

**WORKSESSION/REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, August 5, 2014, 1:00 P.M.**

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. Tuesday, August 5, 2014 in the Cape May City Hall Auditorium. The Clerk called the roll and the Pledge of Allegiance was recited.

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

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

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.

Presentation of plaque to retired Fire Chief, Jerry Inderwies, Jr. Chief Inderwies is commended and thanked for his outstanding service to the City of Cape May.

FIRE CHIEF APPOINTMENT

184-08-2014 – Resolution Appointing Alexander Coulter as Fire Chief and Approving Employment Agreement By and Between the City of Cape May and Alexander Coulter

Motion: Mahaney
Second: Wichterman
Roll Call:
Murray Yes
Swain Yes
Wichterman Yes
Mahaney Yes

Oath of Office Administered to City Fire Chief, Alexander Coulter by City Clerk

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

City Council Closed Executive Session Meeting Minutes dated July 1, 2014 **Removed from Agenda**

PROCLAMATION

National Night Out
Coast Guard Week

City Clerk reads the Proclamations for the benefit of the audience

DISCUSSION ITEMS

2014 Put Safety on the Agenda

Robert Smith, Fund Commissioner/Safety Coordinator, outlines the basic content of the monthly safety meetings which are held the third Thursday of each month at 9:00 A.M. and invites all to attend. Mr. Smith itemizes some of the training available to elected officials, managers/supervisors, and police risk management personnel, as well as on-line training sessions that are available to all. Finally, Mr. Smith reports on the City's standing with the Joint Insurance Fund in the areas of transitional duty, average days to report claims, MEL loss ratio, JIF claims loss ratio and EPL/POL loss ratio and advises that the City is well positioned.

Stormwater Management Update

Robert Smith, Superintendent of Public Works, presents his annual Municipal Stormwater Program report. Mr. Smith talks about the Street Sweeping Program, Inlet cleaning, inspections and repairs, pollution/ordinances, outfall pipes, pump stations, de-icing materials, vehicle maintenance, fueling operations, good housekeeping practices and public education. Mr. Smith advises of upcoming training sessions.

Personnel Policy Update

Mayor Mahaney advises that the first City Personnel Manual was created in the 1990s and has been updated from time to time. The ACMJIF has requested some amendments to the manual and Mr. Monzo has prepared the required amendments which have been codified and placed in the proper sections of the manual.

Bruce MacLeod, City Manager, advises that the manual contains over ninety policies, some specific to the ACMJIF and some specific to the City of Cape May. Mr. MacLeod reports that there is a Resolution on today's Agenda approving the new Personnel Manual.

Mayor Mahaney comments on the employee evaluations that have been added to the manual and advises that he would like a timeline for implementation by the next council meeting. The Mayor would like each department head to sit down with their employees prior to the evaluation to go over the evaluation form so that the employee will have a good understanding of what they are being evaluated on. The Mayor sees this process as a method of growth for the employee.

ENGINEER REPORT

City Engineer, Ray Roberts presents his report as follows:

USDA Water Tank/Standpipe Expanded Improvements – Mr. Roberts advises that the information contained on his report is a timeline for the Site Improvements at Madison Avenue, the Rehabilitation of the Lime Silo and the Emergency Generators at Wells #5 and #7.

FY2014 Road and Utility Improvement Program — the City of Cape May has been awarded \$174,501.00 FY 2014 NJDOT Municipal Aid for projects on Cape May Avenue, Trenton to Pittsburgh Avenue; Delaware Avenue, Trenton to Reading; Hughes Street, Decatur to Ocean; and the Philadelphia Avenue storm drain from Beach Avenue to New York Avenue. Bids will be advertised November 8, 2014 and the projected construction completion date is May 15, 2015.

Harbor Lane Bulkhead – Construction to begin September 8, 2014 with a scheduled completion date of November 7, 2014.

FY2012 Road and Utility Improvement Program – Phase I – the contractor is performing turf repairs and reseeding is scheduled for September.

FY2014 NJDCA Small Cities Grant Application – East Lyle Lane; ADA compliant Pedestrian Ramps and Ocean overlook – Advertisement for bids will be November 8, 2014 with a projected completion date of May 15, 2015.

FY2015 NJDCA Small Cities Application – RV&W is working with Mark Blauer on the application.

