

COUNCIL MEETING MINUTES – January 21, 2015

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on January 21, 2015 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 David Perry
Councilmember Erik Simonsen
Deputy Mayor Clark
Mayor Michael Beck

Also present: James Ridgway, Acting Township Manager, David Stefankiewicz, Township Solicitor and Karen Fournier, Clerk's Office

Work Session

Mayor Beck opened the meeting with a few words about becoming a police officer. He also recognized Captain Beeby and members of the Police Department.

Swearing In of New Officers

Shawn Lafferty, Jr. was sworn in by Mayor Beck. His father, Shawn Lafferty held the Holy Bible and his mother, Christina Kelly pinned on his badge.

Jordan C. Saini was sworn in by Mayor Beck. The Holy Bible was held by Holly Pohlig and Al Flitcroft pinned on his badge.

Anthony M. Micciche was sworn in by Mayor Beck. His mother Kathy Micciche held the Holy Bible and his father Steve Micciche pinned on his badge.

Mayor Beck thanked the officers and their families for their sacrifice and wished them a safe journey.

Volunteer Recognition Awards - David Pacevich

Deputy Mayor Clark introduced David Pacevich and described his role in the volunteer display board.

Mr. Pacevich explained the volunteer display board, donated by the NJEA, and the volunteer program, made possible by a pride grant that links the community and the school. He introduced Will Flosdorf, president of the National Honor Society at LCMR, to present the spotlight volunteers.

Will Flosdorf introduced the following Lower Township Spotlight Community Volunteers: Mark Dougherty, Martina Singleton, Douglass Letterman, Steve Morey, Mahogany Crystal Kelly, Brittany Miller, Jason Wolf, Leslie Flick, Margaret Haught, and Lynn Jefferis. Please see attached list for a description of each volunteer's services. Mr. Flosdorf also informed about the process to nominate a volunteer.

Consent Agenda

Approval of Minutes January 5, 2015

Res. #2015-36 Payment of Vouchers \$ 340,074.13

Res. #2015-37 Approval of 2015 Rotary Towing Licenses (Off Shore Getty & Cape May Exxon)

Res. #2015-38 Approval of Junk Yard License for Cape May Used Auto Parts for the Year 2015

Res. #2015-39 Renewal of Trailer Park Licenses for the Year 2015 (Broadway Mobile Park/Cape May Landing/Shawcrest Mobile Home Park/ Cape May Crossing & Cape Meadows)

Res. #2015-40 A Resolution Authorizing the Contact Person for the Employment Practices Liability Attorney Consultation Service Provided by the Atlantic County Municipal Joint Insurance Fund (J.Ridgway & J.Picard)

Res. #2015-41 Certification of Lot Clearing Charges to the Tax Collector (2 Arbor Rd - \$1,485)

Res. #2015-42 Issuance of 2015 Limousine, Taxi and Operator Licenses (Aarts, High Roller Limo, G Taxi, G Transportation & Ocean Cab)

Res. #2015-43 Transfer of 2014 Appropriations (\$13,060)

- Res. #2015-44 Resolution to Defer the Regional School Tax
- Res. #2015-45 Application for 2015 Drug Enforcement and Demand Reduction (DEDR) Grant Funds
- Res. #2015-46 Appointment of Public Information Office (L.Suit, 3 months not to exceed \$2,800)
- Res. #2015-47 Contract Award for Township of Lower Animal Control Services (Shore Animal Control - \$51,000)
- Res. #2015-48 Approval of Precious Metals License's (Lucky 7, Adel's, North End Thrift & Game Star and Wireless)
- Res. #2015-49 Appointment of Blauer Associates Without Public Bidding (\$16,000 ADA Phase II)
- Res. #2015-50 Appointment of Lindemon Winckelmann Dupree Martin Russel & Associates PC Without Public Bidding (\$20,000 ADA Phase II)

Mayor Beck asked Clerk Picard for clarification of an item on the bill list. Clerk Picard and Acting Manager Ridgway provided the information.

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

Regular Agenda

Ordinance #2015-01

An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-15.14) 2nd reading and public hearing. This Ordinance has been published, posted and made available to the public. This is a YEARLY requirement and the Ordinance MUST be adopted prior to the introduction of the budget.

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

Res. #2015-51 Bid Rejection for Landscaping Services for Various Locations in Lower Township
Solicitor Stefankiewicz made a recommendation to table the resolution for further discussion in Closed Session.

