

**SPECIAL MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Wednesday, April 1, 2015, 1:00 P.M.**

Present: Mayor Edward J. Mahaney, Jr.
Councilmember Shaine P. Meier
Councilmember Beatrice Pessagno
Deputy Mayor Terri L. Swain

Also Present: City Attorney Anthony Monzo
City Manager Bruce MacLeod
City Clerk Louise Cummiskey
Deputy Clerk Patricia Harbora

Mayor Mahaney announced that under the Open Public Meetings Law, notice of this meeting was sent to the Cape May County Herald 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

Mayor Mahaney announces that the purpose of the Special Meeting is for Council to appoint a candidate to fill the vacant City Council seat until the General Election.

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

DISCUSSION

Anthony Monzo, City Attorney, explains the New Jersey State Statute governing a vacancy in a non-partisan municipality. The Governing Body may, within 30 days, appoint a successor to fill a vacancy without regard to a party until the next General Election. The Governing Body may also decline to fill the vacancy and in that event, the vacancy would be filled after the next General Election.

Councilmember Pessagno advised that she contacted Tom Carroll and William Bezaire, asking if they would be interested in filling the vacancy. Both are unable to serve at this time advises Ms. Pessagno. Ms. Pessagno also tried to contact Diane Hutchinson, but was unable to get in touch with her.

Deputy Mayor Swain nominates Jack Wichterman. Because of his previous service as Deputy Mayor and Councilman, Ms. Swain feels Mr. Wichterman has the experience needed to serve for the next seven to eight months.

Councilmember Meier is open to anyone who is willing to serve on Council who has Cape May's best interest in mind.

Mayor Mahaney states that the current vacancy was not created by Council and in his many years serving on Council, he only remembers a few times that a councilmember had to be appointed to fill a vacancy. Mayor Mahaney feels that fewer people are willing to serve on Council nationwide, due to training, lack of time and exposing their life and family to public scrutiny. Mayor Mahaney sounded out some possibilities for candidates to fill the vacant seat, but found no interested candidates. Mayor Mahaney agrees with Ms. Swain that Mr. Wichterman has the knowledge and the experience to fill the unexpired seat.

Ms. Pessagno agrees to appoint Mr. Wichterman to fill the vacant seat.

Councilmember Meier moves to appoint Jack Wichterman to fill the vacant Council seat until the next General Election.

Motion: Meier
Second: Pessagno

REGULAR MEETING BUSINESS

RESOLUTIONS:

85-04-2015 – Resolution of the City of Cape May to Appoint John W. Wichterman to Fill the Vacant City Council Seat

Motion: Mahaney
Second: Swain
Roll Call:
Meier Yes
Pessagno Yes
Swain Yes
Mahaney Yes

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.

Jerry Gaffney 810 Columbia Avenue, Cape May asks if Mr. Wichterman needs to be sworn in today at the Council Meeting.

Mayor Mahaney advises that the candidate only has to be appointed at this Council Meeting.

Mr. Monzo advises that the State Statute has no limitation for swearing in a candidate.

Laura DeCamillo, 1350 Virginia Avenue, Cape May asks Council why the candidates that ran in the November Election weren't approached to fill the vacant council seat.

Mr. MacLeod advises that he saw John Van de Vaarst last night and Mr. Van de Vaarst advised that he was not interested in the appointment.

Mayor Mahaney advises that Council did not create the vacancy.

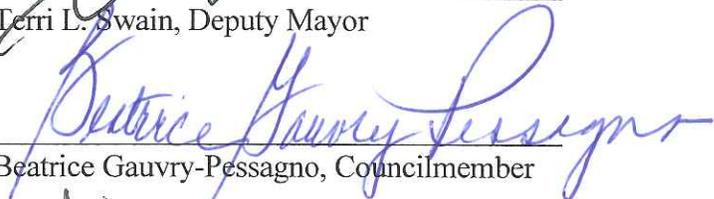
Patricia Hendricks, 106 Trenton Avenue, Cape May comments that her understanding of the Statute regarding the vacant seat is that the seat is not required to be filled until the next General Election. Ms. Hendricks talks about the 2012, 2013 and 2014 operating expense and revenue reports regarding Cape May City Convention Center.

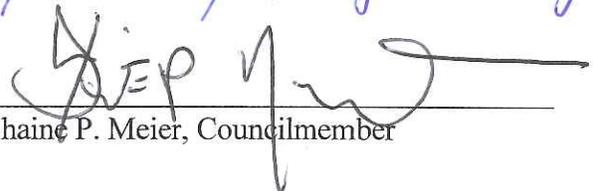
ADJOURNMENT

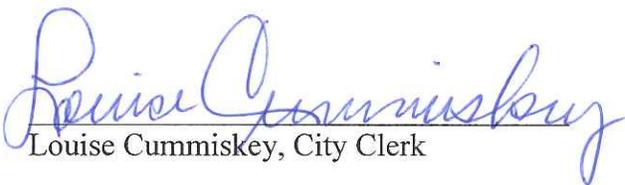
Motion made by Councilmember Pessagno seconded by Deputy Mayor Swain to adjourn. The meeting adjourned at 1:20 P.M.


Edward J. Mahaney, Jr., Mayor


Terri L. Swain, Deputy Mayor


Beatrice Gauvry-Pessagno, Councilmember


Shaine P. Meier, Councilmember


Louise Cummiskey, City Clerk