

**WORKSESSION/REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, April 3, 2012, 1:00pm**

The worksession/regular meeting of City Council of the City of Cape May was called to order by Mayor Mahaney at 1:00 P.M. on Tuesday, April 3, 2012 in the Cape May City Hall Auditorium. The Clerk called the roll and the Pledge of Allegiance was recited.

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

Also Present: City Attorney Anthony Monzo
City Manager Bruce MacLeod
Deputy Clerk Louise Cummiskey
City Clerk Diane L. Weldon

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

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

Add to Resolution 97-04-2011 – Contract negotiations regarding performing arts

Motion: Mahaney

Second: Fiocca

Roll Call:

Fiocca	Yes
Murray	Yes
Swain	Yes
Wichterman	Yes
Mahaney	Yes

WORK SESSION DISCUSSION

PRESENTATION

2012 Cape May City Elementary School Budget Presentation – John Thomas, Business Administrator – **Postponed until May 1, 2012**

ENGINEER REPORT

Slip Lining Repair to the Washington Street sewer has been completed and we are awaiting the Contractor's final invoice.

2011 Road and Utility Program – Jefferson and Corgie – All of the utilities and curbing have been installed and paving is currently in progress to be completed by April 20, 2012.

Underground Storage Tank – There is one tank that is still being worked on and it is anticipated that the Deed Notice will be presented to the City Solicitor by April 20, 2012.

Water Tank Restoration – There is a pre bid conference at the site at 2:00 P.M. The date to received bids is April 26,2012.

ADA Improvements for 2012 – The Carpenter's Lane completion date is May 15, 2012. The curbing and pavers should be completed by next week. The pilings have been installed at the Cove and the rough carpentry work is currently being performed on the ramp leading down to the beach. All the concrete work at Franklin Street School has been completed and the only remaining items to be completed are the installation of the railings, the grading and the pavement of the pull-off area.

The City Manager advises that the area around the school is not well lit and that behind the curb line, there is a deep depression that constitutes a tripping hazard. Mr. MacLeod also advises Mr. Roberts that as Easter is approaching, he hopes that the Carpenter Square area will be open and cleaned up for visitors as well as residents.

2012 ADA Improvements – A Grant has been awarded so the next stage of Carpenter's Lane will move forward.

Mr. MacLeod advises that \$180,000 was awarded to the City through the NJDOT State Aid Road Program which is earmarked for the improvements on Cape May Avenue.

2012 Road Program – Mr. Roberts advises that he is anxious to start and would like to move quickly with the survey of the Washington Street section of the program. Mr. MacLeod advises that based upon the receipt of the \$180,000.00 State Road Aid Grant, the City now has sufficient funding to move forward with the repairs to Cape May Avenue from Madison to Reading, as well as Washington Street from Franklin to Ocean. Mayor Mahaney believes that time is of the

essence and would like RV to begin the survey. Mr. Wichterman offers a Resolution authorizing Remington Vernick & Wahlberg to survey the area.

Motion: Wichterman

Second: Murray

Roll Call:

Fiocca Yes

Murray Yes

Swain Yes

Wichterman Yes

Mahaney Yes

City Hall Rehabilitation Project – Bids were opened and a contract was awarded to Tortorice Contractors, Inc. There will be a pre-construction meeting tomorrow and pending receipt of signed contracts, he will provide a notice to proceed to Tortorice Contractors, Inc.

Finally, Mr. Roberts comments that we are proceeding with the window design work.

CITY MANAGER ITEMS

Mr. MacLeod advises that he would like to move forward on April 17, 2012 with the annual Bond Ordinances for Capital Projects for 2012. He advises that there is a list of capital projects for this year attached to the memo provided to Mayor and Council and he has made one modification on the first page where he has inserted the two mentioned grants, the \$180,000.00 State Aid Grant and the \$400,000.00 Small Cities Grant . Mr. MacLeod advises that this Bond Ordinance will be around \$2.1 million but will include the two grants aforementioned. Mr. MacLeod elaborates on his memo by explaining the intended projects and the equipment to be purchased.

Deputy Mayor Wichterman recalls that back in 2004, Lower Township was having a problem with water supply and the City of Cape May talked about adding an additional water skid. Mr. Wichterman asks if anything ever came of those discussions. Mr. MacLeod advises that the Lower Township MUA moved forward with their own additional wells.

Mr. MacLeod updates everyone on the Convention Hall Project. He advises that the site work on the upper promenade continues and much of the concrete has been poured in relation to the ramp and the walkway at the front of the building. By the end of this week, the seawall will be reinserted. The work along the promenade is expected to be completed by the third week of April. Acoustic panels are being installed in the main hall auditorium and the painting is about 75% complete. The ceramic tile in the Solarium should be complete by the end of this week and the installation of the wood floors will be performed after Easter. The restrooms are near completion and the exterior of the building still requires some window glazing work to be completed. Between this week and next week, the power systems will be started for testing purposes, as the electric and the gas services are all installed and power has been served to the

building. Comcast has delivered the fiber optics to the building and during the next few weeks, installation of wiring to the designated locations for the telecommunications systems, the AD, the security systems and the telephones will be installed.

