

## Regular & Work Session Meeting Minutes - March 5, 2012

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on March 5, 2012 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.

Cub Scout Pack # 63 and Pack # 87 led the Pledge of Allegiance, followed by a moment of silence.

The following members of Council were present for roll call taken by the Clerk:

Councilmember Thomas Conrad

Councilmember Walt Craig

Councilmember Glenn Douglass

Deputy Mayor Kevin Lare

Mayor Michael Beck

Also present: Michael Donohue, Solicitor, Michael Voll, Manager and Asst. Clerk Picard

Oath of Office - Sgt. McGurk — Mayor Beck gave the Oath of Office to Sgt. Kenneth McGurk. Linda McGurk, Sgt. McGurk's wife, pinned the new Sergeant badge on while Sgt McGurk's father held the Bible.

Presentation - Certificates for Order of the Arrow – Mayor Beck and Council presented the "Arrow of Flight" awards to members of Cub Scout Pack # 63 and Cub Scout Pack #87. Councilmember Conrad explained the "Arrow of Light" is the highest achievement a cub scout can obtain. It is not easy to obtain. Council is awarding nine certificates tonight. Mayor Beck thanked those who serve as mentors to the children. The following received the award from Pack 87: Aaron Agostini, Quinn Dougherty, Benjamin Miley, Matthew Jeffries and Evan Warborton.

Councilmember Walt Crag stated after the last meeting where Officer Paul Shelton gave a presentation on Project Lifesaver, he reached out to the Manager Voll and requested the Township fund five (5) bracelets for the program. Councilmember Craig stated the idea was so well taken that two of the Township's exceptional employees, Township Manager Michael Voll and Township Clerk Claudia Kammer, both volunteered to purchase an additional bracelet each. Lower Township will be giving the program funding for a total of seven (7) bracelets. Officer Shelton thanked the Mayor and Council and presented Council, the Manager and Clerk with certificates of appreciation for their contributions. Officer Shelton stated all donations are greatly appreciated. Councilmember Craig commended the Citizens Advisory Board for bringing Mr. Shelton to the meeting and making the Township aware of the program.

Solicitor Donohue read Resolution 2012-80 into the record. A Resolution Authorizing Lower Township to Purchase five (5) bracelets for Project Lifesaver. Motion to add Resolution 2012-80 to the consent agenda moved by Councilmember Craig, seconded by Councilmember Conrad.

Regular & Work Session Meeting Minutes - March 5, 2012

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
CRAIG	X		X			
DOUGLASS			X			
LARE			X			
BECK			X			

Manager Voll received a letter from The Lower Township Chamber of Commerce regarding hanging "patriotic flags" in certain areas on Bayshore Road. Manager Voll advised Council that the Chamber has spoken with the electric and phone companies but could not receive permission to place the flags on the utility poles. Manager Voll stated if Council gives permission to move forward with the project, the next step will be to have the County authorize the placement of the poles and flags on Bayshore Road. Motion for the manager to send a letter to the County requesting permission to install the flags moved by Councilmember Conrad, seconded by Councilmember Douglass.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD	X		X			
CRAIG			X			
DOUGLASS		X	X			
LARE			X			
BECK			X			

Manager Voll gave a brief report of what is going on in the community. Manager Voll commended the Township Department Heads who work hard and how we continually ask them to do more with less to save the taxpayers money. He informed the residents that all the Department Heads will be at the April 2<sup>nd</sup> meeting to answer any budget questions residents may have. Manager Voll stated he has a personal goal to reduce the fuel consumption of the Township by 15% and will have a report for Council on the amount of money saved through the energy efficient projects throughout the Township. He stated we are getting rid of obsolete vehicles, per Council's directive, and are replacing vehicles with more efficient vehicles where ever possible. Manager Voll discussed the illegal dumping in a few locations throughout the Township and met with the Army Corp of Engineers regarding the situation. Gary Douglass lent some of his "clean shore communities" personnel to help with the project. Manager Voll spoke on Ponder Lodge and stated the problems brought up at the last meeting have been resolved and also stated that the lake will be stocked. Manager Voll also discussed the park bench request for Florida Ave and stated the request is included in the Capitol budget and will be purchased after the budget has passed. Manager Voll, Gary Douglass and Matt Ecker met last week regarding an easement area on the unpaved portion on Arizona Ave at Greenwood which will be fenced off to stop access to the woods. Deputy Mayor Lare requested the area behind Lepore's Pit, behind the preserve, be cleaned up. Manager Voll replied he will pass the information on to see if we can get another crew to help with that clean up.

