

## Regular & Work Session Meeting Minutes -April 18, 2011

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on April 18, 2011 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 Erik Simonsen  
Councilmember Glenn Douglass  
Mayor Michael Beck

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

Absent: Deputy Mayor Lare

### **WORK SESSION**

#### S.J. Gas - William H. Tappin - Public Outreach on 811 - Call before you dig

Mayor Beck introduced Bill Tappin a representative of South Jersey Gas Company who would speak about the call before you dig procedure.

Mr. Tappin said it was a law in New Jersey to call before you dig in your own yard. He gave an example if a contractor was to put a fence up he should have his own mark out and if a homeowner was doing their own work they also should have a mark out. He said it was easy to do; you dial 811 and they would give you a ticket which was valid three business after the call was placed to the one call center. He said the three days gave all the utility companies time to get out and mark their lines on the property.

Mr. Tappin mentioned when a line was marked don't assume the line was directly under the mark, there was a tolerance zone which was two foot. He explained the color codes of the mark outs.

A resident asked about the standard depth of pipes.

Mr. Tappin said most try and place them 24" or lower in the ground.

Colleen Hughes said since the gas company had put pipes in she had a flooding problem on her property.

Mr. Tappin suggested she call South Jersey and give them the information and see who the contractor was.

Mayor Beck asked Mr. Tappin if the information was on line.

Mr. Tappin said google 811 New Jersey and it should give you a website.

Councilmember Conrad said maybe a link could be put on the Township website.

Mayor Beck thanked Mr. Tappin for attending and explaining the call before you dig process.

#### Review of Consent & Regular Agenda Items

Mayor Beck mentioned Resolutions #113 & #118 regarding a one year extension on contracts with Teamsters and AFSCME. On behalf of Council he wanted to thank them for their cooperation. He said they agreed to a wage freeze as well as the 1.5% contribution towards health benefits. He said they had received one contract right before the meeting and the other later in the day. He felt the contracts should be on the website for at least one week for

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the public to read them. He said they came into office with the platform of open government. Councilmember Conrad said he didn't have a problem with it being on the agenda prior to the meeting but beyond that he would like the Solicitor's opinion.

Mayor Beck asked when were the agenda items put on the website.

The Clerk said Friday.

### Public Comment on the Consent Agenda

Joe Winters said he understood about putting new contracts on the website but how about the existing ones.

The Clerk said they were on the website as well as the State website.

Mr. Winters asked about the contract that was received later that afternoon.

The Clerk explained the union had sent it late in the day.

A brief discussion back and forth ensued regarding the contracts and posting them on the website.

Mayor Beck said at the last meeting Bill Greenfield asked if the Township was going to sign the contracts before the State made their changes in the pension and health care reform. He said it was only a one year extension and already 1/3 of the year had passed plus they were taking a zero increase. He said in some respect it could be said the employees were taking a pay cut because of the healthcare contribution they paid.

Mayor Beck asked for a motion to remove the minutes. Councilmember Simonsen motioned to remove the minutes second by Councilmember Douglass. The minutes were removed by verbal ayes.

### CONSENT AGENDA

Approval of Minutes April 4, 2011

Res. #2011-109, Payment of Vouchers, \$1,607,983.72

Res. #2011-110, Resolution for Emergency Temporary Appropriations (Necessary until budget is adopted)

Res. #2011-111, A Resolution Requesting Release of Maintenance Guarantee for Amusement Partnership USA; Block 510, Lots 18 & 8.01; Escrow Z01-12-03 (project completed)

Res. #2011-112, Recycling Tonnage Grant Application (annual resolution for submittal)

Res. #2011-113, Ratification of Contract with International Brotherhood of Teamsters AFL-CIO, Local 676 for the Year 2011 (1 year contract - no increase)

Res. #2011-114, Resolution approving Project Proposal Between Hatch Mott MacDonald and the Township of Lower for Engineering Services Related to Station Road & Municipal Parking Lot Improvements - Phase 3 (\$51,250 - Design, bid services, construction inspection & layout services)

Res. #2011-115, Approving Seashore Church of the Nazarenes Application to Conduct a Flea Market (May 21)

Res. #2011-116, Issuance of Ice Cream Peddling License for the year 2011 to Jeffrey T. Lang t/a Mister Softee of Cape May County LLC

Res. #2011-117, Resolution Amending Resolution #2011-117, Supporting NJ DOT Recommendation for No Passing Zone Along a Portion of Route 9

Res. #2011-118, Ratification of Contract with Lower Township Office Workers Association, Local #3779 for the Year 2011 (1 yr. contract - no increase)

Res. #2011-119, Award of Contract to South Jersey Energy Service Plus as the BPU Direct Install Contractor for Energy Efficient Measures for the Municipal Buildings in Lower Township - in the Amount of \$55,546.32

Councilmember Douglass motioned to adopt the consent agenda, seconded by Councilmember Conrad. The consent agenda was adopted by the following roll call vote: Councilmember Conrad, yes, Councilmember Simonsen, yes, Councilmember Douglass, yes, Mayor Beck, yes.

