

**WORKSESSION/REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Wednesday, March 2, 2016, 1:00 P.M.**

Present: Councilmember Roger M. Furlin
Mayor Edward J. Mahaney, Jr.
Councilmember Shaine P. Meier
Deputy Mayor Beatrice Gauvry Pessagno

Absent: Councilmember Terri Swain

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

Mayor Mahaney announced that under the Open Public Meetings Law, notice of this meeting was sent to the Cape May County Herald 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:**

295-2015 An Ordinance Amending Chapter 199 of the Cape May City Code Regarding
Construction Permit Fees

Mayor Mahaney talks about Ordinance 295-2015 which was introduced in October 2015 and which became effective on January 1, 2016. The Mayor explains that the new construction fees are currently in effect but the effective date for the change requirements for the Certificate of Continued Occupancy and the Flood Elevation Certificate was postponed until April 1, 2016. Mayor Mahaney asks Council to again postpone the effective date for those requirements until July 1, 2016 based on flood insurance matters on a State and National level.

Motion: Mahaney
Second: Pessagno
Roll Call:
Furlin Yes
Meier Yes
Pessagno Yes
Swain Absent
Mahaney Yes

PRESENTATION

Energy Savings Improvement Plan (ESIP)

Mayor Mahaney summarizes the City's involvement with the Energy Savings Improvement Plan and talks about grants and rebates awarded to the City for upgrades to City owned buildings. The Mayor introduces Valerie Moran and Chris Andrews of Johnson Controls, Inc., and James Rutala, Energy Consultant.

Mr. Rutala explains the Energy Savings Improvement Plan which was designed to help municipalities make improvements in energy consumption, the cost of which would be offset by energy savings.

Ms. Moran explains that the intent of the ESIP legislation was to enable public governmental entities to achieve capital improvements with no impact on their annual Budget.

Mr. Andrews gives a detailed presentation on the Energy Savings Improvement Program, describing the project scope, energy savings and project summary for City of Cape May facilities, the Welcome Center and the Elementary School. Mr. Andrews reports that an electric vehicle charge station will be installed at the elementary school.

Councilmember Meier questions the color of the LED lights and Mr. Andrews explains that the City will be asked to approve the lights before being purchased.

Mr. Rutala advises that this project will be reviewed by City Council, the City Engineer and the New Jersey Board of Public Utilities before being approved.

ENGINEER REPORT

Thomas R. Thornton, PE, CME, of Hatch, Mott, McDonald, presents his engineer's report as follows:

Welcome Center Lighting and Parking – Mr. Thornton reports that Hatch Mott MacDonald is preparing a proposal for paving and lighting at the Welcome Center. The project will start in the spring/early summer and continue through the summer with little impact.

Green Acres Surveys - project is complete.

Preliminary Assessment for 801 Lafayette Street (Block 1061 Lot 52 & 53), 811 St. Johns Place (Block 1061 Lot 47) and 817 St. Johns Place (Block 1061 Lot 44) – Mr. Thornton reports that the Engineers are still working on this project.

City Hall Water Infiltration – Mr. Thornton reports that additional water infiltration was observed at City Hall during a recent rain storm. Mr. Thornton advises that in order to determine the scope of this infiltration, probes must be performed by a mason.

Missouri Avenue (Trenton Avenue to Pittsburgh Avenue) Cape May Avenue South (Trenton Avenue to Pittsburgh Avenue) – Mr. Thornton reports that both projects have started this week. The contract completion date for both projects is May 12, 2016.

Hughes Street & Stockton Place water and sewer system replacement project - Mr. Thornton reports that the contractor started the work and installed the sanitary sewer main from Franklin Street to Stockton Place. The work is progressing and the contractor has requested an extension of time because of several days of inclement weather.

Capehart Lane Access Easement – Mr. Thornton reports that Atlantic City Electric is installing a pole for lighting in that area.

Supervisory Control and Data Acquisition (SCADA) Upgrades –Mr. Thornton reports that the project is moving forward with an estimated date of completion of March 28, 2016.

Public Works above Ground Storage Tank (AST) leak – Mr. Thornton advises that the project is going well. Mr. Thornton has researched the handling of potential overflow at the site and would like to look into the options and costs before making a recommendation.

Lafayette Street Sanitary Sewer Extension – Mr. Thornton advises that HMM is preparing a proposal for the design, bidding and construction phase.

Kiwanis Park Drainage Investigation – Mr. Thornton advises that HMM gathered information on which portion of the project could be completed in-house and what needs to go out for bid.

Fire Museum Climate Control – HMM met with City and Fire Officials to discuss the feasibility of installing climate control in the museum for the preservation of the antique fire truck. HMM will meet with City Officials to discuss less expensive alternatives.

Water System Master Plan – Mr. Thornton advises that HMM has prepared and submitted proposals to develop a water system master plan and he will have more details next week.

