

Regular & Work Session Meeting Minutes - July 2, 2007

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on July 2, 2007 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 Wayne Mazurek
Councilmember Glenn Douglass
Councilmember Robert Nolan
Mayor Walter Craig

Also present: Paul Baldini, Solicitor and Joseph Jackson, Manager

Swearing in of Police Officers - Brian McEwing & Charles Ryan

Mayor Craig swore in the new officers while a family member held the bible for them.

WORK SESSION

Review of Consent and Regular Agenda

No comments.

Consent Agenda

1. Approval of Minutes June 18, 2007
2. Resolution #2007-160, Authorization for the Payment of Vouchers, \$1,761,712.55
3. Resolution #2007-161, Change in Title, Test or Amount of Appropriation (NJSA 40A:4-85)
4. Resolution #2007-162, Authorization to Cancel Uncashed Checks
5. Resolution #2007-163, Authorizing a Professional Contract with Blauer Associates Inc. (Small Cities Community Development Block Grant)
6. Resolution #2007-164, Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Smart Future Grant)
7. Resolution #2007-165, Insertion of Special Item of Revenue Pursuant to N.J.S.A. 40A:4-87, Chapter 159 (Enhanced 9-1-1- Grant)
8. Resolution #2007-166, Approving Yorkshire Place Application to Conduct a Flea Market for July 13 & 14, Rain Date July 20 & 21
9. Resolution #2007-167, Certification of Lot Clearing Charges to the Tax Collector
10. Resolution #2007-168, Issuance of Limousine & Operator's License to Ace Sharper Rentals (1 Limo & 3 Operators)
11. Resolution #2007-170, Resolution Amending Resolution #2007-155 entitled " A

Regular & Work Session Meeting Minutes - July 2, 2007

Resolution Authorizing Award of a Non Fair & Open Contract to Wizard's Festival of Fun, Inc. (Additional \$3550 for 2 attractions)

Councilmember Mazurek motioned to adopt the consent agenda items #1-11, seconded by Councilmember Conrad. The consent agenda was adopted by the following roll call vote: Councilmember Conrad, "yes", Councilmember Mazurek, "yes", Councilmember Douglass, "yes", Councilmember Nolan, "yes", Mayor Craig, "yes".

Regular Agenda

Resolution #2007-169, Authorization for Payment of Voucher, \$725.00 (Lower Township Rescue Squad)

Councilmember Douglass motioned to adopt the resolution, seconded by Councilmember Nolan. The resolution was adopted by the following roll call vote: Councilmember Conrad, "abstain", Councilmember Mazurek, "yes", Councilmember Douglass, "yes", Councilmember Nolan, "yes", Mayor Craig, "yes".

Ordinance #2007-14, Bond Ordinance Providing for Various Capital Improvements of the Township of Lower, in the County of Cape May, New Jersey, Appropriating the Aggregate Amount of \$2,365,000 Therefor and Authorizing the Issuance of \$2,173,000 Bonds or Notes of the Township to Finance part of the Cost Thereof, was presented for 2nd rdg. and final adoption. The Clerk announced the ordinance was posted and published according to law and copies were available in the Clerk's Office.

Mayor Craig opened the meeting for comments on the ordinance.

Joe Winters of Florida Avenue asked why an electric gate was necessary for the Bennetts Recreation Field.

Zack Zelwack Recreation Director said it was a security issue. He said the gates now were jamming.

Mr. Winters asked why not put it off until the fields were done. He asked if anyone had someone from the maintenance department look at the gate and try to fix it.

Mayor Craig said he wasn't sure the gate could be fixed and it was recommended to put the electric gate in.

Mr. Winters asked why the police needed a motorcycle.

Councilmember Conrad said it would allow easier access to congested areas such as Diamond Beach, Shawcrest etc.

Mayor Craig said the request was made by the Police Chief and he was the professional. He justified the reason for it.

Mr. Winters said it was dangerous on a motorcycle because people didn't pay attention to them. Chief Donohue said he appreciated his concerns but many communities had 1 or 2 for better access for the officers.

He said many officers had motorcycle licenses and had arranged for a 2 week course in Delaware that would be required to use the motorcycle.

Ed Butler of 7 Delaware Bay Drive said he was glad to see the new officers. He asked about the ordinance that referred to a certain number of officers on the force.

Mayor Craig said the ordinance allowed for 46 officers in anticipation of retirement to alleviate a gap. He added that someone would be retiring.

Regular & Work Session Meeting Minutes - July 2, 2007

Mr. Butler asked about the additional car was it needed to replace a care that was being retired. Mayor Craig said it would replace a car with a lot of mileage on it.

Mr. Butler said he felt the bond issue and ordinance should have had a lot more detail.

