

**WORKSESSION/REGULAR MEETING  
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ  
Tuesday, July 3, 2012, 1:00pm**

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 3, 2012 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.  
Councilmember William H. Murray  
Councilmember Terri L. Swain  
Deputy Mayor Jack Wichterman

Also Present: City Attorney Anthony Monzo  
City Manager Bruce MacLeod  
City Clerk Louise Cumiskey  
Deputy Clerk Patricia Harbora

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.

**COUNCIL COMMENTS**

**AGENDA ADDITION/DELETION OF LATE AGENDA ITEMS TO BE CONSIDERED FOR ACTION:**

Remove resolution 163-07-2012

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

160-07-2012 – Resolution Naming “Mogck” Beach

Motion: Mahaney  
Second: Fiocca

Roll Call:

Fiocca        Yes  
Murray        Yes  
Swain         Yes  
Wichterman   Yes  
Mahaney      Yes

The Mayor, Councilmembers and City Manager all thanked Captain Harry Mogck for the excellent he has done for the past thirty two (32) years as the Captain of the Beach Patrol.

Captain Mogck thanked everyone and commented on how much he enjoyed working for the City of Cape May.

### **WORK SESSION DISCUSSION ITEMS**

Single Stream Recycling – John Baron, Cape May County MUA  
Wastewater Service Area Map – Craig R. Hurless, PE, PP, CME  
R1 Zone Ordinance Change – Craig R. Hurless, PE, PP, CME

### **SINGLE STREAM RECYCLING**

John Baron of the Cape May County MUA explained the recycling technology which began in 1990 with single stream materials. The Cape May County MUA would like to switch from Dual Stream to Single Stream Recycling. Mr. Baron is asking for support from all the municipalities in Cape May County.

Councilmember Murray asks for the definition of Single Stream recycling and Mr. Baron advises that paper, plastic and bottles may all be mixed in one container to be separated at the recycling plant.

City Manager, Bruce MacLeod asks if the sixteen municipalities in Cape May County have passed resolutions endorsing the single stream process. Mr. Baron advises most Municipalities are on board.

Deputy Mayor Wichterman would like the City to move forward with single stream recycling.

Mayor Mahaney suggests preparing a Resolution for the meeting of July 17, 2012 endorsing Single Stream Recycling.

### **WASTEWATER SERVICE AREA MAP**

Craig Hurless, Planning Board Engineer, discusses Resolution 166-07-2012 which endorses Wastewater Facilities and the Updated Services Maps.

Mr. Wichterman asks to have the maps sent to our engineer after they are approved by the DEP and Mayor Mahaney suggests adopting Resolution 166-07-2012 Endorsing Wastewater Facilities and Service Area Maps.

Mr. Hurless then explains the zoning analysis for the R1 Low Density Residential District located along Cape May Avenue.

**ENGINEER REPORT**

Mr. Roberts advises that the 2011 Road and Utility Improvement have been completed and the test sampling was completed for the underground storage tank at Canning House Lane. Also, the 2011 NJDCA Small Cities ADA improvements and the City Hall Roof project have been completed.

The Bid for the Masonry repairs for City Hall was awarded to Mangan Masonry Restoration and the bid for the Window replacement was awarded to Garozzo & Scimeca.

Mr. Roberts advises Mayor and Council that the contractor on the Madison Avenue Water Tank Rehabilitation project would like to begin construction on August 20, 2012, contrary to the terms of the contract. Mayor Mahaney and Council agree to wait until after the summer season to begin the work. The contract will not be changed.

**CITY MANAGER ITEMS**

Mr. MacLeod announces that the Master Water Meter installation project has been completed.

Mr. MacLeod advises that on July 12, 2012, the City of Cape May will receive bids for the Bond Anticipation Notes. These Notes will cover General Capital, Water/Sewer Utility Capital and Beach Utility Capital, for various projects.

The City Manager states that the filing for Property Tax Reimbursement and the Homestead Rebate Program has been extended to October 19, 2012.

Finally, Mr. MacLeod announces that the July 4th Fireworks Event is scheduled to begin in front of Congress Hall approximately 9PM.

**ATTORNEY ITEMS**

**CLERK'S ANNOUNCEMENTS**

City Hall will be closed on the 4th of July.

**REGULAR MEETING BUSINESS:**

**ORDINANCE FOR INTRODUCTION:**

254-2012 Ordinance Granting Renewal of Municipal Consent to Comcast of Wildwood, LLC to Construct, Connect, Operate and Maintain a Cable Television and Communications System in the City of Cape May, New Jersey.

