

**REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, April 21, 2015, 7:00 P.M.**

Present: Mayor Edward J. Mahaney, Jr.
Councilmember Meier
Councilmember Pessagno
Deputy Mayor Swain
Councilmember Wichterman
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.

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

107-04-2015 – Resolution Designating First Full Week of May Each Year as “Coast Guard Community Week” in Cape May City and County and Establishing 2015 “Coast Guard Community Festival” **REMOVED FROM CONSENT AGENDA**

Mayor Mahaney invites Captain Todd Prestige to join Council for the reading of Resolution No. 107-04-2015

Louise Cummiskey, City Clerk, reads Resolution 107-04-2015 in full.

Captain Todd Prestige, USCG Training Center thanks City Council for the Proclamation and looks forward to another 100 year relationship with the City of Cape May. Captain Prestige announces the First Coast Guard Community Festival in Cape May on Friday, May 8, 2015 at 5:30 P.M. and Saturday, May 9, 2015 from 9:00 A.M. to 5:00 P.M. All festivities are open to the public.

Resolution 107-04-2015

Motion: Mahaney
Second: Wichterman

Roll Call:
Meier Yes
Pessagno Yes
Swain Yes
Wichterman Yes
Mahaney Yes

PROCLAMATION:

Arbor Day
United States Coast Guard Community Week

Jay Schatz, Chairman Shade Tree Commission accepts the Arbor Day Proclamation.

REGULAR MEETING BUSINESS

ORDINANCES FOR INTRODUCTION:

292-2015 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE CITY OF CAPE MAY, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$1,499,675 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,424,691 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

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

293-2015 BOND ORDINANCE PROVIDING FOR VARIOUS WATER AND SEWER UTILITY IMPROVEMENTS IN AND BY THE CITY OF CAPE MAY, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$994,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$994,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

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

294-2015 BOND ORDINANCE PROVIDING FOR VARIOUS BEACH UTILITY IMPROVEMENTS IN AND BY THE CITY OF CAPE MAY, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$198,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$198,100 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

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

Bruce MacLeod, City Manager reports that a Supplemental Debt Statement was prepared and forward to the DLGS for the three Bond Ordinances.

RESOLUTIONS:

- 99-04-2015 – Resolution Authorizing Utility Bill Adjustments Due to Catastrophic Occurrence
- 100-04-2015 – Resolution Appointing Member to Shade Tree Commission of the City of Cape May
- 101-04-2015 – Resolution Providing for the Insertion of a Special Item of Revenue in the Budget Pursuant to Chapter 159 PL 1948
- 102-04-2015 – Resolution authorizing the filing of an Application for Municipal Recycling Tonnage Grant for the Year 2014
- 103-04-2015 – Payment of Bills “A”
- 103-04-2015 – Payment of Bills “B” – **REMOVED FROM CONSENT AGENDA**
- 104-04-2015 – Resolution Authorizing Refund of Overpaid 2015 Utilities
- 105-04-2015 – Resolution to Award Bid Security Fencing at Madison Avenue **TABLED**
- 106-04-2015 – Resolution Terminating Agreement between Encore Series, Inc. and the Philly POPS and the City of Cape May
- 107-04-2015 – Resolution Designating First Full Week of May Each Year as “Coast Guard Community Week” in Cape May City and County and Establishing 2015 “Coast Guard Community Festival” **REMOVED FROM CONSENT AGENDA**

Patricia Hendricks, 106 Trenton Avenue, Cape May asks for Resolution 106-04-2015 to be read in its entirety. Ms. Hendricks would like future Resolutions read in full at all Council meetings.

Jerry Gaffney, 810 Columbia Avenue, Cape May asks why the resolution for the Philly POPS was terminated.

The Mayor gives an explanation on the Concert cancellation.

Mr. Gaffney questions the replacement and cost for the fencing around the Madison Avenue water tank.

Mr. MacLeod provides a breakdown of the total cost of the new fencing.

Mr. Gaffney is not in favor of replacing the fence around the water tank on Madison Avenue.

Mayor Mahaney suggests withdrawing Resolution 105-04-2015 from the Agenda and tabling the award of the contract at this time.

