

**WORKSESSION/REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, February 3, 2015, 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, February 3, 2015 in the Cape May City Hall Auditorium. The Clerk called the roll and the Pledge of Allegiance was recited.

Present: Councilmember Jerome E. Inderwies, Jr.
Mayor Edward J. Mahaney, Jr.
Councilmember Shaine P. Meier
Councilmember Beatrice Gauvry-Pessagno
Deputy Mayor Terri L. Swain

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:

50-02-2015 – 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-West Cape May Water; Police Department Investigation; JCP&L; **Personnel-Employment Relationship-Added**

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

ENGINEER REPORT

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

USDA Water Tank and Standpipe Expanded Improvements – The bids for the rehabilitation of the Lime Silo and Emergency Generator Wells #5 and #7 were awarded and a pre-construction meeting was held on December 16, 2014. The work on the Lime Silo will begin late February, weather permitting. The concrete foundation has been completed for the Emergency Generator Wells and the wiring conduit and transformer will be installed this week.

FY2014 Road and Utility Improvement Program – The pre-construction meeting for Cape May Avenue and Delaware Avenue will be held February 4, 2015 with a completion date of May 14, 2015. The pre-construction meeting for Hughes Street will be held February 4, 2015 with a completion date of June 13, 2015. The Philadelphia Avenue storm drain scope has been finalized and will include replacement of the existing curbing and repaving of the roadway.

Mayor Mahaney reports that the road improvement on Hughes Street will encompass the 500 block between Ocean Street and Decatur Street.

FY2014 NJDCA Small Cities Grant Application – East Lyle Lane and Mansion Street water line has been installed and the sanitary sewer is 50% complete.

FY2013 NJDCA Small Cities Program Surplus Grant Funds – The City received permission from the DCA to use surplus grant funds for ADA beach material, which includes Mr. Boardwalk modular walkways on the beach, ground protection mats and new beach wheelchairs. This project has been closed out.

Projects in Close-Out Phase are FY2013 Road and Utility Improvement for Cape May Avenue (Reading Avenue to Trenton Avenue) and Delaware Avenue (Trenton Avenue to Pittsburgh Avenue). Also, in Close-Out Phase is FY2012 NJDOT Municipal Aid for Cape May Avenue (Madison to Reading Avenue).

DISCUSSION

Mayor's Advisory Committee Status Report: Rotary Park

Mayor Mahaney introduces Curtis Bashaw, spokesman for the Mayor's Advisory Committee, and Ed Walberg, Ray Roberts and Joseph Petrongolo, Cape May City Engineers.

Mr. Bashaw reports to Council on the progress of the Rotary Park project. Mr. Bashaw advises that RV&W used the plans provided by students of Temple University and from those plans, created two conceptual drawings based upon the recommendations of the Advisory Committee. The Committee was concerned with the removal of trees from the existing Park and RV&W presented a concept which will preserve eight of the existing trees.

RW&W offers a power point presentation setting forth the design, landscaping and architectural plans to refurbish Rotary Park.

Mayor Mahaney points out the parking differences in both set of plans.

Mr. Petrongolo addresses the parking matter in both set of plans.

Deputy Mayor Swain asks if the City is utilizing the existing Gazebo.

Mr. Roberts recommends the construction of a new Gazebo as an inspection of the existing building has determined serious structural flaws.

Ms. Swain asks if the committee explored using the Park in the winter season.

Mr. Bashaw reports that a seasonal ice-skating rink between the Fountain and the Bandstand had been discussed.

Mayor Mahaney reports that the public will be involved in the final approval of the design.

2015 Budget

Mayor Mahaney announces that the Cape May City Budget will be introduced at the February 17, 2015 Council Meeting. Mayor Mahaney asks Council for any proposed changes in the budget.

Councilmember Inderwies would like to use surplus funds in the budget to reduce pending tax increase. Mr. Inderwies would like to restore \$70,000.00 back into the Fire Department budget so that more part-time employees may be hired.

Mr. MacLeod comments that the City has a mature employment population, which means that many employees have reached a higher level of pay. The \$70,000.00 is not a reduction in man power but rather a savings based on a retiree's higher level of pay.

Mayor Mahaney advises Council that maintaining a large surplus helps the City's AA Bond Rating, which reduces interest rates on City debt. The Mayor would like to help the taxpayers by using surplus monies but doesn't want to hurt the City's Bond Rating.

Mayor Mahaney asks Council and the City Manager to study the budget requests of all departments. Mayor Mahaney advises that each adjustment to the budget effects all Departments.

Mr. MacLeod advises that the proposed 2015 Budget will include a tax increase of 1.3 cents for each \$100 of assessed value in Cape May City.

Michael Jones, Tax Assessor, explains the City tax list and advises that the ratable base grew by \$5.5 million last year to more than \$2.8 billion for land and buildings.

Mr. Macleod advises that a revaluation was performed in Cape May City in 2009.

Mr. Jones advises that the city ratio is 102.5% at this time.

