

**WORKSESSION/REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Monday, June 3, 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. Monday, June 3, 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 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.

Mayor Mahaney asks for a moment of silence on behalf of Conrad Bryant, a thirty-five year Volunteer Fireman and former resident of the City of Cape May who died May 28, 2013.

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

ENGINEER REPORT

City Engineer, Ray Roberts, presents his engineering report, as follows:

FY 2011 Road and Utility Improvement Program project is complete and we are awaiting the Contractor's final request for payment.

Underground Storage Tank – Canning House Lane – We are awaiting No Further Action documentation from the State of New Jersey.

Water Tank and Standpipe – Madison and Columbia Avenues – the painting is substantially completed and the scaffolding is being removed. The tank should be online no later than June 21, 2013.

Canning House Lane Standpipe – USDA funds have been approved for the rehabilitation and we will advertise for bids sometime this month with a projected construction completion date of December, 2013.

FY 2012 NJDCA Small Cities Grant Application/ADA Improvements – the punchlist work is to be completed no later than June 27, 2013.

FY 2012 NJDOT Municipal Aid – Funds awarded in the amount of \$180,000.00 to be used in conjunction with the reconstruction of Cape May Avenue from Madison Avenue to Reading Avenue.

FY 2012 Road and Utility improvement Program (Phase 1) – Cape May Avenue from Madison to Reading Avenue – all work is complete except for the punchlist. Washington Street – the brick gutter is to be completed today and the top course of pavement will be installed on June 4, 2013.

City Hall Rehabilitation – Phase 2 of the Masonry Repairs design is underway.

FY 2013 NJDCA Small Cities Grant Application – The City was awarded a grant in the amount of \$400,000.00 for the accessible sidewalk ramps City Wide and for work on Carpenters Lane from Jackson to Decatur Street.

FY 2013 NJDOT Municipal Aid – The City was awarded \$175,000.00 for Cape May Avenue (North side) from Reading to Trenton Avenue.

Harbor Lane Bulkhead – Design and permitting are underway.

Emergency Generator for Well #5 and #7 – RV & W are proceeding with survey and design.

CITY MANAGER ITEMS

Mr. MacLeod advises that he participated in a conference call with Ray Roberts, Mark DeBlaiso, John Fish and Councilmember Wichterman on Friday, May 31, 2013 to establish a program for the promotion of energy efficiency for the property owners in the City of Cape May. Mr. MacLeod will report back to Council when he receives more information.

CLERK'S ANNOUNCEMENTS

The City Clerk reminds everyone that there will be a Primary Election tomorrow, June 4, 2013, and the polls will be open between 6:00 A.M. and 8:00 P.M.

ORDINANCES FOR SECOND READING AND ADOPTION:

270-2013 Bond Ordinance Providing for Improvements to the Storm Water Collection System in and by the City of Cape May, in the County of Cape May, New Jersey, appropriating \$275,000 Therefor and Authorizing the Issuance of \$261,250 Bonds or Notes of the City to Finance Part of the Cost Thereof

Motion to Open Public Hearing

Motion: Wichterman
Second: Murray

Motion to Close Public Hearing

Motion: Mahaney
Second: Wichterman

Motion to Adopt

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

RESOLUTIONS:

- 133-06-2013 - Resolution Refunding Overpaid 2013 Taxes
- 134-06-2013 – Resolution Approving Liquor License Renewal for the 2013-2014 Year
(Removed from Consent Agenda)
- 135-06-2013 – 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 – School Funding Formula – Personnel Matter
- 136-06-2013 – Resolution Refunding Overpaid 2013 Taxes
- 137-06-2013 – Payment of Bills “A”

Motion: Mahaney
Second: Murray

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

Mayor Mahaney asks Council to remove Resolution 134-06-2013, Approving Liquor License Renewals for the 2013-2014, from the Consent Agenda. The Mayor is concerned about the Frog Spring, Inc. license and advises that we are awaiting more information from the Police Department.

Mr. Monzo advises that the license can be removed from the Resolution until further information is obtained from the Police Department and that the Resolution can be put on the June 18, 2013 Agenda. Mr. Monzo will look into the matter and report back to Council.

Mayor Mahaney advises that this matter has to do with the State ABC status and Council may not take action if there is a hearing.

**134-06-2013 – Resolution Approving Liquor License Renewal for the 2013-2014 Year
(Amended by Removing Frog Springs, Inc. and Cherry Tree, Inc.)**

Motion: Mahaney
Second: Wichterman

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

**134-06-2013A – Resolution Approving Liquor License Renewal for the 2013-2014 Year of
Cherry Tree, Inc.**

Motion: Mahaney
Second: Murray

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

MINUTES:

City Council Regular Meeting Minutes dated April 16, 2013
City Council Closed Executive Meeting Minutes dated April 16, 2013

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

City Council Special Meeting Minutes dated April 26, 2013

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

City Council Special Meeting Minutes dated May 13, 2013

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

City Council Closed Executive Meeting Minutes dated May 21, 2013

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

REPORTS RECEIVED BY THE CLERK:

City of Cape May Zoning Board Meeting Minutes dated April 25, 2013
City of Cape May Planning Board Meeting Minutes dated April 9, 2013
Monthly Report of Tax Collections for the Period March 31, 2013 and April 30, 2013
Occupancy Tax Budget Projection Report dated May 21, 2013

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

NEW BUSINESS:

- A) City Attorney
- B) City Manager – Mr. MacLeod announced that he is working on the Preliminary Official Statement for the City Bond Sale which will be completed by the end of this week.
- C) City Clerk
- D) Councilmembers – Councilmember Wichterman announced that at tonight’s closed session, there will be a presentation made by Vito Gagliardi, Esquire, and his team, on the School Funding Formula Feasibility Study.

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.

Warren Coupland, 737 Washington Street, Cape May thanks City Council and the School Board for their efforts to educate the children on green energy. Mr. Coupland is not in favor of the installation of a windmill at the Cape May Elementary School. Mr. Coupland does not feel that a windmill fits the HPC Standards of the City of Cape May.

CLOSED SESSION

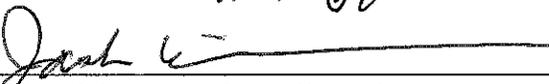
Motion made by Councilmember Wichterman, seconded by Deputy Mayor Murray to go into closed session at 2:00 P.M.

Motion made by Councilmember Wichterman to go back into open session.

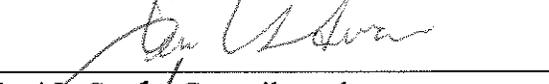
ADJOURNMENT

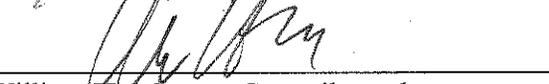
Motion made by Deputy Mayor Murray to adjourn. The meeting adjourned at approximately 5:10 P.M.

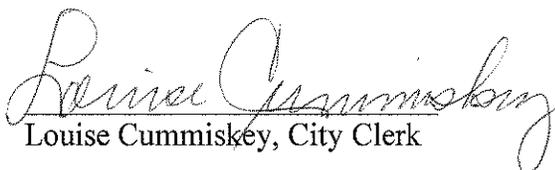

Edward J. Mahaney, Jr., Mayor


Jack Wichterman, Councilmember


Deanna Fiocca, Councilmember


Terri L. Swain, Councilmember


William H. Murray, Councilmember


Louise Cummiskey, City Clerk