Motion to withdraws Resolution 105-04-2015 from the Agenda

Motion: Mahaney
Second: Pessagno
Roll Call:
Meier Yes
Pessagno Yes
Swain No
Wichterman Yes
Mahaney Yes

RESOLUTIONS:

Resolution Nos. 99-04-2015 through 103-04-2015 "A" and 106-04-2015

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

103-04-2015 – Payment of Bills "B"

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

MINUTES:

City Council Worksession/Regular Meeting Minutes dated March 3, 2015.

City Council Special Meeting Minutes dated April 1, 2015

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

REPORTS RECEIVED BY THE CLERK:

Cape May City Police Department Monthly Reports dated February, 2015.

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

NEW BUSINESS:

- A) City Attorney – Mr. Monzo reports that the Cape May County Prosecutor’s Office placed a monitor in Cape May City Hall which prevents direct communication between the Cape May City Police Department and the City Manager. Mr. Monzo reads a letter on recommendations dealing with the matter from Todd Gelfand, Special Council. Mr. Monzo talks about the time frame to appoint the City Engineer in Cape May.
- B) City Manager – Mr. MacLeod reports on the pre-season beach tag sales which have increased over last year during the same time frame. Mr. MacLeod reports that the Cape May City 2015 spring water main flushing program will begin on April 27, 2015 and continue through May 12, 2015. Schedules for area flushing are available for the public at this meeting. Mr. MacLeod reminds everyone to run their water for a few minutes after flushing. Finally, Mr. MacLeod advises that the real estate tax rebate has been mailed out for those who qualify and the senior freeze deadline on real estate tax is June 1, 2015.
- C) City Clerk – Ms. Cumiskey reminds the public that the May 5, 2015 Council Meeting time has been changed to 7:00 P.M. Also, the semi-annual Blood Drive for Cape May City will be held Tuesday, May 12, 2015, between 10:00 A.M. and 3:00 P.M.
- D) Councilmembers – Councilmember Meier reports that Council has received a letter from four former mayors urging the governing body to get a professional mediator to resolve the dispute over compensatory time at the Police Department. Mr. Meier feels this dispute has gone on for too long and proposes that the City install a digital time clock to track employee hours.

Councilmember Pessagno advises that she met with the Mayor and City Manager to advance the process of the Fire Department personnel shortage.

Councilmember Wichterman reports that he read all the information on the Police Department compensatory time matter. Mr. Wichterman feels that the police matter should have been handled last year Administratively.

Mayor Mahaney announces that the City of Cape May was notified that the NJDOT has funded a grant in the amount of \$175,000 with no matching funds for Municipal Road Aid. Those funds will be used to pave the South side of the 1300 block of Cape May Avenue between Trenton and Pittsburgh Avenue. Also, the NJDEP and the City of Cape May will sponsor the Garden State Green Hotel Conference on Tuesday, April 28, 2015 from 8:30 A.M. until 10:15 A.M. at Cape May Convention Hall.

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.

Dennis DeSatnick, 1307 Trenton Avenue, Cape May questions Mr. Monzo on the term for the City Engineer, as set forth by Ordinance.

Anita DeSatnick, 1307 Trenton Avenue, Cape May asks Councilmember Pessagno if any staff have been hired for the Fire Department.

Councilmember Pessagno replies that the Fire Department staff has the same number of employees as last year. Ms. Pessagno advises that Council met and discussed ideas with Chief Coulter.

Mr. MacLeod advises that recently, a new Fireman/EMT has been hired. There are fourteen full time employees, the same number of employees as in past years reports Mr. MacLeod.

Jerry Inderwies, 1159 Indiana Avenue, Cape May reports that the Fire Department has been understaffed for many years and would like more employees hired. Mr. Inderwies names several City positions which have recently been filled but not one Firefighter has been hired.

Councilmember Pessagno asks Mr. Inderwies how many Firemen/EMTs are needed per shift.

Mr. Inderwies replies ten additional full time employees are needed for the Fire Department.

Mr. MacLeod advises that the reason for the Fire Department Study is to determine how many Firefighters are needed.

Mr. Inderwies would like the Resolutions and Ordinances to be available before the meeting and suggests putting them on the City website.

Jerry Gaffney, 810 Columbia Avenue, Cape May thanks Councilmember Meier for reading a portion of the former Mayors' letter on the Police Department issue. Mr. Gaffney reads the letter in full.