Res. #2015-52 Bid Rejection for Fertilizer/Slice for Various Locations in Lower Township
Solicitor Stefankiewicz made a recommendation to table the resolution for further discussion in Closed Session.

Motion to TABLE Resolution #2015-51 and 2015-52 until the conclusion of Closed Session:

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

Res. #2015-53 A Resolution of the Township Council of the Township of Lower Removing the Current Township Manager

Deputy Mayor Clark motioned to amend Resolution #2015-53 to require the Township to issue a Request for Qualifications (RFQ) for Township Manager. He stated the reasons for his request.

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

Motion to adopt Resolution #2015-53

Mayor Beck voiced his disapproval, as he was not included in the process. He questioned what the decision was based upon, which led to a debate with Councilmember Conrad. Councilmember Perry highlighted some of Mr. Ridgway's credentials. Discussion continued with Councilmember Simonsen about Mr. Ridgway's qualifications. Deputy Mayor Clark informed that a request was made in Closed Session to follow the proper procedure with an RFQ for Township Manager. Mayor Beck reiterated his dissatisfaction with the way it was handled. Councilmember Conrad argued his opinion.

Helen Thompson, 44 E. Delaware Parkway, addressed Council to voice her opposition to removing Mike Voll as Township Manager.

Ed Butler, Villas, addressed Councilmember Conrad about reviewing resumes. He voiced his disagreement with the process of replacing Mike Voll.

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

Res. #2015-54 Resolution Appointing James Ridgway As Township Manager

Councilmember Conrad made favorable comments about James Ridgway and looks forward to his job performance. Councilmember Perry echoed Councilmember Conrad's comments and expressed confidence in James Ridgway's capabilities.

Councilmember Simonsen spoke favorably about James Ridgway's character and fully endorses him as Township Manager.

Deputy Mayor Clark spoke favorably about his interactions with James Ridgway and appreciates the fact that he is a Township resident. He reiterated his disapproval with the process and assured Mr. Ridgway that the opposition is not personal.

Mayor Beck agreed with Deputy Mayor Clark. He restated his opinion to reflect his responsibility to the Township. He questioned Council's intention for filling the Assistant Superintendent's vacancy at the Recreation Department. Mr. Ridgway informed of his conversation with the CFO regarding the position. Mayor Beck expressed concern about the cost to the Township. A brief discussion ensued. Mr. Ridgway validated his progress with the Recreation Department and his effectiveness in keeping costs down. Council discussion followed about a former Township Manager. Mayor Beck declared his disapproval with the process.

Rosalie Gallagher, Cape May Beach, voiced her opposition to the process. She questioned Councilmember Perry about what he based his decision on. Councilmember Perry stated his belief that Mr. Ridgway is well qualified. Ms. Gallagher reminded of the importance of this matter and insisted that the taxpayers deserve the best person for the position.

Helen Thompson, Villas, voiced discontent about her dealings with Acting Manager Ridgway. She informed of her conversation with Clerk Picard and pointed out the nature of her concern for a ROBO call. Acting Manager Ridgway offered an explanation in his defense of the circumstances. Councilmember Conrad reminded that ROBO calls are purposed for emergencies.

Ed Butler, Villas, made a comment about the Recreation Department and expressed concern about the process of appointing a new Township Manager.

Kevin Lare, Weeks Landing Road, commended Council for their service and pointed out the dissention that exists amongst them. He defended the qualifications of James Ridgway and advised Mayor Beck to submit to change. An argument ensued concerning the way the manager had been appointed in the past. In addition, Mr. Lare expressed discontent with the previous Council's spending on unresolved matters such as a new Public Safety Building and dissolving the LTMUA.

Mayor Beck pledged to defend the Township regardless of the allegations.

Penny Kraus, Townbank, questioned Mayor Beck about the process of appointing Manager Voll. Mayor Beck refuted the charge.

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

Administrative Reports

Tax Collectors Annual Report

2014 Annual Report of Variances

Monthly Reports - Clerk, Construction, Dog, Police, Treasurer, Tax Collector, Vital Statistics

Council Comments

Councilmember Conrad announced the upcoming kickoff of Relay for Life at the Millman Center. He apologized for his behavior at the last meeting. He also explained the cap for engineering costs.

Councilmember Perry talked about addressing the needs at Roseann Avenue. He also talked about budgetary concerns and his interest in exploring shared services as a way to keep taxes down.