Projects in the close out phase

FY2013 NJDCA Small Cities

FY2013 Road and Utility Improvement Program

Washington Street Mall Planter Boxes

FY2012 NJDOT Municipal Aid.

Mayor Mahaney asks Mr. Roberts to evaluate Kiwanis Park. The Mayor advises that the retaining wall needs to be looked at as it is collapsing into the pond. In addition, the storm water pipes are discharging into the pond and backing up into the Tennis Courts at the Physick Estate. Finally, the Mayor would like Mr. Roberts to look into creating a bike path from Kiwanis Park to the Tennis Courts.

CITY MANAGER ITEMS

Mr. MacLeod reports that to date, the beach tag sales are ahead \$89,453.00 over last year; the Occupancy Tax collections have increased \$25,366.00 over last year; and parking meter collections are ahead \$27,400.00 over last year during the same time period.

Mr. MacLeod reports on Veteran/Active Military Beach Tag distribution in the City of Cape May and advises that as of August 1, 2014, one thousand seven hundred ninety (1,790) tags have been distributed. Seventy-five (75%) percent of those tags have been given to Veterans and twenty-five (25%) percent have been distributed to active military and their dependents.

REGULAR MEETING BUSINESS:

183-08-2014 – Resolution Authorizing an Emergency Appropriation

Motion: Murray
Second: Wichterman
Roll Call:
Murray Yes
Swain Yes
Wichterman Yes
Mahaney Yes

ORDINANCES FOR INTRODUCTION

283-2014 BOND ORDINANCE PROVIDING FOR POOL IMPROVEMENTS AT THE CAPE MAY CITY ELEMENTARY SCHOOL IN AND BY THE CITY OF CAPE MAY, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$950,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

Mayor Mahaney explains that the City is working together with the Elementary School Board to construct a new indoor pool at the Cape May Elementary School. The City of Cape May will pay for the project and the school will repay the City at 0% interest. The pool has been closed since September 2013 due to major leaks, advises the Mayor, and is greatly missed by the entire community.

Motion: Mahaney
Second: Murray
Roll Call:
Murray Yes
Swain Yes
Wichterman Yes
Mahaney Yes

RESOLUTIONS:

175-08-2914 – Resolution Authorizing Refund of Taxes
176-08-2014 – Resolution Authorizing the Execution of a Contract Renewing Membership in the Atlantic County Municipal Joint Insurance Fund
177-08-2014 – Resolution Authorizing the Release of Performance Guarantee for Homestead Real Estate CBB, LLC, Block 1040, Lot 2.05
178-08-2014 – Resolution Authorizing the Release of Performance Guarantee for Inn at the Park – Jerome and Mary Ann Gorrick,
179-08-2014 – Resolution Authorizing Utility Bill Adjustment Due to Catastrophic Occurrence
180-08-2014 – Resolution Fixing the Date of Delinquency for Taxes Due for the Third Quarter 2014

- 181-08-2014 – Resolution Certifying the 2013 City of Cape May Annual Audit
- 182-08-2014 – Resolution Providing for the Insertion of a Special Item of Revenue in the Budget Pursuant to Chapter 159 PL 1948
- 183-08-2014 – Resolution Authorizing an Emergency Appropriation – **Removed from Consent Agenda**
- 184-08-2014 – Resolution Appointing Alexander Coulter as Fire Chief and Approving Employment Agreement By and Between the City of Cape May and Alexander Coulter **Removed from Consent Agenda**
- 185-08-2014 – Resolution Authorizing the Purchase of 2015 Ford Police Interceptor Sedan Under State Contract No. A82925 (\$24,528.00)
- 186-08-2014 – Resolution Authorizing the Purchase of 2014 Ford Barber Surf Rake Model 600HD under State Contract No. 86414 (\$51,142.64)
- 187-08-2014 – Resolution of the City of Cape May Accepting the Resignation of Councilmember Deanna Fiocca
- 188-08-2014 – Resolution Authorizing the Release of Performance Guarantee for Susan Babineau Roberts – Mission Inn
- 189-08-2014 – Resolution Awarding a Contract for the Supply and Delivery of One (1) New, 2014 Trash Rear Loader Compactor
- 190-08-2014 – Resolution Appointing Members to Planning Board
- 191-08-2014 – Resolution Appointing Member to Environmental Commission
- 192-08-2014 - Resolution of the City of Cape May Replacing the Current Personnel Policy Manual with an Updated, Amended and Restated Personnel Policy Manual
- 193-08-2014 – Resolution Approving Professional Services Agreement Between Remington, Vernick & Walberg Engineers and the City of Cape May
- 194-08-2014 – Payment of Bills “A”
- 194-08-2014 – Payment of Bills “B” – **Removed from Consent Agenda**

