

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

**RESOLUTION NO. 195-08-2015**

**RESOLUTION OF THE CITY OF CAPE MAY AUTHORIZING  
CHANGE ORDER NO. 2 – FINAL FOR FY 2014 NJDCA SMALL  
CITIES CDBG PROGRAM**

**MOTION:**

**SECOND:**

**WHEREAS**, the City of Cape May is currently under contract with Charles Marandino, LLC for the FY 2014 NJDCA Small Cities CDBG Program; and

**WHEREAS**, it is requested that the City authorize Change Order No. 2 - Final to reflect the following listed below:

1. Due to the conditions of the existing pavement, unforeseen concrete removal within the pavement sections was necessary;
2. As built quantity adjustments.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cape May, as follows:

1. The Mayor is hereby authorized to execute and sign Change Order No. 2 - Final to the contract with Charles Marandino, LLC in the amount of \$22,119.00. The previous contract amount of \$612,991.00 is increased to \$635,110.00, or an overall contract increase of 12.93%.

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 August 18, 2015.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Meier				
Pessagno				
Wichterman				
Swain				
Mahaney				

cc: Chief Financial Officer  
Supt. of Public Works  
Remington Vernick & Walberg Engineers

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

**RESOLUTION 196-08-2015**

**REFUND OF OVERPAID 2015 TAXES**

**MOTION:**

**SECOND:**

**WHEREAS**, the 3<sup>rd</sup> quarter 2015 property taxes were paid by CoreLogic Tax Service and the Title Company of New Jersey; and

**WHEREAS**, the Title Company of Jersey has requested a refund; and

**WHEREAS**, the Tax Collector of the City of Cape May has calculated the amount of the refund as listed below; and

**WHEREAS**, the specific properties and amount of the overpaid taxes are listed below:

<b>PROPERTY OWNER</b>	<b>ADDRESS</b>	<b>BLOCK/LOT</b>	<b>AMOUNT</b>
Duke, John P	1331 Wisconsin Ave.	1159/26	\$893.12
Schultz, David A. and Davidson, Susan	15 Broadway	1018/18 c-27	\$959.93

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cape May, that it authorizes the appropriate officers and officials of the City of Cape May to refund the overpaid taxes as stated above.

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 August 18, 2015.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Wichterman				
Meier				
Pessagno				
Swain				
Mahaney				

cc: CFO  
Tax Collector

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

**RESOLUTION 197-08-2015**

**REFUND OF OVERPAID 2015 TAXES**

**MOTION:**

**SECOND:**

**WHEREAS**, the 2<sup>nd</sup> quarter 2015 property taxes were overpaid because of the 2012 Homestead Rebate issued by the State of New Jersey, and the property is now 100% tax exempt; and

**WHEREAS**, the homeowner has requested a refund; and

**WHEREAS**, the Tax Collector of the City of Cape May has calculated the amount of the refund as listed below; and

**WHEREAS**, the specific property and amount of the overpaid taxes are listed below:

<b>PROPERTY OWNER</b>	<b>ADDRESS</b>	<b>BLOCK/LOT</b>	<b>AMOUNT</b>
Brownstein, Steven & Donna Lee	1123 Illinois Ave.	1123/23	\$248.96

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cape May, that it authorizes the appropriate officers and officials of the City of Cape May to refund the overpaid taxes as stated above.

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 August 18, 2015.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Wichterman				
Meier				
Pessagno				
Swain				
Mahaney				

cc: CFO  
Tax Collector

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

**RESOLUTION NO 198-08-2015**

**COUNTY OF CAPE MAY PARK/RECREATION DEVELOPMENT APPLICATION  
FOR LAFAYETTE STREET PARK**

**MOTION:**

**SECOND:**

**WHEREAS**, the County of Cape May provides grants to municipal governments and grants for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the City of Cape May desires to further the public interest by obtaining funding from the County to fund the Lafayette Street Park located on Lafayette Street immediately adjacent to the Cape May City Elementary School;

**WHEREAS**, the City is willing to use the County's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County for the above named project;

**NOW, THEREFORE**, the governing body/board resolves that Dr. Edward J. Mahaney, Jr. or the successor to the office of Mayor is hereby authorized to:

- a. Make application for such a grant; and
- b. Provide additional application information and furnish such documents as may be required; and
- c. Act as the authorized correspondent of the above named applicant.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the City Council of the City of Cape May:

1. That the Mayor of the above named body is hereby authorized to execute an agreement and any amendment thereto with the State known as the Lafayette Street Park;
2. That, in the event the County's funds are less than the total project cost specified above, the City has the balance of funding necessary to complete the project;
3. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
4. That this resolution shall take effect immediately.

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 August 18, 2015.