Harvey Williams, 1031 Maryland Avenue, Cape May, a Fire Department member since 1948, supports hiring more Firefighters in the City of Cape May.

Tom Keene, 832 Lafayette Street, Cape May thanks Council for cancelling the Philly POPS Concert and the resolution for Fencing at Madison Avenue. Mr. Keane would like to use those funds to hire more firefighters in the Fire Department.

Charles Hendricks, 106 Trenton Avenue, Cape May reads a letter from Mr. Ben Miller, a Cape May City visitor, who gives his opinion on the Cape May Police and Fire Departments.

Bob Boyd, 1009 Washington Street, Cape May, talks about the monitor in the City Police Department and about Robert Sheehan's demotion.

Joan McGinley, 432 W. Perry Street, Cape May asks City Council if a blinking light can be installed on West Perry Street because vehicles continue to speed in the area. Also, Ms. McGinley asks if there is a City Ordinance regarding the feeding of seagulls.

Mayor Mahaney acknowledges that vehicles speed on West Perry Street and advises Ms. McGinley that he will contact the County Engineer about the matter.

Joseph Schmidt, 1236 Cape May Avenue, Cape May asks about the reconstruction and completion of paving on Cape May Avenue. Mr. Schmidt would like to know why the 1200 block (south side) has not been completed.

Mayor Mahaney explains the phases involved in the reconstruction of Cape May Avenue.

Patricia Hendricks, 106 Trenton Avenue, Cape May asks Councilmember Pessagno to explain her remarks on the Fire Department Study.

Councilmember Pessagno commits to moving quickly on the Fire Department study.

Ms. Hendricks would like meeting Resolutions available in advance or read in their entirety before being adopted at the Council Meetings.

Mayor Mahaney comments about his past experience with reading each resolution in its entirety but agrees to read the resolutions before being adopted, if council agrees.

Dr. Beverly Yanich, 1015 New Jersey Avenue, Cape May asks if there is a Fire Department Study and when the study will be completed.

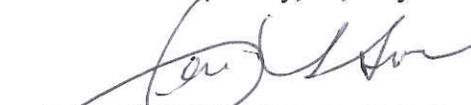
Mayor Mahaney sets forth the information provided by Chief Coulter regarding the Fire Department study.

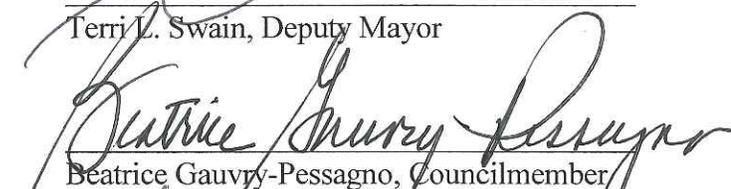
Dr. Yanich advises that her experience in Public Policy Research can be helpful and offers her time to move forward to complete the study.

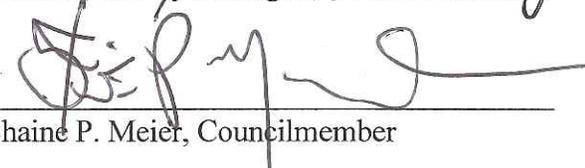
ADJOURNMENT

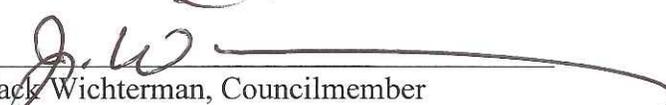
Motion made by Councilmember Pessagno seconded by Councilmember Meier to adjourn. The meeting adjourned at 9:20 P.M.

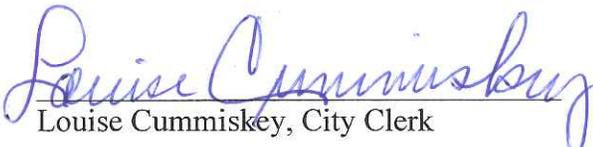

Edward J. Mahaney, Jr., Mayor


Terri L. Swain, Deputy Mayor


Beatrice Gauvry-Pessagno, Councilmember


Shaine P. Meier, Councilmember


Jack Wichterman, Councilmember


Louise Cummiskey, City Clerk