Mayor Craig said when the budget was brought to Council capital request had been reviewed and cuts by departments were made. He said the capital improvement bond was replacing old equipment. He reviewed some of the items that were included.

Gary Douglass, DPW Director said the trucks were ran continuously and the average life of a truck was 10 - 12 years.

Mr. Winters asked why hadn't the tax bills been sent out yet.

Lauren Read, CFO said they would be going out in another week or so and explained the hold up of the bills regarding the State Aid.

Joan McGinnis, 805 Shore Drive asked for an explanation of something she saw in the paper for an earlier bond issue.

Councilmember Conrad said since the introduction \$109,000 was cut from earlier requests and any delays would cost money.

Councilmember Mazurek said in the last 8 months they bonded 1.2 million, then \$600,000 for Bennetts and now 2 million plus. He said he wasn't in favor of bonding to the limit just because you could. He said it would cost our kids over the next 15 years or more. He understood some items had to be bonded and he felt they may need to tell the Department Heads the amount they could spend. He said he would like to know the actual cost of bonding.

Councilmember Mazurek said the Township had a 5 year plan and were not sticking to it. He said he would like to cut it at least 10% and save \$235,000. He stated he would vote no on it.

Councilmember Douglass said he felt the Department Heads reviewed the budget and made their cuts where they felt they could.

Councilmember Nolan said he looked at it closely and spoke to the Manager at length. He said the police cut 10% from their original request. He said DPW cut significantly and the HVAC was added and that wasn't planned. He said the fire suppression was a new item that was now required. He said it would be down if they didn't have the add on items.

Councilmember Mazurek said he understood what happened but he didn't have the ability to micro manage departments. He said Council's part was to make due for the taxpayers.

Councilmember Nolan said they were big ticket times that needed to be fixed and felt the Department Heads did their job.

Mayor Craig said it was added HVAC costs for the Millman and Recreation Centers. He said they looked to the CFO and Auditors to make the financial recommendations. He said the Auditor felt it was a fiscal responsible request.

Lauren Read said yes they felt it to be responsible. She said they were trying to keep the level so when 1 bond was off another went on.

Mayor Craig said he had faith in the CFO and Auditor and their guidance. He said as Councilmember Conrad said to change or redo the bond would cost. They would have to readvertise and the Bond Counsel had costs.

Councilmember Conrad motioned to adopt the ordinance, seconded by Councilmember Nolan.

The ordinance was adopted by the following roll call vote: Councilmember Conrad, "yes", Councilmember Mazurek, "no", Councilmember Douglass, "yes", Councilmember Nolan, "yes", Mayor Craig, "yes".

Administrative Reports

Personnel Action Report

Regular & Work Session Meeting Minutes - July 2, 2007

April 2007 Reports - Municipal Judge

May 2007 Reports - CFO, Municipal Judge

Council Comments

Councilmember Conrad said LCMR Little League had ended and congratulated all the winners.

He said it was ran by volunteers and sponsors. He said Council was still looking at Ponder Lodge and the costs involved.

Councilmember Mazurek said he received a memo that the Personnel Office was moving to the Police Department and the office had always been in Township Hall. He said common sense dictated it should be in the main building not 3.4 miles away. He said it was a very involved process to get into the police department. He said now the employees didn't have private access. He downloaded the job specifications from Department of Personnel and went over them and mentioned they spent a few thousand dollars to do that move.

Councilmember Mazurek said most duties didn't seem to fit from the back office in the Police Department. He asked how the Manager felt the move would make things better.

Mr. Jackson said he wasn't sure why he brought it up at a public meeting. He said it was his call and there would be more moves in the future. He said his job was to get the most out of every employee.

Councilmember Mazurek said when he heard the rumor he suggested to move the Mayor's office to the back and Personnel Office to the front.

Mr. Jackson said there were other moves to be made and the decision stood.

Councilmember Mazurek felt it wasn't necessary to spend \$3,000 to make the move when the Township was having money problems. He didn't feel that was the best choice.

Councilmember Conrad asked what did Council have to do with Personnel.

Mayor Craig said it was the Manager's prerogative and felt Mr. Jackson was doing a fine job.

Councilmember Nolan said he wasn't happy with the bond either but had a similar problem at home with his air conditioner. He said he couldn't let his family suffer with the heat so he had to put it on credit. He said the departments did a great job on cutting back.

Mayor Craig said you couldn't have 3 years without a tax increase and not have it catch up with you. He mentioned from 5-9 on July 3rd there would be amusements and fire works along the bay.

Public Comments

Bond

Joe Winters asked the CFO what the bond might costs.

Lauren Read, the CFO said she could give him an estimate and he could contact her the next day.

Whale of a Day Festival

Steve Sheftz mentioned the Whale of a Day Festival would be on Saturday early morning until 4 pm. He said Townbank was the birthplace of South Jersey and gave a little history of the town.

