

## COUNCIL MEETING MINUTES – JUNE 17, 2013

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on June 17, 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: Michael Voll, Township Manager, Chuck Sandman, Township Solicitor and Karen Fournier, Clerk's Office

### **Presentation - to Police Chief Brian Marker on his retirement**

Mayor Beck saluted retiring Police Chief Brian Marker of the Lower Township Police Department. Mayor Beck and Council presented Chief Marker with a plaque in honor of his great leadership and his many contributions to the community.

Chief Marker humbly received the honor and thanked Mayor Beck and Council for their cooperative efforts in working towards bettering our community. He expressed his gratitude for the many blessings in his life, including his career, his family, the officers behind him and the people of the community. He stated that he looks forward to all of his future endeavors.

### **Presentation - to Jack Pfizenmayer on his Retirement**

Deputy Mayor Clark acknowledged Jack Pfizenmayer, Retiring Superintendent of Schools for Lower Cape May Regional School District. Mayor Beck and Council presented Mr. Pfizenmayer with a proclamation honoring his dedication and service to the students of Lower Township and wished him well in his future endeavors.

Jack Pfizenmayer stated that he has enjoyed his 25 years at Lower Cape May Regional and is grateful for the relationships he has developed. He expressed his gratitude to the Mayor and Council, the people of the community and especially the great people he works with, to whom he credits much of his success.

### **Work Session**

#### **Presentation - Chris Kobik, Cooperation in Support of Lower Township High School Students**

Deputy Mayor Clark invited representatives from the Lower Cape May Regional School District to present their various initiatives to establish relationships between education and community. He credited Mr. Pfizenmayer for establishing the tradition of cooperation that exists between LCMR schools and our community and welcomed their team of educators.

Superintendent, Jack Pfizenmayer, stressed the importance of shared resources and the cooperation that exists between the School District and the Township. Mr. Pfizenmayer introduced Chris Kobik, Director of Curriculum and Instruction, who put together initiatives that establish relationships between the school and the community.

Mr. Kobik spoke briefly about the formation of Lower Cape May Regional and introduced his fellow educators, Joe Castellucci, Greg Lasher and Kathy Parker. He invited them to point out some of the key ways in which, traditionally, the school has worked together with the Township for community betterment, in addition to some recent developments.

Joe Castellucci, Principal of Lower Cape May Regional High School, spoke about the relationships he has, personally, with many of the Township representatives, and how grateful he is for them. He touched on many of the shared services between the school and the township, including the School Resource Officer Program, Local Access TV Programming, National Night Out and Adult Education, just to name a few.

Greg Lasher, Principal of Richard M. Teitelman School, thanked Mayor and Council for having him and spoke of the many organizations that use the athletic fields and school facilities, not exclusive to children. He listed several community outreaches the school has participated in including the Holiday Food Baskets and the Backpack Program. Chris Kobik continued to explore ways in which the school works together with the community, including the Music Program, the Advisor-Advisee Program, the Coast Guard Mentor Program, Web Design Services and Engineering Projects.

Kathy Parker, President of the Teacher's Association, concluded with some recent developments in the tradition of working together, including an Expanded Internship Program, Honor a Veteran Program, Community Dancing and Future Business Leaders of America.

Chris Kobik thanked Deputy Mayor Clark for working together with him in developing new business partnerships. He communicated that the school is a vehicle for social change and betterment and that there are innumerable resources available to students who wish to take advantage of them.

Deputy Mayor Clark announced that Chris Kobik will be stepping up as the new Superintendent of LCMR upon Jack Pfizenmayer's retirement.

Mayor Beck said good-bye to Mr. Pfizenmayer, welcomed Mr. Kobik, and thanked the teachers and administrators for their presentation. He also thanked Deputy Mayor Clark for his work putting this together.

### **Presentation - Sharon Beres, ODOSY Youth Program - GED Program**

Sharon Beres, representative with the ODOSY Youth Employment Program (Opening Doors for Out Of School Youth), thanked Mayor and Council for allowing her to speak about the program. ODOSY provides educational and employment assistance to income-eligible Cape May County youth, ages 16-21 years of age. Their primary focus is to help youth who have dropped out of school obtain their GED or find employment. She continued about the program and the services they provide and informed that this is their 13<sup>th</sup> year of service to the community. Sharon can be contacted @609-889-6803 ext 13 or by e-mail [Sharon@capeworkshop.com](mailto:Sharon@capeworkshop.com)

Mayor Beck asked Ms. Beres to talk about the changes in the GED program.

Ms. Beres informed that the GED test that currently exists is being revamped to include higher standards, starting the beginning of 2014.

Deputy Mayor Clark offered help in getting the word out.

