

**CITY OF CAPE MAY
WORKSESSION/REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, January 17, 2012, 7:00 P.M.**

The regular meeting of City Council of the City of Cape May was called to order by Mayor Mahaney at 7:00 P.M. Tuesday, January 17, 2012, in the Cape May City Hall Auditorium. The Clerk called the roll and the Pledge of Allegiance was recited.

Present: Councilmember Deanna Fiocca
Mayor Edward J. Mahaney, Jr.
Councilmember William H. Murray
Councilmember Terri L. Swain
Deputy Mayor Jack Wichterman

Also Present: City Attorney Anthony Monzo
City Manager Bruce MacLeod
City Clerk Diane L. Weldon
Deputy Clerk Louise Cummiskey

Mayor Mahaney announced that under the Open Public Meetings Law, notice of this meeting was sent to the Cape May Star and Wave and The Press and a copy of the agenda was delivered to each Member of Council and was posted on the City Hall Bulletin Board.

Minutes do not reflect the actual order in which the events occurred.

AGENDA ADDITION/DELETION OF LATE AGENDA ITEMS TO BE CONSIDERED FOR ACTION:

Mayor Mahaney requests that Resolution 39-01-2012 be removed from the consent resolutions and voted upon separately after the Closed Session Meeting.

Motion: Mahaney

Second: Murray

Roll Call:

Fiocca	Yes
Murray	Yes
Swain	Yes
Wichterman	Yes
Mahaney	Yes

ORDINANCE FOR INTRODUCTION:

Ordinance 247-2012	An Ordinance to update the uniform salary and classification plan for the Department of Personnel positions in the City of Cape May
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Motion: Wichterman

Second: Swain

Roll Call:

Fiocca Yes

Murray Yes

Swain Yes

Wichterman Yes

Mahaney Yes

A Second Reading and Public Hearing on the Ordinance 247-2012 will take place on February 21, 2012

ORDINANCE FOR PUBLIC HEARING AND ADOPTION:

246-2011 Ordinance amending Chapter 7 of the Cape May City Code - overtime parking regulations

At the Mayor's request, Mr. Monzo explains that the purpose of the above Ordinance is to bring the City Code to where we are technologically regarding the various types of parking meters. The original Ordinance did not have provisions for metered stations or other types of electronic meters or alternate forms of payment.

Motion: Wichterman

Second: Swain

Public Hearing is opened. No one speaks.

Motion to close public hearing

Motion: Wichterman

Second: Murray

Motion to adopt the Ordinance.

Motion: Wichterman

Second: Fiocca

Roll Call:

Fiocca Yes

Murray Yes

Swain Yes

Wichterman Yes

Mahaney Yes

The following Resolutions will be approved by Consent. Deputy Mayor Wichterman offers an explanation as to the purpose of the Resolutions for the benefit of the public.

RESOLUTIONS: Council will accept questions from the public on Resolutions:

- 33-01-2012 Authorizing Tax Assessor to file a petition of appeal(s) and stipulations of settlement for the tax year 2012 with the Cape May County Board of Taxation
- 34-01-2012 Resolution of the City of Cape May approving second amendment to third amended and restated agreement between Kimmel Bogrette Architect & Site, Inc. and the City of Cape May, as amended
- 35-01-2012 Resolution of the City of Cape May to approve members of Cape May Volunteer Fire Company, as amended (Change Michael to Robert Gleeson and remove Jacob Samuelson)
- 36-01-2012 Release of Performance Guarantee for 505 Hughes Street
- 37-01-2012 Resolution approving the 2012 debt service budget
- 38-01-2012 Resolution to award bid – Convention Hall Chair Risers
- 40-01-2012 Resolution of the City of Cape May providing for a meeting not open to the public in accordance with the provisions of the NJ Open Public Meetings Act, *NJSA10:4-12*, Negotiations – Audio-Visual
- 41-01-2012 Payment of bills A
- 42-01-2012 Resolution authorizing Change Order No. 3 for contract with Ogren Construction for construction of new convention hall
- 43-01-2012 Resolution approving professional services agreement for Cape May City Hall Roof and Window Replacement and Building Repairs between Remington, Vernick & Walberg Engineers and the City of Cape May

Shaine Meier, 1217 Vermont Avenue, Cape May, NJ asks the nature of the changes to Convention Hall. Deputy Mayor Wichterman advises the changes have to do with additional electrical work, an additional door at the kitchen, the addition of a ramp up to the kitchen, and a 300 watt amp switch.

