

**WORKSESSION/REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, July 2, 2013, 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 2, 2013 in the Cape May City Hall Auditorium. The Clerk called the roll and the Pledge of Allegiance was recited.

Present: Councilmember Deanna Fiocca
Mayor Edward J. Mahaney, Jr.
Deputy Mayor William H. Murray
Councilmember Terri L. Swain
Councilmember Jack Wichterman

Also Present: City Attorney Anthony Monzo
City Manager Bruce MacLeod
City Clerk Louise Cummiskey

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:

Councilmember Wichterman requests that Resolution 153-07-2013 be amended by adding that it is the preference of City Council that the City's students remain in the Lower Cape May Regional School District.

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

ENGINEER REPORT

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

FY 2012 Road and Utility Improvement Program – Mr. Roberts advises that this project will be closed out by the end of the month.

Underground Storage Tank – Canning House Lane – We are awaiting the “No Further Action” documentation from the State.

Water Tank and Standpipe, Madison and Columbia Avenues – the tank is back on line and the only open items are remedial work on the site.

Canning House Lane Standpipe – Mr. Roberts gives a tentative schedule for the rehabilitation of the Canning House Lane Standpipe. Construction is projected to be complete by December, 2013.

FY 2012 NJDCA Small Cities Grant Application - Carpenter’s Lane and Beach Access at Madison, Pittsburgh, Perry and Broadway – there is a small punch list left to complete.

FY 2012 NJDOT – Mr. Roberts advises that there has been no change since last month.

FY 2012 Road and Utility Improvement Program – Phase I – There has been no change and Mr. Roberts has not heard from the Contractor. Mr. MacLeod asks Mr. Roberts to send Mr. Monzo all correspondence which Mr. Roberts forwarded to the Contractor.

City Hall Rehabilitation – Phase 2 of the Masonry repairs design is underway and Mr. Roberts will have a contract as soon as possible.

FY 2013 NJDCA Small Cities Grant Application – Mr. Roberts advises that work will begin soon.

FY 2013 NJDOT Municipal Aid – Mr. Roberts advises that there has been no change.

Harbor Lane Bulkhead – An application has been submitted to the DEP and Mr. Roberts advises that we are awaiting their review.

Emergency Generator for Wells #5 and #7 – A design is being completed and Mr. Roberts advises we should be out to be within 30 to 60 days.

Mr. Robert distributes a report on the Washington Street project. The project was contracted to be completed by Memorial Day but in fact, was not completed until June 6, 2013.

The Mayor asks Council to review the report and contact Mr. MacLeod with any comments and to consider the residents and visitors when reflecting on the final change order #2.

Mr. MacLeod asks Mr. Roberts to prepare a proposal to review the Gurney Street area and report back to Council.

CITY MANAGER ITEMS

Mr. MacLeod reported that the City Bond rating was improved and upgraded to a AA status. On June 26, 2013, Mr. MacLeod advises that the City conducted a Bond Sale by an on-line bidding process and six companies registered to bid on the Bonds. The total amount of Bonds sold was \$13,035,000.00 and during a fifteen minute period, sixty-nine bids were received, comments Mr.

MacLeod with UBS Financial Services being the successful bidder. Finally, Mr. MacLeod reports on beach tag sales which are down \$17,233.00 from last year and on parking meter revenues presently down \$44,221.00 from last year.

ATTORNEY ITEMS

Mr. Monzo reports on the purchase of the Vance property last week. Mr. Monzo asks for Council's guidance regarding the demolition of the property.

CLERK'S ANNOUNCEMENTS

Ms. Cummiskey announces that there will be a Public Hearing on a Small Cities Community Development Block Grant to be held in the City Auditorium on July 9, 2013 at 6:00 P.M.

