

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 88-03-2017

**AUTHORIZING THE READING OF THE 2017
ANNUAL MUNICIPAL BUDGET BY TITLE ONLY**

MOTION:

SECOND:

WHEREAS, N.J.S.A. 40A:4-8 authorizes the reading of the budget by title only at the public hearing thereon, provided certain requirements are met; and

WHEREAS, the City Council of the City of Cape May, is satisfied that such conditions have been met.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Cape May, in the County of Cape May and State of New Jersey, a majority of the full membership concurring, as follows:

1. The allegations of the preamble are incorporated herein by this reference;
2. The City Council of the City of Cape May, finds and determines that
 - (A) At least one (1) week prior to the date of this hearing, a complete copy of the approved budget was made available for public inspection at the Cape May Free Public Library Branch of the Cape May County Library and was made available to each person requesting the same during the week immediately preceding the public hearing and is available to each person requesting a copy during the public hearing, as required by N.J.S.A. 40A:4-8.
 - (B) The City Council of the City of Cape May, hereby declares that the conditions set forth in subsections 1.a and 1.b of N.J.S.A. 40A:4-8 have been met.
 - (C) The City Council of the City of Cape May, hereby determines that the 2017 Municipal Budget of the City of Cape May shall be read by its title only at the public hearing to be conducted thereon.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 21, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

SECTION 2 - UPON ADOPTION FOR YEAR 2017
(Only to be Included in the Budget as Finally Adopted)

RESOLUTION 89-03-2017

Be It Resolved by the CITY COUNCIL of the CAPE MAY COUNTY, County of CAPE MAY CITY that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 9,565,980.17 (Item 2 below) for municipal purposes, and
- (b) \$ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ - (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

RECORDED VOTE
(insert last name)

Ayes [

Nays [

Abstained [

Absent [

SUMMARY OF REVENUES			
1. General Revenues		08-100	\$ 2,300,000.00
Surplus Anticipated		13-099	\$ 6,130,208.09
Miscellaneous Revenues Anticipated		15-499	\$ 177,025.00
Receipts from Delinquent Taxes		07-190	\$ 9,565,980.17
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)			
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42	07-195	\$	-
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$	-
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY			\$ -
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191		
TOTAL AMOUNT TO BE ADDED TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY	13-299	\$	18,173,213.26
Total Revenues			\$ 18,173,213.26

Sheet 41

Patricia Harbora, City Clerk

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 90-03-2017

**RESOLUTION AWARDING THE CONTRACT FOR RECONSTRUCTION OF THE
1200 BLOCK OF CAPE MAY AVENUE, CONTRACT NO. M-12 CITY OF CAPE MAY,
CAPEMAY COUNTY, NEW JERSEY**

MOTION:

SECOND:

WHEREAS, after due notification and advertisement pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the City of Cape May received and opened sealed bids for the above-referenced project on March 14, 2017; and

WHEREAS, five bids were received for this project, the lowest of which was submitted by Jerry & Son Excavating, Inc.; and

WHEREAS, that bid has been reviewed by the City Engineer and appears to be competitive and advantageous and is within the engineer's estimate for the project; and

WHEREAS, both the City Engineer and the City Solicitor have reviewed the bid and have determined that it complies in all respects with the bid specifications and the requirements of the Local Public Contracts Law; and

WHEREAS, it accordingly appears that Jerry & Son Excavating, Inc., is the lowest responsible bidder on the project, in the amount of \$139,530.23, and that award of the contract to Jerry & Son Excavating, Inc., is in the best interest of the City of Cape May; and

WHEREAS, the City's Chief Financial Officer has certified the availability of funds to pay the contract amount

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cape May, County of Cape May, State of New Jersey, that:

1. The Recital paragraphs are incorporated as if fully set forth.
2. The City Council hereby authorizes the award of Contract No. M-12, for the 1200 Block of Cape May Avenue, Jerry & Son Excavating, Inc., in the amount of \$139,530.23.
3. The Mayor, City Manager and other appropriate City officials are authorized to take all steps necessary to consummate and effectual that contract, in accordance with the bid specifications and the requirements of the Local Public Contracts Law.
4. This Resolution shall take effect immediately upon passage, according to law.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 21, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

Cc: Engineer
Project File

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 91-03-2017

A 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

MOTION:

SECOND:

WHEREAS, the City Council of the City of Cape May is subject to certain requirements of the Open Public Meetings Act, N.J.S.A 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the City Council of the City to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- _____ (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- _____ (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- _____ (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information, relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- X (4) Matters Relating to Collective Bargaining Agreement: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body – Fire Department
- _____ (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

_____ (6) Matters relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.

X (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer
-Pella, LLC – Adis, Inc.