Motion: Murray
Second: Wichterman
Roll Call:
Fiocca Yes
Murray Yes
Swain Yes
Wichterman Yes
Mahaney Yes

41-01-2012 Payment of bills B
Motion: Wichterman
Second: Fiocca
Roll Call:
Fiocca Yes
Murray Yes
Swain Abstain
Wichterman Yes
Mahaney Yes

MINUTES

City Council Regular Meeting Minutes dated December 20, 2011
City Council Closed Session Meeting Minutes dated December 20, 2011

Motion: Mahaney

Second: Fiocca

Roll Call:

Fiocca Yes
Murray Yes
Swain Abstain
Wichterman Yes
Mahaney Yes

City Council Worksession/Regular Meeting Minutes dated December 6, 2011
City Council Closed Session Meeting Minutes dated December 6, 2011
City Council Reorganization Meeting Minutes dated January 1, 2012
City Council Worksession/Regular Meeting Minutes dated January 3, 2012

Motion: Mahaney
Second: Wichterman

Roll Call:

Fiocca Yes
Murray Yes
Swain Yes
Wichterman Yes
Mahaney Yes

REPORTS RECEIVED BY THE CLERK:

Construction Permit Activity Report for 2011
Shade Tree Commission Meeting Minutes dated December 8, 2011
Fire Department monthly report for December 2011
Assessors Office monthly report dated January 9, 2012
Planning Board Meeting Minutes dated November 22, 2011
Police Department report for December, 2011

Motion: Mahaney
Second: Wicherman

Roll Call:

Fiocca Yes
Murray Yes
Swain Yes
Wichterman Yes
Mahaney Yes

UNFINISHED BUSINESS:

NEW BUSINESS:

- A) City Attorney
- B) City Manager – Mr. MacLeod reminds all that tomorrow, at 9:30 A.M., we will have the City Manager’s presentation of the annual municipal budget. On January 31, 2012, we will receive bids for the supply and installation of solar panels, as well as bids for the supply and installations of teledata wiring.
- C) City Clerk – Ms. Weldon announces that there will be a joint meeting with the Planning Board on January 24, 2012 at 7:00 P.M., to discuss the Memorandum of Understanding to participate in the Plan Endorsement Project and the free rabies clinic this year is scheduled for Tuesday, February 28, 2012 from 4:00 to 5:00 P.M. at Cape May Point Public Works.
- D) Councilmembers – Deputy Mayor Wichterman comments that one month ago, he requested that council provide him with suggestions about the non smoking Ordinance. He has received no response and now, he would like to request that Mr. Monzo prepare an ordinance for non smoking on the beaches in the City of Cape May. He would like it to be introduced as soon as possible.

Mayor Mahaney suggests that before we incur the cost of legal fees in the preparation of the Ordinance, we should determine whether there will be three favorable votes for its passage. Mr. Wichterman makes a Motion. There is no second.

Motion: Wichterman
Second: No second

Ms. Fiocca asks that this subject matter be placed on the agenda at the next council worksession for discussion. Mayor Mahaney asks the City Clerk to comply with the request.

Mayor Mahaney reminds everyone again about the Budget Meeting scheduled for tomorrow at 9:30 A.M. and about the joint meeting next week on January 24, 2012 at 7:00 P.M.

PUBLIC PORTION: Those wishing to publicly comment shall come forward, give their name and address and speak into the microphone. Each speaker will be limited to five (5) minutes.

Harriett Sosson, 17 Jackson Street, Cape May, NJ is here to talk about the exercise program at the Franklin Street School and the fact that the fee for taking the class has recently been increased from \$3.00 to \$5.00. Ms. Sosson states that some of the participants in the program who are senior citizens and who live on fixed incomes can no longer afford to attend. She would like the City to revisit the matter to see if anything can be done to accommodate those people.

Cathy Hay, 910 Lafayette Street, Cape May, NJ also speaks about exercise classes and the importance of senior citizens to participate in same. She advises that the library in Cape May Court House and Villas has free fitness classes. Ms. Hay also believes that the City should limit the amount of smoking in this town.

Laura DeCamillo, 1350B Virginia Avenue, Cape May, NJ believes the increase in the fee for the exercise class is unmanageable to some participants and asks for help from Council.

Mr. MacLeod speaks about City programs and the duty of the City to determine that the program is financially feasible and if nothing less, at least satisfies the cost of paying the instructors who teach or oversee the classes. He itemizes the issues that were discussed and recommendations that were offered by participants in the class. As a result, the City offered a reduction in the fee if a participant purchased a monthly card.

Harriett Sosson speaks about the monthly fee card and advises that most participants do not attend class three times per week for an entire month.

Mayor Mahaney asks that Mr. MacLeod, Mr. Brown, Mr. Chait and Mrs. Whalen meet with the participants of the class and gather information in hopes of making the program work for everyone.

Chad DeSatnick, 2 Captains Court, North Cape May, NJ, reads from a prepared statement about his perception of the beaches in Cape May, relative to the recent Beach Replenishment Project.

COUNCIL & CITY MANAGER COMMENTS

Motion made by Councilmember Swain to go into closed session. The regular meeting adjourned at 8:02 P.M.

CLOSED: Audio-Visual bids for Convention Hall.

Motion made by Deputy Mayor Wichterman to go back into open session at 8:45 P.M.

39-01-2012 Rejection of bids – Supply and Installation of Audio Visual System

Motion: Wichterman

Second: Fiocca

Roll Call:

Fiocca	Yes
Murray	Yes
Swain	Yes
Wichterman	Yes
Mahaney	Yes

Motion made Deputy Mayor Wichterman, seconded by Councilmember Fiocca to adjourn. The meeting adjourned at approximately 8:47 P.M.

Edward J. Mahaney, Jr., Mayor

Jack Wichterman, Deputy Mayor

Deanna Fiocca, Councilmember

Terri L. Swain, Councilmember

William H. Murray, Councilmember

Diane L. Weldon, City Clerk