

**WORKSESSION/REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, July 1, 2014 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, July 1, 2014 in the Cape May City Hall Auditorium. The Clerk called the roll and the Pledge of Allegiance was recited.

Present:	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 Clerk Louise Cummiskey Deputy City Clerk Patricia Harbora
Absent:	Councilmember Deanna Fiocca

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:

161-07-2014 – Resolution for the Payment of Bills (**ADD TO CONSENT AGENDA**)

158-07-2014 – 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 – UAW (Blue Collar) Negotiations; Sidewalk Repair, Potential Litigation – Fire Department Personnel (**AMENDED**)

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

DISCUSSION ITEMS

Application for Street Opening, 340 Congress Street, Cape May, NJ

City Manager, Bruce MacLeod reports that a street opening permit for the installation of natural gas service has been requested for a property located at 340 Congress Street. Mr. MacLeod advises that since Congress Street was recently repaved, a five year moratorium beginning March 11, 2011 has been imposed.

Mayor Mahaney sets forth reasons for the issuance of a moratorium on newly paved streets and most importantly comments that once you open a street, it is never secure. The Mayor advises that prior to the repaving of the street, all the property owners were notified of the paving project and the moratorium which would be imposed.

Councilmember Murray asks if the utility company can drill under the street.

Mr. MacLeod advises that it is his understanding that a portion of the road would need to be cut out in order to install the gas service.

Motion to deny request to open street

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

Police Enforcement of Liquor License Conditions

City Manager, Bruce MacLeod, advises that the City Solicitor recently created a detailed chart outlining the specific conditions on record for each Liquor Licensee in the City of Cape May. Said Chart was provided to the Police Department for enforcement purposes. In addition, a meeting is held each year prior to the start of the summer season wherein all Liquor License holders can pose questions and exchange policies and procedures for the benefit of all.

ENGINEER REPORT

City Engineer, Ray Roberts presents his report as follows:

Water Tank – Madison Avenue – We are awaiting site remediation to be performed by T-mobile. The Canning House Lane Standpipe project is complete, and we are waiting for the contractor’s request to close-out the project.

A final approval letter was received from the USDA which will allow the rehabilitation of the lime silo and emergency generators for wells #5 and #7.

Harbor Lane Bulkhead – A Resolution is on today’s Agenda to award a contract to Harold Arenberg, Inc. for the completion of the bulkhead project. A Notice to Proceed will be issued by July 15, 2014 and the projected completion date of the project is November 7, 2014.

FY 2012 NJDOT Municipal Aid – Cape May Avenue from Madison to Reading Avenue. Pavement cores have been authorized and once installed, the project will be closed out and RV&W will petition NJDOT for the final \$45, 000.00 of the grant money.

FY 2012 Road and Utility Improvement Program (Phase I) – Cape May Avenue from Madison to Reading Avenue. Turf repairs were performed by the Contract in May. Reseeding is scheduled for September. Following the reseeded, the project will be closed out.

FY 2013 NJDOT Municipal Aid – North side of Cape May Avenue from Reading to Trenton Avenue. NJDOT has awarded the City of Cape May \$175,000.00 to complete the project. RV&W has requested a waiver from the NJDOT requirement of pavement cores.

FY 2014 NJDCA Small Cities Grant – East Lyle Lane and Mansion Street Reconstruction; ADA Compliant pedestrian ramps at Philadelphia Avenue; Ocean lookout and Mr. Boardwalk. RV&W has completed the topographic and utility survey and is proceeding with the design.

FY 2014 NJDOT Municipal Aid – The City of Cape May has been awarded \$174,501.00 for Cape May Avenue (North) from Trenton Avenue to Pittsburgh Avenue.

FY 2014 Road and Utility Program – RV&W is working with the City Manager to finalize the scope of the 2014 Road and Utility Program.

RV&W investigated a sink hole on Grant Street and determined that the cause was due to a leaky water valve.

CITY MANAGER ITEMS

City Manager, Bruce Macleod announces the City’s upcoming Events and Activities schedule, as follows:

Kiwanis Annual Pancake Breakfast, Friday, 7/4/14, 7 A.M. to 11 A.M. at Convention Hall.

Fireworks Extravaganza, Congress Hall Beach, 7/4/14, 9 P.M.

Independence Day Parade, 7/5/14, 1 P.M.

Cape May Concert Series, Monday Nights, at Convention Hall, beginning at 8 P.M.

Magic Show, Tuesday nights, 7 P.M. at Convention Hall

Children’s Theater, Convention Hall, Thursday mornings, 7/10/14 to 8/7/14, 10:30 A.M.

