

**WORKSESSION/REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, January 6, 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, January 6, 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:

37-01-2015 – Resolution Approving Grant Application for the Completion of Surveys of Historic Buildings within the City of Cape May Historic District - **Added**

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

ENGINEER REPORT

City Engineers, Ed Walberg and Ray Roberts, present the engineer report as follows:

USDA Water Tank and Standpipe Expanded Improvements – Surplus monies from a USDA Grant were authorized for use for the repaving of the sidewalks around the water tank on

Madison Avenue and those improvements are complete. The bids for the rehabilitation of the Lime Silo and Emergency Generator Wells #5 and #7 were awarded on November 3, 2014 and the work has been started.

FY2014 Road and Utility Improvement Program – Bids have been opened, awarded, signed by the Contractor and are currently under review by the City Solicitor.

Harbor Lane Bulkhead – Mr. Roberts reports that the Harbor Lane Bulkhead project is complete.

FY2014 NJDCA Small Cities Grant Application – A pre-construction meeting was held today with for the East Lyle Lane project. This project includes Mansion Street (Perry to Jackson Street) and ADA Compliant Pedestrian ramps on Philadelphia Avenue at four intersections (Virginia to Delaware Avenue). The notice to proceed is dated January 8, 2015 with a completion date of May 17, 2015.

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 modular walkways on the beach, ground protection mats and new beach wheelchairs. The material will be delivered at the end of the week.

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).

Mayor Mahaney asks Mr. Roberts to repair the crumbling curbing on the sidewalk at Perry Street and Beach Avenue. The Mayor also asks Mr. Roberts to look at the 1000 block of Idaho Avenue and specifically the street in front of 1036 Idaho. The street was not properly repaired many years ago when an emergency street opening was completed and is in need of repair.

Mr. Roberts advises that a contractor is presently performing street surface work in the City and he will have the contractor look at the Idaho Avenue issue.

Councilmember Inderwies asks Mr. Roberts why the 1000 block of Cape May Avenue (Center Island) has curbing and the other blocks have no curbing. Mr. Roberts comments that he doesn't know the history.

DISCUSSION ITEMS

Dan Shustack, QPA, explains the process which will allow the City of Cape May to conduct “paperless” Council Meetings. The City would acquire tablet devices and all meeting information would be forwarded to each Council Member electronically, thereby eliminating photocopying expenses and time. Mayor Mahaney inquires as to the cost and Mr. Shustack advises somewhere around \$1,000.00 per unit.

Mr. Shustack advises that he would like to expand the use of Live Stream for all Boards and Commissions Meetings and City Events. In order to improve the Live Stream process, Mr.

Shustack would like to purchase an additional camera and a new Broadcaster. The cost for those items would be approximately \$795.00.

Finally, Mr. Shustack discusses the audio system presently being used at Council Meetings, which has its limitations. Mr. Shustack has looked into replacing the current system with wireless audio equipment. The cost of the equipment for this project would be over the bid threshold and would have to go out to bid.

Mayor Mahaney feels that there are many competitive companies that would bid on this package.

Councilmember Meiers asks if the live stream system is a secure line in the City of Cape May.

Mr. Shustack confirms that it is secure.

Salary Ordinance

Bruce MacLeod, City Manager, presents Council with an updated Salary Ordinance for review. Mr. MacLeod explains the Ordinance lists employee positions and salary ranges. The Salary Ordinance must be updated periodically, advises Mr. MacLeod.

Councilmember Inderwies asks the City Manager to remove the titles of Fire Captain and Fire Official UFD from the Salary Ordinance as those positions are not covered under the IAFF contract.

Mayor and Council agree to remove those titles from the Salary Ordinance.

Outdoor Seating

Mr. MacLeod reports that more and more, restaurants are asking for outdoor seating privileges as al fresco dining is very popular with local residents and tourists alike. Mr. MacLeod recommends the establishment of an Outdoor Advisory Committee to review and update the current City Code. Mr. MacLeod fees that Mercantile License costs must also be reviewed.

Councilmember Meier inquires as to how the City can handle the matter and Mayor Mahaney advises that the playing field should be level for all and we may have to make adjustment to the City Master Plan.

City Solicitor, Anthony Monzo, explains that currently, the fees are based on tables and chairs. The City will also need to look at other concerns such as zoning, parking, etc.

Councilmember Inderwies agrees that the City should establish a committee on outdoor seating.

Deputy Mayor Swain agrees and would like to appoint a diverse Committee to represent all aspects of the community.

Mayor Mahaney would like to initially create a City based Committee to gather information in order to make any adjustments needed to the City Master Plan and Zoning Ordinance. Thereafter, we would include members of the general public. The Mayor recommends forming

the committee with two Councilmembers, the City Manager, City Attorney, Code Enforcement Official, Construction Official, Planning and Zoning Officials, Board Engineer and Planner, Police Official and Fire Official. Mayor Mahaney feels that the popular trend to enjoy outdoor seating has grown worldwide, including in the City of Cape May.

Councilmember Inderwies and Councilmember Pessagno would like to be on the Outdoor Seating Committee.

Mayor Mahaney asks for a Resolution to be placed on the January 20, 2015 Council Meeting appointing an Outdoor Seating Committee with no rotation and a one year sunset provision.

