a problem with access. For the most part, our beach is very wide open and accessible from the street ends and from the public parking facilities. And even in the high dune area, we have beach paths that provide access.

ASSEMBLYMAN KLINE: They are constructed out of wood. They are wooden, aren't they?

MAYOR LIGHT: No, they're not. They are gravel through the high dune areas.

ASSEMBLYMAN VILLANE: For the benefit of the public, we'd certainly like to hear from the public about beach access, beach fees, parking, and what you'd like to see done on the beach areas in the State of New Jersey. This is not only open to public officials. We came to the beach to hear from you. So, if any of you want to come up here, there's a form here at this desk. If you'd just put your name and address on it. We'd be happy to hear from you and make you a part of the official record. I'm sorry, Mr. Kline.

Thank you very much. Dolores? (negative response)  
Thank you very much. We really appreciate you being here, Mayor. The next person that we'd like to hear from is from the City of North Wildwood. Mr. Wischeronski (phonetic spelling) (Mr. Wischeronski indicates to the chairperson that he does not wish to testify) Okay, thank you very much.

The next person that we'd like to here from is from Cumberland County Board of Chosen Freeholders, Frank LoBiando. Mr. LoBiando.

F R E E H O L D E R   F R A N K   A .   L o B I A N D O: Thank you Assemblyman Villane and Committee members for holding this hearing here today. Although Cape May has been spared most of the trouble that a lot of the other shore communities have had, it doesn't make quite that much difference. The perception is that the entire New Jersey coast is contaminated with garbage, hospital waste, and more recently, tar and tarballs. That's hurting the tourism industry in general and in particularly here in Cape May.

But it's not only ocean pollution that is negatively impacting the tourist industry, but I'd like to talk about another area that I think is suffering from pollution that is hurting tourism, particularly in Cumberland County, and that is the Delaware Bay. We have a charter fishing industry in Cumberland County that is highly, highly dependent on the outside of our area. For people coming in, especially on weekends, but all during the season, that is especially being hurt now. People are reading about the problems in the ocean, but they are also considering that it's part of the Delaware Bay problem.

We have a commercial fishing industry. One part of that, the oyster industry, has been particularly hard hit, and I think the Legislature has been dealing with that with special appropriations to help with the virus that's hit our oyster industry. But it's also suffering from pollution that's taking place.

And we also have businesses that sell the fish that's caught in the bay and the different things that are used with the fishing. In Cumberland County, I've had calls from businesses that sell fish that they have customers that are refusing to buy fish unless that they can tell them that it was not caught in the Delaware Bay or not caught close by or not caught off of Cape May. This is a serious problem. The perception is there. The fish is certified. There's no problem with it, but it's something that hurts us.

We need to stop pollution and polluters now. You've heard that over and over again, but in the Delaware Bay, to the best of my information, the DEP is checking or testing only as far as the Cohansey River which leaves a good portion of the Delaware Bay that the State is not testing. We have no idea what's happening from either dumping that's illegal or anything that's allowed and what that may be doing to adversely affect our situation. And also Cape May County has a large portion of their coastline that is up with the Delaware Bay as well.

I think the DEP and the Delaware River Basin Commission needs to be put on notice that we mean business and that our environment, our bay, and our ocean must be protected and must be cleaned up for us, for our children, and for future generations. And again, I thank you very much.

ASSEMBLYMAN VILLANE: Thank you. Any questions? (negative response) Thank you very much, Mr. LoBiando. You ought to know that I guess Senator Hurley was the man that wrote the legislation that provided those dollars to try to get that oyster business back, and get rid of that virus that caused so many problems. How is that coming along now?

FREEHOLDER LOBIANDO: It still has serious problems. They're trying some different techniques and they're holding great hope for the new procedure that they are trying. But it's too soon to tell because of the way they take the preceding--

ASSEMBLYMAN VILLANE: It takes a while to get those beds again.

FREEHOLDER LOBIANDO: Yes. Thank you.

ASSEMBLYMAN VILLANE: Thank you very much, Mr. LoBiando. Anybody else who wants to testify, if you'll just fill out one of these slips, we'll be happy to hear from you. We have a Commissioner from Sea Isle City. Mr. James Iannone. Jim.

J A M E S I A N N O N E: Thank you, Mr. Chairman and Committee members. I appreciate the opportunity to come here

and talk with you regarding something that I feel is extremely important to our communities, especially to shore communities. I checked off on the little questionnaire that you gave that I was coming in opposition to this bill. But I'd like to make it clear that the beginning intent to keep the beaches free and open to the public and clean, I'm 100% for it.

