

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 62-03-2016

**AUTHORIZING THE FILING OF AN APPLICATION FOR MUNICIPAL
RECYCLING TONNAGE GRANT FOR THE YEAR 2015**

MOTION:

SECOND:

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for the calendar year 2015 will memorialize the commitment of this municipality to recycling and indicate the assent of the City Council of the City of Cape May to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, that Cape May City hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and designates Joseph Picard, or his designated representative, to ensure that the Application is properly filed.

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be used solely for the purposes of recycling.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 2, 2016.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Swain				
Wichterman				
Mahaney				

cc: NJ Department of Environmental Protection and Energy
(with application, 1 certified copy)
Supt. of Public Works

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 63-03-2016

Refund of Overpaid 2016 Taxes

MOTION:

SECOND:

WHEREAS, the 1st quarter 2016 property taxes were paid by twice by the homeowner;
and

WHEREAS, the homeowner has requested a refund; and

WHEREAS, the Tax Collector of the City of Cape May has calculated the amount of the refund as listed below; and

WHEREAS, the specific property and amount of the overpaid taxes are listed below:

PROPERTY OWNER	ADDRESS	BLOCK/LOT	AMOUNT
Pruss, Eric and Kristen	1313 Maryland Ave.	1149/36	\$1,494.93

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, that it authorizes the appropriate officers and officials of the City of Cape May to refund the overpaid taxes to the property owners as stated above.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 2, 2016.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Meier				
Pessagno				
Swain				
Mahaney				

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 64-03-2016

Refund of Overpaid 2015 Utilities

MOTION:

SECOND:

WHEREAS, the 4th quarter 2015 utility bill was paid by the homeowner and the First Partners Agency; and

WHEREAS, the 4th quarter 2015 utility bill was paid by the homeowner and Land Services, Inc.; and

WHEREAS, the homeowners have requested a refund of overpaid utilities; and

WHEREAS, the Tax Collector of the City of Cape May has calculated the amount of the refunds as listed below; and

WHEREAS, the specific properties and amount of the overpaid utilities are listed below:

<u>Property Owner</u>	<u>Address</u>	<u>Block/Lot</u>	<u>Amount</u>
Cheetam, D. & Gilbert, M.	1534 Yacht Ave.	1160/27C-04	\$101.60
Riggs, Arthur J.	16 Jefferson Street	1067/7C-01	\$299.25

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, that the appropriate officers and officials of the City of Cape May are hereby authorized to refund the overpaid utility charges as stated above.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 2, 2016.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Meier				
Pessagno				
Swain				
Mahaney				

cc: CFO
Tax Collector

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 65-03-2016

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE HOUSING PRESERVATION GRANT PROGRAM

MOTION:

SECOND:

WHEREAS, the United States Department of Agriculture is accepting applications for the Housing Preservation Grant Program; and

WHEREAS, the Housing Preservation Grant Program provides funds to repair and rehabilitate owner occupied houses of low and very low income residents; and

WHEREAS, this program is available to municipalities in the State of New Jersey with a population of 5,000 or less; and

WHEREAS, the City of Cape May carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

NOW, THEREFORE, BE IT RESOLVED that City Council of the City of Cape May formally approves that grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Cape May and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 2, 2016.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Meier				
Pessagno				
Swain				
Mahaney				

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 66-03-2016

**Resolution Authorizing Acceptance of Emergency Management
Performance Grant –Emergency Management Agency Assistance
Subaward Program**

MOTION:

SECOND:

WHEREAS, the City of Cape May responded to a Preliminary Questionnaire for the 2015 Emergency Management Agency Assistance (EMAA) Program; and

WHEREAS, based upon the review of said questionnaire, it has been determined by the State of New Jersey, Department of Law and Public Safety that the City of Cape May is eligible to submit a Subaward Application for up to \$7,000.00 of the FY2015 EMAA funding; and

WHEREAS, the identifying Subaward Number is FY15-EMPS-EMAA-0502 and the Subaward Period is July 1, 2015 through June 30, 2016; and

WHEREAS, the total Subaward amount is \$14,000.00 which includes the Federal amount of \$7,000.00 and the required City in-kind match of \$7,000.00; and

WHEREAS, the Mayor and Council of the City of Cape May hereby authorize the City of Cape May to accept the Subaward Federal amount; and

WHEREAS, the City of Cape May is accepting the grant funds to compensate the Office of Emergency Management Staff of the City of Cape May, pursuant to the EMAA Subaward Budget Detail Worksheet completed in the application and previously forwarded.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Cape May, hereby authorizes the acceptance of the Subaward Federal amount.

