

## COUNCIL MEETING MINUTES – February 3, 2014

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on February 3, 2014 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 James Neville  
Councilmember Erik Simonsen  
Deputy Mayor Clark  
Mayor Michael Beck

Also present: Michael Voll, Township Manager, Ron Gelzunas, Township Solicitor and Karen Fournier, Clerk's Office

Swearing in of New Officers:

Michael James Jr., 26, was sworn in by Mayor Beck. Officer James is a lifelong resident of Lower Township and has been a Class II Officer with the Lower Township Police Department since 2006. He was the recipient of the Merit award and third overall in his graduating class. He was accompanied by his wife, Krista James who pinned on his badge, and his son, Easton.

Louis Bartleson Jr., 32, was sworn in by Mayor Beck. Officer Bartleson is a lifelong resident of Lower Township and a US Navy Veteran. His wife, Kelly Bartleson pinned on his badge, accompanied by his daughter, Sophia, and son, Barrett.

Chief Mastriana commended the officers for their hard work and sacrifice at the police academy. He reminded them that being an officer is an honorable job and promised to offer his support.

### Work Session

Manager's Budget Message - Michael J Voll

Manager Voll was pleased to report the proposed 2014 annual municipal budget with a zero increase. He summarized the reassessments, resulting in a slight decrease in rates. He pointed out budget highlights, including a record tax collection rate of 98.3% and announced the tax levy for 2014. He stated that this proposed budget falls within the 2 state caps. The introduction of the budget will be February 19, 2014 and the public hearing will be held in April. A brief informational report was given to validate the budget. Manager Voll also commended Sue Jackson, Tax Collector, and her department for their diligence in collections and Lauren Read, CFO, for her frugality.

Councilmember Conrad commented in favor of the proposed budget.

Mayor Beck spoke briefly about the advantages to having done the tax reassessments. He commended Art Amonette, Tax Assessor, and his team for their hard work. He also thanked Lauren Read, CFO, for her diligence with the budget.

### Consent Agenda

Ed Butler of Villas addressed Council with a question regarding Resolution #2014-55, Settlement of Tax Appeal Litigation.

Solicitor Gelzunas explained how this figure was obtained.

Mayor Beck informed how the economic hit will be lessened because of the reassessment.

Approval of NJ State Fireman's Membership Application - Robert J Hewitt, Jr. Town Bank Vol Fire Dept

Approval of Minutes January 22, 2014

Res. #2014-54 Payment of Vouchers \$ 4,421,847.67

Res. #2014-55 Resolution Approving Settlement of Tax Appeal Litigation Known As Town Bank Manor, LLC v. Lower Township (2014 assessment \$3,900,000)

Res. #2014-56 Approval of 2014 Rotary Towing Licenses (Off Shore Getty, Cape May Exxon, Eddie's Auto Body, Cape Harbor Auto Repair)

Res. #2014-57 Issuance of 2014 Limousine, Taxi & Operator Licenses (High Roller Limousine, Aarts Transportation Services, Shore Limousine & Garibaldi Taxi)

Res. #2014-58 Authorization for the Payout of Accumulated Compensatory Time (W.McPherson \$9,591.60)

Res. #2014-59 Authorizing Payout of Terminal Leave (M.Hedum \$74,011.98)

Res. #2014-60 Resolution Calling on the Legislature to Make Permanent the 2% Cap On Interest Arbitration Awards (requested by the State League of Municipalities)

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

### Regular Agenda

Don Embs of North Cape May presented Council and Manager Voll with a petition requesting that existing MUA board members not be reappointed.

Ed Butler of Villas addressed Council to request they consider waiting upon results from the prosecutor's investigations before appointing any new members to the MUA board.

Councilmember Simonson reminded Mr. Butler that investigations can be lengthy and because the term has expired, he believes that Council should take steps to appoint someone new.

Councilmember Conrad expressed his desire to see Ward 3 represented on the MUA board.