Mayor Beck speculated the loss associated with dropping out of school and vowed to support the efforts of the ODOSY Program.

### **Consent Agenda**

Councilmember Conrad motioned to move Ordinance #2013-14 and Ordinance #2013-15 to the regular agenda for verbiage changes.

Ed Butler of Villas addressed Council to inquire about Resolution 2013-168.

Mayor Beck explained that the resolution establishes a fee for the use of our engineer, which will save both the Township and the taxpayers money.

Ed Butler inquired about Resolution 2013-173.

Mayor Beck explained that this is a County Cooperative with the Township; it has nothing to do with the residents.

Councilmember Neville informed that this is a two year contract with a savings of .002 cents.

Mr. Butler asked about Resolution 2013-180.

Mayor Beck replied that this is a separate agreement with Brian Marker; it has nothing to do with the other contracts.

Frank Saracco of Villas addressed Council to question Resolution 2013-167.

Councilmember Conrad explained that it is easier for the taxpayers to spread the payment out over five years, rather than pay it all at once, with no interest incurred. He also explained the effects of appeals on the taxpayers.

- Approval of Minutes May 30, 2013 & June 3, 2013
- Res. #2013-166 Payment of Vouchers \$ 2,117,657.25
- Res. #2013-167 Resolution for Special Emergency As Per NJSA 40A:4-55 (\$185,000. Re-assessment)
- Res. #2013-168 Resolution Authorizing Billable Rate For Engineer (\$75./hour for Municipal Land Use Law)
- Res. #2013-169 Resolution Approving Contract with Horizon Blue Cross and Blue Shield For "MED D" Extraordinary Unspecifiable Services (retiree insurance)
- Res. #2013-170 Authorization for the Payout of Accumulated Compensatory Time (J. Boyle \$1,511.48)
- Res. #2013-171 Insertion of Special Item of Revenue Pursuant to NJSA 40A:4-87, Chapter 159 (\$1,400. Cops in shops)
- Res. #2013-172 Resolution Awarding Contract to Hatch Mott MacDonald for Additional Ground Water Investigation (\$32,850. Remedial project)
- Res. #2013-173 Resolution Acknowledging the Award to Hess Corporation for Electric Generation Supply Service for the Township of Lower and Cooperative Members
- Res. #2013-174 Annual Renewal of Liquor Licenses for the Year 2013-2014
- Res. #2013-175 Recycling Tonnage Grant Resolutions - Correcting Resolution #2013-72 (for year 2012 not 2013)
- Res. #2013-176 Authorization for Refund of Taxes (7 properties paid twice)
- Res. #2013-177 Issuance of 2013 Taxi and Operator License (Off Shore Taxi Company)
- Res. #2013-178 Issuance of Ice Cream Peddling Truck License for the Year 2013 (new vehicle)
- Res. #2013-179 Authorization for 2013 Incentive Award for Insurance Waiver (7 employees per contracts)
- Res. #2013-180 Resolution Approving An Addendum to Agreement Between The Township of Lower and Brian Marker, Chief of Police (insurance co-pays)
- Res. # 2013-181 A Resolution to Ratify the Contract between Lower Township and the Lower Township Supervisor's Union
- Ordinance #2013-13 An Ordinance Amending the Property Maintenance Code of the Township of Lower (302.4 Weeds) 1<sup>st</sup> reading – 2<sup>nd</sup> reading & public hearing July 1, 2013

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

### Regular Agenda

- Ordinance #2013-14 An Ordinance Amending Chapter 185 of the Revised General Ordinances of the Township of Lower (no notice prior to summons for property compliance) 1<sup>st</sup> reading – 2<sup>nd</sup> reading & public hearing July 1, 2013

Councilmember Conrad requested there be a means for the Township Code Enforcement Officer to lessen the fine for extenuating circumstances.

Solicitor Sandman changed the verbiage in Chapter 185, subsection 4 to read "may" instead of "shall".

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

Ordinance #2013-15 An Ordinance Amending the Property Maintenance Code of the Township of Lower (no notice prior to summons for property compliance) 1<sup>st</sup> reading - 2<sup>nd</sup> reading & public hearing July 1, 2013.

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

Res. #2013-182 Appointments to the Recreation Advisory Board  
 Mayor Beck made a motion to nominate Deborah Johns, Mike Laing and Dave Pacevich to the Recreation Advisory Board.

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

Res. #2013-183 Appointments to the Planning Board  
 Deputy Mayor Clark made a motion to nominate Jay Dilworth, Fred Long and Brian Sullivan to the Planning Board.

