

COUNCIL MEETING MINUTES – January 6, 2020

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on January 6, 2020 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 David Perry
 Councilmember Roland Roy, Jr.
 Deputy Mayor Frank Sippel
 Mayor Erik Simonsen

Also present: James Ridgway, Township Manager, David Stefankiewicz, Township Solicitor and Karen Fournier, Deputy Township Clerk

Mayor Simonsen acknowledged and thanked the dignitaries in attendance.

Work Session

Res. #2020-01 - Appointment of Municipal Solicitor for the year 2020 as a Professional Service Contract without Public Bidding (Stefankiewicz & Belasco NTE \$150,000)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
PERRY	X		X			
ROY			X			
SIPPEL			X			
SIMONSEN			X			

Res. #2020-03 - Appointment of Municipal Judge (T. Keyword)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY			X			
ROY		X	X			
SIPPEL	X		X			
SIMONSEN			X			

Swearing In of Tom Keyword by the Honorable Judge Michael Donohue

Judge Michael Donohue administered the Oath of Office of Judge for Municipal Court to Thomas Keyword.

Judge Keyword was accompanied by his wife Kelly, who held the Bible, his daughter Kierston, and his mother Gloria Sutton.

Consent Agenda

Approval of Minutes/Closed Session Minutes – December 16, 2019 and December 24, 2019

Res. #2020-02 - Appointment of Township Labor Attorney for the year 2020 as a Professional Service Contract without Public Bidding (W. Blaney NTE \$40,000)

Res. #2020-04 - Appointment of Township Tax Appeal Attorney for the year 2020 as a Professional Service Contract without Public Bidding (M. Karavan \$10,000)

Res. #2020-05 - Appointment of Municipal Prosecutor for the Year 2020 (Blaney & Karavan \$40,000)

Res. #2020-06 - Appointment of Municipal Public Defender for the Year 2020 (S. Fuscellaro \$15,000)

Res. #2020-07 - Appointment of Municipal Auditor for the Year 2020 as a Professional Service Contract without Public Bidding (Ford, Scott \$40,000)

Res. #2020-08 - Appointment of Bond Counsel for the year 2020 as a Professional Service Contract without Public Bidding (Archer & Griener)

- Res. #2020-09 - Appointment of Public Information Officer for the year 2020 as a Professional Service Contract without Public Bidding (L. Suit \$12,900)
- Res. #2020-10 - Appointment of Joint Insurance Fund Risk Management Consultant (J. Byrne Agency year 3 of 3 year agreement)
- Res. #2020-11 - Approval of Petty Cash Funds – 2020
- Res. #2020-12 - Establishment of Council Meeting Dates and Times for the Year 2020
- Res. #2020-13 - Approval of Annual Contribution to Volunteers in Medicine (\$7,960.)
- Res. #2020-14 - Approving 2020 Contract with Cape Assist (\$3,213)
- Res. #2020-15 - Setting the Interest Rate for Delinquent Taxes (annual)
- Res. #2020-16 - Bid Acceptance and Contract Award for Lower Township Animal Control Services for 2020 With an Option of 2021 & 2022 (Shore Veterinarian Animal Control Services, LLC \$56,000)
- Res. #2020-17 - Bid Acceptance and Contract Award to Supply Fireworks Display Including Barge for Independence Day Event 2020 and 2021 with a 2022 Option (S. Vitale Pyrotechnic Industries, Inc. \$50,000)
- Res. #2020-18 - Designation of Official Newspapers for Legal Advertising for the Year 2020 (annual)
- Res. #2020-19 - Annual Approval of Emergency Management Council
- Res. #2020-20 - Authorizing the Cash Management Plan (annual)
- Res. #2020-21 - Authorizing the Clerk to Issue Bingo & Raffle Licenses Throughout 2020 to Qualified Organizations (annual)
- Res. #2020-22 - Authorization for Public Bidding
- Res. #2020-23 - Designation of Public Agency Compliance Officer for Lower Township (M. Vitelli, QPA)
- Res. #2020-24 - Authorizing the Tax Assessor to file Tax Appeals (annual)
- Res. #2020-25 - Resolution Establishing the Quote Threshold Pursuant to NJSA 40A:11-3a (annual)
- Res. #2020-26 - Appointment of Municipal Engineer for the Year 2020 as a Professional Service Contract without Public Bidding (Mott MacDonald NTE \$450,000)
- Res. #2020-27 - Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission (annual)
- Res. #2020-28 - Resolution Authorizing Contracts with Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a (annual)
- Res. #2020-29 - Authorizing Payment of 2020 Animal Shelter and Spay/Neuter Fees (annual)
- Res. #2020-30 - Re-Appointment of Class II Member to the Planning Board (J. Dowe, Twp. Assessor)
- Res. #2020-31 - Designation of Official Depositories (annual)
- Res. #2020-32 - A Resolution of the Township of Lower Canceling Certain Taxes per Agreement/Resolution #2013-271 (\$162.89)
- Res. #2020-33 - Authorization for the Refund of Taxes (2 properties)
- Res. #2020-34 - Authorizing the Payout of Terminal Leave (Biersbach \$69,720.18)
- Res. #2020-35 - Authorizing the Payout of Terminal Leave (J.Trexler \$5,918.13)
- Res. #2020-36 - Adopting 2020 Temporary Current Budget (annual)
- Res. #2020-37 - Transfer of 2019 Appropriations
- Res. #2020-38 - Authorizing Payment of 2020 Debt Service (annual)
- Res. #2020-39 - Resolution to Defer the Regional School Tax (annual)
- Res. #2020-40 - Authorizing Payment of 2020 Pension Amounts Due 4/1/2020 (\$638,748 PERS / \$1,142,987 PFRS)
- Res. #2020-41 - Authorizing Payment for 2020 Regional School Taxes (annual)
- Res. #2020-42 - Authorizing Payment to Lower Township Board of Education (annual)
- Res. #2020-43 - Authorization for the Payout of Accumulated Sick Time (\$51,446.16)
- Res. #2020-44 - A Resolution Authorizing and Approving a Shared Service Agreement Between the Township of Lower and the City of Wildwood for Emergency Medical Services (\$5,000)
- Res. #2020-45 - Resolution Designating Captain William Priole as Deputy Custodian of Public Records for the Police Department
- Res. #2020-46 - Payment of Vouchers - 2020 (\$302,295.89)
- Res. #2020-47 - Payment of Vouchers - 2019 (\$606,549.94)
- Ordinance #2020-01 - An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A.40A:4-15.14) This is the first reading of this Ordinance. The second reading and public hearing has been scheduled for Jan 22, 2020.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
PERRY			X			
ROY			X			
SIPPEL			X			
SIMONSEN		X	X			

