

COUNCIL MEETING MINUTES – April 1, 2013

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on April 1, 2013 at 6:00 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 Glenn Douglass
Deputy Mayor Norris Clark
Mayor Michael Beck

Also present: Charles W. Sandman, III, Solicitor; Michael Voll, Manager and Karen Fournier, Clerk's Office

Presentation - Eagle Scout Jackson VonSavage
Not present.

Proclamation - April, 2013 Autism Month

Mayor Beck read the Proclamation designating April as Autism Awareness Month in Lower Township, urging residents to participate in activities to become better educated on the subject of autism spectrum disorders. He introduced Lisa Bryant and her 12 year old son, Jaycn Pisciesko. Jaycn bravely spoke of being autistic and described some of the obstacles he overcomes daily because of the disorder.

Work Session

2013 Budget - Leon Costello, CFO Lauren Read

Township Auditor, Leon Costello gave a quick overview of the budget that was introduced in February which contains a 2.9 cent tax rate increase. He explained that the majority of the increase is due to loss of revenue; a combination of unpaid taxes and tax appeals. He also spoke about the possibility of a reassessment and how it could affect revenue. In conclusion, he recommends we adopt the budget as it is. Mayor Beck implied that if not for the loss of revenue, we'd be pushing to get to 0 again. Council met with Ray Brown, County Tax Assessor, to ascertain what our options are. Mayor Beck stated that at some point we need to move toward a reassessment.

Lauren Read, CFO, explained that other expenses (OE) include health and liability insurance, utilities and tipping fees. Department OEs are about 10% of the total number, but larger departments would not be able to operate without it.

Mayor Beck confirmed with Lauren that the capital plan has no bearing on this budget.

Councilmember Douglass stated that this budget has been worked to its lowest level. Next year's budget is already being worked on with regard to health care savings, although we won't see residual savings until the future.

Deputy Mayor Clark expanded on the initiative to look at self-insurance health care for potential savings to the Township without changing the quality of health care for the employees.

Mayor Beck presented a chart on the percentage of tax collection of local townships over the years and commended Lower Township Tax Collector, Sue Jackson for the steady incline in our collection rate.

Motion to open public hearing on Res. #2013-111 moved by Councilmember Douglass, seconded by Deputy Mayor Clark.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
NEVILLE						X
DOUGLASS	X		X			
CLARK		X	X			
BECK			X			

George Doherty, Seashore Road, addressed Council regarding potential cost savings with self-insurance. He also inquired about regular insurance.

Manager Voll informed that we are insured through the Joint Insurance Fund (JIF) with various other municipalities.

Mayor Beck added that JIF does not have the overhead that companies have; therefore they are the cheapest insurance around.

George Doherty also addressed an article he read about state aid.

Leon Costello stated that our state aid is unchanged from last year.

Mayor Beck agreed to look at the article and suggested it may be referring to the energy tax receipts.

Jack Sparks of North Cape May addressed Council to express his opinion on the budget. He stated that people are hurting, specifically senior citizens and families of elementary school children. He begged to differ that we can't do better with the budget.

Mayor Beck stated that we have done everything to try to trim the budget. The question remains: what do you want cut? He argued that Lower Township has the third lowest tax bill in the County, adding that the other two municipalities have no police department.

Mr. Sparks questioned the intentions behind hiring a particular law firm for labor contracts.

Township Solicitor, Charles Sandman, recommended that this was the most cost effective way to finish up the contracts since they were 95% completed.

Mr. Sparks encouraged Council not to pass the budget tonight.

Mayor Beck reiterated that the budget is at its lowest potential without sacrificing jobs and lowering the quality of life in the Township.

Dennis Reed, Bayshore East, addressed Council regarding stewardship, tax issues and his concern with reassessments.

Frank Rizzo addressed Council regarding Single Stream Recycling and how it would affect the budget. Councilmember Douglass replied that the volume will likely remain the same therefore manpower should not be affected. Mr. Rizzo inquired about the money from the tax lien sales. Auditor Leon Costello stated that the money from the tax lien sales is already anticipated in the budget. Mr. Rizzo asked about the possibility of a reassessment. Mayor Beck said he is looking into a reassessment and hoping to get a recommendation in the near future.

Councilmember Conrad expressed his disapproval of the capital budget, referring to it as "fat". He stated that he is aware that it will not affect this year's budget, but he believes it's a wish list that has not been

approved by Council. He thanked Lauren and department heads for their hard work and otherwise supports the operating budget, but he cannot vote for it with the capital plan in place.

Auditor Leon Costello explained the capital budget requirements which include a bond ordinance and 4 yes votes from Council in order to move forward. Voting on the current budget does not give approval in any way to spend capital money.

Mayor Beck stated that the obligation of Council is to fund this government and vote on the budget as presented. The capital program has nothing to do with tonight's budget. When the time comes for capital projects, they will be presented before Council for approval.

Deputy Mayor Clark added that the state requires us to put in a capital plan, therefore he feels it is our duty to outline the things that are being discussed.

Auditor Leon Costello pointed out that the state requires you to have a plan. It is not an option to take it out.

Manager Voll stated that he got an estimate for the police building and asked to have it put in the capital plan to comply with state law.

Councilmember Douglass reissued his motion to adopt the budget.