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Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Wichterman				
Meier				
Pessagno				
Swain				
Mahaney				

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

RESOLUTION NO. 199-08-2015

RESOLUTION APPROVING MEMORANDUM OF SETTLEMENT BETWEEN THE  
CITY OF CAPE MAY AND THE UAW

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") is a party to several Collective Bargaining Agreements with bargaining units that are represented by the United Auto Workers AFL-CIO Local 2327 (the "Union");

WHEREAS, the Union, as the bargaining representative for the Clerical Workers Bargaining Unit and the Public Works/Water and Sewer Employees Bargaining Unit, filed two (2) grievances in connection with the utilization of part-time workers that were not included in either of the aforementioned bargaining units (the "Dispute");

WHEREAS, the City of Cape May (the "City") and the Union have resolved all issues associated with the Dispute and have negotiated and executed a Memorandum of Settlement which is attached hereto as EXHIBIT A (the "Settlement Agreement");

WHEREAS, the Settlement Agreement has been ratified by the Union; and

WHEREAS, the City desires to approve the Settlement Agreement.

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

1. That the Dispute is hereby resolved in accordance with the Settlement Agreement, a copy of which is attached hereto as EXHIBIT A and by this reference made a part hereof.
2. That the Mayor and Clerk, as the appropriate authorized signatories on behalf of the City, are hereby authorized and directed to execute the Settlement Agreement.
3. That the City Manager and all other appropriate City officials are directed and authorized to take any and all action necessary to effectuate the terms and conditions set forth in the Settlement Agreement.

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 August 18, 2015.

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Louise Cummiskey, City Clerk

<b>Roll Call</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Dr. Mahaney</b>				
<b>Mr. Meier</b>				
<b>Ms. Pessagno</b>				
<b>Ms. Swain</b>				
<b>Mr. Wichterman</b>				

CITY OF CAPE MAY

RESOLUTION NO. 200-08-2015A

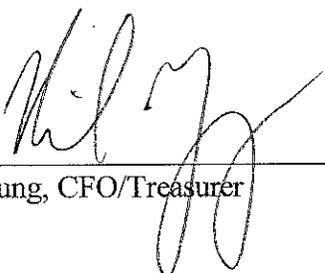
RESOLUTION FOR THE PAYMENT OF BILLS

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 August 14, 2015 for payments excluding those related to Swain's Ace Hardware Inc. Total Bill List: \$1,854,879.31.

Current Fund Appropriations	\$	841,886.04
Water/Sewer Utility Operating Fund Appropriations	\$	708,134.88
Tourism Utility Fund	\$	59,783.42
General Capital Improvements	\$	106,734.06
Water/Sewer Capital Improvements	\$	6,107.87
Escrow Special Account	\$	150.00
Trust Fund	\$	3,256.35
Grant Fund	\$	7,345.34
Beach Utility Fund Appropriations	\$	59,941.85
Beach Utility Capital Improvements	\$	59,762.64
	<u>\$</u>	<u>1,853,102.45</u>

  
\_\_\_\_\_  
Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Swain				
Wichterman				
Pessagno				
Meier				

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 August 18, 2015.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

CITY OF CAPE MAY

RESOLUTION NO. 200-08-2015B

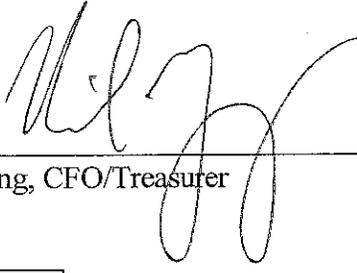
RESOLUTION FOR THE PAYMENT OF BILLS

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 August 14, 2015 for payments related to Swain's Ace Hardware Inc:  
Total Bill List: \$1,854,879.31.

Current Fund Appropriations	\$	1,221.84
Utility Operating Fund Appropriations	\$	46.94
General Capital Improvements	\$	-
Water/Sewer Capital Improvements	\$	-
Escrow Special Account	\$	-
Trust Fund	\$	-
Tourism Utility	\$	38.75
Grant Fund	\$	-
Beach Utility Fund Appropriations	\$	469.33
Beach Utility Capital Improvements	\$	-
	<u>\$</u>	<u>1,776.86</u>

  
\_\_\_\_\_  
Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Swain				
Wichterman				
Pessagno				
Meier				

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 August 18, 2015.

\_\_\_\_\_  
Louise Cummiskey, City Clerk

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

**RESOLUTION NO. 201-08-2015**

**A RESOLUTION OF THE CITY OF CAPE MAY TO APPROVE  
MEMBER OF CAPE MAY VOLUNTEER FIRE COMPANY**

**MOTION:**

**SECOND:**

WHEREAS, the City of Cape May (the "City") recognizes the Cape May Volunteer Fire Company and its members as part of the Cape May Fire Department for purposes of performing firefighting duties within the City of Cape May;

WHEREAS, pursuant to the Cape May Volunteer Fire Company Constitution and Bylaws, Christopher John Wagner applied for membership with the Cape May Volunteer Fire Company, which has also determined through its Membership Committee that said individual met all of the qualifications for membership and has been determined by the Chief of the Cape May Fire Department to be suitable for performing firefighting functions within the City of Cape May;

WHEREAS, as a condition to his acceptance as member of the Cape May Volunteer Fire Company as well as for membership in the New Jersey State Fireman's Association and to receive State authorized benefits, the Cape May City Mayor and Council are required to approve his acceptance as a member of the Cape May Volunteer Fire Company; and

WHEREAS, the Mayor and Council have reviewed the applicant named above and, based upon the approval of the Membership Committee of the Cape May Volunteer Fire Company and the recommendation of the President of the Cape May Volunteer Fire Company and the Chief of the Cape May Fire Department, the Mayor and Council desire to accept him as a member of the Cape May Volunteer Fire Company.