## Regular & Work Session Meeting Minutes - March 5, 2012

### Work Session

Special Committee for Liaison to CMC Freeholders Re: Economic Development (tabled Feb. 22)

Deputy Mayor Lare stated he has given a lot of thought to this committee and believes this issue is bigger than any one member of Council. He stated he shares a lot of optimism about the renewed interest, particularly from Freeholder Morey, who is an outstanding citizen who wants nothing but the best. Deputy Mayor Lare stated no one individual possesses any ideas superior to any other. Deputy Mayor Lare removed his name from consideration to serve on the committee and requested that he be replaced by Ward 1 Councilmember Conrad. Deputy Mayor Lare stated at the last meeting, he was under the impression that the airport encompassed all three wards, but was incorrect. Since the airport is almost entirely in Ward 1, Deputy Mayor Lare requested Councilman Conrad and the Mayor serve on the committee. He said there will be other committee's which will be forthcoming, namely County Wide Dispatch, which Council will need representation on. Councilman Conrad stated he would like to see Council come to a mechanism for agreeing on who will serve on committees. Although we have two at-large wards and three individual wards, to eliminate the ward representatives would be a dis-service to Council. Councilman Conrad suggested Council take turns serving on committees. He stated although Council is a political entity, decisions need to be made which are in the best interest of the Township. Council needs to share the knowledge. Council needs to know relatively soon after a meetings a quick synopsis of what was discussed. Councilman Craig stated he concurs with what has been said. He is willing to serve on any committee that he is requested to serve on. He stated he believes the committee for the airport is a very important committee for the Township, certainly the renewed interest and believes the Mayor should be lead on that committee. Councilman Douglass stated he will accept the Deputy Mayors suggestion on the committee. Mayor Beck stated then the Resolution will reflect the committee being the Mayor and Ward 1 Councilman.

Review of Consent & Regular Agenda Items

### Consent Agenda

Approval of Minutes

Res. #2012-72	Payment of Vouchers, \$2,794,025.98
Res. #2012-73	Issuance of 2012 Limousine, Taxi and Operator Licenses (Annual renewals)
Res. #2012-74	Authorization for Refund of Taxes (1 refund for overpayment)
Res. #2012-75	Resolution Amending Res. 2012-11, Entitled "Establishment of Council Meeting Dates & Times" (changes the starting time to 6 pm for April 2 mtg and mtgs in June - Sept, changes location of meetings on March 19, Sept. 5 and Dec. 17)
Res. #2012-76	Authorizing Pay Out of Terminal Leave (\$2,106.00 T. Keywood, balance due)
Ord. #2012-05	An Ordinance Amending Chapter 591 of the Code of the Township of Lower 2004 (possible 1 <sup>st</sup> rdg. to amend current regulations to license up to two additional taxis)

Council Comment on Agenda Items - None

Public Comment on Agenda Items - None

Motion to approve the consent agenda moved by Councilmember Douglass, seconded by Councilmember Conrad

Regular & Work Session Meeting Minutes - March 5, 2012

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
CRAIG			X			
DOUGLASS	X		X			
LARE			X			
BECK			X			

**Regular Agenda**

Res. #2012-68

Creating a Special Committee for Liaison to the Cape May County Board of Chosen Freeholders with Regard to Economic Development at the Cape May County Airport (tabled Feb. 22)

Council Comments - None

Public Comments - None

Motion to approve Resolution 2012-68 moved by Councilmember Craig, seconded by Councilmember Douglass

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
CRAIG	X		X			
DOUGLASS		X	X			
LARE			X			
BECK			X			

Res. #2012-77

Resolution Correcting Resolution #2012-70 (Correction on amounts listed for bid award - total decrease of \$3,606)

Council Comments -

Deputy Mayor Lare stated this was on the agenda last meeting, there was a typographical error on the amount of the contract. It is less than was posted on the agenda last month. The contracts are correct.

Public Comment - None

Motion to approve moved by Deputy Mayor Lare, seconded by Councilmember Craig

Regular & Work Session Meeting Minutes - March 5, 2012

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
CRAIG		X	X			
DOUGLASS					X	
LARE	X		X			
BECK			X			

**Administrative Reports**

Personnel Action Report

Department Report      January - Police

**Council Comments**

Councilman Conrad stated he wants people to look at the place and hearts of this Township. It is a great place to live. One of the best places to live in this State. We have to start focusing on the positive. Look out there, we live in a wonderful Town.

Councilmember Craig stated he concurs with Councilman Conrad, we do live in a wonderful town. We should take advantage, look around and enjoy it.

Councilmember Douglass thanked Council for moving forward on Project Lifesaver. He stated it is a great program which will be very helpful. There are quite a few people in our town that may benefit from the program.