However, I'd like to echo Mayor Light and Business Administrator Ciccarone's calling that I believe that maybe this is not what we really need. In my mind there's probably enough legislation on the books already and held up court cases to allow the public to enjoy our beaches in New Jersey. I only had a brief opportunity to read the bill, but I noticed several things to be mandated to municipalities that collect beach fees, one is to submit a separate budget. And that budget should have some parity with the direct cost of cleaning the beach and what you charge for fees. Let's face it, a lot of communities along the shores have grown more and more dependent on that revenue to help keep down their tax rate. Let's not fool ourselves.

In the communities such as Sea Isle there are so many intermingled reasons why the beach fee should not be just germane to what happens on the beach. Our roads and our baskets that we collect just off the promenade and our salaries and the cost of insurance include the entire community, the entire town, and not just the beachfront. We use in Sea Isle City those fees to keep our beaches clean to protect them, to pay the necessary insurances, and so on and so forth. We also use our entire budget to keep the city operating.

The dilemma that I have is if a budget is submitted and it's not in the plan that's also required to be submitted and is not to the liking to whoever is going to be doing the review, there can be some holdups and some revisions in the

budget that the city has planned so carefully. I don't know if the State should be in the position of telling us what we can or cannot charge for beaches. I feel that each community is, in itself, unique. And what may be good for Sea Isle City, may not be good for Cape May County. This year, the City of Sea Isle City, as of August 31, collected a little over \$430,000 in beach fees.

Forty thousand preseason tags ranging between six and nine dollars for the season, were collected prior to Memorial Day. We use this money again to supplement our budget, to help us operate our beaches, to keep them clean, to provide parking, and to provide access. The City of Sea Isle City, I'm proud to say, has free and open beach access at every street end. We also have four public rest facilities and one more planned for 1988. Three of the four that are in existence are right on the beach, and the fifth one for 1988 will also be on the beach.

We're doing our part. I really don't feel that we would want to get involved in a State controlled beach fee program. I believe the question of home rule is probably going to come on the table sooner or later, and Mayor Kline, you know you're a very large advocate of home rule. I've seen some of your good work in the press. City officials and elected officials are very sensitive to that. Once that step is taken and Big Brother, so to speak, comes in and tries to dictate what you can and cannot do with your fees and the way you spend it, I feel we've lost that home rule. If certain North Jersey communities are charging fees in excess of what may be termed fair, well I think that's a problem for that particular community, not a problem for Sea Isle City or others who seems to be in line and are doing the proper thing.

With that, I would just ask that you reconsider this bill. Again, we are all proponents of keeping our beaches free and open to everyone, and I'm sure the municipalities who depend so heavily on tourist dollars for their very existence will agree and on their own, conform to whatever is necessary to keep their economies going. Thank you.

ASSEMBLYMAN VILLANE: Thank you very much, Jim.

ASSEMBLYMAN KLINE: I can concur with what you are thinking and I agree. You know all of us mayors, when I put on my other hat as a Mayor-- I'm a great believer in home rule and home control. And wearing both hats, it's very interesting being a State legislator and being a Mayor. You get an opportunity to see some of the mandates by Big Brother -- the State -- that without any dollars-- I know right now I'm experiencing problems with my firemen who are mandated now to be EMT trained or they can't drive the ambulance. You know, it's another big mandate by the State and we have to fund it locally. I'm very concerned. That's why I'm here today to hear what the other officials have to say about this particular bill and how we're going to do -- and what we're going to do about the beach problems.

And if fact -- I know I'll be in your corner -- if we're going to mandate something from the State, no matter what it is for, beaches, fire, police, or anything, I'm going to be an advocate, then you'll hear me speak very loudly. If we mandate on the State level, lets put the dollars where our mouths are from the State level to our local officials.

ASSEMBLYMAN VILLANE: Thank you very much. I have someone from the public I'd like to hear. His name is John Haller. He says he represents the public. He's from 25 Cranbrook Road, Hamilton Square. Mr. Haller.

J O H N H. H A L L E R: Gentlemen, Assemblyman Villane, Assemblyman Kline, I was a bit disappointed over the weekend. I came down with the American Legion. I suggested my daughter come along with us. We have been coming down for a number of years. We've been going to the beach, etc. This year she refuses to go into the waters. I spoke to one of the young girls that was attending one of the restaurants in the area. I asked her how the beach was? First blush she says great, second blush she says she had contacted either pneumonia or

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some form of virus in the past and she has been out for the last month with an illness. It seems that somewhere along the line the State should do something as far as the beaches go.

