

COUNCIL MEETING MINUTES – SEPTEMBER 7, 2016

The meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on Wednesday, September 7, 2016 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, Robert Belasco, Township Solicitor and Karen Fournier, Deputy Township Clerk

Consent Agenda

- Approval of NJ State Firemen's Association Membership Application – B. McCloskey, Villas Vol Fire Co
Approval of Minutes August 15, 2016
Res. #2016-240 Payment of Vouchers \$777,592.63
Res. #2016-241 Appointment of Donna Blackley as the Lower Township Fire Coordinator (requested by OEM Coordinator R. Harron – to reflect updated OEM Policies)
Res. #2016-242 A Resolution to Affirm the Township of Lower's Civil Rights Policy with Respect to all Officials, Appointees, Employees, Perspective Employees, Volunteers, Independent Contractors and Members of the Public That Come Into Contact with Municipal Employees, Officials and Volunteers (required by JIF annually)
Res. #2016-243 Approval of a Shared Service Agreement Between the City of Wildwood and the Township of Lower Regarding Law Enforcement Event Support (Roar to the Shore Sept 8 thru 11)
Res. #2016-244 Amending Resolution #2016-175; Annual Renewal of Liquor Licenses for the Year 2016-2017; by Rescinding Approval of 0505-33-004-5 and Approving Renewal of Liquor License for Spicer Creek North 0505-33-004-5 Under a Special Ruling (inactive license)
Res. #2016-245 Resolution Approving an Inter Local Services Agreement Between the Township of Lower and Lower Cape May Regional School District (School Resource Officer \$253,188.78 – 3 years)
Res. #2016-246 Authorization for Refund of Taxes (3 properties \$2,497.16)
Res. #2016-247 Authorizing the Relocating of a Bus Stop on Bayshore Road, Lower Township (at Woodland Ave from Back Bay to Bistro to the Car Wash)
Res. #2016-249 Submission of a Small Cities Housing Rehabilitation Application \$200,000
Res. #2016-250 Approval for CARA Candlelight Vigil at Lower Township Municipal Complex (Oct. 19th – 6:00pm)
Res. #2016-251 Approval of Greater Cape May Elks Lodge #2839 Request to conduct a Flea Market
Res. #2016-252 Authorizing the Sale of Township of Lower Surplus No Longer Needed for Public Use on Govdeals Online Auction (2009 Dodge Charger)
Res. #2016-253 Bid acceptance and Award of two (2) 2016 or Newer Rear Loading Refuse Trucks (Hunter Jersey Peterbilt \$377,800)
Res. #2016-254 Amending Resolution #2016-143; Approving a Professional Service Contract with Mott MacDonald for General Engineering Services (\$5,000)
Res. #2016-255 Appointment to the Historic Preservation Commission (moving M.Rosenberg from alt member to the vacated regular member position)
Res. #2016-256 A Resolution Approving the Mutual Release and Quitclaim Deed Regarding 721 Foster Avenue, Lower Township, Block 747.03 Lot 9.02
Res. #2016-257 Resolution Authorizing the Township of Lower to Enter into a Donation Agreement for Unimproved Real Property with the State of New Jersey Department of Environmental Protection (Land Exchange)

Deputy Mayor Clark requested Resolution #2016-248 be moved to the Regular Agenda.

John Skowronski, 607 Arctic Avenue, inquired about Resolution #2016-254. Manager Ridgway expanded on the three projects requiring additional work from Mott MacDonald: the bike path, beach access improvements, and fields at Freeman Douglass Park.

On the Consent Agenda:

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

Regular Agenda

Res. #2016-248

Resolution Authorizing Increases for Non-Union Employees (as per Supervisors Union Contract)

Deputy Mayor Clark explained his request to move Resolution #2016-248 due to the language under Article 6 in the Supervisors Union Contract. Solicitor Belasco asked to review the contract. Mayor Beck argued that the wording contradicts Council's intent. Manager Ridgway agreed and suggested tabling the resolution until a legal opinion is met.

Motion to Table:

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

Res. #2016-258

Authorizing the Payment of Vouchers – L/T Rescue – Expense payment \$10,000

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

Administrative Reports

Monthly Report - Finance

Council Comments

Councilman Conrad thanked everyone for their well wishes and reminded that school is back in session; be careful of bus stops. He announced the MUA is sponsoring a meeting with the NJ Housing and Mortgage Finance Agency on October 4th at Township Hall, and a flagpole dedication ceremony will take place at Tabernacle Church for their 213 year anniversary.

Councilman Perry apologized for not receiving Township emails but assured that the problem has been resolved. He gave an update on the beach access plan and reminded that work must cease during nesting season, April 30th through June 30th. He also updated on the Roseann Avenue Project and the Bayshore Road Study; hoping to have more information at the next meeting.

Councilman Simonsen – no comments

Deputy Mayor Clark recapped the presentation from the Lower Township Elementary School regarding the early childhood education program and the Fishing Creek School.

Mayor Beck reminded to use caution with school back in session. He announced the 9/11 ceremony at Sunset Beach and a flood insurance meeting on September 24th at Township Hall.

Call to the Public

John Skowronski, 607 Arctic Avenue, inquired about the progress of Bayshore and Townbank Roads. Councilman Perry restated information about his contact with the County regarding Bayshore Road.

Closed Session

Res. #2016-259

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. PBA CONTRACT UPDATE

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

COUNCIL MAY RETURN TO OPEN SESSION TO TAKE ACTION

Council adjourned to Closed Session at 7:24 p.m.

Council returned to Open Session at 7:32 p.m.

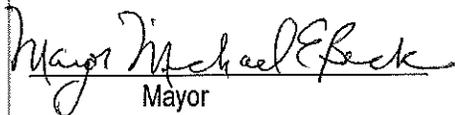
Res. #2016-260

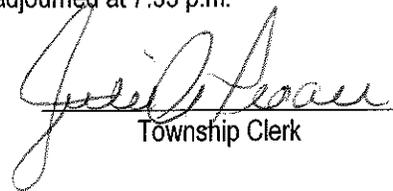
A Resolution to Ratify a Four (4) Year Contract Agreement Between Lower Township and the Lower Township PBA Local 59

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

Adjournment

There being no further business to address, motion to adjourn moved by Councilmember Conrad, seconded by Councilmember Simonsen. Motion to adjourn unanimous. Meeting adjourned at 7:33 p.m.


Mayor


Township Clerk

Approved: *Sept 19, 2016*