

**REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, July 15, 2014, 7:00 P.M.**

The Regular meeting of City Council of the City of Cape May was called to order by Mayor Mahaney at 7:00 P.M. Tuesday, July 15, 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 Manager Bruce MacLeod City Clerk Louise Cummiskey Deputy Clerk Patricia Harbora
Absent:	City Solicitor Anthony P. Monzo, Esquire

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:

June 30, 2014 Closed Session Meeting Minutes – **Removed from Agenda**

Motion: Mahaney
Second: Wichterman

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

Presentation made by Adam Larcen of USCG to Lt. Lear, the Cape May Fire Police and Councilmember Murray for their help with the USCG first annual enlisted persons run, a concept created by Adam last year. The run took place on October 15, 2013, followed by a reception and awards ceremony at Cape May Convention Hall. Adam's goal is to erect a memorial honoring everyone who has given their life for their country. This year's run will be held on October 4, 2014.

PUBLIC HEARING

James M. Rutala, Grant Consultant to the City of Cape May, advises that this public hearing is a requirement of the Grant Application he is currently preparing to the New Jersey Department of Environmental Protection, Green Acres Program, for Grant funds for the Phase 1 Development of Lafayette Street Park project. Mr. Rutala offers a brief history of this project which goes back to 2008. Between 2010 and 2012, Mr. Rutala advises that the City of Cape May worked with Temple University Students to develop plans for the area, which conceptual plans are being used in the application. Mr. Rutala advises that the criteria for the application is large and the City of Cape May fairs well in meeting most of the requirements. Mr. Rutala shares an overview of the 38 acre site which will be developed from the Elementary School to St. John Street. The site will be used for both active and passive recreation, comments Mr. Rutala.

Mr. Rutala opens the floor to council and public comment.

Councilmember Murray inquires as to whether there will be any parking accommodations on the site and Mr. Rutala confirms that there will be parking areas in the park.

Mayor Mahaney comments that the interesting part of this project is the phasing and development and believes this is a rare opportunity to preserve open space.

There are no questions or comments from the public.

RESOLUTIONS:

- 162-07-2014 – Resolution Appointing Member to Lifeguard Pension Commission
- 163-07-2014 – Resolution Awarding Contract for the Supply and Delivery of One (1) New Fork Lift
- 164-07-2014 – Resolution Awarding Contract for the Supply and Delivery of One (1) New XL Cargo Van
- 165-07-2014 – Resolution Approving Submission of Fiscal Year 2015 Small Cities Public Facilities Application
- 166-07-2014 – Resolution Authorizing the Adoption of State Model Citizen Participation Plan for DCA Small Cities Program
- 167-07-2014 – Resolution Identifying Small Cities Fair Housing Officer
- 168-07-2014 – Resolution Approving Public Facilities Grant Management Plan
- 169-07-2014 – Resolution Approving An Agreement Between the City of Cape May and Mark Blauer for Consulting Services
- 170-07-2014 – Resolution Authorizing Utility Bill Adjustment Due to Catastrophic Occurrence
- 171-07-2014 – Resolution Awarding Contract for the Supply and Delivery of Removable Containers to be used in the City's Recycling Program
- 172-07-2014 – Resolution Authorizing Refund of Overpaid Water/Sewer Charges
- 173-07-2014 – Resolution Approving Agreement Between City of Cape May and ACIR Professional
- 174-03-2014 – Payment of Bills A
- 174-03-2014 – Payment of Bills B – **Remove from Consent**

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

174-03-2014 – Payment of Bills B – **Remove from Consent**

Motion: Mahaney
Second: Murray

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

CORRESPONDENCE

Correspondence dated July 5, 2014 to Mayor and Council from Ben Miller

Correspondence dated July 7, 2014 to Mayor Mahaney from Cory A. Booker, U.S. Senator

MINUTES:

City of Cape May Special Meeting Minutes dated July 30, 2014

Motion: Wichterman
Second: Murray

Fiocca Absent
Murray Yes
Swain Yes
Wichterman Yes
Mahaney Yes

REPORTS RECEIVED BY THE CLERK:

Shade Tree Commission Meeting Minutes dated June 12, 2014

Environmental Commission Meeting Minutes dated June 24, 2014

Assessor's Office Monthly Report dated July 7, 2014

Cape May City Police Department monthly report dated June, 2014

Motion: Wichterman

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

NEW BUSINESS:

- A) City Attorney
- B) City Manager – Mr. MacLeod reports on the Bond Sale which took place on July 8, 2014. The successful bidder was Jeffries LLC. Mr. MacLeod also reports that through June 30, 2014, the Occupancy Tax fees collected were \$17,244.00 higher than the same time period for 2013; the Parking Meter revenue collected through June 30, 2014 was \$27,903.00 higher than the same time period for 2013; and the Beach Tag fees collected through June 30, 2014 were \$91,542.00 higher than the same time period for 2013. Mr. MacLeod announces that the 5th Annual Volleyball Tournament will take place this Saturday, July 19, 2014 beginning at 9:00 A.M. and ending near dusk. On Thursday at 10:30 A.M., there will be a production of Cinderella and Sunday at 7:30 P.M. there will be a nature show, both taking place at Convention Hall advises Mr. MacLeod.
- C) City Clerk
- D) Councilmembers – Deputy Mayor Wichterman advises that this Friday, he, together with Mayor Mahaney and City Manager Bruce MacLeod, will travel to Trenton for a hearing on the School Funding matter. At the hearing, a decision will be made as to whether or not a proposition should be placed on the ballot at a special election. Mr. Wichterman will keep us advised as to the outcome of the hearing.

Mayor Mahaney commends the Garden Club on the splendid presentation of their 2014 Garden Show which took place at Convention Hall last week.

Mayor Mahaney advises that he attended the Superathlon this evening and the lifeguards were able to finish the run before bad weather caused them to cancel the balance of the event. The Mayor reports that the County of Cape May has advised they are going out to bid on new outfall pipes and the project should be completed by the fall. Mayor Mahaney thanks Dr. Paolini and his staff for participating in the City sponsored skin-screening event held at Convention Hall last Saturday.

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.

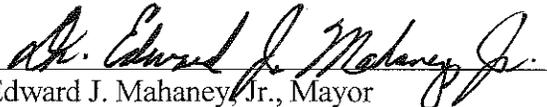
Harry Poole, 1243 Illinois Avenue, Cape May, NJ complains about a business which is being operated out of a home at 1263 Illinois Avenue. Mr. Poole has previously complained about this matter and City Manager, Bruce MacLeod, advises that the City addressed the matter in the past and he believed the issue was resolved. Mayor Mahaney suggests that Code Enforcement, the Police Department and the Construction Office visit the site tomorrow to handle the matter.

Mayor Mahaney would like the Police Chief, Construction Official and Code Enforcement Official to be present at the August 5, 2014 meeting to give a report on the matter.

Doug Bennett, 1107 Beach Avenue, Cape May, asks about the Grand Hotel Beach Concession. Mr. Bennett advises that he previously spoke with City Manager, Bruce MacLeod, about the application and would like to know where it stands. Mr. MacLeod advises that the City has not yet heard from the DEP. Mr. Bennett is concerned about the Beach Concessionaires who “stake out the beach” in their concession area leaving local beachgoers with limited access to those beaches. Mayor Mahaney requests that the Code Enforcement Officer visit the Beach to make sure there is no “pre-staging.”

ADJOURNMENT

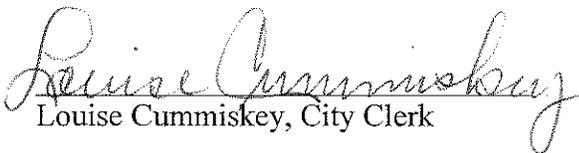
Motion made by Deputy Mayor Wichterman, seconded by Councilmember Murray to adjourn. The meeting adjourned at 8:35 P.M.


Edward J. Mahaney, Jr., Mayor


Jack Wichterman, Deputy Mayor


Terri L. Swain, Councilmember


William H. Murray, Esq., Councilmember


Louise Cummiskey, City Clerk