

COUNCIL MINUTES – FEBRUARY 4, 2013

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on February 4, 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 James Neville
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

Swearing in New Police Officers: John T. Armbruster
Stephen E. Flitcroft
James P. McNulty

Mayor Beck reminisced about his police academy days, having just attended the graduation of these young officers. He stated that he is proud to welcome them to our police force.

John T. Armbruster was sworn in by Mayor Beck while his mother Kathy held the Bible.
Stephen E. Flitcroft was sworn in by Mayor Beck while his father Albert held the Bible.
James P. McNulty was sworn in by Mayor Beck while his father John held the Bible.
Chief Brian Marker thanked Council for allowing him to replace retired police officers. He gave an overview of the rigorous process involved in becoming an officer and affirmed that the above officers are ready for a challenge. He also announced that our newest officer, Kaitlyn Black attended her first day of the police academy.

Eagle Scout Proclamations: Jackson Sole- not present
Jackson VonSavage- not present
Jared Osborn- led us in the flag salute.

Jared Osborne presented before Council to explain his Eagle Scout Project- refurbishing the David C. Douglass Sr. Memorial at the Lower Township Police Station. Mayor Beck declared that becoming an Eagle Scout is a unique and honorable experience. Mayor and Council presented Jared with a Certificate of Recognition for his accomplishments and wished him continued success in the future.

105th Birthday Proclamation: Frank Rago

Mayor Beck invited Wayne Weisman to introduce Lower Township's oldest resident, Frank Rago, accompanied by his two daughters, Irene and Doris. Mr. Rago recently celebrated his 105th birthday. He spoke proudly of his life experiences including being a tap dancer, a barber and a shoe designer. Mayor Beck described him as a Township treasure. Mayor Beck and Council congratulated Mr. Rago on his 105th birthday and presented him with a Certificate of Recognition.

Work Session

FEMA Discussion - Mayor Beck

Mayor Beck stated that he is working on getting a FEMA representative here, but they are reluctant to do a public meeting until the information on the elevation map is accurate.

Special Economic Advisory Committee Discussion - Deputy Mayor Clark

Deputy Mayor Clark requests to establish a special economic advisory committee, comprised of 10 members – 2 nominees from each Councilmember - in an effort to promote tourism and attract jobs in the Township.

Walt Fiore - Code Enforcement Officer

Walt Fiore, Code Enforcement Officer, gave an explanation of his responsibilities in enforcing the local codes and ordinances in the Township. He handles matters such as high grass, inoperable vehicles on properties, trash being put out too early, zoning violations and mercantile license enforcement.

Mayor Beck stated that the purpose of Code Enforcement is to keep our town clean, presentable and within compliance.

Councilmember Conrad pointed out that Mr. Fiore is the only Code Enforcement Officer in the entire Township, with a 35 hour work week and 1 day in court, so he is a busy man.

Mayor Beck stated that he would like to see repeat offenders published in the newspaper to send a message that we are serious about code enforcement in this Township. He would also like the Township to crack down on yard sale signs. We have an ordinance against signage for good reason.

Councilmember Conrad inquired about having back up reinforcement on the weekends.

Manager Voll replied that he will try to put something in place with a limited budget.

Councilmember Douglass complimented Mr. Fiore for the great job he does and appreciates his work.

Bill Greenfield of Villas asked Mr. Fiore if he accepts anonymous complaints.

Mr. Fiore stated that he prefers a name and phone number of the complainant to keep them informed; however their name will not be given to the violator.

Janet Pitts addressed Council regarding rental property violations.

Mr. Fiore replied that he gives violation notices to both renter and owner when a property is in violation.

"Scrappers" Ordinance Discussion

Solicitor Chuck Sandman gave an update on the Scrappers Ordinance #2013-04, noting amendments to Chapter 570-16 Section C, and the license period to run from January 1 to December 31 of the permit year.

Mayor Beck stated that Council is not without compassion and understands the tough economic times. This ordinance will make scrapping legal and will not hurt the Township in any way.

Councilmember Conrad reiterated the importance of the recycling metal rebate in keeping the budget down for taxpayers.

Consent Agenda

Councilmember Neville referenced Res. #2013-54 for further explanation.

