

Regular & Work Session Meeting Minutes - January 25, 2012

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on January 25, 2012 at 7:00 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 Walt Craig
Councilmember Glenn Douglass
Deputy Mayor Kevin Lare
Mayor Michael Beck

Also present: Michael Donohue, Solicitor, Michael Voll, Manager and Asst. Clerk Picard

Mayor Beck and Council welcomed Walt Craig as the new Councilmember representing Ward 2.

Work Session

Discussion & review of draft ordinance for revolving loan program

Mayor Beck stated he would like to move ahead and ask the solicitor to provide an Ordinance for first reading at the next meeting. Councilmember Craig requested clarification on section 7 - "no loans shall be made to businesses in financial jeopardy" Mayor Beck replied there are safeguards in place. All applications go through our treasurer prior to Council's approval, and if it is questionable, we can demand an audit. Also, everything goes through Council. No loans will be approved without a Resolution.

Review of Consent & Regular Agenda Items

Council Comments on Consent Agenda

Councilmember Douglass requested Resolution 2012-31 be moved to the regular agenda.

Mayor Beck requested the news media take note of Resolution 2012-36 regarding the donation of winter coats to the LCMR school for families in need. Chief Marker and Bonnie Walker deserve recognition on this.

Public Comment on Consent Agenda

Fred Long questioned if resolution 2012-31 has been moved to the regular agenda. Mayor Beck replied yes

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Consent Agenda

- Res. #2012-34 Payment of Vouchers, \$1,694,808.28
- Res. #2012-35 A Resolution Authorizing and Approving a Shared Services Agreement Between the Township of Lower and the Lower Township Board of Education for Certain Maintenance Items (Twp will maintain Douglass school property and clear parking lot when necessary in return for school maintaining athletic fields at Mitnick school used by Township)
- Res. #2012-36 Resolution Authorizing the Donation of Winter Police Jackets No Longer Needed for Public Use To Lower Cape May Regional High School's School Based Youth Services (Donating 25 jackets to be used for families in need)
- Res. #2012-37 Transfer of Appropriations, \$2,500 (From health insurance to Uniform Fire Safety Act)
- Res. #2012-38 Resolution Approving the Memorandum of Understanding for 2012 for Michael Voll, Manager (MOU updating terms & conditions of employment)
- Res. #2012-39 Authorization for the Payout of Accumulated Sick Time (annual resolution for qualifying employees \$3,248.64)
- Res. #2012-40, Resolution Amending Resoluti on #2011-01, Entitled Appointment of Municipal solicitor for 2011 Without Public Bidding (Amends 2011 resolution to increase total contract amount by \$7,114.25)
- Approval of Minutes January 4, 2012

Motion to approve consent agenda moved by Councilmember Conrad, seconded by Councilmember Douglass
Roll Call Vote:

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
CRAIG			X			
DOUGLASS		X	X			
LARE			X			
BECK			X			

Regular Agenda

- Res. #2012-31 Appointment to Lower Township MUA (5 year term - beginning Feb. 1 - prev. on Jan 4 agenda)

Councilman Douglass stated Council came to a dead-lock on previous candidates, maybe we should come up with other candidates. Motion moved by Councilman Douglass to appoint Steven Sheftz. Mayor Beck agreed. He stated the other candidates discussed at previous meetings caused some lightning. Mr. Sheftz has been involved in Lower Township for a long time. He knows the ins-and-outs of the MUA. He served

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about 10 years ago and the Township is still benefitting from his contributions. Mayor Beck stated he believes Mr. Sheftz would make decisions that would be in the best interest of this Township. Motion seconded by Mayor Beck. Deputy Mayor Lare stated Mr. Sheftz is a fine, credentialed candidate, but previously the Mayor has taken the position of one 5 yr term on the MUA. Deputy Mayor Lare questioned if Mayor Beck is now changing his position. Mayor Beck replied in the sense that Mr. Sheftz has been off the MUA for a number of years and it would give Mr. Sheftz a chance to go back and take a look at it. Mayor Beck stated in addition, Mr. Sheftz is the perfect compromise candidate. Overall, Mr. Sheftz is certainly someone who could be supported by the Mayor for this position. Councilman Conrad questioned how at the last meeting, Council was going to table this appointment so there would be no contention, and now, there is a vote. Councilmember Craig stated he agrees that there is probably no finer person than Steve Sheftz in this Township and went on the record stating if at some point in the future Mr. Sheftz's name comes before this Council for an appointment to the MUA, Councilman Craig might be inclined to support it, but at this time, Council should go on the nominations.

On the nomination of Steve Sheftz

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD				X		
CRAIG				X		
DOUGLASS	X		X			
LARE				X		
BECK		X	X			

Motion moved by Councilmember Conrad to nominate Tom Frisoli. Councilmember Douglass stated he was informed by several committee members that at the Committee meeting last Wednesday, Mr. Frisoli, an elected Committee person, rose and publically maligned Mr. Douglass and his family for over five minutes. Mr. Douglass stated he can not support a selection who, Mr. Douglass feels, will not be a good representative of the tax payers and rate payers of Lower Township. Mr. Douglass also stated that prior to the January 4th meeting, Mr. Frisoli stated to Mr. Douglass that if Mr. Douglass did not vote for Mr. Frisoli, Mr Frisoli would remember him. Mr. Douglass stated he believes the conversation constituted a threat. Mayor Beck state he made his position clear at the last meeting and stands by it. Deputy Mayor Lare seconded the motion and read Mr. Frisoli's qualifications into the record. They include: being a facility manager of the largest industrial setting the twp, extensive governmental experience, veteran from the Air Force, boiler operator license, NJ DEP Small Water Systems License, Water Shed Program credential, certificate of completion from the CMC MUA - 120 hours of instruction in a course approved by the NJDEP entitled "Introduction to water and waste water", advanced hrs in a certificate program completion of small water systems, and various others.