Motion: Mahaney  
Second: Wichterman

Roll Call:

Fiocca Yes  
Murray Yes  
Swain Yes  
Wichterman Yes  
Mahaney Yes

**RESOLUTIONS:** Council will accept questions from the public on Consent Agenda Resolutions

- 159-07-2012 – Resolution of the City of Cape May Authorizing Change Order #3 Contract with Perna Finnegan, Inc. for the 2011 Utility and Road Program
- 160-07-2012 – Resolution naming “Mogck” Beach
- 161-07-2012 – Resolution Approving Professional Services Agreement between Remington, Vernick & Walberg Engineers and the City of Cape May
- 162-07-2012 – Resolution Providing for the Insertion of a Special Item of Revenue in the Budget pursuant to Chapter 159, PL 1948
- 163-07-2012 – Resolution of the City of Cape May to Approve a Member of the Cape May Volunteer Fire Company – **Removed**
- 164-07-2012 – Resolution Authorizing the Release of Performance Guarantee for WKR Construction
- 165-07-2012 – Resolution Approving Change Order No. 1 – Replacement of Master Water Meters
- 166-07-2012 – Resolution Endorsing Wastewater Facilities and Service Areas Map
- 167-07-2012 – Payment of Bills
- 168-07-2012 – Resolution to Award Bid – Cape May City Hall Exterior Façade Repairs
- 169-07-2012 – Resolution to Award Bid – Cape May City Hall Window Replacement
- 170-07-2012 – Resolution Approving an Agreement between the City of Cape May and Mark Blauer for Consulting Services
- 171-07-2012 – Resolution Approving Letter Agreement between City of Cape May and Cape Island Baptist Church
- 172-07-2012 – Resolution Approving Professional Services Agreement between Remington, Vernick & Walberg Engineers and the City of Cape May for Landscaping and Lighting
- 173-07-2012 – Resolution Authorizing the Connection of Water and Sewer Laterals for 1115 Maryland Avenue and 1119 Maryland Avenue
- 174-07-2012 – Resolution Approving an Agreement between the City of Cape May and James M. Rutala Associates, LLC for Consulting Services

Motion: Mahaney  
Second: Wichterman

Roll Call:

Fiocca Yes  
Murray Yes  
Swain Yes

Wichterman Yes  
Mahaney Yes

**MINUTES:**

**REPORTS RECEIVED BY THE CLERK:**

Monthly Report of Tax Collections for the period May 31, 2012  
2% Occupancy tax projection for the month of April, 2012  
HPC Meeting Minutes dated May 31, 2012  
HPC Meeting Minutes dated June 11, 2012

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

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

- A) City Attorney
- B) City Manager –
- C) City Clerk –
- D) Councilmembers

Deputy Mayor Wichterman, who is the Shade Tree Commission liaison, requested a memorial plaque for a Tree at the intersection of Ocean Street and Carpenters Lane. Mayor and Council have no objection.

**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.

Stan Urban, 1009 Cape May Avenue, Cape May, NJ advises that he attended the past two Zoning Board Meetings and based upon the information obtained at those meetings, he is against increasing lot coverage from 30% to 40% in the R1 Zone on Cape May Avenue.

Jay Schatz, Shade Tree Commission Chairman asks how many plaques the City is interested in placing on the trees located at Carpenters Lane and Lyle Lane. Mayor Mahaney explains that the memorial benches and plaques are limited by the City.

Mr. Schatz then advises that he would like to do a back yard inventory on the R1 district targeted for the increase to determine if the old growth and new trees will be affected by the increase.

Tom Zug, 218 S. Lafayette Street Cape May, NJ talks about a property located at 207 Congress Place. Mr. Zug advises that the property is being used as a Commercial business for Wedding receptions and parties. As the property is located in a residential zone, Mr. Zug asks that the City look into the matter. Mayor Mahaney asks the City Manager to check with Code Enforcement and the Construction Office regarding how the property is being marketed and used.

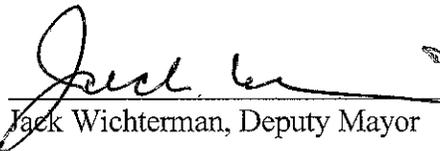
Jessie Weeks, 21 Patterson Avenue, Cape May, NJ advises that she is a member of the Environmental Commission and Planning Board. Ms. Weeks is concerned about the changes to the R1 District on Cape May Avenue and she encourages Mayor and Council to think this through before a decision is made.

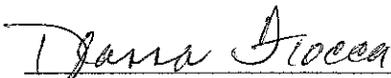
George Costick, Victorian Towers, Cape May, NJ wants the City to be aware that Cape May City is described as a National, Historical, Natural Landmark and Urban Forrest area. He asks Mayor and Council to keep the City Historical.

**COUNCIL & CITY MANAGER COMMENTS**

Motion made by Deputy Mayor Wichterman to adjourn. The meeting adjourned at approximately 3:55P.M.

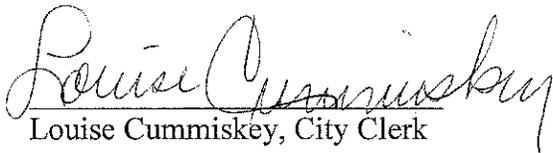
  
Edward J. Mahaney, Jr., Mayor

  
Jack Wichterman, Deputy Mayor

  
Deanna Fiocca, Councilmember

  
Teri L. Swain, Councilmember

  
William M. Murray, Councilmember

  
Louise Cummiskey, City Clerk