PUBLIC PORTION

Dennis DeSatnick, 1307 Trenton Avenue, Cape May asks Mr. Thornton if the City Engineers have been recently contacted by DEP regarding the beach slopes. Mr. DeSatnick talks about the beach feasibility study, beach replenishment and slope measurements.

Mr. Thornton advises that the engineers have not been in contact with DEP.

CITY MANAGER ITEMS

Mr. MacLeod reports that a DEP dredging forum was held yesterday at the Great Bay Country Club in Atlantic County. The purpose of this forum was to explore the problems that confront the Marina owners who are in need of dredging the sediment and spoils on their properties to maintain sufficient water depth. The DEP and Army Corps of Engineers are exploring ways to

to utilize the spoils. Mr. MacLeod talks about a new process called “thin layer spray” which is a process to improve back-bay areas and dispose of the spoils.

Mr. MacLeod reports on beach tag sales and occupancy tax collections for 2015 and 2016. To date, for the same time period, both beach tag sales and occupancy tax collections are ahead of last year at the same time.

Mr. MacLeod reports that the remediation has started at the Lafayette Street Park and temporary fencing has been installed. Mr. MacLeod advises that large, heavy equipment will be used to transport materials in and out of Cape May within the next two weeks. The NJDEP has reviewed the plans for the remediation and will monitor the project along with the Cape May City Police Department for safety purposes.

Mr. MacLeod announces that the Clean Ocean Action Event will be held on Saturday, April 30, 2016 in Cape May to clean the beaches and remove debris and trash. The areas to be cleaned are the Cape May Harbor along Delaware Avenue near the Nature Center and Second Avenue along the Ocean Front. Mr. MacLeod announces that “The Quiet Men,” will provide a free Concert on Saturday, March 5, 2016 at Cape May Convention Hall. Doors open at 5:00 P.M. and the Concert starts at 7:00 P.M. Finally, Mr. MacLeod announces that a Beef and Beef benefiting the NJ Run for the Fallen will be held at the Bolero in Wildwood on Saturday, March 12, 2016 at 6:00 P.M.

Mayor Mahaney announces that Patty Harbora has tickets for the NJ Run for the Fallen in the Clerk’s Office.

Councilmember Furlin spoke to some of last year’s participants and he feels the event is for a worthy cause.

CLERK'S ANNOUNCEMENTS

Free Rabies Clinic, Tuesday, March 8, 2016 from 5 P.M. to 6 P.M at the Cape May City Fire Department.

REGULAR MEETING BUSINESS:

RESOLUTIONS:

68-03-2016 Resolution Pertaining to Alexander Coulter as the Cape May City Fire Chief

Alex Coulter, Fire Chief, thanks Mayor and Council, the City Manager and the Public for their support of his appointment to Fire Chief and looks forward to working in the City of Cape May for many years.

Motion: Mahaney
Second: Meier
Roll Call:

Furlin	Yes
Meier	Yes
Pessagno	Yes
Swain	Absent
Mahaney	Yes

69-03-2016 Resolution of the City of Cape May Approving Appointment of City Tax Assessor

Mayor Mahaney advises that the City recently conducted interviews for the position of Tax Assessor for the City of Cape May. The Mayor reports that as a result of the interview process, Council has selected Louis M. Belasco for the position. The Mayor speaks about Mr. Belasco's education and background in government service and welcomes Mr. Belasco to our team.

Mr. Belasco thanks Mayor and Council for his appointment and comments that he is looking forward to this next chapter of his career.

Motion:	Mahaney
Second:	Pessagno
Roll Call:	
Furlin	Yes
Meier	Yes
Pessagno	Yes
Swain	Absent
Mahaney	Yes

62-03-2016 Resolution Authorizing the Filing of an Application for Municipal Recycling Tonnage Grant for the year 2015

63-03-2016 Resolution Approving Refund of Overpaid 2016 Taxes

64-03-2016 Resolution Approving Refund of Overpaid 2015 Utilities

65-03-2016 Resolution Approving Submission of a Grant Application and Execution of a Grant Agreement with the United States Department of Agriculture for the Housing Preservation Grant Program

66-03-2016 Resolution Authorizing Acceptance of Emergency Management Performance Grant – Emergency Management Agency Assistance Subaward Program

67-03-2016 Resolution of the City of Cape may Approving the Amended and Updated Agreement with the Borough of Cape May Point to Provide Potable Water

68-03-2016 Resolution Pertaining to Alexander Coulter as the Cape May City Fire Chief
REMOVED FROM CONSENT

69-03-2016 Resolution of the City of Cape May Approving Appointment of City Tax Assessor **REMOVED FROM CONSENT**

70-03-2016 Resolution of the City of Cape May Authorizing the Submission of a Grant Application – HE15-002

71-03-2016 Payment of Bills "A"

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 **REMOVED FROM CONSENT**

Resolutions 62 through 71, excluding 68 and 69 (already voted upon)

Motion: Mahaney
Second: Pessagno
Roll Call:
Furlin Yes
Meier Yes
Pessagno Yes
Swain Absent
Mahaney Yes