Movies on the Beach, Convention Hall Beach, Thursday nights, 8:30 P.M.

Dancing with Fred Hall, Convention Hall, Friday nights, Children 7:30 P.M. and Adults 9 P.M.

Vesper’s Program, Convention Hall, Sunday night, 6 P.M.

Nature Show, Convention Hall, Sunday night, 7:30 P.M.

REGULAR MEETING BUSINESS:

RESOLUTIONS:

- 156-07-2014 – Resolution Authorizing Utility Bill Adjustment Due to Catastrophic Occurrence
157-07-2014 – Resolution Authorizing Release of Maintenance Bond for 509 Hughes Street
158-07-2014 – 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 – UAW (Blue Collar) Negotiations; Sidewalk Repair, Potential Litigation – Fire Department Personnel (**AMENDED**)
159-07-2014 – Resolution to Award Bid for Harbor Lane Bulkhead Replacement
160-07-2014 – Resolution Refunding Deposit for Sidewalk Repair
161-07-2014 – Resolution for the Payment of Bills (**ADDED**)

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

CORRESPONDENCE

Letter from the Garden Club of Cape May thanking the City of Cape May for their contribution and support of the 2014 Cape May Flower Show.
Letter from the USCG thanking the City of Cape May and specifically the Police and Fire Departments, for their support during the successful rescue of a member of the USCG who climbed the Training Center Water Tower.

MINUTES:

- City Council Regular Meeting Minutes dated May 20, 2014
City Council Worksession/Regular Meeting Minutes dated June 2, 2014
City Council Closed Executive Session Meeting Minutes dated June 2, 2014

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

- City Council Worksession/Regular Meeting Minutes dated May 6, 2014
City Council Regular Meeting Minutes dated June 17, 2014

City Council Closed Executive Session Meeting Minutes dated June 17, 2014

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

REPORTS RECEIVED BY THE CLERK:

City of Cape May Police Department Monthly Report dated April, 2014
City of Cape May Police Department Monthly Report dated May, 2014

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

NEW BUSINESS:

- A) City Attorney
- B) City Manager – Mr. Macleod thanks the City Employees and local businesses for their support and help in making the Seafood Festival a success.
- C) City Clerk
- D) Councilmembers – Deputy Mayor Wichterman reports that he will be attending a meeting in Trenton with the Board of Review on July 8th or July 21st, regarding the School Funding Formula matter. Mr. Wichterman will keep us apprised of the situation.

Councilmember Murray reports that he received many wonderful favorable comments on the Seafood Festival. Mr. Murray announces that the Cape May Beach Patrol will be hosting the Lifeguard Superathlon on Grant Street Beach on Tuesday, July 15, 2014 at 6 P.M.

Mayor Mahaney advises that the City of Cape May received a rebate check from the CMCMUA in the amount of \$27,806.15 which was a \$10,000.00 increase over last year. Mayor Mahaney reports that Council participated in a conference call with FEMA officials regarding preliminary flood maps. The Mayor reports that there are a few small differences from the preliminary work maps released last summer and any property owners with concerns on the mapping and flood impact study can contact the City Manager. After Labor Day, the City will sponsor a public session and thereafter, an appeal process will be held between October 1st and December 30th advises the Mayor.

The Mayor comments that he has received very positive feedback on the Seafood Festival regarding the organization, delicious seafood, educational exhibits and cooking demonstrations.

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. Kate Wyatt, 292 Windsor Avenue, Cape May reads a statement on behalf of the Taxpayers Association (see attached.) Ms. Wyatt asks that all Resolutions and Ordinances be posted on the City website prior to meetings.

Sandy Siebert, 1625 Beach Avenue, Cape May supports Ms. Wyatt's aforementioned request.

Lisa Huggins, 1621 Beach Avenue, Cape May asks if the dog park will be closing after Labor Day. Huggins advises that more mulch is needed at the park.

Mr. MacLeod replies that the remediation is scheduled to be performed on the property but he is unsure of when said remediation will begin. Mr. MacLeod will have mulch put down at the site.

CLOSED SESSION

Motion made by Deputy Mayor Wichterman seconded by Councilmember Murray to go into closed session.

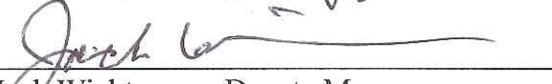
OPEN SESSION

Motion made by Deputy Mayor Wichterman seconded by Councilmember Murray to go back into open session.

