

**REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, June 21, 2011 – 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. Wednesday, June 21, 2011, in the Cape May City Hall Auditorium. The Clerk called the roll.

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

COUNCIL COMMENTS

PRESENTATION

Visioning Statement – Plan Endorsement. Mayor Mahaney introduces Craig Hurless, Professional Planner and Engineer, and Dennis Crowley, and Linda Steenrod, Plan Endorsement Committee Co-Chair and member, respectively.

Craig Hurless makes the presentation. He advises that we are here tonight to adopt the community vision statement. The statement is a result of numerous public meetings in which public input was solicited with a twenty year planning horizon. The purpose of this process is to increase the degree of consistency among municipalities, county, regional and state agencies to plan with each other and develop consistency so that State planning goals are met and we are all planning for a sustainable future. There are many benefits to the Plan Endorsement process advises Mr. Hurless, which include technical assistance and priority state funding. Mr. Hurless speaks about the final five steps of the process and the projected date for receiving the approved statement which he calculates will be in approximately six to seven months.

Deputy Mayor Wichterman asks Mr. Hurless how the City of Cape May will benefit from this statement. Mr. Hurless advises that the State Planning Act expired and the City of Cape May is located in an environmentally sensitive area. One of the immediate benefits of this statement is that the City of Cape May may request an interim allowance to have Permit Extension Act reinstated until the final draft is accepted and in addition, Mr. Hurless states there are numerous State Agencies that can provide funding, planning, business and advertising assistance. There is an entire booklet dedicated to Plan Endorsement benefits and Mr. Hurless will provide same to Mayor and Council.

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

Mayor Mahaney asks to add Resolution 141-06-2011, a Resolution to fix the date and time for the annual reorganization, as well as to add an additional topic, IAFF Firefighters Contract Negotiations, to Resolution 140-06-2011

Motion: Wichterman

Second: Swain

Roll Call:

Fiocca	Absent
Murray	Yes
Swain	Yes
Wichterman	Yes
Mahaney	Yes

ORDINANCES FOR INTRODUCTION

236-2011 Bond Ordinance providing the beach replenishment projects in and by the City of Cape May, in the County of Cape May, New Jersey, appropriating \$300,000 therefor and authorizing the issuance of \$200,000 bonds or notes of the City for financing the cost thereof

Mayor asks for motion to introduce Ordinance 235-2011.

Motion: Wichterman

Second: Swain

Roll Call:

Fiocca	Absent
Murray	Yes
Swain	Yes
Wichterman	Yes
Mahaney	Yes

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

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

- 131-06-2011 Resolution authorizing submission of vision statement and support materials to the Office of Smart Growth
- 132-06-2011 Resolution approving shared services agreement between the City of Cape May and the County of Cape May for electronic data storage
- 133-06-2011 Release of performance guarantee for Steger Beach Service
- 134-06-2011 Providing for the insertion of a special item of revenue in the budget pursuant to Chapter 159, PL 1948
- 135-06-2011 Resolution authorizing a shared services agreement with the Cape May County Municipal Utilities Authority for solid waste disposal and recycling services
- 136-06-2011 Resolution approving liquor license renewals for the 2011-2012 license year
- 137-06-2011 Authorization for Remington and Vernick Engineers to provide professional services for the FY2011 Small Cities CDBG Program-Public facilities ADA improvements
- 138-06-2011 Payment of bills A
- 139-06-2011 Resolution approving agreement between Craig Testing Laboratories, Inc. and the City of Cape May
- 140-06-2011 Resolution of the City of Cape May 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* – negotiation of professional reorganization contracts, as amended
- 141-06-2011 Resolution to fix the date and time for the annual reorganization

Questions are accepted from the audience.

Linda Steenrod asks about Resolution 133, and specifically whether it deals with the Lutheran Church. The City Clerk advises that the Resolution contains a typographical error and she apologizes. Mrs. Steenrod asks if Resolution 136 includes all the City’s Liquor Licenses and Mayor Mahaney responds that it includes all but Carneys. Mrs. Steenrod asks if the cost of the Contract with Craig Testing Laboratories, Inc. was included in the cost of building the new convention hall and the answer is yes.

Dennis Crowley inquires as to whether the City anticipated the income as set forth in Resolution 134 and the response is yes.

Mayor Mahaney moves that Resolution 138-06-2011 B be withdrawn from the Consent Vote and that Resolution 133-06-2011 be amended to correct the typos by removing the words Cape May City Lutheran Church and adding in their place, Steger Beach Service.

Motion: Mahaney
 Second: Wichterman

Councilmember Murray asks to amend the Mayor’s Motion by offering the exact wording for the resolution, as follows: Delete the words in the third paragraph, “the Cape May City Lutheran Church” and substitutes therefore, “Steger Beach Service.”

