

## COUNCIL MEETING MINUTES – JANUARY 6, 2014

The Re-Org meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on January 6, 2014 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  
Councilmember Erik Simonsen  
Deputy Mayor Clark  
Mayor Michael Beck

Also present: Michael Voll, Township Manager, Ron Gelzunas, Township Solicitor and Karen Fournier, Clerk's Office

### **Work Session**

Terrance Crowley - Update on School Issue

Mayor Beck invited Terrance Crowley to give an update on the school issue. Mr. Crowley presented an overview of his report in response to Cape May's feasibility study to reconfigure the Lower Cape May Regional School District. Based on the results of the study, his recommendation to the Executive County Superintendent of Schools is to reject Cape May's proposal due to the extreme negative impact that it would have on the school system, the students, and the community at large. The report will be filed to the County on January 15, 2014.

Mayor Beck thanked Mr. Crowley and Mr. Wynn for their expertise in composing the reports. In accord with their conclusions, he agreed that Cape May's withdrawal from or dissolution of the Regional School District would be an epic disaster.

Councilmember Conrad commented in favor of Mr. Crowley's report.

Councilmember Neville thanked Mr. Crowley for his work.

Deputy Mayor Clark inquired about the procedure in filing the report.

Mayor Beck read aloud the conclusion of Mr. Crowley's report. He recommended that the media get a copy of the reports.

### **Consent Agenda**

Councilmember Conrad commented in favor of Resolution #2014-18, the annual contribution to Volunteers in Medicine.

Approval of Minutes	December 16, 2013
Res. #2014-01	Appointment of Municipal Solicitor for the Year 2014 (Ron Gelzunas)
Res. #2014-02	Appointment of Municipal Auditor for the Year 2014 Without Public Bidding (Ford, Scott & Associates)

Res. #2014-03 Appointment of Bond Counsel for the Year 2014 Without Public Bidding (McManimon, Scotland & Baumann, LLC)

Res. #2014-04 Appointment of Municipal Prosecutor for the Year 2014 (Marian R Ragusa)

Res. #2014-05 Appointment of Municipal Public Defender for the Year 2014 (Victoria Roach)

Res. #2014-06 Annual Appointment of Emergency Management Council (annual re-appointment)

Res. #2014-07 Appointment of Class III Member to the Planning Board (Deputy Mayor Clark)

Res. #2014-08 Confirmation of Officials For Joint Insurance Fund and Municipal Excess Liability Fund (annual re-appointment)

Res. #2014-09 Confirming the Appointment of Gary Douglass as Emergency Management Coordinator and Eileen Kreis as Emergency Management Deputy Coordinator (annual appointment)

Res. #2014-10 Establishment of Council Meeting Dates and Times

Res. #2014-11 Setting the Interest Rate for Delinquent Taxes (annual)

Res. #2014-12 Designation of Official Depositories (annual)

Res. #2014-13 Designation of Official Newspapers for Legal Advertising for the year 2014 (Cape May Star & Wave & The Herald)

Res. #2014-14 Authorizing Payment of 2014 Debt Service (annual)

Res. #2014-15 Annual Approval of Petty Cash Funds (Treasurer's & Police)

Res. #2014-16 Authorizing the Cash Management Plan (annual)

Res. #2014-17 Resolution to Defer the Regional School Tax (annual)

Res. #2014-18 Approval of Annual Contribution to Volunteers in Medicine (\$7,690 annual)

Res. #2014-19 Adopting 2014 Temporary Current Budget (annual)

Res. #2014-20 Authorizing the Clerk to Issue Bingo & Raffle Licenses throughout the Year to Qualified Organizations (annual)

Res. #2014-21 Designation of Public Agency Compliance Officer for Lower Township ( annual Margaret Vitelli)

Res. #2014-22 Authorization for Public Bidding (annual)

Res. #2014-23 Appointment of William Blaney, Esq as Labor Attorney (not to exceed \$25,000)

Res. #2014-24 Appointment of Municipal Judge (Thomas Hillegass)

Res. #2014-25 Appointment of Public Information Officer for the Year 2014 Without Public Bidding (Jack Fichter \$18,000)

Res. #2014-26 Appointment of JIF Risk Management Consultant (J. Byrne Agency)

Res. #2014-27 Authorization for Refund of Taxes (2 properties \$1909.80)

Res. #2014-28 Approving 2014 Contract with Cape Assist (\$3,213.)