BE IT FURTHER RESOLVED that the monies received from the Emergency Management Performance Grant – Emergency Management Agency Assistance Subaward Program, will be used solely for the purposes set forth in the Grant Application.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 2, 2016.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Swain				
Wichterman				
Mahaney				

cc: State of New Jersey, Dept. of Law & Public Safety
Certified Copy

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION 67-03-2016

**A RESOLUTION OF THE CITY OF CAPE MAY APPROVING
THE AMENDED AND UPDATED AGREEMENT WITH
THE BOROUGH OF CAPE MAY POINT TO PROVIDE POTABLE WATER**

MOTION:

SECOND:

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. (the "Interlocal Services Act"), any local government unit may enter into a contract with any other local government unit to provide and receive any service that each unit is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the Borough of Cape May Point (the "Borough") and the City of Cape May (the "City") desire to amend and update the Interlocal Services Agreement (the "Agreement"), originally dated November 24, 1997, and as previously amended by Addendum dated August 13, 1998; and

WHEREAS the City shall continue to provide the bulk sale of potable water incorporating the requirements by the State of New Jersey, Department of Environmental Protection, Division of Water Supply & Geoscience, Bureau of Water Allocation & Well Permitting.

NOW, THEREFORE, BE IT RESOLVED, by the City of Cape May, County of Cape May, State of New Jersey, that:

1. The Agreement between the Borough of Cape May Point and the City of Cape May, in the form attached hereto as EXHIBIT A, is hereby approved.
2. That the Mayor and Clerk are hereby authorized and directed to execute the Agreement on behalf of the City of Cape May, and to take any and all other actions necessary to effectuate the purposes thereof.
3. That the Agreement has been reviewed and approved by the City Solicitor as to form, content and legal procedure.
4. This resolution is contingent upon the Agreement being executed by the Mayor and City Clerk within thirty (30) days from the date of this resolution.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 2, 2016.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Dr. Mahaney				
Ms. Swain				
Ms. Pessagno				
Mr. Meier				
Mr. Furlin				

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 68-03-2016

**RESOLUTION PERTAINING TO ALEXANDER COULTER
AS THE CAPE MAY CITY FIRE CHIEF**

MOTION:

SECOND:

WHEREAS, the Mayor and Council of the City of Cape May (the "City") provisionally appointed Alexander Coulter ("Coulter") to the position of Cape May City Fire Chief ("Fire Chief") subject to a one (1) year probationary period on August 5, 2014;

WHEREAS, Coulter's promotion to Fire Chief was subject to said one (1) year probationary period in order to evaluate Coulter's performance of his duties and responsibilities as Fire Chief;

WHEREAS, the City, by Motion on August 4, 2015, declared that Coulter would be the permanent Fire Chief subject only to his satisfactory completion of the State of New Jersey Civil Service Examination; and

WHEREAS, the City was notified on or about January 20, 2016 that Coulter passed said Civil Service Examination and wishes to ratify its previous appointment of Coulter as the permanent Fire Chief.

NOW, THEREFORE, BE IT RESOLVED, by the City of Cape May, County of Cape May, State of New Jersey, as follows:

1. That Alexander Coulter is hereby appointed as the permanent Chief of the Fire Department.
2. The City Manager, as the appropriate authority for all personnel decisions pertaining to the Fire Department, is hereby directed to take any and all action necessary to effectuate the terms and conditions of this Resolution.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 2, 2016.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Swain				
Wichterman				
Mahaney				

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 69-03-2016

**RESOLUTION OF THE CITY OF CAPE MAY
APPROVING APPOINTMENT OF CITY TAX ASSESSOR**

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") is required to appoint a new Cape May City Tax Assessor (the "City Tax Assessor") due to the retirement of Michael Jones;

WHEREAS, the Faulkner Act Council-Manager Plan, N.J.S.A. 40:69A-81, et seq., and the Revised General Ordinances of the City of Cape May provide that the City Tax Assessor shall be appointed by the City Council; and

WHEREAS, the City Council desires to appoint Louis M. Belasco, Jr. as the City Tax Assessor from March 7, 2016 to June 30, 2016 and for a period of four years subsequent to that in compliance with N.J.S.A. 40A:9-148 and in accordance with all terms and conditions set forth in the Employment Offer attached hereto as EXHIBIT A.

NOW, THEREFORE, BE IT RESOLVED, by the City of Cape May, County of Cape May, State of New Jersey, as follows:

1. That Louis Belasco, Jr. is hereby appointed to the office of City Tax Assessor from March 7, 2016 to June 30, 2016, and then for a subsequent term of four (4) years commencing July 1, 2016 and terminating June 30, 2020.
2. That, in order to obtain tenure, Louis M. Belasco., Jr. must be reappointed for another four-year term following the expiration of the term ending on June 30, 2020 pursuant to N.J.S.A. 54:1-35.31.
3. The City Manager is hereby directed to take any and all action necessary to effectuate the terms and conditions of this Resolution.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 2, 2016.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Mr. Furlin				
Dr. Mahaney				
Mr. Meier				
Ms. Pessagno				
Ms. Swain				