Councilmember Simonsen congratulated newly sworn in officers of the Townbank Fire Department. He talked about addressing crosswalk issues throughout the Township. He recognized the LCMR girls' Varsity basketball team with Lauren Holden approaching her 2000 point milestone. He also wished everyone safe traveling on their ride home.

Deputy Mayor Clark expressed a desire for the manager to put a policy in place for automated ROBO calls. Council discussion followed about what constitutes an emergency. Eileen Kreis informed that the new company offers the opportunity to broaden the scope of communication by utilizing Facebook, texting and emails as well as deciphering emergency phone calls.

Mayor Beck informed that Cape May City Council will be making a decision whether or not to move forward with the school lawsuit. He remains hopeful that they will back out.

Call to the Public

Kathleen Dynan, Cold Spring, contested the comments made by Deputy Mayor Clark regarding a board appointment to the LTMUA. She requested a resolution by Council to follow best practices before nominations are made to the LTMUA Board, including: verification of all resume information, a police background check, and verification of residency. She also requested that Mr. Murphy be subject to these steps.

Helen Thompson, Villas, addressed Council to suggest that phone calls into the Township be recorded. Council discussion followed. Solicitor Stefankiewicz informed that New Jersey is one-party consent.

Bill Murphy, MUA Board member, defended his credentials to disprove Ms. Dynan's allegations. He suggested that Council take better control of the microphone.

Tom Frisoli, Villas, Vice-Chairman of LTMUA Board, congratulated Mr. Ridgway on his appointment. He referenced a statement he made at a prior Council meeting and addressed a letter to Deputy Mayor Clark asking for a response.

Closed Session

Res. #2015-55

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.

PROFESSIONAL SERVICE CONTRACTS / POSSIBLE LITIGATION

Solicitor Stefankiewicz informed of a possible litigation, therefore making the recommendation to table Resolutions #2015-51 and #2015-52 to be discussed in Closed Session.

Mayor Beck announced the potential to come back into Open Session for decisions to be made after Closed Session.

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

Council adjourned to Closed Session at 7:40PM

Council returned to Open Session at 9:05PM

Res. #2015-51 Bid Rejection for Landscaping Services for Various Locations in Lower Township

Clerk Picard read the Resolution into the record.

Ryan Douglass, Douglass Landscaping, pointed out that the contracts have been bid out separately in the past and questioned why they are being rejected now. Solicitor Stefankiewicz declined discussion due to a possible litigation.

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

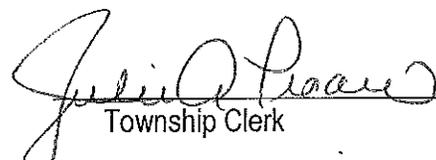
Res. #2015-52 Bid Rejection for Fertilizer/Slice for Various Locations in Lower Township

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

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Deputy Mayor Clark. Motion to adjourn unanimous. Meeting adjourned at 9:10 p.m.


 Mayor


 Township Clerk

Approved: 2/2/15

SPOTLIGHT VOLUNTEERS
WINTER 2015

Good evening my name is Will Flosdorf, I am the President of The National Honor Society at Lower Cape May Regional, and on behalf of the Education Association at LCMR, tonight we would like to honor 10 of Lower Township's Spotlight Community Volunteers.

If the following individuals are present, could I please have you join me up front?

Mark Dougherty, Martina Singleton, Douglass Letterman, Steve Morey, Mahogany Crystal Kelly, Brittany Miller, Jason Wolf, Leslie Flick, Margaret Haught, and Lynn Jefferis.

Please listen as I share what these 10 community members have done to make Lower Township A Place to Remember:

Mark Dougherty

For the past 7 years Mark has coached various sport teams for the youth of lower township. He has coached Soccer, basketball, hockey and softball. Mark is a big advocate for the kids and when he feels the kids are losing out on something he fights for them. During his years of coaching he will be the first to tell you that he may not have a winning record but he knows his kids leave the court or the field with 3 things. 1st: Knowledge of the sport they are playing.

2nd: Play as a team. He wants the kids to be part of a team. We win as a team we lose as a team. He will tell you that kids are too concerned about being the hero in the game and yes it is nice to hit that winning homerun but "offense wins games and defense wins the championships" but you have to know how to play both sides of the ball together or you have lost before the game has even started and 3rd: he wants you to have fun. He is a strong believer that kids take sports too seriously and he will run around the bases with you and be the first one to start a water balloon fight. He has dedicated his spare time to supporting, guiding and leading the youth of Lower Township and deserves to be recognized for that.