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

1. That Christopher John Wagner is hereby accepted as a member of the Cape May Volunteer Fire Company and is authorized to perform all required firefighting functions pursuant to the Cape May Volunteer Fire Company's Constitution and Bylaws; subject to compliance with all applicable State training and other requirements.

2. As a member of the Cape May Volunteer Fire Company, Christopher John Wagner is also eligible to receive State authorized benefits to which he is entitled as a member of the New Jersey State Fireman's Association and as a member of the Cape May Volunteer Fire Company.

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 August 18, 2015.

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Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Meier				
Mahaney				
Pessagno				
Ms. Swain				
Wichterman				

cc: Fire Department

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

**RESOLUTION NO. 202-08-2015**

**A RESOLUTION OF THE CITY OF CAPE MAY TO APPROVE  
MEMBER OF CAPE MAY VOLUNTEER FIRE COMPANY**

**MOTION:**

**SECOND:**

WHEREAS, the City of Cape May (the "City") recognizes the Cape May Volunteer Fire Company and its members as part of the Cape May Fire Department for purposes of performing firefighting duties within the City of Cape May;

WHEREAS, pursuant to the Cape May Volunteer Fire Company Constitution and Bylaws, Christopher Stephen Lear applied for membership with the Cape May Volunteer Fire Company, which has also determined through its Membership Committee that said individual met all of the qualifications for membership and has been determined by the Chief of the Cape May Fire Department to be suitable for performing firefighting functions within the City of Cape May;

WHEREAS, as a condition to his acceptance as member of the Cape May Volunteer Fire Company as well as for membership in the New Jersey State Fireman's Association and to receive State authorized benefits, the Cape May City Mayor and Council are required to approve his acceptance as a member of the Cape May Volunteer Fire Company; and

WHEREAS, the Mayor and Council have reviewed the applicant named above and, based upon the approval of the Membership Committee of the Cape May Volunteer Fire Company and the recommendation of the President of the Cape May Volunteer Fire Company and the Chief of the Cape May Fire Department, the Mayor and Council desire to accept him as a member of the Cape May Volunteer Fire Company.

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

1. That Christopher Stephen Lear is hereby accepted as a member of the Cape May Volunteer Fire Company and is authorized to perform all required firefighting functions pursuant to the Cape May Volunteer Fire Company's Constitution and Bylaws; subject to compliance with all applicable State training and other requirements.

2. As a member of the Cape May Volunteer Fire Company, Christopher John Wagner is also eligible to receive State authorized benefits to which he is entitled as a member of the New Jersey State Fireman's Association and as a member of the Cape May Volunteer Fire Company.

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 August 18, 2015.

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Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Meier				
Mahaney				
Pessagno				
Ms. Swain				
Wichterman				

cc: Fire Department

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

**RESOLUTION NO. 203-08-2015**

**RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT  
BETWEEN HATCH MOTT MACDONALD  
AND THE CITY OF CAPE MAY**

**MOTION:**

**SECOND:**

WHEREAS, the City of Cape May (the "City") desires to enter into a Professional Services Agreement with Hatch Mott MacDonald (the "Professional Services Agreement") in the form attached hereto as EXHIBIT A, to provide engineering services which shall include a review of an Investment Grade Audit and Energy Saving Plan to be prepared by Johnson Controls;

WHEREAS, the Professional Services Agreement is awarded pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., which provides for the award of a Professional Services Agreement without competitive bids, and further provides that the resolution authorizing the award and the Professional Services Agreement itself is available for public inspection; and

WHEREAS, Hatch Mott MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald has not made any reportable contributions to a political or candidate committee in the City of Cape May in the previous one year, and that the contract will prohibit Hatch Mott MacDonald from making any reportable contributions through the term of the contract.

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

1. The Professional Services Agreement between Hatch Mott MacDonald, located at 833 Rt. 9 North, P.O. Box 373, Cape May Court House, New Jersey 08210, and the City of Cape May, in the form attached hereto as EXHIBIT A, for a lump sum amount of Sixteen Thousand Five Hundred (\$16,500.00) Dollars is hereby authorized.

2. That the Mayor and Clerk are hereby authorized and directed to execute the Professional Services Agreement on behalf of the City of Cape May, and to take any and all other actions necessary to effectuate the purposes thereof.

3. That the Professional Services Agreement has been reviewed and approved by the City Solicitor as to form, content and legal procedure.

4. This resolution is contingent upon the Professional Services Agreement being executed by the Mayor and City Clerk within thirty (30) days from the date of this resolution.

5. A Notice of Award of Professional Services Agreement for the above services shall be published in the *Cape May County Herald Times/Cape May County Herald*.

6. The Business Disclosure Entity Certification shall be placed on file with this resolution.

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 August 18, 2015.

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Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Dr. Mahaney				
Mr. Meier				
Ms. Pessagno				
Ms. Swain				
Mr. Wichterman				