

COUNCIL MEETING MINUTES - January 23, 2013

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on January 23, 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
Deputy Mayor Norris Clark
Mayor Michael Beck

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

Presentation - Dr. & Mrs. Salvatore - Requesting a Resolution urging Cape May County Board of Chosen Freeholders to Continue Funding Historic Cold Spring Village

Deputy Mayor Norris Clark described Historic Cold Spring Village as the Williamsburg of Cape May County, a key part of the Bayshore Heritage Byway and an integral part of history and culture in our community. He stated that the village was founded by, and has been operating for the past 20 years under the stewardship of Joseph and Anne Salvatore. For a short time the village was run by the County, but later turned back to Salvatores, under the agreement that the County would provide annual funding for the village. Over time, the County has reduced funding and is now proposing to withdrawal funding altogether. Deputy Mayor Clark stated that for every dollar that the County puts into the village, they get more back in educational resources, jobs and tourism.

Anne Salvatore, Director of Historic Cold Spring Village, briefed Council on the founding of the village and its operation as a non-profit living history museum. She spoke passionately about the three-fold mission of the village being that of Historic Preservation, History Education, and Heritage Tourism. In an effort to provide a stable source of funding to maintain the village, she is requesting a resolution from the Township urging Cape May County Board of Chosen Freeholders to continue funding Historic Cold Spring Village.

Councilmember Conrad agreed that Historic Cold Spring Village offers a lot to this community and we need to give back what we can.

Councilmember Neville believes that Historic Cold Spring Village is a great return for our investment.

Deputy Mayor Norris Clark reminded us that Historic Cold Spring Village is a treasure in our own back yards and urges us not to take it for granted.

Mayor Beck stated that Historic Cold Spring Village is a key location on the Bayshore Heritage Byway, which was rerouted to increase tourism - tourism being the number one industry in Cape May County. He agreed that we need to support the village in an effort to increase economic development in this Township.

Presentation – FEMA

No FEMA representative was present. Mayor Beck stated that he will continue to try to get someone here from FEMA.

Work Session

Consent Agenda

Motion to Table Res. # 2013-44 moved by Mayor Beck, seconded by Councilmember Conrad.

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

- Approval of Minutes January 2, 2013
- Res. # 2013-31 Payment of Vouchers \$ 3,285,605.55
- Res. # 2013-32 Authorization for Refund of Taxes (disabled veteran/double payment)
- Res. # 2013-33 Approval of Precious Metals Licenses (We Buy Gold/Adele's/Valentino's)
- Res. # 2013-34 Transfer of 2012 Appropriations (\$17,700.)
- Res. # 2013-35 Authorization for the Payout of Accumulated Compensatory Time & Sick Time (D. Vanaman Jr. \$4,383.95)
- Res. # 2013-36 Authorization for the Payout of Accumulated Compensatory Time (M. Perry \$8,061.48)
- Res. # 2013-37 Authorization for the Payout of Accumulated Compensatory Time (T. Whittington \$9,716.63)
- Res. # 2013-38 Authorizing Payout of Terminal Leave (G. Crookston \$864.50)
- Res. # 2013-39 Certification of Lot Clearing Charges to the Tax Collector (5 properties \$4,320.00)
- Res. # 2013-40 Resolution Urging Cape May County Board of Chosen Freeholders to Continue Funding Historic Cold Spring Village (current level \$150,000 per year)
- Res. # 2013-41 Authorization for 2013 Incentive Award for Insurance Waiver (W. Barcas \$4,583.33)
- Res. # 2013-42 Establishing A Municipal Alliance Committee (Lower Cape Alliance - every 3 years)
- Res. # 2013-43 Authorization for South Jersey Power Cooperative Electric Bid (allowing twp to participate with County in bid for retail electric)
- Res. # 2013-45 Appointment of JIF Risk Management Consultant (J. Byrne Agency)
- Res. # 2013-46 Appointment of William Blaney, Esq. As Labor Attorney (not to exceed \$2,500)
- Ord. # 2013-01 An Ordinance Amending Chapter 90, Articles I through III of the Code of the Township of Lower - 1975, As Amended (Restating the Establishment of the Police Department) - 1st reading – 2nd reading and public hearing February 20, 2013
- Ord. # 2013-02 An Ordinance Amending Chapter 1 of the Revised General Ordinances of the Township of Lower (setting forth mandatory penalties for non-traffic offenses and establishing mandatory court for specific offenses) 1st reading - 2nd reading and public hearing February 20, 2013.

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

Regular Agenda

Res. # 2013-47

Appointment to the Municipal Utilities Authority (replace Kenneth Mann)
 Motion to nominate Steve Sheftz moved by Mayor Beck, seconded by Deputy Mayor Clark.

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

Res. # 2013-48

Appointment to the Municipal Utilities Authority (Nels Johnson term expires Feb, 2013)
 Motion to nominate Nels Johnson moved by Councilmember Neville, seconded by Deputy Mayor Clark.

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

Res. # 2013-49

Appointment to the Recreation Advisory Board (Lonnie Bedell term expired Dec, 2012)
Motion to nominate Lonnie Bedell moved by Councilmember Conrad, seconded by Councilmember Neville.