Bill Galestock, Township Planning Director, explained that the MUA requested that their property, along with a few others, be put into the resolution to be incorporated into the applicable WQM plan to eliminate future permits and fees from the State.

Tom Frisoli of Villas addressed Council regarding appropriations for Res. #2013-65 – Res. #2013-69 for work on the Millman Center, and hiring local contractors.

Manager Voll stated that Council appropriated \$200,000. last year for Millman Center renovations, and the Township CFO certified that the money is in place from all the different areas. He instructed the QPA to do it in pieces to keep it within the budget.

Deputy Mayor Clark replied that Margaret Vitelli, Township QPA has reached out to local contractors to encourage them to bid, but many of them, for various reasons, do not want to take the business.

Mayor Beck added that the State License fee- just to enable a bid on the Municipal building- cost \$300.00, and that doesn't get them the contract.

Mr. Frisoli, member of MUA, expressed his concerns about the water appropriation mapping system.

Bill Galestock replied that the map has gone back and forth on several occasions and is still not complete.

Frank Seraco of Villas addressed Council regarding Ordinance #2013-06.

Mayor Beck explained that we do this every year.

Manager Voll confirmed that the budget being proposed is within the 2% cap. The Ordinance establishes permission to increase it to 3.5% if necessary.

Ed Butler of Villas addressed Council regarding Res. #2013-55, establishing the bid threshold.

Manager Voll stated that our QPA does a great job analyzing information before it comes to him for approval.

Julie Picard, Township Clerk affirmed that nothing is changing; the resolution is simply reestablishing the bid threshold. Because we have a QPA, the State of NJ sets the bid threshold at \$36,000. Anything over \$17,000 requires a pay to play bid. Anything between \$2,000 and \$17,000 requires 3 quotes.

Mr. Butler also inquired about the adoption of ordinances and requested that they be indicated on the agenda.

Julie Picard explained that anything on the consent agenda is 1st reading. Once the 1st reading of an ordinance is passed, it is posted, published and made available to the public at no charge.

Membership Applic.	NJ State Fireman's Association - Theodore A. Bohn, Townbank Volunteer Fire Co.
Approval of Minutes	January 23, 2013
Res. # 2013-53	Payment of Vouchers \$2,737,901.45
Res. # 2013-54	A Resolution Consenting to the Proposed Water Quality Management (WQM) Plan Amendment Entitled Cape May County Water Quality Plan (required by the Cape May County Planning Board)
Res. # 2013-55	Resolution Establishing the Bid Threshold Pursuant to NJSA 40A:11-3a (setting the bid threshold at \$36,000 and the bid quotation threshold not to exceed \$4,350.)
Res. # 2013-56	Resolution Supporting the \$20 Million Emergency Supplemental Marketing Funding (A3630/S2435) For the New Jersey Division of Travel and Tourism to

- Address the Negative Image of the Condition of the Jersey Shore in the Aftermath of Hurricane Sandy (requested by the Chamber of Commerce)
- Res. # 2013-57 Creating a Special Economic Advisory Committee
- Res. # 2013-58 Appointment of Full Time Township Engineer (George Curvan, \$70,000.)
- Res. # 2013-59 Issuance of 2013 Limousine, Taxi & Operator Licenses (annual renewal)
- Res. # 2013-60 Renewal of Trailer Park Licenses for the year 2013 (annual renewal)
- Res. # 2013-61 Authorization for the Township of Lower to Apply For An Emergency Management Agency Assistance Subgrant (\$10,000 grant with \$5,000. match)
- Res. #2013-62 Appointment of William Blaney, Esq. As Labor Attorney (not to exceed \$25,000.)
- Res. #2013-63 Transfer of 2012 Appropriations (\$100.)
- Res. #2013-64 Authorizing Payout of Terminal Leave (B. Marker \$30,000.)
- Res. #2013-65 Bid Acceptance and Contract Award for Revised Renovation For Millman Community Center (Joseph Poretta Builders Total Award \$190,500.)
- Res. #2013-66 Award of Supply and Installation of Commercial Ansul Fire System (Don J Urie Assoc. \$19,647)
- Res. #2013-67 Award of Supply and Installation of Flooring at Millman Senior Center (Huffman's \$31,064.40)
- Res. #2013-68 Bid Acceptance And Contract Award for HVAC Ductwork Replacement Millman Community Center (Multi-Temp Mechanical \$44,500.)
- Res. #2013-69 Bid Acceptance and Contract Award for Fire Suppression System for Millman Community Center (Affordable Fire Protection \$55,000.)
- Ord. #2013- 03 An Ordinance Amending Ordinance #2012-21, Entitled "Salary and Benefit Ordinance for the Township of Lower" (adding Township Engineer)
- Ord. #2013-04 An Ordinance Amending Chapter 570 of the Revised General Ordinances of the Township of Lower (sets forth regulations and fees for "scrapping" in the Township)
- Ord. #2013-05 An Ordinance Amending Chapter 600 of the Revised General Ordinances of the Township of Lower (sets forth rules, regulations and fees for rotary towing within the Township)
- Ord. #2013-06 An Ordinance to Exceed the Municipal Budget Appropriation Limits and Establish A Cap Bank (annual Ordinance)
- This is the first reading of Ordinances 2013-03 thru 2013-06. 2nd reading & public hearing has been scheduled for February 20, 2013.