Regular Agenda

Res. #2020-48 - Re-Appointment of Class III Member to the Planning Board (R. Roy)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X		X		
PERRY	X			X		
ROY					X	
SIPPEL				X		
SIMONSEN				X		

Res. #2020-49 - Resolution Designating the Lower Township Rescue Squad, Inc. as the Provider of Emergency Medical Services in Lower Township (annual)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD					X	
PERRY			X			
ROY		X	X			
SIPPEL	X		X			
SIMONSEN			X			

Res. #2020-50 - Payment of Vouchers (D.Perry Contractual Reimb. \$250.45)

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY					X	
ROY			X			
SIPPEL		X	X			
SIMONSEN	X		X			

Manager's Report

Manager Ridgway gave Council an end-of-year departmental report, sharing news about tax ratables, the CRS rating, new tax maps, an outstanding tax collection rate, construction revenue, code enforcement, recreation programs and renovations, and shared services. He thanked Mayor and Council for their support and informed that the budget will be presented next month.

Council Comments

Councilmember Conrad wished everyone a Happy New Year.

Councilmember Perry wished everyone a Happy New Year and shared anticipated improvements to roads and storm drains.

Councilmember Roy commented on the success of the beach clean-up and thanked everyone who participated.

Deputy Mayor Sippel thanked the Elks and Lower Twp. Rotary for their support of different recreation events. He also thanked Mayor Simonsen for his service to the Township and Council.

Mayor Simonsen reflected on the accomplishments of the Township during his time in office and thanked each Councilmember as well as all departments and outside entities for working together for the good of the community. He assured of his continued efforts as Assemblyman to do great things for his legislative district. He thanked his wife and family for their support and wished everyone a Blessed and Happy New Year.

Call to the Public

Cathy Sauerzopf, 505 Shunpike Rd, voiced concern about the dredge spoils being dumped near the airport and questioned why the residents were not informed.

Councilmember Conrad stated that the DRBA owns the property and did not inform the Township.

Manager Ridgway explained that permits are in place and the spoils have been tested.

Councilmember Conrad suggested contacting Governor Murphy.

Mayor Simonsen agreed to contact the DRBA for more information.

Closed Session

Res. #2020-51 - 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. **Attorney/Client Privilege & Negotiation Update**

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY	X		X			
ROY		X	X			
SIPPEL			X			
SIMONSEN			X			

COUNCIL MAY RETURN TO TAKE ACTION

Council adjourned to Closed Session at: 7:36 p.m.

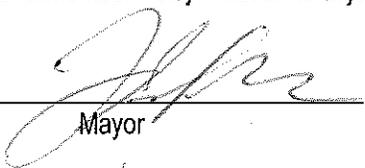
Council returned to Open Session at: 8:34 p.m.

Res. #2020-52 - Bid Acceptance and Contract Award for Schellengers Landing Safety Improvements and Identification Program (Charles Marandino, LLC \$1,240,725)

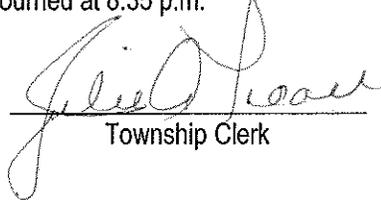
	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
PERRY			X			
ROY			X			
SIPPEL		X	X			
SIMONSEN	X		X			

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Roy, seconded by Councilmember Perry. Motion to adjourn was unanimous. Meeting adjourned at 8:35 p.m.



Mayor



Township Clerk

Approved: *January 22, 2020*