REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, February 18, 2014, 7:00 P.M.

Present:	Councilmember Deanna Fiocca
	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 Auditor, Leon Costello
	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.

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

OATH OF OFFICE:
Oath of Office administered to Police Officer Derrik Murphy by City Clerk, Louise Cummiskey

2014 CAPE MAY CITY BUDGET:
Leon Costello, City Auditor, reports that the 2014 Budget will be introduced at tonight's meeting and it requires three affirmative votes by Council to move forward with a public hearing. The City Manager presented the budget with all the details at a special meeting held on January 15, 2014 advises Mr. Costello, and there will be a tax increase of 1.9% due to increased health benefit costs and legal fees. The fund balance is almost the same as last year with a small decrease, the City is within the State CAP, the percentage of tax collections in the City increased slightly, and all the State laws have been met by the City of Cape May, comments Mr. Costello.

The Mayor announces that after the 2014 Budget is introduced, copies will be available to the public at the City Clerk's office and the Cape May City Library.

Deputy Mayor Wichterman asks Mr. Costello to explain the CAP Bank.

Mr. Costello explains that the CAP Bank Ordinance is a State mandated requirement as part of the budget process each year. This Ordinance will allow the City to bank money for future use comments Mr. Costello.

ORDINANCES FOR INTRODUCTION:

274-2014 – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank

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

57-02-2014 Resolution Approving Introduction of 2014 City of Cape May Local Municipal Budget

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

275-2014 – Ordinance of the City of Cape May Amending Chapter 7, Section 7-37.5 of the Cape May City Code entitled "Reserved Handicapped Parking On-Street"

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

276-2014 – Ordinance Amending Chapter 7, Section 37.1 of the Cape May City Code entitled "Handicapped Parking On-Street"

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

Swain	Yes
Wichterman	Yes
Mahaney	Yes

277-2014 – Ordinance Regulating Event Houses in the City of Cape May

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

278-2014 – Ordinance Amending Section 158-3 of the Cape May City Code Concerning Beach Fees and Charges

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

City Manager, Bruce MacLeod, will have additional information on beach tags for Veterans at the next worksession meeting.

RESOLUTIONS:

57-02-2014 –Resolution Approving Introduction of 2014 City of Cape May Local Municipal Budget **Removed from Consent Agenda**

58-02-2014 – Resolution Authorizing the Application for and the Execution of a Subcontract with the County of Cape May for the Municipal Alliance Program

59-02-2014 – Resolution Authorizing Utility Bill Adjustment Due to Catastrophic Occurrence

60-02-2014 – Resolution Authorizing Appointments to Lifeguard Pension Commission of the City of Cape May

61-02-2014 – Resolution of the City of Cape May Authorizing Change Order No. 1 for Contract with F.W. Shawl & Sons, Inc. for the City of Cape May Replacement of the Gurney Street Storm Drainage

62-02-2014 – Resolution Approving Certified List of City of Cape May LOSAP Qualified Volunteer Fire Department Members for the year 2013

63-02-2014 – 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

64-02-2014 – Resolution Approving Agreement between Encore Series, Inc. and the City of Cape May for Peter Nero and the Philly POPS
65-02-2014 – Payment of Bills "A"
65-02-2014 – Payment of Bills "B" **Removed from Consent Agenda**

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

65-02-2014 – Payment of Bills "B"

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

REPORTS RECEIVED BY THE CLERK:
City of Cape May Construction Permit Activity Report January 1, 2014 to January 31, 2014
City of Cape May Fire Department Monthly Report - January, 2014
City of Cape May Assessor's Office Monthly Report dated February 3, 2014

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

NEW BUSINESS:
A) City Attorney
B) City Manager
C) City Clerk
D) Councilmembers – Councilmember Murray thanks the Event House Committee members for their help and cooperation with the drafting of the Event House Ordinance.

Mayor Mahaney thanks the residents for working together with the City during the difficult weather this winter, as well as the Public Works and Water/Sewer Department employees.

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.

Jo Tolley, 404 W. Perry Street, Cape May, comments on an article she read in the Herald regarding the Lower Township School District's effort to bond money. Ms. Tolley is concerned about the quality of education and talks about the importance of helping children from low income households in Cape May County. Ms Tolley advises she is not in favor of pulling out of the School District and she feels Cape May should pay their fair share.

Bernie Haas, 1016 Illinois Avenue, Cape May, agrees with Ms. Tolley on the school funding matter. Also, Mr. Haas asks if the restrooms on Beach Avenue will be completed this season.

City Manager, Bruce MacLeod responds that the City is applying for grant money and permits to work on the restrooms. Mr. MacLeod comments that $250,000 has been put into Capital Budget for the renovation of the restrooms but the City will need additional funds to complete the project properly.

Mayor Mahaney advises that it is difficult to obtain grant money at this time due to the devastation by Hurricane Sandy.

Deputy Mayor Wichterman comments that the key words spoken by Ms. Tolley regarding the school funding matter are "Fair Share." Mr. Wichterman talks about the school funding formula and doesn't feel the City should be paying $6.3 million as their "Fair Share."

CLOSED SESSION
Motion made by Councilmember Swain seconded by Councilmember Fiocca to go into closed session at approximately 8:10 P.M.

OPEN SESSION
Motion made by Councilmember Murray seconded by Councilmember Fiocca to go back into open session.

ADJOURNMENT
Motion made by Councilmember Murray to adjourn. The meeting adjourned at 8:30 P.M.

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Edward J. Mahaney, Jr., Mayor

Jack Wichterman, Deputy Mayor

Deanna Fiocca, Councilmember

Terri L. Swain, Councilmember

William H. Murray, Esquire, Councilmember

Louise Cummiskey, City Clerk