X (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting – City Manager

_____ (9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, assembled in public session on March 21, 2017, that an Executive Session closed to the public shall be held on this date beginning at 6:00 P.M. in the City Hall Building of the City of Cape May, 643 Washington Street, Cape May for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the City Council that the public interest will no longer be served by such confidentiality.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 21, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 92-03-2017

**RESOLUTION AUTHORIZING BIDS FOR LEASE
OF 702 BEACH AVENUE, CAPE MAY, NEW JERSEY**

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") currently owns property known as 702 Beach Avenue, Cape May, New Jersey (the "Property"), which is a full service restaurant most recently known as Angelos; and

WHEREAS, the City Council has determined that it is in the City's best interest to accept bids in order to lease the Property for a three (3) year term, a five (5) year term or a five (5) year term with a five year (5) option commencing on March 1, 2017 and ending on February 28, 2020.

NOW, THEREFORE, BE IT RESOLVED, by the City of Cape May, County of Cape May, State of New Jersey, as follows:

1. That the City Council hereby approves the acceptance of sealed bids for a Lease of the Property pursuant to the terms and conditions and execution of the Bid Information Packet attached hereto as EXHIBIT A and by this reference made a part hereof.

2. In accordance with the New Jersey Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., as well as the provisions of N.J.S.A. 40:61-36, the City Council hereby authorizes the lease of the Property to the highest responsible bidder at a public auction to be conducted at the Cape May City Hall Auditorium on Wednesday, April 5, 2017 at 11:00 A.M.; subject to the required newspaper advertisements and in compliance with the Bid Information Packet.

3. That the City Manager along with all other appropriate City officials are hereby authorized and directed to take all actions necessary to effectuate the terms and conditions of this resolution in accordance with applicable law.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held March 21, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

CITY OF CAPE MAY

RESOLUTION NO. 93-03-2017

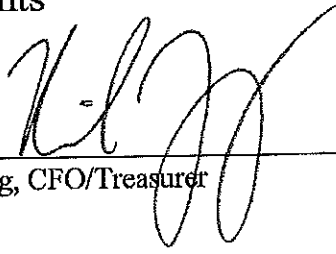
RESOLUTION FOR THE PAYMENT OF BILLS

MOTION:

SECOND:

BE IT RESOLVED by the City Council of the City of Cape May, that the following bills, approved for payment by the City Manager, be paid and that the Chief Financial Officer/Treasurer of the City of Cape May, is hereby authorized to draw orders for the amounts of same, as shown on bill list dated March 17, 2017 for the amount of: \$1,348,797.56

Current Fund Appropriations	\$ 1,240,843.51
Water/Sewer Utility Operating Fund	\$ 21,548.90
Tourism Utility Fund	\$ 29,874.36
General Capital Improvements	\$ 11,494.09
Water/Sewer Capital Improvements	\$ 32,129.20
Escrow Special Account	\$ 6,149.50
Trust Fund	\$ -
Grant Fund	\$ 160.00
Beach Utility Fund Appropriations	\$ 6,598.00
Beach Utility Capital Improvements	\$ -
	<u>\$ 1,348,797.56</u>



Neil Young, CFO/Treasurer

Roll Call	Aycs	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 21, 2017.

Patricia Harbora, City Clerk

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 94-03-2017

**RESOLUTION AUTHORIZING PARTICIPATION IN THE NATIONAL
COOPERATIVE PURCHASING ALLIANCE**

MOTION:

SECOND:

WHEREAS, N.J.S.A. 52:34-6.2 (b) P.L. 2011, c.139 was enacted into law permitting agencies to use national purchasing cooperatives; and

WHEREAS, the City of Cape May desires to participate in National Cooperative Purchasing Alliance "NCPA" in order to effect substantial economies in the purchase of materials, supplies and services; and

WHEREAS, it is the intent of the City of Cape May to utilize these contracts on an as-needed basis during the National Cooperative Purchasing Alliance Contract terms; and

WHEREAS, the City of Cape May may enter into contractual agreements with the above referenced National Cooperative Purchasing Alliance Vendors through this resolution and properly executed contracts/purchase orders, which shall be subject to all the conditions applicable to the current New Jersey Local State Public Contracts Law; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cape May, the governing body thereof, authorizes the purchase of certain goods or services from various approved National Cooperative Purchasing Alliance Vendors, pursuant to all conditions of the individual contracts and in compliance with New Jersey State Public Contracts Law; and

BE IT FURTHER RESOLVED, that the National Cooperative Purchasing Alliance vendors and their corresponding contracts may change during the timeframe indicated below and that the City is hereby authorized to make necessary adjustments, as may be required, for the City to continue its routine procurement practices throughout the indicated timeframe; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the City of Cape May and National Cooperative Purchasing Alliance Vendors shall be for the time period referenced in the National Cooperative Purchasing Alliance contract