Deputy Mayor Clark expressed his intent to appoint the most qualified applicant. He pointed out that he is most impressed with Brian O'Connor's credentials and wishes to consider him for the appointment.

Councilmember Simonson expressed favor with Brian McEwing's resume. He challenged Mr. O'Connor's county position as a possible conflict and referred his series of concerns to the solicitor.

Solicitor Gelzunas refused to comment on the internal structure of the Cape May County Government. He explained that if the County and the County MUA are separate authorities, they would operate independent of one another.

Mayor Beck made a strong appeal on Mr. O'Connor's behalf.

Councilmember Neville made an effort to validate the County Planning Board's funding.

Res. #2014-61 Appointment to the Municipal Utilities Authority

Deputy Mayor Clark made a motion to nominate Brian O'Connor for the MUA appointment. Councilmember Neville seconded the motion.

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

Res. #2014-62 Amending Resolution #2013-286, Award of Contract to Wyns Consulting, LLC (total of \$21,500 for School Funding Issue)

Ed Butler of Villas addressed Council for an explanation of Res. #2014-62. Mayor Beck stated that we only made a partial payment last year.

	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
NEVILLE		X	X			
SIMONSEN					X	
CLARK			X			
BECK			X			

### Administrative Reports

#### Council Comments

Councilmember Conrad voiced his concern about the process of board appointments.

Councilmember Neville agreed and made his argument for the appointment. He commented on a recent article in the Press regarding the school's art and music programs, as well as the significant impact that the funding issues may have on these programs. He announced several upcoming art displays and informed of Matt Sczur's scholarship for the arts.

Councilmember Simonson commented in favor of the arts. He expressed his concern about best practices and recent actions taken by Council.

Deputy Mayor Clark defended Council's intention to do what is right and best for the Township. He acknowledged the loss of Fred Coldren and described him as an example of what we should aspire to be.

Mayor Beck agreed that Mr. Coldren's death was a loss to the entire community. He commented on the MUA appointment and justified his decision. He thanked Cape Assist for their recent drug conference in Avalon and spoke briefly about the drug situation at hand. He also announced a benefit for the NJ Run for the Fallen.

**Call to Public**

Carl Schneckenberger, Strawberry Lane, addressed Council to thank the Township for putting the tax assessments online. He also reminded the public about the medication drop off at the Public Safety Building.

Janet Pitts of Villas addressed Council to inquire about the net equalization value for the county prior to reassessments. Councilmember Conrad stated his belief that the Township was at 80 percent, but should now be at 100 percent. Councilmember Neville corrected him to inform that we were over assessed at 112 percent.

Ed Butler of Villas addressed Council to ascertain if the Council meetings are being broadcast. Manager Voll informed that they are aired on Channel 9 as well as on YouTube. Mr. Butler also inquired about the tax abatements at the airport. Manager Voll tried to ascertain the issue in question. Deputy Mayor Clark interceded to explain the incentive behind the tax abatement, which led to further discussion on the subject.

**Closed Session**

Res. #2014-63

Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

**Lower Twp v Paul Baldini / Carolyn Grant v James Riddle et al. / MUA, Pending Litigation and Matters falling within Attorney/Client privilege with respect to this subject**

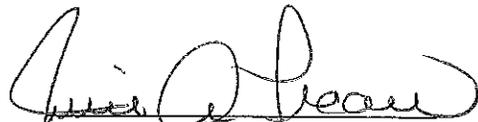
	MOITON	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
NEVILLE			X			
SIMONSEN	X		X			
CLARK			X			
BECK			X			

Council returned to open session at approximately 7:50. Motion to proceed as discussed in closed session moved by Councilmember Neville, seconded by Councilmember Conrad. Motion to proceed unanimous.

Adjournment

There being no further business to address, motion to adjourn moved by Deputy Mayor Clark, seconded by Councilmember Simonsen. Motion to adjourn unanimous. Meeting adjourned at 7:51 p.m.

  
Mayor

  
Township Clerk

Approved: 2/19/14