Motion: Mahaney
 Second: Wichterman
 Roll Call:
 Murray Yes
 Swain Yes
 Wichterman Yes
 Mahaney Yes

194-08-2014 – Payment of Bills “B”

Motion: Mahaney
 Second: Wichterman
 Roll Call:
 Murray Yes
 Swain Abstain
 Wichterman Yes
 Mahaney Yes

MINUTES:

City Council Closed Executive Session Meeting Minutes dated July 1, 2014 **Removed from Agenda**

City Council Regular Meeting Minutes dated July 15, 2014

Motion: Mahaney
Second: Murray
Roll Call:
Murray Yes
Swain Yes
Wichterman Yes
Mahaney Yes

REPORTS RECEIVED BY THE CLERK:

City of Cape May Zoning Board of Adjustment Meeting Minutes dated February 27, 2014
City of Cape May Zoning Board of Adjustment Meeting Minutes dated March 27, 2014
City of Cape May Zoning Board of Adjustment Meeting Minutes dated April 24, 2014
City of Cape May Zoning Board of Adjustment Meeting Minutes dated May 22, 2014
City of Cape May Environmental Commission Meeting Minutes dated July 22, 2014

Motion: Wichterman
Second: Swain
Roll Call:
Murray Yes
Swain Yes
Wichterman Yes
Mahaney Yes

NEW BUSINESS:

A) City Attorney
B) City Manager
C) City Clerk
D) Councilmembers – Deputy Mayor Wichterman attended a Board of Review meeting in Trenton regarding the Referendum to remove the City of Cape May from the Lower Cape May Regional School District. The Board of Review voted to allow the Referendum. A date has not yet been set but Mr. Wichterman believes the election will be held in December.

Mayor Mahaney reminds everyone that tonight is National Night Out and invites all to attend. The Mayor thanks the Police and Fire Department for their help in sponsoring the 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.

Sandy Sieber, 1625 Beach Avenue, Cape May, NJ speaks of the water drainage problem on Beach Avenue at Wilmington Avenue. Ms. Sieber advises that after a rainfall, water lays in the street for several hours and she feels it is a health issue.

Mayor Mahaney advises that he has spoken to the County Engineer about the problem and is working to have the matter resolved.

Harry Poole, 1243 Illinois Avenue, Cape May, NJ advises he is here for an update as to a business being operated out of a home located at 1263 Illinois Avenue.

City Manager, Bruce MacLeod, reports that at the last meeting, Mr. Poole expressed concern on four or five issues at the property located at 1263 Illinois Avenue. Mr. MacLeod advises that over the past few weeks, the City has continuously visited the property and no violations have been witnessed. Mr. MacLeod asks Mr. Poole to call him directly if Mr. Poole feels that there is something going on that is not legal.

Mayor Mahaney advises Mr. Poole that City Officials visited the property fifteen times during the past several weeks. The Construction Official has visited the property renter and has spoken to him about what is permitted.

Mr. Poole feels that because a trailer is located outside the property, a business is being operated out of the property.

City solicitor, Anthony Monzo, advises that the City cannot issue a Summons if they do not witness a violation.

ADJOURNMENT

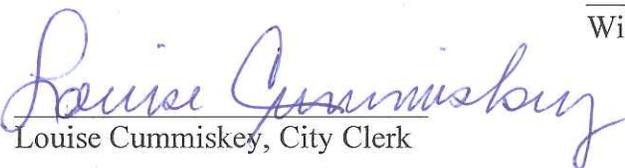
Motion made by Deputy Mayor Wichterman to adjourn. The meeting adjourned at 2:53 P.M.


Edward J. Mahaney, Jr., Mayor


Jack Wichterman, Deputy Mayor


Terri L. Swain, Councilmember


William H. Murray Esq., Councilmember


Louise Cumiskey, City Clerk