ATTORNEY ITEMS

CLERK'S ANNOUNCEMENTS

Ms. Weldon advises that the next regular City Council Meeting will be held on Tuesday, April 17, 2012. Also, Mercantile licenses are due by April 30, 2012.

REGULAR MEETING BUSINESS:

The following Resolutions are offered by Consent

RESOLUTIONS:

97-04-2012 Resolution of the City of Cape May providing for a meeting not open to the public in accordance with the provisions of the NJ Open Public Meetings Act, *NJSA10:4-12* – Closed – Personnel matter regarding employee recognition; Negotiations, Bud Concrete, Inc.; and Performing Arts Contract.

98-04-2012 Payment of bills

99-04-2012 Resolution authorizing flexible spending plan and appointing AFLAC as managing agent

Motion: Wichterman

Second: Swain

Roll Call:

Fiocca Yes

Murray Yes

Swain Yes

Wichterman Yes

Mahaney Yes

MINUTES:

City Council worksession meeting minutes dated March 20, 2012

City Council closed executive session meeting minutes dated March 20, 2012

Motion: Swain

Second: Wichterman

Roll Call:

Fiocca Yes

Murray Yes

Swain Yes

Wichterman Yes
Mahaney Yes

REPORTS RECEIVED BY THE CLERK:

2% Occupancy tax projection for January, 2012
Tax Collectors Annual Statement of Receipts for 2011
Environmental Commission meeting minutes dated March 13, 2012

Motion: Fiocca

Second: Swain

Roll Call:

Fiocca Yes
Murray Yes
Swain Yes
Wichterman Yes
Mahaney Yes

UNFINISHED BUSINESS:

NEW BUSINESS:

- A) City Attorney – Mr. Monzo mentions that the City of Cape May will host the Second Annual Crop Walk on April 28, 2012. The walk will begin at the Physick Estate at 10:00 A.M.
- B) City Manager – Mr. MacLeod announces that before the end of the week, the City will submit papers to the CRDA to begin the reimbursement process.
- C) City Clerk
- D) Councilmembers – Mr. Wichterman advises that his meeting in Trenton was postponed until April 9, 2012 and he will report on said meeting sometime thereafter. Mayor Mahaney advises that the Kiwanis' Club is sponsoring the Annual Easter Egg Hunt for children in second grade and under, this Saturday, April 7, 2012. Further, on Easter Sunday, we will have the annual Fashion Stroll run by the Mall Merchants in conjunction with the City of Cape May. Registration will begin at Noon and in the event of inclement weather, the stroll will take place in Our Lady Star of the Sea Parish Hall. Mayor Mahaney thanks all of the merchants in the WSMMC for their support of this event.

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, NJ asks about an item on page 26 of the current fund appropriations of this year's budget, specifically, the reserve for open space acquisitions in the amount of \$222,000. Mr. Gaffney would like to know what is being acquired with said money. Mayor Mahaney explains that the item on the budget is a result of an

Ordinance passed in 2001, when the City applied for Green Acres funding to acquire the Sewell Point Tract. At that time, the New Jersey DEP advised that if the City had a local one cent tax for the acquisition and maintenance of open space, the City would be eligible for twice the amount of Grant money. That has been maintained ever since, and as a result, the City now has \$4.4 million to purchase the Sewell Point Tract. Mr. Gaffney then asks about the acquisition of the JCP&L site and the Mayor explains the status, to date.

Shaine Meier, 1217 Vermont Avenue, Cape May, NJ has observed that the seawall between Peter Shields and the Kiwanis' Club is in need of repair and also that there is graffiti on the Restrooms across from the Catholic Church. Mayor Mahaney advises Mr. Meier that the seawall problem is the responsibility of the County and they have been advised that it is in need of repair.

Bernie Haas, 1016 Illinois Avenue, Cape May, NJ asks about the fence along the beach and whether or not it should be there. Mr. MacLeod advises that it is dune fencing that is installed by the PW Department. Secondly, Mr. Haas asks about the Beach Theatre and whether the Frank's have submitted any plans regarding their intention as to the site. Mayor Mahaney advises they have not.

COUNCIL & CITY MANAGER COMMENTS

CLOSED:

Motion made by Deputy Mayor Wichterman to go into Closed. Session. The regular meeting adjourned at 2:00 P.M.

CLOSED: Personnel – employee recognition
Negotiations - Bud Concrete
Contract – Performing Arts

Motion made by Deputy Mayor Wichterman to go back into open session.

Motion made Deputy Mayor Wichterman to adjourn. The meeting adjourned at 3:00 P.M.

Edward J. Mahaney, Jr., Mayor

Jack Wichterman, Deputy Mayor

Deanna Fiocca, Councilmember

Terri L. Swain, Councilmember

William H. Murray, Councilmember

Diane L. Weldon, City Clerk