The manager disburses documentation to Council on the budget and explains same.

CLERK'S ANNOUNCEMENTS

A Special City Council Meeting to conduct interviews for the appointment of a Municipal Engineer will take place on February 24, 2015 beginning at 10:00 A.M.

The Regular Council Meeting in March will take place on March 24, 2015 at 7:00 P.M. There will be no Council Meeting on March 17, 2015.

REGULAR MEETING BUSINESS:

RESOLUTIONS:

49-01-2015 – Resolution Authorizing the Application for and the Execution of a Subcontract with the County of Cape May for the Municipal Alliance Program

50-02-2015 – 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-West Cape May Water; Police Department Investigation; JCP&L

51-02-2015 – Resolution of the City of Cape May Authorizing Change Order No. 1 – Final for Contract with Decker, Inc. for the USDA Site Improvements – Madison Avenue

52-02-2015 – Payment of Bills “A”

52-02-2015 – Payment of Bills “B” – **Removed from Consent Agenda**

53-02-2015 – Resolution Approving Settlement of Tax Appeal Litigation Known as Daniel R. DeWaters and Mary F. DeWaters v. Cape May City

Motion: Mahaney

Second: Meier

Roll Call:

Inderwies Yes

Meier Yes

Pessagno Yes

Swain Yes

Mahaney Yes

52-02-2015 – Payment of Bills “B” – **Removed from Consent Agenda**

Motion: Mahaney

Second: Meier

Roll Call:

Inderwies Yes

Meier Yes

Pessagno Yes

Swain Abstain

Mahaney Yes

MINUTES:

City Council Worksession/Regular Meeting Minutes dated January 6, 2015

City Council Special Meeting Minutes dated January 16, 2015

City Council Regular Meeting Minutes dated January 20, 2015
City Council Special Meeting Minutes dated January 22, 2015
City Council Special Closed Session Meeting Minutes dated January 22, 2015

Motion: Mahaney
Second: Inderwies

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

REPORTS RECEIVED BY THE CLERK:

City of Cape May Environmental Commission Meeting Minutes dated January 27, 2015
City of Cape May Occupancy Tax Budget Projection Report dated January 22, 2015

Motion: Mahaney
Second: Swain

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

NEW BUSINESS:

- A) City Attorney
- B) City Manager
- C) City Clerk
- D) Councilmembers – Mayor Mahaney reports that the City of Cape May hosted a summit on Eco Tourism at Convention Hall on Wednesday, January 28, 2015. Seventy people attended including Freeholders from Atlantic, Cape May and Cumberland County. The Mayor advises that he was invited to the USCG base in Cape May to observe the drone testing in Cape May County. Finally, Mayor Mahaney reports that President Obama would like to drill for oil in the Atlantic Ocean off the Eastern Coast. The NJ State League of Municipalities opposed the idea and Mayor Mahaney will keep Council and the public informed on this matter.

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.

Roger Furlin, 647 Hughes Street, Cape May apologizes for statements he made at the last Council Meeting which were inaccurate regarding the school funding formula. Mr. Furlin is impressed with the live stream Council Meetings.

John Fleming, 1484 Washington Street, Cape May asks Council to revise the Budget to use more surplus to lower the property tax increase. Mr. Fleming comments that he owns properties in both Cape May City and Lower Township and he feels that the City should move forward with the school funding matter.

Councilmember Meier and Councilmember Pessagno advise that they will follow the voters' wishes on the school funding matter.

Councilmember Inderwies believes that 16% of the votes is not all registered voters in Cape May City and he will listen to the majority of registered voters on this matter.

Councilmember Inderwies and Mr. Fleming have a discussion on the voting process.

Jerry Gaffney, 810 Columbia Avenue, Cape May asks the estimated cost to the City is for the school funding matter and also asks if a City Committee can be formed to study the matter.

Mayor Mahaney replies that there will be no committee at this point and there is no estimated cost.

Mr. Gaffney asks about the progress in appointing a City Engineer.

Mayor Mahaney advises that the City has received five RFP's and Council will interview all five companies at the Special Meeting on Tuesday, February 24, 2015.

COUNCIL & CITY MANAGER COMMENTS

CLOSED SESSION

Motion: Mahaney
Second: Meier

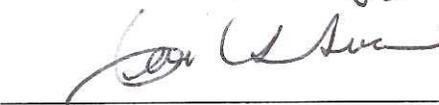
OPEN SESSION

Motion: Swain
Second: Meier

ADJOURNMENT

Motion made by Deputy Mayor Swain to go back into open session. Motion made by Deputy Mayor Swain, seconded by Councilmember Pessagno to adjourn. The meeting adjourned at 4:40 P.M.


Edward J. Mahaney, Jr., Mayor


Terri L. Swain, Deputy Mayor

Jerome E. Inderwies, Councilmember

Beatrice Gauvry-Pessagno, Councilmember

Shaine P. Meier, Councilmember

Louise Cumiskey, City Clerk