

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 299-2015

AN ORDINANCE APPROVING AGREEMENT OF SALE BY AND BETWEEN CITY OF CAPE MAY AND BRENDA E. ROBINSON, TRUSTEE OF BRENDA E. ROBINSON LIVING TRUST, AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS BLOCK 1061, LOT 47, ON THE TAX MAP OF THE CITY OF CAPE MAY

WHEREAS, the City of Cape May (the "City") has been in negotiations with Brenda E. Robinson, Trustee of Brenda E. Robinson Living Trust ("Robinson") for several months in an attempt to reach an agreement for the acquisition of property known as Block 1061, Lot 47, on the Tax Map of the City of Cape May, New Jersey, more commonly referred to as 811 St. Johns Place, Cape May, New Jersey 08204 (the "Property");

WHEREAS, the City has been awarded funding through the New Jersey Department of Environmental Protection ("NJDEP") Green Acres and Blue Acres programs for up to fifty percent of the acquisition cost;

WHEREAS, as a result of the negotiations the City and Robinson have reached an agreement for the City's purchase of the Property at the price and upon the terms and conditions set forth on EXHIBIT A ("Agreement of Sale");

WHEREAS, the City Council of the City is satisfied with the terms and conditions contained in the Agreement of Sale and desires to proceed with the acquisition of the Property.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cape May, County of Cape May, State of New Jersey, as follows:

1. That the Agreement of Sale between the City of Cape May and Brenda E. Robinson, Trustee of Brenda E. Robinson Living Trust, in the form attached hereto as EXHIBIT A, is hereby approved.
2. That the City Council hereby authorizes the acquisition of the Property pursuant to the terms and conditions of the Agreement of Sale, subject to satisfying all conditions contained therein.
3. The Mayor and Clerk are hereby authorized and empowered to execute any and all documents on behalf of the City of Cape May to effectuate all of the terms and conditions set forth in the Agreement of Sale and to take any and all other actions along with the City Manager and other appropriate City officials necessary in connection therewith.
4. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

5. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

6. This Ordinance shall take effect within twenty (20) days of final passage and publication as provided by law.

ATTEST:

CITY OF CAPE MAY, a municipal corporation
of the State of New Jersey

Louise Cummiskey, City Clerk

BY: _____
Dr. Edward J. Mahaney, Jr., Mayor

NOTICE

Ordinance 299-2015 was introduced at a regular meeting of the City Council of the City of Cape May, held on December 1, 2015 and will be further considered for final passage during a meeting of the City Council, to be held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on January 5, 2016 at 1:00 P.M. at which time a Public Hearing will be held.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Dr. Mahaney				
Ms. Swain				
Mr. Meier				
Ms. Pessagno				
Mr. Furlin				

Introduced: December 1, 2015
 First Publication: December 9, 2015
 2nd Reading & Adoption: January 5, 2016
 Final Publication: January 13, 2016

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 300-2016

**ORDINANCE OF THE CITY OF CAPE MAY AMENDING
CHAPTER 525-5 AND 525-6 OF THE REVISED GENERAL
ORDINANCES OF THE CITY OF CAPE MAY**

WHEREAS, Chapter 525 of the Cape May City Code (the "Zoning Ordinance") regulates zoning within the City of Cape May; and

WHEREAS, the Zoning Ordinance was previously amended to eliminate the R-C District and rezone most of the lots in the R-C District to the PRC Planned Residential Conservation District;

WHEREAS, Blocks 1177, 1178, 1188, and 1189 remained designated as and included in the R-C District;

WHEREAS, the City Council desires to designate Blocks 1177, 1178, 1188 and 1189 as and included in the Low Density Residential District ("R-1 District");

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cape May, County of Cape May, State of New Jersey, as follows:

1. Chapter 525 of the Cape May City Code is hereby amended as follows (proposed language to be added is underlined and language to be deleted is ~~stricken~~):

§ 525-5. Established; enumeration of districts.