RESOLUTIONS:

- 150-06-2013 – Resolution Authorizing Purchase of One (1) New Tennant Litter Vacuum for use by public Works Department Under State Contract No. A79875 (\$34,607.00)
- 151-07-2013 – Resolution Authorizing Purchase of Gasboy Gate Controller for use by public Works Department Under State Contract No. A75554 (\$26,817.00)
- 152-07-2013 – Resolution Refunding Overpaid 2013 Utilities
- 153-07-2013 – Resolution on Report Considering Possible Withdrawal from the Lower Cape May Regional School District **(Removed from Consent)**
- 154-07-2013 – Resolution Authorizing the City Clerk to Issue Bingo and Raffle Licenses throughout the Year to Qualified Organizations
- 155-07-2013 – Resolution Approving Liquor License Renewal for the 2013-2014 License **(Removed from Consent)**
- 156-07-2013 – Appointment to Environmental Commission of the City of Cape May
- 157-07-2013 – Payment of Bills

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

- 155-07-2013 – Resolution Approving Liquor License Renewal for the 2013-2014 License

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

153-07-2013 – Resolution on Report Considering Possible Withdrawal from the Lower Cape May Regional School District (**As Amended**)

Councilmember Wichterman explains this is the next step in the school funding process. The feasibility study, which has been presented to Council, is available to the public and may be obtained in the Clerk's Office.

Public Portion

Harry Sundstrum, Jr., 1008 Lafayette Street, Cape May is proud to represent the City of Cape May on the Lower Cape May Regional School Board. Mr. Sundstrum opposes the approval of Resolution 153-07-2013 and also opposes Cape May children attending Middle Township Schools.

Councilmember Wichterman states that it is clear in the Resolution that Council prefers that Cape May students remain in the same school district.

Deputy Mayor Murray comments that there is no decision being made today.

John Fleming ,1484 Washington Street, Cape May feels the Council should approve the resolution on school funding due to the cost to the taxpayers in the City of Cape May. Mr. Fleming asks what the difference is per student and what the impact would be.

Councilmember Wichterman replies that the difference is \$77,000 a year so the Cape May City average homeowners will save \$179.00 in taxes for every million and the Lower Township average homeowner will have their taxes increased by \$85.00 for every million dollars.

Mr. Fleming requests that the City meet with Lower Township representatives to discuss and work out the school funding formula.

Mr. Monzo advises that the State Department of Education would make the final decision to change the formula even with both municipalities in agreement.

Deputy Mayor Murray feels the City of Cape May has a good cause of action.

153-07-2013 – Resolution on Report Considering Possible Withdrawal from the Lower Cape May Regional School District (**As Amended**)

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

MINUTES:

City Council Regular Meeting Minutes dated May 21, 2013

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

Closed Executive Session Meeting Minutes dated June 3, 2013
City Council Regular Meeting Minutes dated June 18, 2013
Closed Executive Session Meeting Minutes dated June 18, 2013

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

REPORTS RECEIVED BY THE CLERK:

Overtime Report, June 2013
Occupancy Tax Budget Projection Report dated June 19, 2013

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

NEW BUSINESS:

- A) City Attorney
- B) City Manager
- C) City Clerk
- D) Councilmembers – Mayor Mahaney wished everyone a safe and happy 4th of July weekend and invites all to attend the Fireworks display to be held on July 4th at 9:00 P.M., as

well as the 4th of July Parade which will take place on Saturday, July 6, 2013. The Parade will begin at 1:00 P.M. at Philadelphia Avenue and will end at Patterson Avenue, advises the Mayor.

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.

Mr. Harry Poole – 1243 Illinois Avenue, Cape May advises that he has lived in Cape May for 30 years. Mr. Poole reports that a resident in his neighborhood is operating a business from his home and he would like someone to look into the matter.

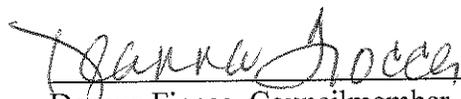
Mayor Mahaney asks the City Manager to arrange for someone to investigate.

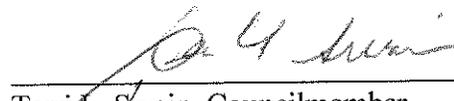
ADJOURNMENT

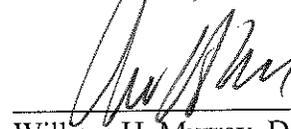
Motion made by Councilmember Swain, seconded by Councilmember Wichterman to adjourn. The meeting adjourned at 2:35 P.M.

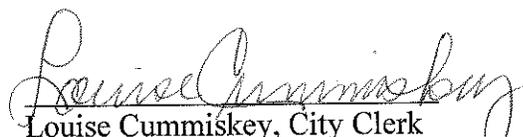

Edward J. Mahaney, Jr., Mayor


Jack Wichterman, Councilmember


Deanna Fiocca, Councilmember


Terri L. Swain, Councilmember


William H. Murray, Deputy Mayor


Louise Cummiskey, City Clerk