

COUNCIL MEETING MINUTES – November 2, 2015

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on November 2, 2015 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 Erik Simonsen
- Deputy Mayor Clark
- Mayor Michael Beck

Also present: James Ridgway, Township Manager, David Stefankiewicz, Township Solicitor and Elizabeth Greenway, Clerk's Office

**Consent Agenda**

- Approval of Minutes October 19, 2015
- Res. #2015-308 Payment of Vouchers \$ 506,729.89
- Res. #2015-309 Authorizing Payout of Terminal Leave (L.Anzelone \$2,929.93)
- Res. #2015-310 Authorization for the Payout of Accumulated Compensatory Time (S.Lafferty \$1,522.64)
- Res. #2015-311 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Emergency Management Assistance (\$5,000))
- Res. #2015-312 2015 Drive Sober or Get Pulled Over Year End Holiday Crackdown (\$5,000)
- Res. #2015-313 A Resolution Authorizing A Grant Application to the Cape May County Open Space Program for the Acquisition and Restoration of the Nathaniel Foster House
- Res. #2015-314 A Resolution Authorizing the Leasing of Certain Real Property Located in the Township of Lower (Block 703/ Lots1,2 and a portion of 3)
- Res. #2015-315 Transfer of 2015 Appropriations (\$67,000)
- Res. #2015-316 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on GovDeals Online Auction
- Res. #2015-317 Authorizing the Cancellation of Remainder of Contract with Oliveri, Shousky & Kiss, PA (\$67,650)
- Res. #2015-318 Drunk Driving Enforcement Fund Application \$6,360.67
- Res. #2015-319 Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Drunk Driving Enforcement Fund \$6,360.37)

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

**Regular Agenda**

Res. #2015-320

Authorizing the Payment of Vouchers \$35,000 – Lower Township Rescue

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

Res. #2015-321

A Resolution Awarding Hatch , Mott, MacDonald As Engineer for the Roseann Avenue/Bayshore Estates Drainage and Stormwater Management Improvements Project

Manager Ridgway informed that Township QPA, Margaret Vitelli, reached out to all pre-qualified engineers to request quotes on the above project. Upon reviewing the quotes received, Manager Ridgway made a recommendation to award the contract to Hatch Mott MacDonald. Both QPA Vitelli and Public Works Director, Gary Douglass, were present to field questions from Council.

Upon the request of Mayor Beck, Mr. Douglass stated the names of the engineering firms and the quotes that were submitted. He also gave a brief explanation of the responses from bidders and how they applied to the scope of service specifications. Council discussion ensued. QPA Vitelli communicated that the disparity between the bids made it difficult to evaluate. Mayor Beck debated the process. Solicitor Stefankiewicz reminded that the requests were for quotes. Discussion continued about the timing and nature of the request. Manager Ridgway recapped the sequence of events. After fielding a series of questions from Deputy Mayor Clark, Mr. Douglass communicated that Hatch Mott MacDonald was the only bidder that submitted a detailed proposal. QPA Vitelli clarified the process and made a suggestion about future special projects. Deputy Mayor Clark thanked QPA Vitelli for her suggestion. Mayor Beck voiced objection to the timing. Council discussion continued.

Kathleen Dynan, Tranquility, suggested that the other engineering firms were not interested in the project.

Jeff VanMourik voiced discontent with his experience with EDA and spoke in favor of Hatch Mott MacDonald.

Helen Thompson, Villas, questioned the decision to send requests to five engineering firms. Mayor Beck explained that it had been a misunderstanding. She voiced discontent with the timing and the process.

George Doherty, Erma, suggested allowing a longer time-frame for future requests for proposals.

Councilman Perry made a motion to award the project to Hatch Mott MacDonald, seconded by Councilman Simonsen.

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

Ordinance #2015-09

An Ordinance of the Township of Lower Amending Chapter 318 of the Code of the Township of Lower – This Ordinance redistricts a parcel of property from Fire District #1 to Fire District #3. This is the second reading and public hearing of this Ordinance (1<sup>st</sup> reading was Sept 9). This Ordinance has been published, posted and made available to the public.

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

**Administrative Reports**

Monthly Report - Police

**Council Comments**

Councilman Conrad congratulated all the volunteers involved with Haunted Trails. He also solicited help for the needy and encouraged everyone to get out and vote.

Councilman Perry thanked Margaret Vitelli and Gary Douglass for their hard work. He expressed eagerness for the residents of Roseann Avenue/ Bayshore Estates to finally get their flooding problems solved.

Councilman Simonsen thanked Margaret Vitelli and Gary Douglass for their diligence. He acknowledged Kevin Maloney and everyone involved with the boat building project and commented on the Haunted High School Event. He also gave kudos to the Recreation Department for the success of their first annual Halloween Dance.

Deputy Mayor Clark also thanked Margaret Vitelli and Gary Douglass.

Mayor Beck announced the Veteran's Day Ceremony at the VFW.

**Call to Public**

Patty Sparks, NCM, read a letter she had prepared in appreciation to all who showed honor at the passing of her husband, Jack Sparks.

Helen Thompson, Villas, voiced discontent with the LTMUA hydrant flushing.

Marilyn Meikle, 224 Mindy Avenue, thanked the many people involved with the Roseann Avenue Project: Manager Ridgway, Gary Douglass, Margaret Vitelli, Hatch Mott MacDonald and all of Council, particularly Councilman Perry for his work with this long overdue project. She also denied any problems with hydrant flushing.

Tom Frisoli, Villas, agreed with Councilman Simonsen regarding his appreciation for the Recreation Department. He also commented on the LTMUA hydrant flushing and gave an update on annual hydrant flushing notices.

**Closed Session**

Res. #2015- 322

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. – **CONTRACT NEGOTIATIONS**

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

Council adjourned to Executive Session at 8:11 p.m.

Council returned to Open Session at 8:31 p.m.

Motion to proceed as discussed in Closed Session moved by Councilmember Conrad, seconded by Deputy Mayor Clark.

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

**Adjournment**

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

  
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 Mayor

  
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 Township Clerk

Approved: Nov. 16, 2015