Our Governor, of course, he alone cannot do anything. Some of the pollution that is coming from New York, etc. I realize this may not be all together in your particular bill. I went to Hawaii a little while ago. I have a friend that's been a native in Hawaii. In fact, he was born there. They had free access to all beaches. There are, of course, private hotels and so on. The beaches themselves are free access. I feel that in that in the State of New Jersey, there too should be free access to the beaches. I realize that local communities have to pay for the damages as it were for the cost of keeping the beaches and so on. To a larger extent, I think somewhere along the line the State should also mandate and come up with some of the funds rather than the local communities. At this time that's about all I can say. Thank you, Assemblymen.

ASSEMBLYMAN VILLANE: Where is your home town, Mr. Haller?

MR. HALLER: Hamilton Square, outside of Trenton.

ASSEMBLYMAN VILLANE: Outside of Trenton. Thank you very much Mr. Haller. I have to say this because it sticks in my craw. It's been a season in New Jersey in New York, New Jersey, and Pennsylvania where the media and the press had an open bashing season on the Jersey shore. I mean, every bad thing you can say about New Jersey has been said over and over and over again in the New York press and the Pennsylvania press and I've about had it myself. You ought to separate when they talk about water quality, about bacteriologic quality of water, and they ought to separate what's floatible, visible, pollution debris. We ought to tell the truth about whether an earache is caused because someone swims in the ocean and is underwater for a half hour, or whether you got it in a chlorinated pool, or

if you are prone to an ear infection, or if indeed you got it as a result of being in salt water. We ought to stop the conjecture and get a little scientific about it. And the newspapers should report a little more real lively and a little more honestly about just what's going on. It appalls me to see the seven o'clock news come on and just beat up on the Jersey shore. I'm sure a lot of my colleagues feel that way.

I'd like to open up this testimony to any of you people who would like to come up and talk about beach access, about water quality, about parking, about what you think we need along the Jersey shore. We usually hold hearings in Trenton in the State House or the State House Annex, or we'll hold a meeting in the Borough Hall maybe in Cape May or in Ocean City. We've taken this particular mode of testimony right to the beach hoping some of the people out there would come forward and tell us about their experiences and about what they'd like to find out about New Jersey beaches. If there is anybody out there, we would certainly be happy to hear from you. Just come up here. We're going to take a ten minute break. If some of you want to sign up here, we'll be happy to hear your testimony. Is there anybody present that signed up--

ASSEMBLYMAN KLINE: If they don't want to speak they can fill the form out.

ASSEMBLYMAN VILLANE: Yeah. Please fill out that form whether you want to testify or not. Thank you. We're going to take a ten minute break.

(RECESS)

**AFTER RECESS:**

ASSEMBLYMAN VILLANE: Okay we have someone who said she'd like to testify. And that's Mrs. Mary Dougherty. I just had a nice conversation with her and we're both beach bums. Mary, if you would, please.

MARY DOUGHERTY: Okay. My initial comment was in spite of the Freeholder's comments on the cleaner quality of the ocean, my experience has been very different. I have been swimming in the ocean since I was seven years old and I know that there is a tremendous difference just in how the water feels and looks. I have a hard time understanding how the water can be cleaner when we've had over 200 dolphin deaths and when the friends of my son, who is a surfer, are experiencing more illnesses that appear to be related to the ocean. My feeling is whatever bacteria is in the hospital waste or whatever bacteria is there in the ocean is there and they are affecting us. So that's my one point.

My second point is that I feel now that we need to make the whole question of waste disposal technology a high priority. It's very fond to say, "Let's stop ocean dumping." What the real question is what are we going to do with the trash and the garbage that we continue to create? So, I really think it's a question of establishing priorities. And I'm not sure who is the person that does this, but certainly, I think keeping ourselves alive, keeping our water clean, keeping our fish alive, keeping our food sources intact should be a number one priority. Thank you.

ASSEMBLYMAN VILLANE: Thank you very much, Mary. I enjoyed talking to you. And the other comments you made were very well put.

MS. DOUGHERTY: Thank you.

ASSEMBLYMAN VILLANE: Is there anyone else that would like to testify? Just tell us your name and address so we'll have it for the record.

J O H N   A N D E R S O N: My name is John Anderson. I live in the Villas. The only thing that I have to say is that I have no complaints about your beach fees. The only thing that I don't like is that I don't think it should be as high for one day, because I will give you an example.

