

**WORKSESSION/REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, December 3, 2013, 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, December 3, 2013 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.
Deputy Mayor William H. Murray, Esquire
Councilmember Terri L. Swain
Councilmember Jack 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 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

Mayor Mahaney announces that the City of Cape May was recently awarded a State Grant in the amount of \$400,000.00 which grant will fund the Phase VI, ADA improvements for the City.

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

257-12-2013 – Resolution Awarding Contract – FY 2013 NJDCA Small Cities Block Program – Various ADA Improvements- Carpenters Lane – Phase 3 **Added**

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

WORK SESSION DISCUSSION

Beach Tag Fees

City Council is provided with an Ordinance amending the cost of beach tags. City Manager, Bruce MacLeod, explains the proposed changes. The cost of a preseason, seasonal beach tag would increase from \$15.00 to \$18.00 between December 1st and January 31st, and thereafter, the preseason cost of a seasonal beach tag will increase to \$20.00 through March 31st. In addition, the City Manager would like to increase the cost of a weekly beach tag from \$15.00 to \$18.00 and a three day beach tag from \$10.00 to 12.00. There is discussion among Council regarding the time within which the changes would become effective, specifically, the seasonal beach tags. Deputy Mayor Murray is concerned that increasing the beach tag fees will result in a decrease in sales and asks Mr. MacLeod if he has researched the cost of beach tags in other beach communities. Mr. MacLeod advises that in past years, an increase in the price of beach tags has resulted in a decrease in sales but that the level of sales did rebound after the first year. Mr. MacLeod advises that the proposed increases are within the range of neighboring communities. Councilmember Wichterman comments that before the City had a Beach Utility, the City's taxpayers were underwriting the cost of maintaining the beaches and he does not want to see that happen in the future. Councilmember Fiocca believes that in order to avoid confusion as to the cost, the discounted, seasonal beach tags should remain at \$15.00 through January 31st and be increased to \$20.00 beginning February 1, 2014, instead of Mr. MacLeod's proposal of \$15.00 to \$18.00 to \$20.00. The City Solicitor confirms that the language on the proposed Ordinance can be modified to reflect Ms. Fiocca's recommendation.

PUBLIC PORTION:

Jerry Gaffney – 810 Columbia Avenue, Cape May asks if an increase on beach tags is necessary during this bad economy. Also, Mr. Gaffney feels that an increase in fees will cause beach patrons to go elsewhere.

ENGINEER REPORT

City Engineer, Ray Roberts, presents his report as follows:

Madison Avenue Water Tank and Standpipe – Mr. Roberts reports that all antennae have been relocated and activated and that the cable spools and C.O.W. will be removed no later than December 15, 2013.

Canning House Lane Standpipe – the contractor is preparing for blasting with base coat painting to begin the week of December 2, 2013.

FY 2012 NJDCA Small Cities Grant application - ADA Improvements – the punchlist has been completed and the project is to be closed.

FY2012 NJDOT Municipal Aid – \$180,000.00 in funds have been awarded and an initial payment of \$135,000.00 has been received from the NJDOT. The remaining funds will be released upon the completion of the project.

FY2012 Road and Utility Improvement Program – Phase I – Cape May Avenue from Madison Avenue to Reading Avenue – all work has been completed except for a few punchlist items.

City Hall Rehabilitation – Masonry work is complete and the constructor has begun scraping and painting the trim work.

FY2013 NJDCA Small Cities Grant Application - Carpenters Lane (Jackson to Decatur Street) – there is a resolution on today’s Agenda to award the contract and the work is scheduled to begin January 6, 2014.

FY2013 NJDOT Municipal Aid – Cape May Avenue, north side, from Reading to Trenton – the City of Cape May has been awarded \$175,000.00 and work is scheduled to be performed as part of the FY 2013 Road and Utility Program.

Harbor Lane Bulkhead – The NJDEP has issued the construction permits, RV&W is preparing the bid documents.

Replacement Gurney Street Storm Drain – Bid opening is scheduled for December 10, 2013 and construction is scheduled to begin January, 2014.

FY2013 Road and Utility Improvement Program – the project will be advertised on December 13, 2013 with bids to be opened January 14, 2014.

Beach Avenue – A pre bid conference was held on November 26, 2013 and bids are scheduled to be opened on December 10, 2013.

FY 2014 NJDCA Small Cities Grant Application – East Lyle Lane and Mansion Street Reconstruction – NJDCA has issued a “notice of award” to the City of Cape May.

Councilmember Wichterman would like to see the debris at the Vance’s property removed.

Mr. MacLeod advises that the City is awaiting the results of the tests on the soil samples and depending on the outcome of those tests, we will be able to determine how/where to remove the debris.

CITY MANAGER ITEMS

Mr. MacLeod announces that the State of New Jersey has extended the filing for the 2012 Homestead Rebate Applications to December 31, 2013. Also, Mr. MacLeod reports that Atlantic City Electric will be in the City for the next few weeks pruning and trimming trees and vegetation.

Mayor Mahaney comments that Atlantic City Electric has been in communication with Jay Schatz from the Shade Tree Commission, regarding this project.