Res. #2014-29 Transfer of 2013 Appropriations (\$40,500)

Res. #2014-30 Authorization for the Payout of Accumulated Sick Time (\$37,729.80)

Res. #2014-31 Authorization for the Payout of Accumulated Compensatory Time (K. Boyle \$1,321.03)

Res. #2014-32 Authorization for the Payout of Accumulated Compensatory Time (M.Szemcsak \$2,493.32)

Res. #2014-33 Insertion of Special Item of Revenue Pursuant to N.J.S.A.40A:4-87, Chapter 159 (\$4,400. Drive sober or get pulled over year end holiday)

Res. #2014-34 Resolution Submitting Resolution of the Lower Township Council Determining the Cape May County Airport Industrial Park to be an Area in Need of Rehabilitation to the Lower Township Planning Board

Res. #2014-35 Rejection of Bids for Reconstruction of Clubhouse Road

Res. #2014-36 RFP Acceptance and Contract Award for Township of Lower Animal Control Services RFP #2013-25 (Shore Animal Control Services \$50,000 for 2014)

Res. #2014-37 Resolution Authorizing Lower Township's Payment to the County of Cape May for the Spay/Neuter Fund as per Interlocal Agreement (\$13,287 agreement for 2009-2015)

Res. #2014-38            2014 Vouchers \$2,789,768.75  
 Res. #2014-39            2013 Vouchers \$507,893.01  
 Res. #2014-40            Accepting the Response to the Cape May Study to Reconfigure the Lower Cape  
                                  May Regional School District Prepared by Terrance J Crowley and the Response  
                                  Prepared by Wyns Consulting, LLC

Councilmember Simonsen requested Resolution #2014-17, Resolution #2014-36 and Resolution #2014-40 be moved to the Regular agenda.

Motion to table Resolution #2014-25 moved by Councilmember Simonsen, seconded by Councilmember Conrad

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

Manager Voll offered an explanation to validate Resolution #2014-36, including cost analysis and services. He informed that the contract has a 90 day cancellation clause if we are not satisfied with the service. Councilmember Simonson expressed a financial concern. Mayor Beck explained the financial end of it. Councilmember Conrad stated that he was not well informed, but was able to speak to Dr. Holland prior to the meeting.

Tom Frisoli of Villas addressed Council with his concern regarding prompt animal services. He also expressed a financial concern about Resolution #2014-25. Mayor Beck explained the animal control contract and validated the need for a public information officer.

John Sworonski, 607 Arctic Avenue, addressed Council regarding Resolution #2014-18 and how this would tie into ObamaCare. Mayor Beck instructed him to call Volunteers in Medicine, but pointed out the gaps in health care.

Consent Agenda Vote:

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

Res. #2014-17            Resolution to Defer the Regional School Tax (annual)

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

Res. #2014-36

RFP Acceptance and Contract Award for Township of Lower Animal Control Services RFP #2013-25 (Shore Animal Control Services \$50,000 for 2014)

Bill Greenfield of Villas addressed Council regarding barking dogs. Manager Voll informed that the police department will still handle calls for barking dogs.

Brian McEwing of Townbank Road addressed Council regarding a cap for Animal Control. Manager Voll informed of the cap. Mayor Beck added that it requires a vote.

Deputy Mayor Clark announced that upon his own research Dr. Holland comes highly recommended.

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

Res. #2014-40

Accepting the Response to the Cape May Study to Reconfigure the Lower Cape May Regional School District Prepared by Terrance J Crowley and the Response Prepared by Wyns Consulting, LLC

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

**Regular Agenda**

Res. #2014-41

Designation of Lower Township Rescue

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

**Administrative Reports**

Personnel Action Report

**Council Comments**

Councilmember Conrad wished everyone a Happy New Year, he thanked Don Montgomery for the great work he has done with Animal Control, he warned of the bitter cold temperatures, and he commented on the level of communication between Council.

Councilmember Neville wished everyone a Happy New Year, and he commented on the devastation that could result from Cape May's withdrawal from the Regional School District.  
Councilmember Simonson wished everyone a Happy and Prosperous New Year.

Deputy Mayor Clark reflected on the past year serving on Council, reiterating his promises and priorities for the new year. He gave thanks for the opportunity to serve the Township and wished everyone a Happy New Year.

Mayor Beck announced that property assessment updates will be available next week on the Township website ([www.townshipoflower.org](http://www.townshipoflower.org)). He commented on the 300<sup>th</sup> anniversary of the Cold Spring Presbyterian Church. He thanked the Recreation Department for the success of the basketball tournament and the New Year's Eve celebration. He welcomed the new Township Solicitor, Ron Gelzunas and wished everyone a Happy New Year.

### **Call to Public**

Robert Rizzo of Mickel's Run addressed Council to commend Mayor Beck for the fine work he does to make this township proud.

Ron Gelzunas, Township Solicitor and former Township Prosecutor, introduced himself and thanked Council for the opportunity to serve Lower Township.

Don Montgomery, 206 Vermont Avenue, thanked Council for allowing him to serve the Township as the Animal Control Officer for the past eleven years.

Eileen Kreis thanked the Public Works Department for the great job they did plowing the snow.

Councilmember Simonson reminded that Christmas trees need to be curbside before January 31<sup>st</sup>.

### **Adjournment**

There being no further business to address, motion to adjourn moved by Councilmember Neville, seconded by Councilmember Simonsen. Motion to adjourn unanimous. Meeting adjourned at 6:55 pm.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Township Clerk

Approved: 1/22/14