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

Res. #2013-184 Appointments to the Zoning Board of Adjustments  
 Deputy Mayor Clark made a motion to nominate John Armbruster, Dianne Kelly and Steve Komar to the Zoning Board of Adjustments.

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

Res. #2013-185 Authorization Payment of Vouchers (Douglass Landscaping \$5,192.50)

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

Ord # 2013-11 An Ordinance Amending Ordinance #2012-21 Entitled Salary and Benefit Ordinance for the Township of Lower (Park Attendant) - 2<sup>nd</sup> reading and Public Hearing  
 Mayor Beck explained the role of the park attendant and the reason he was hired.

Ed Butler addressed Council to ascertain if the position is full time or part time.

Mayor Beck replied that it is a summer job on an as-needed basis.

Julie Picard, Township Clerk, clarified that the Park Attendant goes under the sub-category of "other" on the Salary and Benefit Ordinance, with a salary range of \$11 to \$13 per hour.

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

Ord #2013-12

An Ordinance Authorizing An Emergency Appropriation NJSA40A:4-53 for Completion of a Reassessment Program in the Township of Lower (\$185,000.) - 2<sup>nd</sup> reading and Public Hearing

Ed Butler of Villas addressed Council to inquire about the reassessment and how it will benefit the taxpayers.

Mayor Beck explained that the reassessment will benefit the taxpayer by providing a fair tax system. He went on to discuss how the tax appeals affect revenue.

Councilmember Neville informed that the reassessment will balance out the values throughout the Township and hopefully reduce the amount of appeals for next year.

Mr. Butler expressed his concern about fair assessments.

Councilmember Conrad reiterated that the budget is already in place, the ordinance is simply allowing the Township to spend the money on the reassessment.

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

### **Administrative Reports**

Department Monthly Reports: Animal Control, Construction, Dog License, Municipal Clerk, Tax Collector, Vital Statistics

### **Council Comments**

Councilmember Conrad congratulated the LCMR graduating class of 2013. He also announced the upcoming July 3rd fireworks and commented on the success of the Naval Air Station Wildwood's Runway 5K. He stated that there are many great things happening in this Township and encouraged our residents to be proud of where they live.

Councilmember Neville informed of his phone service problem with Verizon. He has a contact number for anyone who may be experiencing similar problems.

Manager Voll announced that he and Matt Ecker from MUA met with a Verizon representative regarding the phone lines being damaged by contractors working on the water hook-ups. Verizon will be restoring the lines soon.

Councilmember Neville announced that he and Councilmember Douglass will be meeting with several of the energy providers licensed through the Department of Community Affairs. Nothing will change for residents except a potential savings on their energy bill.

Deputy Mayor Clark thanked the three new sponsors of the Friends of Lower Township including Daniel Cohen of Atlantic Capes Fisheries, Kindle Ford, and South Jersey Marina. He encouraged our citizens to thank them as well and happily announced that we're getting closer to our goal.

Mayor Beck made the following announcements: Friends of Fishing Creek School's Music Program has been postponed to June 21<sup>st</sup> at 6:00 p.m.; Lower Township Independence Day Festival and Fireworks, July 3<sup>rd</sup>, raindate July 5<sup>th</sup>; Free summer concerts: July 10<sup>th</sup>, B-Street Band, and July 24<sup>th</sup>, Sensational Soul Cruisers starting at 5:30 p.m. on the Ferry Terminal grounds; and the 15-Minute Child Break Parent Presentation on August 15<sup>th</sup> at 6:00 p.m. at Township Hall to learn how to talk to your kids about drugs and alcohol.

**Call to the Public**

Jay Young of Shore Drive approached Council to readdress the paving issue on Clubhouse Drive, expressing his concern for both safety and inconvenience.

Manager Voll agreed with Mr. Young, stating that government does not always work as quickly as we'd like. He gave Mr. Young an update on the project and informed that we are waiting for approval from the State.

Councilmember Neville informed that he went to the MUA meeting and happily reports that the quality of the work has improved.

Councilmember Conrad made it clear that this is an MUA issue.

Manager Voll agreed that although we work cooperatively with the MUA, this is their project so these comments belong at the MUA meeting.

Mr. Young informed that he has addressed his concerns to the MUA, but they sent him back to the Township.

**Closed Session**

Res. #2013-186

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. (Possible Litigation)

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

Council returned to open session at 8:08 p.m.

Motion moved by Councilmember Conrad, seconded by Deputy Mayor Clark to move forward as discussed in closed session.

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

**Adjournment**

There being no further business to address, motion to adjourn moved by Councilmember Neville, seconded by Deputy Mayor Clark. Motion to adjourn unanimous. Meeting adjourned at 8:09 p.m.

  
 Mayor

  
 Township Clerk

Approved: July 1, 2013