For the purposes enumerated in § 525-2 of this chapter, the City is divided into the following districts and designations:

R-1	Low Density Residential District	§ 525-14
R-1A	Low-Density Residential <u>District A</u> (overlay)	§ 5125 -14.1
R-1B	Low-Density Residential <u>District B</u> (overlay)	§ 525-14.2
R-2	Low/Medium-Density Residential District	§ 525-15
R-3	Medium-Density Residential District	§ 525-16
R-3A	Medium-Density Residential (Restricted) District	§ 525-16.1
R-4	Modified Medium-Density Residential District	§ 525-17
R-5	Medium/High-Density Residential District	§ 525-18

R-S	Residential-Seasonal District	§ 525-19
PRC	Planned Residential Conservation District	§ 525-20
PRC(O)	Planned Residential Conservation Overlay District	§ 525-20.1
C-1	Primary Business District	§ 525-22
C-2	Beach Business District	§ 525-23
C-3	Hotel-Motel District	§ 525-24
NC	Neighborhood Commercial District	§ 525-25
C-5	Service Business-Light Industrial District	§ 525-26
C-6	Marina District	§ 525-27
HO	Harbor Overlay District	§ 525-28
S-1	Beach Strand District	§ 525-30
S-2	Dune Stabilization District	§ 525-31
G-1	Government District	§ 525-32
HPD	Historic Preservation Districts	Article VIII
PW	Preserved Wetlands	§ 525-58F

§ 525-6. Zoning Map and exhibits.

A. The districts listed in § 525-5 are bounded and defined as shown on the map prepared by Remington, Vernick and Walberg Engineers dated March 18, 2005 (revised August 12, 2005), entitled "Zoning Map, City of Cape May," hereby designated as the Zoning Map of Cape May, subject to the following exception(s):

- (1) Properties known as Block 1160, Lots 4.01 and 4.02 shall be designated as and included in the NC ZoneDistrict.
- (2) All of Blocks 1161 and 1162 shall be designated as and included in the R-1A ZoneDistrict.
- (3) Properties known as Block 1053, Lots 7 through 12 inclusive, Block 1060, Lots 1, 2, 3, 5.01, 6.02, 33 and 34 shall be designated and included in the C-1 ZoneDistrict.
- (4) All of Blocks 1222 and 1223 shall be designated as and included in the R-3 ZoneDistrict.

- (5) Block 1163, Lots 7 and 8; Block 1164, Lot 7; Block 1165, Lot 7; Block 1166, Lot 3; all of Block 1167; Block 1168, Lot 3; Block 1169, Lot 4; all of Blocks 1179 through 1182 inclusive; all of Blocks 1190 through 1193 inclusive; all of Block 1199 through 1203 inclusive; Block 1210, Lot 1; all of Blocks 1211 through 1214 inclusive; shall be designated as and included in the PRC ZoneDistrict.
- (6) All of Block 1167 shall be designated as and included in the PRC(O) (Overlay) ZoneDistrict.
- (7) All lots which front on Cape May Avenue in Blocks 1105, 1106, 1119, 1120, 1134, 1135, 1150 and 1151 shall be designated and included in the R-1B ZoneDistrict.
- (8) All of Blocks 1177, 1178, 1188, and 1189 shall be designated as and included in the R-1 District.

B. The Zoning Map shall be located and available for inspection in the office of the Zoning Official. Other maps, charts and interpretive materials which may be prepared and utilized in conjunction with this chapter are intended as supplemental guides. In the event of any uncertainty or discrepancy, the Zoning Map located in the office of the Zoning Official and the text of this chapter shall prevail.

2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

4. This Ordinance shall take effect within twenty (20) days of final passage and publication as provided by law.

ATTEST:

CITY OF CAPE MAY, a municipal corporation
of the State of New Jersey

Louise Cummiskey, City Clerk

BY: _____
Dr. Edward J. Mahaney, Jr., Mayor

NOTICE

Ordinance No. 300-2016 was introduced at a regular meeting of the City Council of the City of Cape May, held on January 5, 2016 and will be further considered for final passage during a meeting of the City Council, to be held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on February 2, 2016 at 1:00 P.M. at which time a Public Hearing will be held.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Dr. Mahaney				
Ms. Pessagno				
Ms. Swain				
Mr. Meier				
Mr. Furlin				

Introduced: January 5, 2016
First Publication: January 13, 2016
2nd Reading & Adoption: February 2, 2016
Final Publication: February 10, 2016

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 32-01-2016

**RESOLUTION APPROVING GRANT APPLICATION FOR THE
COMPLETION OF SURVEYS OF HISTORIC BUILDINGS WITHIN
THE CITY OF CAPE MAY HISTORIC DISTRICT**

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately Twenty-Five Thousand (\$25,000.00) Dollars to fund the following project:

For the completion of intensive level surveys of historic buildings within the City of Cape May Historic District.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Cape May, County of Cape May, State of New Jersey, as follows:

1. That the Mayor or City Manager or Chief Financial Officer of the City of Cape May is hereby authorized to execute a grant agreement with the State of New Jersey for a grant in an amount of approximately \$25,000.00 and to execute any amendments thereto which do not increase the Grantee's obligations.
2. That the Mayor and City Council acknowledge there is no match required for this grant agreement and the City of Cape May certifies that funds are available and committed for this project in the 2016 Municipal Budget.
3. That the City of Cape May agrees to comply with all applicable federal, state and municipal laws, rules and regulations in its performance pursuant to the agreement.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a Special Meeting held on January 5, 2016.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Meier				
Pessagno				
Swain				
Mahaney				

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 33-01-2016

RESOLUTION OF THE CITY OF CAPE MAY AUTHORIZING CHANGE ORDER
NO. 2-FINAL FOR CONTRACT WITH LANDBERG CONSTRUCTION, LLC
FOR THE FY 2014 UTILITY AND ROAD PROGRAM-CONTRACT 3-
PHILADELPHIA AVENUE STORM DRAIN REPLACEMENT

MOTION:

SECOND:

WHEREAS, the City of Cape May is currently under contract with Landberg Construction LLC for the FY 2014 Utility and Road Program, Contract 3, Philadelphia Avenue Storm Drain Replacement; and

WHEREAS, it is requested that the City authorize Change Order No. 2-Final to reflect the following listed below:

Change Order No. 2 – Final is necessary for the following reasons:

1. As-built quantity adjustments;
2. Time Extension.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, as follows:

1. The Mayor is authorized to execute and sign Change Order No. 2-Final to the contract with Landberg Construction LLC in the amount of \$2,440.00 less than the previous contract price of \$320,791.90 for a revised contract price of \$318,351.90, a 0.46% overall increase from the original contract amount, as well as a change in contract length increasing the previous contract length of 45 days by 146 days for an amended contract length of 191 days, ending on October 15, 2015.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on January 5, 2016.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Meier				
Pessagno				
Furlin				
Swain				
Mahaney				

cc: Chief Financial Officer
Remington Vernick & Walberg Engineers

CITY OF CAPE MAY

RESOLUTION NO. 34-01-2016

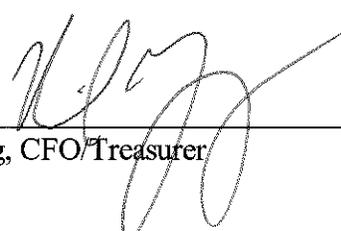
RESOLUTION FOR THE PAYMENT OF BILLS

MOTION:

SECOND:

BE IT RESOLVED by the City Council of the City of Cape May, that the following bills, approved for payment by the City Manager, be paid and that the Chief Financial Officer/Treasurer of the City of Cape May, is hereby authorized to draw orders for the amounts of same, as shown on bill list dated December 31, 2015 for payments excluding those related to Swain's Ace Hardware Inc. Total Bill List: \$1,303,534.47.

Current Fund Appropriations	\$ 1,040,325.34
Water/Sewer Utility Operating Fund	\$ 59,560.43
Tourism Utility Fund	\$ 15,445.40
General Capital Improvements	\$ 86,075.90
Water/Sewer Capital Improvements	\$ 35,600.00
Escrow Special Account	\$ 4,127.50
Trust Fund	\$ -
Grant Fund	\$ 34,115.00
Beach Utility Fund Appropriations	\$ 4,654.95
Beach Utility Capital Improvements	\$ 23,629.95
	<u>\$ 1,303,534.47</u>



Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Swain				
Meier				
Pessagno				
Furlin				

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on January 05, 2016.

Louise Cummiskey, City Clerk

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 35-01-2016

**RESOLUTION OF SUPPORT FROM LOCAL GOVERNING BODY
AUTHORIZING THE SUSTAINABLE JERSEY GRANT APPLICATION**

MOTION:

SECOND:

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the City of Cape May strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the City of Cape May is participating in the Sustainable Jersey Program and is one of only 33 communities in the State to be Silver Certified; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

THEREFORE, the governing body of the City of Cape May has determined that City of Cape May should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that governing body of the City of Cape May, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a Special Meeting held on January 5, 2016.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Meier				
Pessagno				
Swain				
Mahaney				