ORDINANCE FOR INDRODUCTION

273-2013 – An Ordinance Amending Section 158-3 of the Cape May City Code Concerning Beach Fees and Changes – **As Amended**

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

CLERK'S ANNOUNCEMENTS

REGULAR MEETING BUSINESS

The following Resolutions are offered by Consent

RESOLUTIONS:

- 250-12-2013 – Resolution of the Governor’s Council on Alcoholism and Drug Abuse, Fiscal Grant Extension, January 1, 2014 to June 30, 2014
- 251-12-2013 – Resolution Approving Grant Application for the Completion of Surveys of Historic Buildings within the City of Cape May Historic District
- 252-12-2013 – Resolution Establishing the 2014 On-Street Parking Permit Fee
- 253-12-2013 – Payment of Bills
- 254-12-2013 – Resolution of the City of Cape May Approving Shared Services Agreement with the County of Cape May
- 255-12-2013 – Resolution of the City of Cape May Approving Agreement with the County of Cape May for High Wheel Vehicle Shared Services Agreement
- 256-12-2013 – Resolution Providing for a Meeting Not Open to the Public in Accordance with the provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12- Personnel – Police Department
- 257-12-2013 - Resolution Awarding Contract – FY 2013 NJDCA Small Cities Block Program – Various ADA Improvements- Carpenters Lane – Phase 3 **Added**

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

REPORTS RECEIVED BY THE CLERK:

Occupancy Tax Budget Projection Report dated November 22, 2013

Environmental Commission Meeting Minutes dated November 19, 2013

Cape May City Police Department Monthly Report dated October 1, 2013-October 31, 2013

Motion: Wichterman

Second: Swain

Roll Call:

Fiocca Yes

Murray Yes

Swain Yes

Wichterman Yes

Mahaney Yes

NEW BUSINESS:

A) City Attorney

B) City Manager

C) City Clerk – Ms. Cummiskey reads thank you letters to Mayor and Council.

D) Councilmembers – Councilmember Wichterman attended the Resort Housing Committee meeting and was impressed by how well the committee is working together.

Mayor Mahaney announced the upcoming Holiday Events and reports that winter season roller skating at Convention Hall will begin on December 20, 2013. In addition, the Mayor advises that the Cape May Police Department will have a children's Christmas Party with Santa Claus at Convention Hall, Saturday, December 14, 2013 from 1:00 P.M. to 4:00 P.M. Also, the Police Department is conducting their annual Sergeant Bill Alvarez Toy Drive and presents will be distributed to local children in need.

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.

Dawn DeMayo, 729 Franklin Street, Cape May asks Mayor and Council to amend the Ordinance to allow dogs on the Washington Street Mall. The Chamber of Commerce and the Business Improvement District support this change advises Ms. DeMayo.

Mayor Mahaney advises that Council will review this request at a worksession meeting.

George Costich, Victorian Towers, asks for the repair of the streetlight at Rotary Park. Also, Mr. Costich advises that he has videos from the council meetings and the city concerts for the website. Finally, Mr. Costich asks if Council could please fix the sound system in the auditorium.

Mayor Mahaney asks Mr. MacLeod to look into the repair of the streetlight.

Suzanne Smigo, 1041 Illinois Avenue, Cape May, supports a change in the Ordinance which would allow dogs on the Washington Street Mall and feels that if implemented, tourism in the

City of Cape May would increase. Ms. Smigo believes that dog friendly rentals fill up more quickly than establishments that do not allow pets.

John Cook, 223 Congress Place, Cape May, attended today's meeting to ask that council place a discussion item on a future Agenda to discuss dog friendly areas in the City of Cape May.

John DeMayo, 729 Franklin Street, Cape May, comments that more and more people are bringing their dogs on the Mall and they are not being asked to leave by the authorities.

Mayor Mahaney thanks everyone for their information on the dog ordinance.

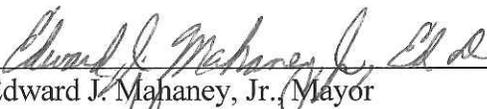
CLOSED SESSION

Motion made by Councilmember Wichterman seconded by Deputy Mayor Murray to go into closed session at 2:45 P.M.

Motion made by Councilmember Fiocca seconded by Deputy Mayor Murray to go back into open session at 3:43 P.M.

ADJOURNMENT

Motion made by Councilmember Fiocca seconded by Councilmember Swain to adjourn. The meeting adjourned at 3:45 P.M.



Edward J. Mahaney, Jr., Mayor



William H. Murray, Deputy Mayor



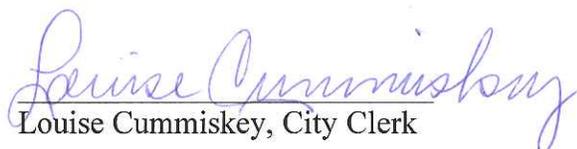
Deanna Fiocca, Councilmember



Terri L. Swain, Councilmember



Jack Wichterman, Councilmember



Louise Cummiskey, City Clerk