CITY MANAGER ITEMS

Mr. MacLeod reports that the 2015 Budget must be presented to Council by January 15th of each year. However, the State of New Jersey has extended that deadline to February 12, 2015. Budget introduction has been extended from February 10th to March 13th and Budget adoption has been extended from March 20th to April 24th. Mr. MacLeod asks Council for a Special Meeting to present the proposed 2015 Budget on Friday, January 16, 2015 at 1:00 P.M.

City Council agrees to a Special Meeting on January 16, 2015.

Mr. MacLeod announces that the City is advertising for a City Engineer. The advertisement will be published in The Press of Atlantic City and the Herald newspaper next week.

Mr. MacLeod is preparing a Bond Ordinance to appropriate \$500,000.00 to complete a feasibility study on the Seawall improvement. Mr. MacLeod would like to introduce the Bond Ordinance at the next Council meeting.

CLERK'S ANNOUNCEMENTS

A Special Meeting of City Council concerning City Manager's Presentation of the 2015 City Budget to City Council will be held on Friday, January 16, 2015 at 1:00 P.M.

REGULAR MEETING BUSINESS:

RESOLUTIONS:

- 30-01-2015 – Resolution Refunding Overpaid 2014 Taxes
- 31-01-2015 – Resolution Refunding Deposit for Sidewalk Repair
- 32-01-2015 – Resolution Refunding Overpaid 2014 Taxes
- 33-01-2015 – Resolution Approving UAW Collective Bargaining Agreement for Communications Employees
- 34-01-2015 – Resolution Increasing Bid Threshold and Appointing a Qualified Purchasing Agent
- 35-01-2015 – Resolution of the City of Cape May Approving the Award of a Contract for Risk Management Consultant
- 36-01-2015 – Payment of Bills
- 37-01-2015 – Resolution Approving Grant Application for the Completion of Surveys of Historic Buildings within the City of Cape May Historic District - **Added**

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

MINUTES:

City Council Regular Meeting Minutes dated November 17, 2014
City Council Worksession/Regular Meeting Minutes dated December 2, 2014
City Council Closed Executive Session Meeting Minutes dated December 2, 2014
City Council Closed Executive Session Meeting Minutes dated December 16, 2014

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

REPORTS RECEIVED BY THE CLERK:

City of Cape May Environmental Commission Annual Summary Report – 2014
2014 Occupancy Tax Budget Projection dated December 17, 2014
Monthly Reports of Tax Collections for the Periods July 31, 2014, August 31, 2014, September 30, 2014, October 31, 2014 and November 30, 2014.
City of Cape May Fire Department and EMS Reports for December, 2014.
City of Cape May Fire Department and EMS Total Incident Report for 2014
City of Cape May Tax Collector Report of Tax Lien Sale on December 3, 2014

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

NEW BUSINESS:

- A) City Attorney
- B) City Manager

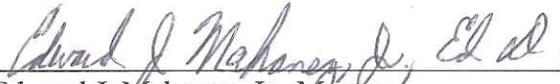
- C) City Clerk
- D) Councilmembers – Councilmember Inderwies asks about the performance of the company hired to aid the construction office and if the City has plans to fill the vacant positions. Mr. Inderwies asks if permits are being issued at this time.

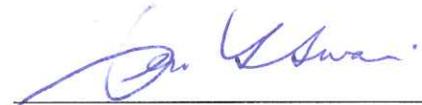
Mr. MacLeod replies that Trinity, LLC is under contract for sixty days with the city of Cape May. Also, the positions for Building, Electric and Fire Sub-Code Officials have been published and applications are being considered. Mr. MacLeod reports that presently permits are reviewed and issued in the construction office.

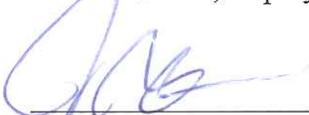
PUBLIC PORTION: Those wishing to publicly comment shall come forward, give their name and address and speak into the microphone. Each speaker will be limited to five (5) minutes.

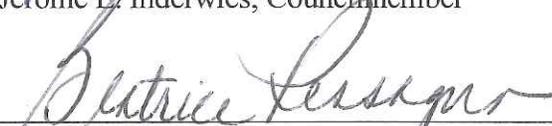
ADJOURNMENT

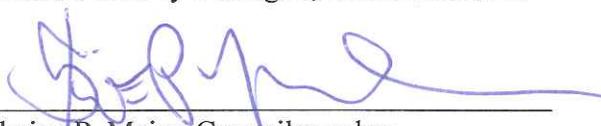
Motion made by Councilmember Meier, seconded by Councilmember Pessagno to adjourn. The meeting adjourned at 2:45 P.M.

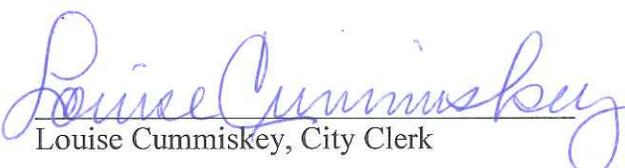

Edward J. Mahaney, Jr., Mayor


Terri L. Swain, Deputy Mayor


Jerome E. Inderwies, Councilmember


Beatrice Gaurvy-Pessagno, Councilmember


Shaine P. Meier, Councilmember


Louise Cumiskey, City Clerk