Martina Singleton

Martina Singleton, serves as the Sexual Assault Program Coordinator and counselor for the Coalition Against Rape and Abuse. Ms. Singleton is also a certified Domestic Violence Specialist, and has been with the agency for over 17 years. The combination of education, training and background experiences has given Ms. Singleton a steady flow of additional knowledge to assist victims and survivors of domestic violence and sexual abuse. Ms. Singleton has facilitated various support groups for adults and teen survivors of domestic violence and sexual assault, she was the facilitator of numerous anger management and parenting classes. She conducted multiple presentations, trainings and workshops for schools, colleges, religious organization, and civic groups. In 2009 Martina started C.A.R.A, community walk against sexual Abuse, and in 2010 she introduced the Step Up program to the Cape Educational Compact School of Cape May County. Step Up was developed by the University of Arizona CATS Life Skills program to help youth become leaders in their communities. Martina received numerous awards from community professionals as a token of appreciation for her hard work. One of her main highlights in 2012 was to have a proclamation signed by state Senator Jeff Van Drew, declaring February as Teen Dating Violence Awareness Month in Cape May County. Martina serves on several boards in the community, all having to share the same interest in helping to keep the community Cape May County safe and free from the crimes of domestic violence and sexual assault. Ms. Singleton is solely dedicated to her work and is a strong believer in the phrase, There is No Excuse for Abuse.

Douglass Letterman

Mr. Letterman is being recognized tonight for his Service to Lower Cape May Regional school district for 24 years. Doug is also a Vietnam veteran.

Steve Morey

Mr. Morey has been a member of the Recreation Advisory Board for over 20 years. His dedication to the Lower Township community is exceptional. He has spent countless hours researching the recreational needs of our community. His commitment to the residents is extraordinary. He is always willing to lend a hand and his expertise has provided the Recreation Advisory Board with resources necessary to complete our mission. Steve has helped to make Lower Township a Place to Remember.

Mahogany Crystal Kelly

Mahogany is an 8 year old "self-appointed" volunteer for keeping our community clean. She has her own Facebook page called Mahogany's 'Land It In Can' Sundays where she coordinates monthly clean-ups in her community. This all started when she was horrified at the trash at the end of Weeks Landing Road 2 years ago, and asked if she could go back and clean it up. She did just that. She then went to the township office to ask if someone could pick up the all bags she filled. She leads by example at all of her favorite playgrounds in Lower by picking up any trash lying around before she goes to play. The bay is her other favorite clean up spot, but honestly, Mahogany will pick up litter anywhere where it doesn't belong.

Brittany Miller

Brittany visited 20 colleges from Philadelphia to Miami as part of The Lower Cape May Regional College Tour, she has volunteered at the Church of the Advent's monthly dinner in Cape May to help pay for the scholarship that allowed her to take part in the college tour.

Jason Wolf

Jason is also a student at Lower Cape May Regional and has donated his time and efforts to the Concerned Citizen's of Whitesboro Homework Program and Church of the Advent's monthly dinner to help pay for his scholarship that will send him on the college tour.

Leslie Flick

Leslie Flick has run the Food Closet at St. Barnabas in the Villas since it's inception over 5 years ago. She has tirelessly worked in many ways to help the community, but I believe this ongoing endeavor lifts her beyond the ordinary 'volunteer' into another realm, and she deserves the recognition for it.

Margaret Haught

For the last two years, Maggie has been the organizer of **this** event acting on behalf of Lower Cape May Regional's Future Business Leaders of America. Maggie has mailed every volunteer their invitation. Maggie has also served as a volunteer to Cape Regional Hospital as a Summer Hospital Greeter since she began high school. As of August 22, 2014 Maggie has served 287 hours.

Lynn Jefferis

Lynn volunteers for the veterans bingo night. She has 5 kids (grown and in school) and is a Widow, a Vice President of United Methodist Women chapter in Erma, an avid volunteer for Family Promise, and truly sets an example to women who devote their time to others and puts herself LAST. Its people like her who show what volunteering is all about.

If we could give our Spotlight Volunteers a round of applause for their service to their community.

I would like to remind you that acknowledging a Spotlight Volunteer is as easy as visiting the High School's website and clicking the image that says "Do you know a volunteer?"

Thank you for having us.