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

*Councilmember Douglass abstained from Res. #2013-62 and approval of minutes.

Regular Agenda

Administrative Reports

Personnel Action

Council Comments

Councilmember Conrad congratulated the new police officers and the Eagle Scouts. He also congratulated George Curvan, Township Engineer and briefly explained the interview process.

Mayor Beck welcomed George Curvan and explained why we hired a full-time Engineer.

Councilmember Neville congratulated the new police officers as well as the new engineer. He reiterated that the Township is going to rely heavily on his expertise when dealing with the DEP and FEMA.

Councilmember Douglass welcomed George Curvan and complimented Chief Marker on the new police officers, describing them as "the cream of the crop".

Deputy Mayor Clark congratulated all the new additions to our team. He announced that Lieutenant Governor Kim Guadagno visited a local antique shop today to help promote and shine the spotlight on Lower Township businesses in an effort to clear up the misconception that Cape May County was washed away by Superstorm Sandy.

Call to the Public

Maryann Rementer of Villas addressed Council regarding drug dealers. She stated that she has made it her mission to get drugs out of this community and would like the public to get more involved. She asked Mayor Beck to touch on their meeting regarding a task force.

Mayor Beck said we recrafted our public safety platform to include an extensive comment on this issue. He tips his hat to the police department for the hit they made at East St. Johns Avenue, along with a few others. He warned anyone involved with drugs in this Township to get out.

Councilmember Conrad reiterated that in order to be successful, we need the community to be involved and work with our police force.

Janet Pitts of Villas addressed Council regarding a resolution from the Keep it Green Coalition. She warned that by passing this resolution, it would usurp the voting rights on ballot initiatives regarding Open Space Allocation.

Ed Butler of Villas addressed Council to suggest more time between the readings of and the passage of ordinances.

Mayor Beck replied that there is always an opportunity for public comment before an ordinance is passed.

Rachel Hansen of Two Mile Crab House addressed Council on behalf of herself, her brother Jason and her father Blair to voice their concerns about trying to obtain permits to expand their business.

Manager Voll explained that our Township Construction Office is a Class 2. The work at Two Mile, because of the type of building it is, requires a Class 1 construction permit.

Bill Galestock, Township Planning Director, said that he spoke with Township Construction Official, Gary Playford, about getting an alternate fire official to review the plans, which he believes were signed off on.

Manager Voll stated that the Department of Community Affairs comes tomorrow. With no anticipated problems, he hopes they get their Certificate of Occupancy.

Mayor Beck offered Council's help if needed.

Closed Session

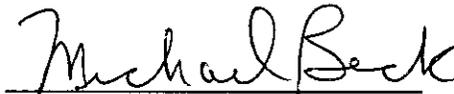
Res. #2013- 70

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.
(Neighborhood Dispute / possible litigation)

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

Adjournment

Council returned to open session and there being no further business, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Neville. Meeting adjourned at 8:15 p.m. by verbal "ayes".



Mayor



Township Clerk

Approved: Feb. 20, 2013