This happened last year with me. I was coming on the beach and I met a family coming off the beach who were very, very, very mad and I asked them what the trouble was. And they said they couldn't believe that they had to pay six dollars to go on the beach for one day. That was two dollar for the man, two dollars for the woman, and two dollars for the one child that was a little big. You know, and I asked them where they were from, and they said they were from California. I sent them to Wildwood or Atlantic City if they wanted to go. But that's one story.

As the far as the ocean goes, there ain't anybody in this world who will tell me that you people in Trenton or wherever it may be do not know something that we don't know. And you can't convince me otherwise. You can sit there from now until hell freezes over and I wouldn't believe you. Because you can't tell that they've been dumping out there in that ocean -- 14 miles off of this beach for 87 years. Now these are not my words, these were words that were right out of the paper, but you seem to like the paper anyhow. But if you're going to dump for 87 years, by golly, I would hate to see the bottom of that ocean.

But then you have to take another thing into consideration. The population today is a hell of a lot bigger than it was 30 years ago. To give you a perfect example, what happened in Wildwood? They built all kinds of condominiums, but they never took one thing into consideration, about what they would want to do. Now imagine, 30,000 people flushing the toilet and 40,000 people taking a bath at the same time. You can't put 10 gallons of water in a 5 gallon tank, I don't give a damn who you are. And this is exactly your problem. Until

you do something about that, you're going to have the problems in the ocean. And you know it and I know it, and anybody that sits here and says that they don't are a damned liar.

Now another thing, I live here and I'm 70 years old, and I don't think it's fair for the people of this county -- now this is supposed to be the fastest growing county in the State of New Jersey. Not my words. It's what I read in the paper. I could be wrong. If I'm wrong, you tell me. I am a senior citizen and there's a lot of us in there -- a lot of us. I'm not complaining about eight dollars for a beach tag for a year. I'm not worrying about it. But I don't think it's fair that we should have to pay it at the regular price. I'm not saying give it to us for nothing. I'm not saying give it to us for 25%. I'm not saying give it to us for 50%. But at least give us a half a break. Let me pay five dollars for the season. Now if this is wrong, then I'm way off base. But just stop and think about it for a minute.

ASSEMBLYMAN VILLANE: Thank you. I want to tell you something. If this piece of legislation were to provide that children under 12 and seniors over 65 would be admitted to the beaches for free--

MR. ANDERSON: I'm not interested in about free. I'm not--

ASSEMBLYMAN VILLANE: All right, then you can pay if you want to.

MR. ANDERSON: I just think they should be given a half a break anyhow.

ASSEMBLYMAN VILLANE: All right. That sounds fair. Mrs. Cooper, under 12 and over 65 are exempted from beach fees except him. Charge him half. Thank you very much. We appreciate you testimony.

ASSEMBLYWOMAN COOPER: Thank you everybody.

(MEETING CONCLUDED)

**APPENDIX**

# City of Cape May, N.J. BEACH TAGS

National  
Historic  
Landmark

1987



TO KEEP OUR BEACHES CLEAN AND SAFE

Each Tag is required on all persons 12 years of age and older on all city-protected beaches from 10 am to 5 pm, from June thru September.

CHOOSE FROM  
TYPES OF TAGS

**TAGS ARE REQUIRED ON ALL  
CITY-PROTECTED BEACHES**



**SEASONAL TAG - \$10.00** LESS THAN 10¢ A DAY  
Available at Booths AND ON THE BEACH

Design recognizes 10th Anniversary of City designation as National Historic Landmark.

**WEEKLY TAG - \$5.00**  
Available AFTER June 13th.



A different color and date each week.  
**VALID 9 DAYS - FRIDAY thru SATURDAY**  
of the subsequent week

1987 design is a reminder that Cape May is a wonderful place year around, not just summers.



**DAILY TAG - \$2.00** VALID ONLY ONE DAY  
Available at Booths & Beach

A different color with valid date punched every day. Tags with more than one hole punched are void.

- TAGS MUST BE CLEARLY VISIBLE AND IN BATHER'S POSSESSION AT ALL TIMES WHILE ON BEACH.
- TAGS WILL NOT BE REPLACED AFTER SALE.
- NO BATHING ON UNPROTECTED BEACHES.

**PRE-SEASON** Purchases of Seasonal Tags ..... **\$8.00 EACH**  
must be made prior to June 1, 1987.

CITY HALL Monday-Friday 10 am to 4 pm  
4/13 thru 5/31

MALL INFO. BOOTH April 11th thru May 31st

PROMENADE INFO. BOOTH  
In front of Convention Hall - Weekends Only

Please make checks payable to 'City of Cape May'

MAIL ORDERS ARE NO LONGER ACCEPTED

/X