Motion: Murray
 Second: Mayor

Roll Call:

Fiocca	Absent
Murray	Yes
Swain	Yes
Wichterman	Yes
Mahaney	Yes

138-06-2011 Payment of bills B

Motion: Wichterman

Second: Murray

Roll Call:

Fiocca	Absent
Murray	Yes
Swain	Abstain
Wichterman	Yes
Mahaney	Yes

REPORTS RECEIVED BY THE CLERK:

Assessors Office monthly report dated June 8, 2011

Environmental Commission meeting minutes dated May 10, 2011

Police Department monthly report for May, 2011

Construction office monthly report for May, 2011

WSM Management Co., Inc. meeting minutes dated May 2, 2011

Monthly report of tax collections for the period ending 4/30/2011

Fire Department monthly report dated May, 2011

Shade Tree Commission meeting minutes dated May 12, 2011

Overtime report for April and May, 2011

700,000 gallon Madison Avenue elevated water storage tank condition assessment report

Motion: Wichterman

Second: Swain

Roll Call:

Fiocca	Absent
Murray	Yes
Swain	Yes
Wichterman	Yes
Mahaney	Yes

NEW BUSINESS:

A) City Attorney

B) City Manager – City Manager Bruce MacLeod gives an update on the Convention Hall project including some of the activities and work that is currently being performed. He begins by advising that the initial stages of the project encompassed administrative activities and the preparation and submission of shop drawings. The pile-driving contract has been finalized and

the final as-builts have been submitted. All of the piles have a center core which require grouting, and that job will be performed by the general contractor, advises Mr. MacLeod. He explains the process of the concrete pouring, and the rebar work and advises that the initial concrete work will begin next Monday. The process will last approximately ten weeks and when that process begins, five to ten truck deliveries of concrete will enter the City per day. Mr. MacLeod comments that the City has met with representatives of Atlantic City Electric and South Jersey Gas to verify locations for the placement of utility lines and scheduling and as a result of those meetings, it has been determined that we will have the opportunity to eliminate two telephone poles presently located on the promenade, thereby creating a more aesthetic appearance. The City Manager advises that by the end of summer, we will be installing floor planking and erecting some of the steel framework. Councilmember Murray inquires as to the truck route and Mr. MacLeod advises trucks will enter the City through Broadway, turn left onto Beach Avenue and proceed to the work site. After delivery, the trucks will continue in an easterly direction on Beach Avenue, turn left onto Pittsburgh Avenue, and exit the City. Mayor Mahaney thanks Deputy Mayor Wichterman for participating in the weekly meetings held to manage the convention hall project and asks the City Manager to explain to the public the steps the City is taking to ensure the safety of motorists and pedestrians traversing the area of the work site. Mr. MacLeod complies by advising that the City has installed a second chain link fence in front of the work area which will remain open when work is not being performed so that pedestrians may cross in front of the site. In addition, Mr. MacLeod advises that two seasonal police officers will be stationed at the site when deliveries are expected to assist with the direction and control of vehicular traffic and also assist pedestrians.

Mr. MacLeod then speaks about a request from the Business Improvement District and Ms. Swain distributes a rough drawing of their request for review and approval. As part of the greeter program the BID proposes that an individual with a Cart will be positioned on the Mall at strategic times during the day to answer questions and offer information to tourists. The suggested length of the program will be from the beginning of July through August. This proposal is for providing information only and nothing will be sold from the kiosk states Mr. MacLeod. Ms. Swain advises that this request surfaced after the last Décor Meeting and that the BID Board has not yet reviewed the proposal. Because of the lateness of the request, Mayor and Council ask that the BID submit their proposal for consideration well in advance of next summer.

Mr. MacLeod advises that the Kiwanis Pancake Breakfast will take place on Saturday, July 2, 2011. Also on July 2, 2011, the Independence Parade will commence at 1:00 P.M. on Beach Avenue. On July 4, 2011, our fireworks extravaganza will begin at dusk.

C) City Clerk

D) Councilmembers – Mayor Mahaney follows up regarding the reorganization meeting on July 1, 2011 at noon. Thereafter, the next reorganization meeting will be in January. On Sunday, July 3, 2011 the Coast Guard will hold their second Sunset Parade at the base. The Mayor would like to give full credit to the members of the Plan Endorsement Advisory Committee, Dennis Crowley and Merle Nelson, Co-Chairs, Bill Murray, Linda Steenrod, Arnold Pitman, Andy Fontaine and Mary Rothwell. Finally, the City will be erecting three signs adjacent to the Convention Hall project, to let visitors and residents know about the project.

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.

Linda Steenrod, 1011 Washington Street, Cape May, NJ asks Mr. MacLeod if the concrete trucks will go out over the bridge or go back through Broadway. Mr. MacLeod advises they will go out over the bridge. She comments that the cones that are set up in front of the construction site are being moved and cars are parking in the restricted area. Mr. MacLeod advises he will speak to the Police Department to correct the situation. Ms. Steenrod thinks the BID's idea of a greeter is a good idea but she doesn't like the idea of the cart.

Dennis Crowley, 806 Lafayette Street, Cape May, NJ asks about the Lifeguard Championships that are being held between August 3 and August 6, 2011. Mayor Mahaney advises the City has been working closely with the United States Lifesaving Association and their Public Relations arm, as well as the local organizing committee. The Mayor advises that the local media outlets have been notified for filming and interviewing opportunities. In addition, the event has been highly publicized by the City's Civic Affairs Department. Mr. MacLeod advises that Buzz Mogck will be attending the July 5, 2011 Worksession to update everyone on the event.

COUNCIL & CITY MANAGER COMMENTS

CLOSED: negotiation of professional reorganization contracts and IAFF Contract.

Motion made by Wichterman, seconded by Swain to go into closed session. The regular meeting adjourned at 8:10 P.M..

Motion made by Deputy Mayor Wichterman to go back into open session. Motion made by Deputy Mayor Wichterman to adjourn the meeting. Meeting adjourned at approximately 8:50 P.M.

Edward J. Mahaney, Jr., Mayor

Jack Wichterman, Deputy Mayor

ABSENT
Deanna Fiocca, Councilmember

Terri L. Swain, Councilmember

William H. Murray, Councilmember

Diane L. Weldon, City Clerk