Deputy Mayor Lare echoed Councilman Douglass's thoughts. He Thanked the Citizens Advisory Board for bringing the project to Council's attention. Deputy Mayor Lare reminded everyone that next months meeting will be at the Erma Fire Department. He also reminded everyone that Council is moving the summer meetings to 6:00p.m.

Clerk Kammer stated the new schedules are available in the back of the room on the table

Mayor Beck stated the Adult Health & Safety Fair is scheduled for March 14<sup>th</sup> - here at Township Hall 10:30 - 2:00p.m. Mayor Beck stated we received information from the DCA, who recently announced the Low Income Energy Assistance Program is accepting applications. We are putting a link on our web page for this. Also, the New Jersey Housing Mortgage Finance Agency - New Jersey Home Keeper Program, funded through a grant from the US Treasury, has funding available for people in danger of losing their homes as a result of unemployment or under employment. This program will help keep some of our people in their homes. Anyone who needs assistance can link the page from our Township web-site.

Clerk Kammer stated the Lower Township Rabies Clinic is scheduled for April 14<sup>th</sup> at our Public Works Yard from 1-3p.m.

Regular & Work Session Meeting Minutes - March 5, 2012

**Call to the Public**

Frank Sorocco addressed Council and questioned if Council received an answer from the prosecutor. Solicitor Donohue replied the prosecutor responded that he found no criminal actions, as to any civil violations, that would be for the solicitor or police department to investigate. Solicitor Donohue stated he is not investigating anything, but if the Chief of Police wishes to investigate, that would be up to him. Mr. Sorocco requested the Solicitor read the letter to the public. Solicitor Donohue read the letter. Mr. Sorocco questioned if this situation is complete, is there going to be any apology, will there be a reimbursement for any money spent? Manager Voll replied there was no money spent on this and the matter is over. Mr. Sorocco stated this was an embarrassment to the Township and the people, wasn't it?

Steve Sheftz, Townbank, addressed Council and stated the gentleman from the HMFA will be at the Council meeting scheduled for April 16<sup>th</sup> to talk to anyone who has questions regarding the Lower Township Water Loan Program.

Joe Winters, North Cape May, addressed Council and questioned if Resolution 2012-79 will be discussed after the closed session. Manager Voll replied the solicitor will give a report to Council in closed session on the possible litigation. After Council is briefed, it will go back to open session. Mr. Winters questioned if the \$20,000.00 has already been spent. Manager Voll replied it is for the extra inspections. Mr. Winters questioned we will not spend anymore than an additional \$5,000? Manager Voll replied that is the recommendation. Mr. Winters questioned who will inspect the roof when it is complete? Manager Voll stated because of possible litigation, the solicitor will need to inform Council of the situation, and then a statement can be made.

**Closed Session**

Res. #2012-78

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."(Personnel - Police Internal Affairs Report; Contract Negotiations/Possible Litigation - Recreation Roof Contract)

Motion to approve Resolution 2012-78 moved by Councilmember Douglass, seconded by Councilmember Conrad.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD		X	X			
CRAIG			X			
DOUGLASS	X		X			
LARE			X			
BECK			X			

Council returned to open session.

**Open Session**

Res. #2012-79

Resolution Approving Project Proposal Amendment Between Hatch Mott Macdonald and the Township for Additional Engineering Services Roof Replacement and Related Work at the

Regular & Work Session Meeting Minutes - March 5, 2012

Recreation Center (Authorizing additional expenses up to \$25,342.50 for additional inspections to be collected from contractor)

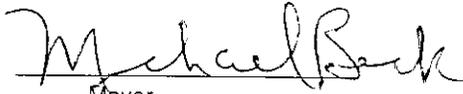
Motion to approve Resolution 2012-79 moved by Deputy Mayor Lare, seconded by Councilman Douglass.

Joe Winters, questioned if the Township is going to pursue legal action against the contractor. Solicitor Donohue replied we are not there yet. Mr. Winters questioned who authorized the additional inspections and if the inspection reports are available to be viewed. Manager Voll replied the reports are in his office and Mr. Winters can come in to view them. Deputy Mayor Lare stated all extra inspection fees will be taken out of what is owed to the contractor.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
CONRAD			X			
CRAIG			X			
DOUGLASS		X	X			
LARE	X		X			
BECK			X			

Adjournment

There being no further business, motion to adjourn moved by Councilmember Douglass, seconded by Councilmember Conrad. Meeting adjourned at 8:40p.m. by verbal "ayes".

  
 Mayor

  
 Township Clerk

Approved: March 19, 2012