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### Administrative Reports

Manager

Personnel Action Report

Department Reports

March - ACO (Parker), Clerk s Office, Construction Office (Lower & WCM), Dog Licensing, Engineer s Report, Fire Safety, Municipal Court, Tax Collector, Treasurer, Vital Statistics

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### Council Comments

Councilmember Conrad said he attended a nice event last week called blowing bubble for Autism.

Councilmember Simonsen said the Recreation Center held an Easter egg hunt and it was a nice event.

Councilmember Douglass thanked Dr. Salvatore for hosting the Governor s visit, it was well set up and thanked everyone for attending.

Mayor Beck said he attended the Bubbles for Autism event at Maude Abrams School and it was a lot of fun. He said the Governor s visit was fabulous and it was an honor to have him in town.

He read the upcoming events that would be held in the Township.

### Public Comment

#### Road Condition - States Avenue

Colleen Hughes of Villas said States Avenue was a disgrace and only one or two potholes were filled.

Councilmember Conrad said he would have the Manager ride down there and he also mentioned maybe have the trash trucks call the potholes in when they come across them.

#### Contract Award - SJ Energy Service Plus

Joe Winters had a question on Resolution #119 and asked if the air conditioning unit was going on the roof; he felt it would be better to be on the ground.

Mayor Beck said they were more efficient units and had nothing to do with solar. He said they had gotten help from Matt Eckert at the MUA who was an engineer about placing solar on the roof. He said he came up with another idea that would alleviate putting the solar on the roof.

#### Rescue Squad Building on Georgia Avenue

Bob Weber of Cardinal Avenue said he had concerns about the Rescue Squad property on Georgia Avenue and they were not good neighbors. He said there were some problems with the property such as two inoperable cars, an ambulance and a personal car parked there. He asked what the facility was used for.

Councilmember Conrad said it was mostly used for maintenance and sometimes in the summer, special events or during road construction they would station an ambulance there.

Mr. Weber said it was a vehicle maintenance facility. He said the building wasn t up to par, it looked like a junk yard, trailers were parked there and the dumpster was overflowing. He mentioned the employees there used the facility to work on their personal vehicles and also wash the vehicles there. He said cars were triple parked there and you could not get by on the street. He said it would be nice if Councilmember Conrad spoke to them and ask them to be better neighbors.

Councilmember Conrad said he would address some of the issues that night and the rest in the morning. He said he wasn t at that building much so he gave his number for them to call when there was an issue.

Mr. Weber said the lot was being cleaned up across the street from the facility.

Councilmember Conrad said yes, they had someone volunteer to clean it up for them.

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Mr. Weber said there was a huge piece of demolition equipment there and it had been running past 6:00 p.m. at night. He said they had dug a huge hole and filled it with the branches they had just cleaned up.

### Road Construction

Frank Serracco of Villas said he had no problem with the road construction along Bayshore Road, but the equipment was blocking some of the intersections and you couldn't see around the equipment to get out. Councilmember Conrad said they did notify the Police that some of the roads would be blocked off.

### Redwood Avenue

Mary Packer of Redwood Avenue thanked Gary Playford and Manager Voll for being kind to her last week when she was in the Manager's office. She said someone had blocked off the end of the street. She received a letter that had a picture showing the steps that was sent by the engineer. When the wall was constructed the steps should have been put back then.

Manager Voll said it was the neighbor.

Mrs. Packer said an opening should have been left for access to the bay.

A resident said she lived on the beach next to where the bulkhead stopped. She said she couldn't afford to put a bulkhead in now, when she could afford it back in the 1960's she was told a road was there and it wasn't permitted. She said there was now only 10 feet between her and the bay and her house wasn't on pilings at some point her home would be washed away because she wasn't allowed to put a bulkhead in. She said she had to put a ladder down for her grandchildren to get to the bay.

Mayor Beck said they would look at it and for her to give the Manager her information.

Manager Voll said they were working on it and stuck between DEP and the Engineer. He said they would try to get it resolved one way or the other.

Kathleen Gula 5 Redwood Avenue said she bought her property in September 2009. She was here three weeks ago and was told she couldn't walk on the beach because dune grass was planted. She said there was a fence with a sign saying keep out. She had no problem with the people who put up a seawall to protect their home. She didn't understand how that could happen.

Mayor Beck said he would advocate for her but they were dealing with a few agencies.

Manager Voll said they would resolve it one way or another. He said as far as the construction on Bayshore Road there should be some traffic control there.

Bill Ludlam of Francis Avenue asked if there was a plan at some point to have the Township roads redone?

Mayor Beck said he didn't think there were any plans at this point.

Councilmember Conrad said last year's capital budget included certain roads and hopefully some would tie in with the MUA infrastructure.

Ed Butler commended Council that in the future the contracts would be available for public view a week ahead of time before voted on.

There being no further comment, Councilmember Conrad motioned to adjourn the meeting, seconded by Councilmember Douglass the meeting unanimously adjourned by verbal ayes at 7:45 p.m.

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Mayor

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Township Clerk

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Approved: May 2, 2011