On the nomination of Thomas Frisoli

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	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
CRAIG			X			
DOUGLASS				X		
LARE		X	X			
BECK				X		

Res. #2012-41 Payment of Vouchers, \$900.00 (CPR training for Twp. Hall & Annex Employees)

Motion to approve moved by Councilmember Douglass, seconded by Councilmember Craig.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD					X	
CRAIG		X	X			
DOUGLASS	X		X			
LARE			X			
BECK			X			

Administrative Reports

Personnel Action Report

December Reports Animal Control, Construction Official, Dog Licensing, Engineer, Fire Safety, Municipal Clerk, Municipal Court, Tax Collector, Vital Statistics

2011 Annual Report Tax Collector

Council Comments

Councilmember Douglass stated he had the opportunity to attend the Police Academy graduation and congratulated and welcomed Matthew R. Gamble and Anthony Gretto to the Lower Township Police Department.

Deputy Mayor Lare stated most people know he has been a staunch advocate to keep the tax rate stable and as close to zero as possible. Deputy Mayor Lare stated Council has received preliminary figures and are currently looking at a four-tenths of a penny above zero which equates to \$4.00 per hundred thousand dollars of assessed value. Deputy Mayor Lare stated that this Township is in excellent financial shape, below the caps and \$130,000 from a zero tax increase. Deputy Mayor Lare challenged Council to get to zero, which he believe they can do. He stated it is an asset to this Council all the work that has been done in years past, and again stated the Township is in extremely stable and

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good financial position and believes the taxpayers will benefit from the position and looks forward to a re-newed commitment to make the budget a zero again this year.

Mayor Beck stated that Mike Voll is doing an admirable job and all that is going on in Trenton is starting to filter down and take effect here on the local budgets. The Mayor stated that over the past four years, this Council has been able to hold the line and believes this year will end up at a zero as well.

A Community Meeting has been scheduled for February 7, 2012, 7p.m. at the Lower Cape May Regional High School PAC Center, to inform the citizens of Lower Township about its police as well as the different co-operative efforts that we have used to combat crime in our municipality. We will present a comprehensive program to educate our citizens on how to report crime, how to identify suspicious activity and how to cooperate more fully with the police department.

Call to the Public

Steve Sheftz, former candidate for the MUA, addressed Council and stated he did not serve a full 5 years on the MUA. Unfortunately, his wife took ill and he did not complete his term. He stated Mr. Lare read the qualifications of another candidate, and proceeded to highlight his own qualifications which include: college graduate from Rydner University with additional studies from Temple and Penn State, a professional engineer in two states and teaching at Drexel University. Mr. Sheftz also highlighted projects he was charged with while serving on the MUA including providing sewer and water service to communities without borrowing a penny, as well as providing testimony involved with changing the law to provide zero percent interest loans for hook-ups. Mr. Sheftz thanked Council for their kind consideration.

Joe Winters, Scott Avenue, addressed Council and questioned Deputy Mayor Lare if he is sure about the 125 hours for Mr. Frisoli. Deputy Mayor Lare responded he cast his vote and believes he is a qualified candidate. Mr. Winters questioned why Mr. Conrad was not at the last meeting. Mr. Conrad replied he had the opportunity to go away with his wife for the first time in 22 years. Mr. Winters questioned if Council was notified. Mr. Conrad replied yes, Council was notified a week in advance. Mr. Winters stated he thought that Mr. Craig would have had the consideration after being selected by the Republican Committee to come up and be sworn in. People were waiting until 8:30 and since Mr. Craig represents Ward 2, which Mr. Winters resides in, would like Mr. Craig to fulfill his obligation. Mr. Winters stated he is a republican and is ashamed. Councilmember Craig replied he did not believe it was reasonable to think he would walk into a meeting he was not prepared for or had no agenda of. Councilmember Craig stated his responsibility is to the Ward 2 constituents and to the Township. He stated when he comes to a meeting, he wants to be prepared and stated he was not even aware the meeting was going to take place until he was told that evening. Mr. Craig stated he had no obligation to appear at the meeting, but the obligation he does have is to serve the people knowledgeable and be able to work on the agenda that is before him.

John Skowronski, 607 Arctic Ave, addressed Council and wanted to let Council know he was disappointed with those who voted for the MUA candidate after what was done to Mr. Douglass.

Colleen Hughes, Idaho Ave, addressed Council and stated she finds it very upsetting how all this took place. She stated Mr. Frisoli stated he makes \$35,000 per year and according to public record, makes \$90,000.00. Ms. Hughes stated she met a gentleman last week who has all the qualifications to sit on the board. Ms. Hughes warned Council that people are beginning to awake to what is going on. Council is here to serve the people, not yourself or your family member getting them a job with the County. She stated Council is here for the people.

Mr. Winters congratulated Mr. Lare on his new part-time job with the county at \$26.00 per hour.

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Closed Session

Res. #2012-42

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 (Personnel Matter Related to Decision of Division of Pension on Status of Police Officer)

Motion to approve moved by Councilmember Douglass, seconded by Councilmember Conrad.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
CRAIG			X			
DOUGLASS	X		X			
LARE			X			
BECK			X			

Adjournment

There being no further business after closed session, motion to adjourn moved by Councilmember Lare, seconded by Councilmember Douglass. Meeting adjourned at 8:10 p.m. by verbal "ayes".



 Mayor



 Township Clerk

Approved: February 6, 2012