Res. #2013-111 Adoption of 2013 Municipal Budget (Final budget with 2 minor changes to State Aid)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD				X		
NEVILLE						X
DOUGLASS	X		X			
CLARK		X	X			
BECK			X			

Consent Agenda

- Membership Applic. NJ State Fireman's Association - David Anderson, Villas Volunteer Fire Co; Markie Alexander and Dennis Robertson, Jr, Erma Volunteer Fire Company
- Approval of Minutes March 18, 2013
- Res. #2013-101 Payment of Vouchers \$ \$1,522,537.87
- Res. #2013-102 Resolution for Self-Examination of Budget (yearly resolution)
- Res. #2013-103 Authorization for Refund of Taxes (1 property paid twice \$481.04)
- Res. #2013-104 Resolution Authorizing An Inter-District Transfer of a Blue 1998 Ford Crown Victoria No Longer Needed For Public Use to the Lower Township Elementary School District
- Res. #2013-105 Renewal of 2013 Campground Licenses (6 Campgrounds)
- Res. #2013-106 A Resolution Requesting Release of a Demolition Bond for Block 587, Lot 7, 309 Beach Avenue
- Res. #2013-107 Approval of Change Order #1 for HVAC Ductwork Replacement at the Millman Community Center
(Increase of \$3,894.00)
- Res. #2013-108 Resolution Approving Contract with Delta Dental for Extraordinary Unspecifiable Services (Dental Insurance for employees self funded plus \$1,555 brokers fee)

- Res. #2013-109 Resolution Approving Contract with US Able for Group Life Extraordinary Unspecifiable Services (employee group life insurance \$5,629 plus \$813 Brokers fee)
- Res. #2013-110 Resolution Approving Contract with Amerihealth for Medical and Prescription Extraordinary Unspecifiable Services (employee insurance self funded plus \$60,000 brokers fee)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
NEVILLE						X
DOUGLASS		X	X			
CLARK			X			
BECK			X			

Regular Agenda

- Ord. #2013-07 An Ordinance Establishing A Source Separation And Recycling Policy for Township of Lower (Single Source Recycling) 2nd reading and Public Hearing

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
NEVILLE						X
DOUGLASS	X		X			
CLARK			X			
BECK			X			

- Ord. #2013-08 An Ordinance Amending Chapter 432 of the Mercantile License of the Township of Lower (setting a \$75.00 late fee) 2nd reading and public hearing

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
NEVILLE						X
DOUGLASS	X		X			
CLARK		X	X			
BECK			X			

Administrative Reports

- Personnel Action Report
 Monthly Report - Treasurer's Office

Council Comments

Councilmember Conrad stated that he thinks it's a good time to start looking at the MUA access fund for next year's budget. Roads need to be fixed and it is the taxpayers who will be paying for it, not the rate payers.

Deputy Mayor Clark expressed his thanks to the Lower Township Team for their willingness to take extra time and effort examining the budget to try to save the taxpayers money.

Mayor Beck agreed with Deputy Mayor Clark and stated that it's the first time in 13 years that he's seen an examination take place to this extent.

Mayor Beck announced the following: Little League Opening Day, Saturday, April 13 at 9:00 a.m. at Rotary Field behind Mitnick School; Health Fair, April 25 from 11:00 – 4:00 at the Recreation Center; Escape the Cape Triathlon, June 2 on the Bay Front. Single Stream Recycling starts today.

Call to the Public

Bill Greenfield, Villas, addressed Council regarding the capital projects. He asked Councilmember Conrad if he is a proponent of the fishing pier. He also inquired if this project would be state funded.

Councilmember Conrad said that he is a proponent of the fishing pier but the figures they discussed were much lower than the capital plan. He then explained that these figures were prior to Hurricane Sandy.

Mayor Beck pointed out that because of the storm and having met with the Army Corp of Engineers and the DRBA, the focus has shifted from a fishing pier to a concrete promenade. His intent is to use Open Space Funding.

Mr. Greenfield also commented on a statement that was made earlier about 2/3 of our elementary school kids being from low income families. He stated that not all of those families are property taxpayers.

George Doherty of Seashore Road addressed Council regarding the fishing pier being on the capital budget.

Councilmember Conrad clarified that it is in the capital plan as an idea but it does not mean we're doing it. Mr. Doherty also inquired about the police moving back over.

Mayor Beck explained that the reason they left was because the building is too small. If they move back over it will require an addition.

Charlotte Behealer of Tabernacle Road addressed Council inquiring about enforcing the recycling ordinance. She expressed that she would like violators to be fined.

Mayor Beck stated that we have not had any reports of violations, but it is being enforced.

Bob Bailey from Public Works informed that if a can is mixed with trash and recycle, it is tagged and reported.

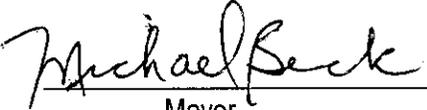
Steve Sheftz addressed Council to recommend new stickers be made indicating single stream recycling.

Robert Rizzo thanked Council for the work they did with the budget. He also inquired about recycling prescription drugs and urged that we not make people go to the Public Safety Building.

Mayor Beck stated that it's most likely a security issue but he will check with the Chief Marker.

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Douglass, seconded by Councilmember Conrad. Motion to adjourn unanimous. Meeting adjourned at 7:38 p.m.



Mayor



Township Clerk

Approved: *April 15, 2013*