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 **VOTE TO AMEND**

Motion: Mahaney
Second: Pessagno
Roll Call:
Furlin Yes
Meier Yes
Pessagno Yes
Swain Absent
Mahaney Yes

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 **AS AMENDED**

Motion: Mahaney
Second: Meier
Roll Call:
Furlin Yes
Meier Yes
Pessagno Yes
Swain Absent
Mahaney Yes

MINUTES:

City Council Worksession/Regular Meeting Minutes dated July 7, 2015

Motion: Meier
Second: Mahaney

Roll Call:
Furlin Abstain
Meier Yes
Pessagno Yes
Swain Absent
Mahaney Yes

City Council Closed Session Meeting Minutes dated February 16, 2016

Motion: Mahaney
Second: Meier
Roll Call:
Furlin Yes
Meier Yes
Pessagno Yes
Swain Absent
Mahaney Yes

CORRESPONDENCE

Ms. Cummiskey reads a letter received from ACMJIF regarding the Safety Incentive Program awards for 2015 and congratulating the City of Cape May for the outstanding performance of their employees.

REPORTS RECEIVED BY THE CLERK:

New Jersey Audubon (Nature Center of Cape May) Annual Report
Occupancy Tax 2% Budget Projection Report dated February 19, 2016

Motion: Meier
Second: Pessagno
Roll Call:
Furlin Yes
Meier Yes
Pessagno Yes
Swain Absent
Mahaney Yes

NEW BUSINESS:

- A) City Attorney
- B) City Manager
- C) City Clerk
- D) Councilmembers – Councilmember Meier talks about the entrance to the Cape May City Post Office and asks Council for their support of the installation of a handicapped entrance in front of the building.

Deputy Mayor Pessagno asks Mr. Monzo if anything can be done.

Mr. Monzo advises that the Post Office is governed by Federal jurisdiction and because it is grandfathered, it can legally operate without being ADA compliant.

Mayor Mahaney advises that the Post Office is a Federal Building and the City of Cape May has no authority to make any changes. The Mayor suggests scheduling a meeting with the Post Mistress to discuss the matter.

Councilmember Furlin agrees that the City needs to work together on addressing this situation.

Mayor Mahaney asks the City Manager to set up a meeting with City personnel about the collection of electronic recycling matter, based upon the County's recent letter advising it will no longer accept same. Mayor Mahaney would like a procedure in place for Cape May City residents and visitors.

Read Across America

Mayor Mahaney reports that the Cape May City Elementary School first graders have read 649 books as of last Tuesday with a goal of reading 1,000 books by June 2016. The program is designed and encouraged by the NJ State League of Municipalities to increase reading skills of students.

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.

John Van De Vaarst, 1030 Ohio Avenue, Cape May compliments Council on passing the Energy Savings Improvement Program Resolution and advises that the savings will benefit the City. Mr. Van De Vaarst suggests using homeland security program money for the Volunteer Fire Department. Mr. Van De Vaarst advises that he has researched FEMA grant programs and asks that the City look into applying for grant money to fund the Volunteer Fire Department.

Jerry Gaffney, 810 Columbia Avenue, Cape May asks what the JIF dividend was for the year 2015.

Mr. MacLeod cannot recall the exact amount but will find out and advise Mr. Gaffney.

Mr. Gaffney talks about the Elementary School pool line item in the budget and talks about an article he read in the newspaper regarding remediation and JCP&L.

Patricia Hendricks, 106 Trenton Avenue, Cape May would like Mr. MacLeod to provide a report legal expenses on a monthly basis.

Mr. MacLeod replies that legal reports will be presented quarterly at the Worksession Meetings unless a more pressing situation necessitates a monthly report.

William Murray, 1012 Kearney Avenue, Cape May commends Council on Alex Coulter's appointment as Fire Chief, stating that Mr. Coulter is an outstanding individual and the right person to serve as Cape May City Fire Chief. Also, Mr. Murray reads a letter from Kate Wyatt, President of the Taxpayers Association about recommendations for beach safety.

Dennis DeSatnick, 1307 Trenton Avenue, Cape May, talks about beach safety and educational brochures. Mr. DeSatnick asks Council if a meeting can be set up on this matter.

Councilmember Furlin talks about beach safety and the dangers that exist on all beaches.

The Mayor announces that Council is working together with Federal and State Agencies to be sure that the Cape May beaches are safe.

Anita DeSatnick, 1307 Trenton Avenue, Cape May talks about injuries on the Cape May City beaches.

ADJOURNMENT

Motion made by Deputy Mayor Pessagno seconded by Councilmember Meier to adjourn. The meeting adjourned at 3:35 P.M.


Edward J. Mahaney, Jr., Mayor


Beatrice Gauvry Pessagno, Deputy Mayor


Roger M. Furlin, Councilmember


Shaine P. Meier, Councilmember

ABSENT
Terri L. Swain, Councilmember


Louise Cummiskey, City Clerk