ADJOURNMENT

Motion made by Councilmember Murray to adjourn. The meeting adjourned at 3:51 P.M.


Edward J. Mahaney, Jr., Mayor

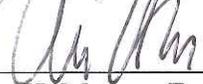

Jack Wichterman, Deputy Mayor

ABSENT

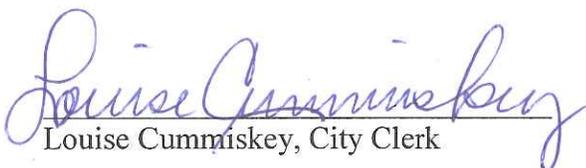
Deanna Fiocca, Councilmember



Terri L. Swain, Councilmember



William H. Murray, Esquire, Councilmember


Louise Cumiskey, City Clerk

**Statement on Behalf of Taxpayers regarding the City Web Site,
and Publishing Information Prior to the Council Meeting**

Good afternoon, the Taxpayers Association Board would like to thank city council for the initiative to bring the council meetings to the taxpayers via Livestream. We see this action as a positive step forward. However, we would like to follow up on the June 2 comments at the work session.

At the close of the June 2 council work session, a taxpayer asked council to improve the city web site by providing supporting documentation relating to items on the agenda. The Taxpayer's Association encourages the City Council and Administration staff to find a solution to the problem of inadequate information available to the public before relevant meetings. Supporting documentation informs the local and out- of- town taxpayers on items that are pending for approval by the Council.

In a recent study of the New Jersey E-Government Best Practices for Municipal Websites, a project of the Monmouth University Polling Institute and the Graduate Program in Public Policy, four categories are listed in the study; Information for Citizens, Citizen Interaction, Online Government Services and Social Networking. The late Fred Coldren, who was a member of the Cape Issues group affiliated with the Herald newspaper, wrote an article on this study. Fred had keen insight into the workings of City Administration. In his article, he brought those key areas cited in the study to our attention. He also noted that the best municipal website out of 540 sites listed in the in the study was Middletown Township in Monmouth County .

I visited the Middletown Township web site, and it is indeed impressive.

In the 2011 Monmouth University Poll, "municipal websites are the first place New Jerseyans go for information about their hometowns.... nearly 6 in 10 say they have looked up information about their town on the Internet—about the same number who say they have paid a visit to Town Hall".

Moreover, "Garden State residents are far more likely to visit a municipal website than to call or write a town official, and "websites are vehicles to increase public sector transparency, facilitate open government, and increase public trust in government. They can [also] streamline citizen interaction with local government and reduce the burden on municipal staff. All of these efforts to incorporate technology into public sector service delivery and interact with the public are referred to as E-Government."

Anyone who is involved with an organization that owns and maintains a website knows it is a struggle to keep information fresh and on message. The City has the complex task of keeping all taxpayers —primary and secondary home taxpayers informed. Taxpayers need to feel

confident that you are on target, making the best decision, as well as, balancing the needs, wants and safety for residents, business, and tourists who visit our town.

Business struggles with releasing information to the public. It is critical to the bottom line and profitability. A recent example is General Motors. They did not act and did not keep the public informed. It is just as critical to the taxpayer to become involved and provide oversight to their government. It is part of that partnership that we formed when we elected you as our Council.

There is a solution that is, not new, or magic.

Simply stated, if a resident can walk in to the City Clerk's office for the information--and the City Clerk can print a file and hand it to the person--that same file, can be converted to a 'PDF' format and appended (added) to the agenda. There is minimal additional time, or effort required--no new webpage, no extra cost. What does need to happen is, City Administration begin to evaluate a new process and procedures for getting information to the website for the public's use. A simple procedure that provides a path for approved documents to be posted to the city website prior to the meeting.

In closing, the meeting agenda, the supporting documents, and the meeting minutes are the quality records--the taxpayers are entitled to. The last post of the Council meeting minutes is April 1. This is unacceptable. The agenda should not "*disappear*" from the website after the meeting is held. All of these documents work together to provide a total information package..

We have a growth opportunity here. Technology can and does provide the framework. We need to think smarter and prepare for the next generation of taxpayers--who will not request, rather, they will demand information to be available. It does not matter if a taxpayer is sitting across from you at City Hall, or they are sitting at home watching on Livestream. We *are participating* in the process.

We respectfully challenge City Council and City Administration to work together to make this happen for the taxpayers. You may not get it right the first time, but once it is polished and working smoothly we will be winners in the E-Government evolution for the taxpayers in Cape May.

Respectfully submitted,

The Board Members of the Taxpayers Association of Cape May