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

Res. # 2013-50

Appointment to the Recreation Advisory Board (Bruce Fournier term expired Dec, 2012)
Motion to nominate Bruce Fournier moved by Councilmember Neville, seconded by Deputy Mayor Clark.

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

Res. # 2013-51

Appointment to the Zoning Board of Adjustment (Kristine Trusiak term expired Dec, 2012)
No appointment made at this time.

Administrative Reports

Personnel Action Report

Department Monthly Reports: Construction, Municipal Clerk, Municipal Court, Police Department, Tax Collector, Vital Statistics

Council Comments

Councilmember Conrad reminded residents that we've been lucky thus far with weather, but there's a winter storm coming through so please prepare for it.

Councilmember Neville stated he hopes the storm moves further North.

Deputy Mayor Clark pointed out that we have received a grant from DCA for the restoration of the Historic Fishing Creek School as well as ADA compliance. This is an opportunity for contractors and workers, but he hopes to keep it within Lower Township. Anyone interested should meet with the Township's QPA, Margaret Vitelli, to find out what the qualifications are.

Mayor Beck agreed with Deputy Mayor Clark that we should try to keep the work within the Township. He also stated that he'd like to utilize our "work sessions" at the Township meetings by bringing in department representatives throughout the year to educate the public and clarify any misconceptions throughout the Township.

Mayor Beck announced that Chief Shelly of the Lenape Nation will be in the classroom at the Cape May Point State Park on January 31, 2013 from 1:30-3:30 p.m. for anyone with a Lenape or Native American background.

Call to the Public

Barry Felice of North Cape May addressed Council with questions regarding the proposed scrap metal licensing.

Manager Voll explained that the Township is not concerned with the amount of money the scrappers will make, but rather the tonnage produced by the Township, in order to receive rebate money from the County MUA and grant money from the State of NJ.

Mayor Beck stated that the Township is trying to make scrapping legal, especially in this economy, but it will have to be regulated. Administration fees will be nominal.

Jay Young of Cape May Beach addressed council inquiring about repairs to Clubhouse and Bay Drive. Manager Voll responded that there is a proposal to have the work completed, but another pipe has to be run along Clubhouse Drive.

Councilmember Neville stated that a drainage pipe for Cox Hall Creek will be added at the S curve. There's an application in with the Department of Transportation for funding. They hope to complete the project by late Spring.

Ed Butler of Villas addressed Council to offer his approval on the plan for future work sessions. He also expressed his concern of possible flood insurance increases if FEMA continues to put us off, and how it could affect the people of this Township. Councilmember Neville informed Mr. Butler of the Advisory Based Flood Elevation (ABFE) and how it relates to his concern. Mayor Beck stated that he will continue to try to get FEMA here to talk about the mapping system.

Robert Rizzo of Mickel's Run addressed Council to inquire about the fence around Public Works . Manager Voll stated that it cost just under \$14,000 for the completed job. Murphy's Fence Co., a local business, did the work.

Valerie Watson, a representative from New Jersey's Project for Hope and Healing (sponsored by the NJ Division of Mental Health and Addiction Services, Disaster and Terrorism Branch) addressed Council to let them know that mental health services are available to anyone affected by Hurricane Sandy. She left brochures for anyone interested.

Nels Johnson of Townbank addressed Council to thank them for nominating him for reappointment to the MUA board. Additionally, in response to Mr. Young's inquiry regarding repairs to Clubhouse Drive, Mr. Johnson affirmed that the MUA, along with the Township, is working diligently to fix the situation. Mayor Beck complimented Mr. Johnson on the great work he has done for the MUA.

Steve Sheftz addressed Council to say thank you to those who supported him.

Steve Morey, Chairman of the Board of Cape May County Chamber of Commerce, addressed Council requesting a resolution supporting the \$20 million emergency supplemental marketing funding for the NJ Division of Travel and Tourism to address the negative image of the condition of the Jersey Shore in the aftermath of Hurricane Sandy.

George Doherty of Erma addressed Council regarding taxes and wood burning heaters. Manager Voll said the budget is still being put together. He is meeting with the CFO and Auditor tomorrow so he hopes that Council will have something to present to the public by next month. Mayor Beck stated that Council has not received any recommendations on the wood burners up to this point.

Jay Young re-addressed Council regarding dune repair along Shore Drive. Manager Voll stated that we have a permit to allow for a foot of sand to be pushed back onto Township owned property along the beach. This matter is being discussed between our Public Works Director and the Department of Environmental Protection.

Manager Voll announced that Lower Township has 3 new police officers who just graduated from the police academy: Officer McNulty, Officer Flitcroft and Officer Armbruster. They will join the Lower Township Police Department starting tomorrow.

Closed Session

Res. #2013-52

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. (Employment Relationships / Possible Litigation / Current Litigation)

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

Council returned to open session.

Motion moved by Councilman Conrad, seconded by Councilman Neville for the manager to proceed as discussed in closed session. Motion unanimous by verbal "ayes"

Adjournment

There being no further business, motion to adjourn moved by Deputy Mayor Clark, seconded by Councilmember Neville. Meeting adjourned at 8:07 p.m. by verbal "ayes".

Michael E Beck

 Mayor

Julie Pleasance

 Township Clerk

Approved: *Oct 4, 2013*