

**WORKSESSION/REGULAR MEETING  
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ  
Monday, June 4, 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. Monday, June 4, 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 Cummiskey  
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 announced that this meeting is being held on Monday June 4, 2012 because of the Primary Election which takes place on Tuesday June 5, 2012. The Mayor welcomes Patricia Harbora, Deputy Clerk, who has recently joined the staff of the City of Cape May.

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

Add Resolution 147-06-2012 – A Resolution Opposing Senate Bill No. 1914  
Remove Resolution 146-06-2012 – A Resolution approving Agreement for COAH

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

**WORK SESSION DISCUSSION**

“Putting Safety on the Agenda” - Bob Smith, ACMJIF Fund Commissioner  
Stormwater Management – Bob Smith, Superintendent of Public Works  
Update Recycling Ordinance - Bob Smith, Recycling Coordinator  
Clean Communities Partnership Award – Pat D’Arco  
Amendment to the R1 Zoning District to increase coverage from 30% to 40%

**PRESENTATION**

Robert Smith, Fund Commissioner / Safety Coordinator speaks of the importance of safety in the workplace and advises of some of the upcoming safety events being sponsored by the ACMJIF. Mr. Smith proudly advises that the City of Cape May was the recipient of a Safety Excellence Award in 2011.

Mr. Smith advises that the Recycling Station has recently started accepting electronics, fluorescent light bulbs and recycled batteries and he would like to update the City Recycling Ordinance to reflect same.

Mr. Smith introduces Pat D’Arco, Clean Communities Coordinator, who presented the City of Cape May with an award for their participation in the 2012 Clean Communities Partnership. Mayor Mahaney thanked her for organizing the conference and assisting the State leadership committee.

City Manager, Bruce Macleod, discussed the City of Cape May Planning Board Findings and Conclusions in the R1 Zoning District. Mr. Macleod asks Monzo, City Attorney, to prepare a Draft Ordinance increasing the size of the lot coverage from 30% to 40% in the R1 district.

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

**ORDINANCE FOR INTRODUCTION:**

253-2012 Ordinance of the City of Cape May Approving Deed Notice for Block 1061, Lot 139, Cape May, New Jersey (830 Canning House Lane)

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

## **ENGINEER REPORT**

Raymond Roberts, Reminton & Vernick and Walberg, offers his report, as follows:

FY 2011 Road and Utility program - Carpenters Lane, Cove and the Trenton dune crossover is completed.

Storage Tank at Canning House Lane – the project has been completed.

Madison Ave & Columbia Water Tank Rehabilitation - contracts have been signed and reviewed by the City Solicitor.

FY 2011 NJDCA Small Cities grant application – Beach access and ADA improvements, will proceed with this project.

FY 2012 NJDOT Municipal Aid grant application will proceed with this project.

FY 2012 Road and Utility improvement Program are waiting for the bond ordinance then will be approved.

City Hall Rehabilitation roof project has been completed. The City is moving forward with the window project.

## **CITY MANAGER ITEMS**

Mr. MacLeod offers a financial report on the Beach Theatre Foundation and the Peter Nero and the Philly POPS concert.

## **ATTORNEY ITEMS**

## **CLERK'S ANNOUNCEMENTS**

The City Clerk announces that Liquor License Renewal applications are due before the next Council Meeting on June 19, 2012. Also, the Primary Election will be held on June 5, 2012 and poles are open between the hours of 6:00 A.M. and 8:00 P.M. Finally, the clerk advises that there are three members of the HPC whose appointments will expire on June 30, 2012.

## **REGULAR MEETING BUSINESS:**

### **RESOLUTIONS:**

133-06-2012 – Resolution Awarding Contract for Tree Care and Maintenance

134-06-2012 – Resolution Awarding Contract for Supplying of HVAC Service and Repairs

135-06-2012 – Resolution Awarding Contract for the Supply and Delivery of Removable Containers to be used in the City's Recycling Program

136-06-2012 – Resolution Awarding Contract for Supplying of Uniforms for Beach Patrol, Jr. Lifeguards & Beach Tag Personnel for the 2012 Season

137-06-2012 – Refund of overpaid 2012 taxes – Porter

138-06-2012 – Refund of overpaid 2012 taxes – Dascenzo

139-06-2012 - Resolution Approving Third Amendment to Third Amended and Restated Agreement between Kimmel Bogrette Architect & Site, Inc. and the City of Cape May

140-06-2012 – Resolution Authorizing Remington and Vernick Engineers to Perform FY 2012 Road and Utility Improvement Program – Washington Street (Ocean Street to Franklin Street)

- 141-06-2012 -- Resolution of the City of Cape May providing for a meeting not open to the public in accordance with the provisions of the NJ Open Public Meetings Act, *NJSA10:4-12* --Closed -- contract negotiations -- Police Chief, PBA, Temple Contracts, City Manager Contract
- 142-06-2012 -- Resolution Approving Blakeslee Towing & Recovery, Inc., D/B/A Court House Towing as Secondary Towing Company
- 143-06-2012 -- Appointment of Deputy Clerk
- 144-06-2012 -- Payment of Bills A
- 144-06-2012 -- Payment of Bills B
- 145-06-2012 - Resolution Approving Members of the Cape May Volunteer Fire Company
- 146-06-2012 -- Resolution Approving Agreement for COAH - **Removed**
- 147-06-2012---Resolution Opposing Senate Bill No. 1914, as amended

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

144-06-2012 -- Payment of Bills B

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

**MINUTES:**

City Council Regular Meeting Minutes dated May 15, 2012

City Council closed executive session meeting minutes dated May 15, 2012

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

**REPORTS RECEIVED BY THE CLERK:**

Overtime report – May, 2012

Occupancy tax projection for March, 2012

Construction Permit Activity Report for April, 2012

Environmental Commission Meeting Minutes dated May 8, 2012

Motion: Wichterman

Second: Mahaney

Roll Call:

Fiocca Yes

Murray Yes

Swain Yes

Wichterman Yes

Mahaney Yes

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

A) City Attorney

B) City Manager – Mr. MacLeod announces that Restaurant week in the City of Cape May, will take place between June 3, 2012 and June 10, 2012.

C) City Clerk

D) Councilmember's - Councilmember Fiocca mentioned that she was honored and pleased to be at the Peter Nero and The Philly POPS Concert and the opening of the new Convention Hall. She would like to thank everyone for their hard work.

Councilmember Murray comments on the success of the Convention Hall opening and advises that the Memorial Day Ceremony was very well attended. Mr. Murray asks about the cost of renting the community rooms at Convention Hall.

Mayor Mahaney thanked the city employees for the hard work performed on the Convention Hall project. The Mayor specially thanked the City Manager, Bruce Macleod, for the hours of hard work he put into this project. The Mayor also thanked Mike Whipple and everyone in his department for doing a great job.

**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.

William Gaffney – 810 Columbia Avenue, Cape May, NJ asked Council if any complementary tickets were given for the Peter Nero and Philly POPS concert.

Mr. MacLeod replied that, Mr. Nero was entitled to tickets as part of his concert and the City offered free tickets to the Coast Guard, media and for Radio advertisement.

Mr. Gaffney requests that the public portion of the Council meeting be moved to the beginning of the meeting after the flag salute.

Mayor Mahaney advises that Council will look into this for future meetings. Finally, Mr. Gaffney mentioned that the Beach Theatre property is an eye sore and asks that something be done to clean up the property. Mr. Monzo comments that he has been in touch with the owners of the property and that they have a plan for redevelopment on the site. Said plan will be presented to City Council sometime this summer.

John Fleming – 1484 Washington Street, Cape May, NJ congratulates Council, the City employees, Mr. Whipple, the City Manager and Mr. Monzo for a spectacular job with the Grand Opening of Convention Hall. Mr. Fleming asks if Code Enforcement will look at a property on Elmira Street and Bank Street and he recommends that City Council consider reappointing Mr. MacLeod as City Manager.

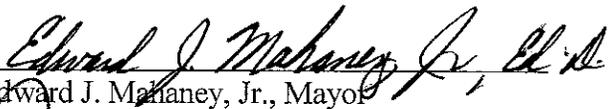
Bob Heavy – 608 Washington Street Cape May, NJ inquires as to the status of the PBA negotiations.

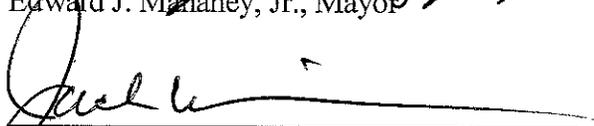
Mayor Mahaney advises that the negotiations are being discussed today in closed session.

George Costich, 608 Washington Street, Cape May, NJ would like the City website to be updated for tourism so that more visitors will visit Cape May.

#### ADJOURNMENT

Motion made Councilmember Fiocca to adjourn. The meeting adjourned at approximately 3:00 P.M.

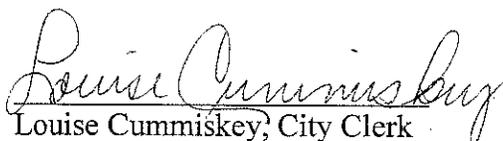
  
Edward J. Mahaney, Jr., Mayor

  
Jack Wichterman, Deputy Mayor

  
Deanna Fiocca, Councilmember

  
Terri L. Swain, Councilmember

  
William H. Murray, Councilmember

  
Louise Cummiskey, City Clerk