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 21st 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

cc: CFO
Purchasing Agent
File

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 95-03-2017

RESOLUTION FOR PARKING METER SERVICES

Motion:

Second:

WHEREAS, the City of Cape May has a need to acquire Parking Meter Services; and

WHEREAS, ParkMobile of Atlanta, Georgia has submitted a Marketing Agreement for "Parking Meter Services" through the National Cooperative Purchasing Alliance contract number 05-19; and

WHEREAS, ParkMobile of Atlanta, Georgia has submitted a Marketing Agreement for "Parking Meter Services" through the NCPA contract number 05-19; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cape May that the a contract be entered into with the above described contractor described herein; and,

BE IT FURTHER RESOLVED that if required, by state law, Notice of their award shall be published in the appropriate edition of the Cape May Star and Wave newspaper.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 21st 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

cc: CFO
Superintendent, Dept. of Public Works
Purchasing Agent

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 96-03-2017

**RESOLUTION SUPPORTING CONTINUED PARTICIPATION IN THE
SUSTAINABLE JERSEY™ MUNICIPAL CERTIFICATION PROGRAM
GREEN TEAM**

MOTION:

SECOND:

WHEREAS, the City Council of the City of Cape May strives to save tax dollars, assure clean air and water, build on its strong ecotourism base, improve working and living environments to build a community that is sustainable and resilient economically, environmentally and socially, a community which would thrive well into the new century; and

WHEREAS, the City Council of the City of Cape May wishes to continue building a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to maintain the focus on “Green” issues, the City Council wishes to authorize the continuation of a Cape May City Green Team; and

WHEREAS, the City Council of the City of Cape May originally began the process of focusing on “Green” issues by creating a Cape May City Green Team by means of Resolution No. 36-02-2011 and continued under the authorization of Resolution No. 105-05-2014 and Resolution No. 113-06-2016; and

WHEREAS, the City Council of the City of Cape May has made its operations greener and more environmentally friendly by conducting energy audits of the City’s facilities and implementing the recommended upgrades/improvements through grants and rebates; and

WHEREAS, solar power, high efficiency buildings, changes to fleet purchasing and maintenance, complete streets programs, waste reduction, recycling improvements, buy local programs, water quality improvements, green purchasing and operational changes have all been utilized as the City moves to do their share to lessen the environmental impact of its operations.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cape May that we hereby authorize the continuation of the Cape May City Green Team consisting of members who shall be residents, property owners, business owners/operators or employees of the City of Cape May or any entity located in the City of Cape May, appointed annually, but whose initial term or appointment shall be through December 31, 2018.

NOW, THEREFORE, BE IT FINALLY RESOLVED, by the City Council of the City of Cape May that the following persons are hereby re-appointed or appointed to the Green Team. (See Exhibit “A” attached hereto.)

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 21, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

EXHIBIT A

GREEN TEAM MEMBERS

Patricia Hendricks – Councilmember, Business Person/ Environmental Commission
Joe Picard – Superintendent of Public Works; Deputy Emergency Management Coordinator;
Planning Board Member
Carl Behrens – Superintendent of Water and Sewer
Clarence Lear, III - Mayor
Susan Wichterman – Shade Tree Commission
Warren Coupland – Historic Preservation Commission
Dan Shustack – Purchasing
John Van De Vaarst – Zoning Board
Sandy Sandmeyer-Bryan – Teacher, Cape May Elementary School
Heather Bruno – Secretary, Environmental Commission
Neil Young – Interim City Manager
James Rutala – Environmental Consultant
Tracie Cicchitti – President, Chamber of Commerce of Greater Cape May
Reverend Jeffrey Elliott – Pastor, Cape May Lutheran Church & Team Chair

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 97-03-2017

**RESOLUTION SUPPORTING THE UNITED STATES COAST GUARD AND
OPPOSING BUDGET CUTS TO THE COAST GUARD BUDGET**

MOTION:

SECOND:

WHEREAS, The United States Coast Guard Training Center in Cape May, New Jersey is the fifth largest Coast Guard base in the United States and the only site for recruit training; and

WHEREAS, The Coast Guard's entire enlisted workforce begins its service in Cape May where untested recruits are transformed into proficient Guardsmen; and

WHEREAS, Cape May's role as host of our naval forces is historic, long-lived and proudly embraced; and

WHEREAS, the Coast Guard defends our homeland and provides critical coastal security; and

WHEREAS, the President's proposed budget includes a billion-dollar reduction in the Coast Guard budget thus impairing the Coast Guard's maritime security force and adversely affecting domestic safety, drug interdiction and rescue operations;

NOW, THEREFORE, LET IT BE RESOLVED, by the City of Cape May that we urge the New Jersey congressional delegation, the United States Congress and President Donald J. Trump to maintain, if not increase, resources for the United States Coast Guard to continue its vital mission

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 21, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

cc: USCG