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 70-03-2016

**RESOLUTION OF THE CITY OF CAPE MAY
AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION – HE15-002**

MOTION:

SECOND:

WHEREAS, the City of Cape May is desirous of entering into a Grant Agreement with the State of New Jersey identified as HE15-002; and

WHEREAS, the governing body of the City of Cape May desires to further the public interest by obtaining a Grant from the State of New Jersey in the amount of approximately \$20,065.70 to fund the following project: - Circuit Rider; and

WHEREAS, the governing body of the City of Cape May resolves that the Mayor or the successor to the office of the Mayor, is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$20,065.70 and not more than \$20,065.70 and (c) to execute any amendments thereto; and

WHEREAS, the Grant Agreement does not require the City of Cape May to provide any financial match or cost sharing.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the City of Cape May agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance, pursuant to the Agreement.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 2, 2016.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Mr. Furlin				
Dr. Mahaney				
Mr. Meier				
Ms. Pessagno				
Ms. Swain				

CITY OF CAPE MAY

RESOLUTION NO. 71-03-2016

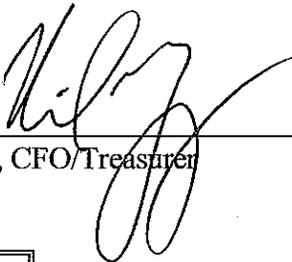
RESOLUTION FOR THE PAYMENT OF BILLS

MOTION:

SECOND:

BE IT RESOLVED by the City Council of the City of Cape May, that the following bills, approved for payment by the City Manager, be paid and that the Chief Financial Officer/Treasurer of the City of Cape May, is hereby authorized to draw orders for the amounts of same, as shown on bill list dated February 26, 2016 for payments excluding those related to Swain's Ace Hardware Inc. Total Bill List: \$979,234.06.

Current Fund Appropriations	\$ 858,292.59
Water/Sewer Utility Operating Fund	\$ 22,159.36
Tourism Utility Fund	\$ 17,908.26
General Capital Improvements	\$ 48,024.77
Water/Sewer Capital Improvements	\$ 17,228.00
Escrow Special Account	\$ 2,795.00
Trust Fund	\$ -
Grant Fund	\$ 7,260.00
Beach Utility Fund Appropriations	\$ 5,566.08
Beach Utility Capital Improvements	\$ -
	<u>\$ 979,234.06</u>



Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Swain				
Meier				
Pessagno				
Furlin				

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 02, 2016.

Louise Cummiskey, City Clerk

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 72-03-2016

**RESOLUTION AUTHORIZING BIDDING FOR THE SUBLEASE OF
A PORTION OF THE NATURE CENTER OF CAPE MAY FOR
OPERATION OF A KAYAK ECO-TOUR BUSINESS**

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") currently owns certain real known as Block 1194, Lots 1, 2, 3, 4, 5, 6, 7, and 8 and Block 1195, Lot 1 (the "Property");

WHEREAS, they City has leased the Property to the New Jersey Audubon Society (the "Audubon Society"), and consents to the Audubon society entering into a sublease pursuant to the terms and conditions attached hereto as EXHIBIT A; and

WHEREAS, the City Council has determined that it is in the City's best interest to allow the Audubon Society to sublease a portion of the Property consisting of approximately One Hundred (100) square feet of office space in the structure located on Lot 1, Block 1194, and approximately Three Hundred (300) square feet of outdoor storage space for the purpose of storage of kayaks and related equipment to be located at a mutually agreed upon area within the Property, and a nonexclusive right to use a portion of Lot 1, Block 1195 to access the water through the public access point a nonexclusive right, which will be awarded through an open public auction for a period of five (5) years commencing 2016 and ending 2020.

NOW, THEREFORE, BE IT RESOLVED, by the City of Cape May, County of Cape May, State of New Jersey, as follows:

1. That the City Council hereby authorizes the bidding for the sublease of a portion of the Nature Center of Cape May for operation of a kayak eco-tour business for various parcels of the Property by public auction pursuant to the terms and conditions set forth in the Bid Information Packet attached hereto as EXHIBIT B and by this reference made a part hereof.

2. In accordance with the New Jersey Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., as well as the provisions of N.J.S.A. 40:61-36, the City Council hereby authorizes the award of concessions for the various parcels of the Property to the highest responsible bidder at a public auction to be conducted at the Cape May City Hall Auditorium on March 29, 2016 at 11:00 A.M.; subject to the required newspaper advertisements and in compliance with the Bid Information Packet.

3. That the City Manager along with all other appropriate City officials are hereby authorized and directed to take all actions necessary to effectuate the terms and conditions of this resolution in accordance with applicable law.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 2, 2016.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Dr. Mahaney				
Ms. Swain				
Ms. Pessagno				
Mr. Meier				
Mr. Furlin				