Abstract of Ratables

Eric Edwards of Admirals Court asked if the amount of surplus revenue reported in the 2006 Abstract of Ratable booklet was correct.

Lauren Read said maybe he was referring to the fund balance and the County called it surplus.

Mayor Craig said the County had a large surplus due to all the new tax ratables.

Regular & Work Session Meeting Minutes - July 2, 2007

Mr. Edwards said he was amazed at the large surplus the County had and asked if the Township used state contracts.

Ms. Read said the Township did.

Solicitor Baldini added that sometimes the State wasn't always the cheapest.

Personnel Director

Robert Rizzo said he visited the Personnel Director in the Township Building and she was very accessible. He went to the Police Department to get a key, it was very rigorous and it took 15 minutes. He thought it was a bad move.

Dogs

on the Bay

Peggy Connors 3904 Shore Drive questioned why they had a pooper scooper and leash law and they weren't being enforced. She said there were signs and bags along Beach Drive. Councilmember Conrad said to call the Police and they would investigate.

Teresa Lipinski of North Cape May said the dogs were defecating on the beach and it was a health issue. She also stated many of the dogs were not on leashes. She said the police dispatch animal control and when they arrive the people were given warnings. She felt some people needed to be fined and the word would get out.

Councilmember Nolan suggested aggressive enforcement of the dog laws.

Mrs. Lipinski suggested fine the people for beach regulations and the animals it was a way for the Township to make money.

Ed Butler agreed with the ladies comments regarding the dogs on the beach.

Personnel Director

Mr. Butler agreed with Councilmember Mazurek that Human Resources should be in the main building. He said all places he worked the office was in the main building. He felt a satellite office should not be at the Police Building. He suggested to consolidate to one area and response time would be better.

Councilmember Conrad said most employees were not in the main Township Building. He said the Police moved to be more central to the Township.

Mr. Butler suggested everyone move to Erma then.

Councilmember Conrad said response time were from zones.

Councilmember Nolan said the list pertaining to the duties of the Personnel Director she may or may not do all that was on the list.

Mr. Winters asked if you could get to the Police Department by public transportation. He also questioned if the Township could live within their budget at some time.

Mayor Craig said he felt it was as lean as it could get. He reviewed the necessary things that had to be addressed.

Mr. Winters said to take some of the surplus and fix the HVAC.

Ms. Read said they didn't want to dwindle the fund balance to zero.

Dogs on the Beach

Teresa Lipinski asked if it was possible to deputize someone to issue tickets on the beach.

Mayor Craig said it was a good suggestion and they were trying to resolve some of the animal control issues now.

Councilmember Mazurek asked what specific area of the beach was it.

Ms. Lipinski said Lincoln Blvd. was known as the dog beach. She stated a person was staying in North Wildwood and inquired where they could take their dog to the beach and was told Lincoln & the Bay in North Cape May.

Councilmember Mazurek said it was irresponsible dog owners and maybe the Manager could have code enforcement go down there.

Regular & Work Session Meeting Minutes - July 2, 2007

Steve Sheftz said he made signs up and shared the with the women who made statements and he said many people just didn't care.

Chief Douglass said he had a quad if he had officers to do it. He stated in 1995 there were 54 officers. He said he would try and get an officer down there on the weekend.

Signs along Beach Drive

Joan McGinnis of 805 Shore Drive asked the Mayor if Council was the Managers boss or vice versa. She went to the Manager a few weeks ago regarding signs along the bay from Pinewood to Townbank Road and explained the issue of 73 signs. The Manager told her Pinewood was a bad road and if 73 more signs were needed they would go up.

Mayor Craig said years ago there were complaints from the residents along the bay about people parking there. He said signs went up from complain received from the residents the Department of Transportation required some of the signs posted.

Mrs. McGinnis said the area was a joke nothing was done for the taxpayers.

Mayor Craig said the signs weren't coming down the State required them there. He said he didn't agreed with her statement many issues were brought to Council and they were addressed. He said they couldn't do everything that people wanted and the Police were doing their job.

Mrs. McGinnis said she disagreed with the number of signs at Pinewood Road.

Councilmember Nolan said again the signs were put up due to residents at the dead end of Pinewood Road.

Sergeant Hienkel said he had been an officer for 23 years and Beach drive had been a problem for years. He said people drove at rates of 75 MPH along there and had seen skid marks at the dead end. He said the stop signs were at his request and it was a safety issue. He agreed there should be common sense but many don't have that so parking signs were needed.

Sergeant Hienkel said if the signs were taken down and a problem arose then it would be more liability for the Township.

There being no further comment, Councilmember Nolan motioned to adjourn the meeting, seconded by Councilmember Douglass the meeting unanimously adjourned by verbal "ayes" at 8:57p.m.

Mayor

Township Clerk

Approved: