

## Regular & Work Session Meeting Minutes - November 17, 2008

The regular meeting of the Township Council of the Township of Lower, County of Cape May, State of New Jersey was held on November 17, 2008 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  
Mayor Walter Craig

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

Absent: Councilmember Nolan (vacation)

Mayor Craig congratulated Mike Beck and wished him well as the future Mayor.

### **WORK SESSION**

#### Mandatory Water Connection - Councilman Conrad

Tom Conrad said he met with the MUA and Board Members and they came to an agreement in one night. He said he received from the MUA why mandatory hook up was needed and why the numbers were what they were. He said all the questions were answered and the politics were taken out and they came to a fair equitable amount.

Councilmember Douglass said the MUA Director was doing a good job and was ready to move forward after Council review and had first reading.

#### Review of Consent and Regular Agenda Items

No Council Comments.

#### Public Comment/Questions on Consent Agenda Items Only

Joe Winters of 301 Florida Avenue said he wanted to speak about the liquor license for the Elks Lodge, now the Grand Beach Club and he didn't think it was a good idea.

Mayor Craig said they had the right to apply for a license.

The Clerk said the Police had reviewed the applications and a notice was put in the paper and had received no objections regarding the application.

Mayor Craig said the Grand Beach Club was for the people in the complex.

Mr. Winters asked how many did the Township need and could they turn around and sell the licenses.

The Clerk explained the regulations that apply to a club license.

Solicitor Baldini said there were no objections, so technically it wasn't a public hearing on the licenses.

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**Consent Agenda**

1. Approval of Minutes November 3, 2008
2. Resolution #2008-256 Payment of Vouchers,\$300,474.21
3. Resolution #2008-257, A Resolution Requesting Release of Revegetation and Restoration Guarantee for Dune Site Plan; Block 512.14, Lot 16
4. Resolution #2008-258, Authorization for Waiver of Minor Site Plan Fee and Any Other Municipal Related Fees & Escrows for First Assembly of God Church
5. Resolution #2008-259, Authorization for Refund of Taxes
6. Resolution #2008-260, Transfer of 2008 Appropriations, \$25,000
7. Resolution #2008-261, Authorization to Transfer Inactive Balances From the Trust Fund to the Current Fund
8. Resolution #2008-262, Issuance of New Club License to Greater Cape May Elks Lodge #2839
9. Resolution #2008-263, Issuance of New Club License to Grand Beach Club
10. Ordinance #2008-24, An Ordinance Amending Chapter 600 of the Code of the Township of Lower Entitled "Towing and Storage", 1<sup>st</sup> rdg. (2<sup>nd</sup> rdg. Dec. 1) Increasing fees for day & evening towing
11. Ordinance #2008-25, An Ordinance Repealing Section 400-41, In Its Entirely , Entitled Wind Energy Conversion Systems as added by Ordinance #81-14 adopted July 27, 1981 from the Code of the Township of Lower, 1<sup>st</sup> rdg. (2<sup>nd</sup> rdg. Dec.1)

Councilmember Douglass 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", Mayor Craig, "yes".

**Regular Agenda**

Ordinance #2008-22, An Ordinance Rescinding and Replacing Ordinance #2008-13 Determining

Eligibility for the Defined Contribution Retirement Program (DCRP) Pursuant to N.J.S.A. 43:15C-2 Et Seq., was presented for second reading and final adoption.

Mayor Craig opened the meeting for public comment on the ordinance.

There were no public comments on the ordinance.

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

Ordinance #2008-23, An Ordinance Amending Ordinance #2007-1, Salary & Benefit Ordinance and Rescinding

Ord. #2008-18, was presented for second reading and final adoption.

Mayor Craig opened the meeting for comment on the ordinance.

There were no public comments on the ordinance.

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

### Administrative Reports

Attached and made part of the minutes are the Personnel Action Report.

September Reports - Municipal Court & Police

Department Reports - October - Animal Control, BOCA, Clerk, Dog Licensing, Fire Bureau, Tax Collector, Vital Statistics.

### Council Comments

Councilmember Conrad said thank you to the Planning and Zoning Board member for their service. He said he would be attending the League of Municipalities that week and hoped to get good ideas. He also reminded the public that Angle Food Ministries was available for the public.

### MUA Mandatory Hook Up

Councilmember Mazurek spoke about the water issue and thanked the other Council for attending the meeting about the MUA. He said last year Council received packets of information on the water and it took days to read all the data. He said included was a study suggesting that continuation of the current water usage would lead to salt water intrusion. He said increased withdraw and contamination would lead to more problems.

Councilmember Mazurek said Mr. Sheftz presented information that tried to scare people with VOC's in Townbank water, yet didn't recommend mandatory hook up. He also read some information on the water situation in Villas.

He said the MUA mentioned recharging the aquifer and would like assurance from the MUA that they would keep on the idea of a recharge facility.

Mayor Craig wished everyone a Happy Thanksgiving.

7:15

### Public Comments

Joe Winters of Florida Avenue said in 2007 Mr. Hartman asked about the TMK site and had it been cleaned up yet.

Solicitor Baldini said not yet, it wasn't in the Township's jurisdiction it was the DRBA's.

He questioned why the Township relieved them from taxes when the DRBA wouldn't clean up the property so it could be rented to collect some tax money.

Mr. Winters asked for someone to get him an answer on that.

### Water Lines

Mrs. Fredericks of 271 Birch Road asked if anyone checked what came out of the waterlines when they were flushed. She felt the water should be filtered.

Councilmember Conrad said he would contact the MUA.

There being no further comment, Councilmember Douglass motioned to adjourn the meeting, seconded by Councilmember Conrad the meeting unanimously adjourned by verbal "ayes" at 7:20 p.m.

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Mayor

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Township Clerk

Approved: