

**REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, May 21, 2013 7:00 P.M.**

The worksession/regular meeting of City Council of the City of Cape May was called to order by Mayor Mahaney at 7:00 P.M. Tuesday, May 21, 2013 in the Cape May City Hall Auditorium. The Clerk called the roll and the Pledge of Allegiance was recited.

Present: 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

Absent: Councilmember Deanna Fiocca

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.

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

ORDINANCES FOR SECOND READING AND ADOPTION

267-2013 – Bond Ordinance Providing for Beach Utility Improvements of the City of Cape May In the County of Cape May, New Jersey Appropriating the Aggregate Amount of \$475,000 Therefor and Authorizing the Issuance of \$475,000 Bonds or Notes of the City to Finance Part of the Cost Thereof

Motion to Open Public Hearing

Motion: Wichterman
Second: Murray

Bernie Haas, 1016 Illinois Avenue, Cape May, NJ asks if this Bond Ordinance will be used to move the portable restrooms in front of Convention Hall.

Mayor Mahaney responds that the City Manager and City Council are working to remove that restroom.

Councilmember Wichterman advises that the DEP is working with the City on the project.

George Costick, Victorian Towers, Cape May, NJ asks if any funds will be used to purchase a new front end loader.

Mayor Mahaney advises that bid specs will need to be prepared and advertised before any equipment can be purchased.

Public Hearing Closes

Motion to Adopt Ordinance 267-2013

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

268-2013 – Bond Ordinance Providing for Various Improvements to the Water and Sewer System of the City of Cape May, in the County of Cape May, New Jersey, Appropriating the Aggregate Amount of \$1,050,000 Therefor and Authorizing the Issuance of \$1,050,000 Bonds or Notes of the City to Finance Part of the Cost Thereof

Motion to Open Public Hearing

Motion: Swain
 Second: Wichterman

No Public Comment

Motion to Adopt Ordinance 268-2013

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

269-2013 – Bond Ordinance Providing for Various Capital Improvements of the City of Cape May, in the County of Cape May, New Jersey, Appropriating the Aggregate Amount of \$1,900,000 Therefor and Authorizing the Issuance of \$1,425,000 Bonds or Notes of the City to Finance Part of the Cost Thereof

Motion to Open Public Hearing

Motion: Wichterman
Second: Murray

No Public Comment

Motion to Adopt Ordinance 269-2013

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

City Manager, Bruce MacLeod, explains the process for the Sale of City Bonds which will take place on June 26, 2013 at 10:30 A.M.

RESOLUTIONS:

- 122-05-2013 – Resolution Authorizing Utility Bill Adjustment Due to Catastrophic Occurrence
- 123-05-2013 – Resolution Providing for the Insertion of a Special Item of Revenue in the Budget Pursuant to Chapter 159 PL 1948
- 124-05-2013 – Resolution Providing for the Insertion of a Special Item of Revenue in the Budget Pursuant to Chapter 159 PL 1948
- 125-05-2013 – Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the City of Cape May, in the County of Cape May, New Jersey into a Single Issue of Bonds Aggregating \$10,700,000 in Principal Amount
- 126-05-2013 – Resolution Providing for the Combination of Certain Issues of Utility Bonds of the City of Cape May, in the County of Cape May, New Jersey into a single Issue of bonds Aggregating \$2,335,000 in Principal Amount
- 127-05-2013 – Resolution Determining the Form and Other Details of \$13,035,000 General Obligation Bonds, Series 2013, consisting of \$10,700,000 General Improvement bonds and \$2,335,000 Utility Bonds of the City of Cape May, in the County of Cape May, New Jersey and Providing for their sale
- 128-05-2013 – Resolution Approving Settlement Agreement between Bud Concrete, Inc. and the City of Cape May

- 129-05-2013 - 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 – UAW Negotiations
- 130-05-2013 - Resolution Approving Settlement Agreement between Stewart’s of Cape May, LLC and the City of Cape May, et al
- 131-05-2013 – Resolution Awarding Contract for the Supply and Delivery of Sand Fence
- 132-05-2013 – Payment of Bills “A”
- 132-05-2013 – Payment of Bills “B” **(Removed from Consent)**

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

132-05-2013 – Payment of Bills “B”

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

MINUTES:

City Council Worksession/Regular Meeting Minutes dated April 2, 2013

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

REPORTS RECEIVED BY THE CLERK:

- Monthly Report of Tax Collections for the period January 31, 2013
- Monthly Report of Tax Collections for the period February 28, 2013

WSMMCo. Minutes dated April 1, 2013
City of Cape May Fire Department Monthly Report dated April 2013
Assessors Office Monthly Report dated May 6, 2013
City of Cape May Police Department Monthly Report dated April 1, through April 30, 2013
City of Cape May HPC Meeting Minutes dated April 8, 2013

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

UNFINISHED BUSINESS:

NEW BUSINESS:

B) City Manager – Mr. MacLeod reports on the Madison Avenue water tank project. Mr. MacLeod advises that the low water pressure experienced by residents this past weekend was caused by a valve that was stuck and not because of the work on the Madison Avenue tank. Mr. MacLeod advised that the sink hole on the Promenade at Ocean Avenue has been repaired.

C) City Clerk – Ms. Cummiskey advises that since Primary Election Day is June 4, 2013, the next Worksession/Regular Council Meeting will take place on Monday, June 3, 2013 at 1:00 P.M.

D) Councilmembers – Mr. Wichterman reports on the School Funding Project. Mr. Wichterman advises that there will be a Closed Executive Session at the June 3, 2013 Council Meeting at which time Vito Gagliardi, Esquire and his team will present the draft feasibility study to Council. At the Council Meeting of June 18, 2013, Mr. Gagliardi and team will make a formal presentation of the study for the benefit of the public.

Deputy Mayor Murray announces that there will be a Shared Parking Committee Meeting on Friday, May 24, 2013 at 9:30 A.M. in the City Hall Auditorium to discuss shared parking in the City of Cape May.

Mayor Mahaney congratulates the Cape May City Elementary School on the “Green Dot” award which was received from the New Jersey Department of Education. The Mayor thanks the City employees who quickly responded to the water valve problem last week. The Mayor announces the upcoming events at Convention Hall and advises that on Memorial Day, May 27, 2013 at 9:00 A.M., the Memorial Day Services will be held at the Monument on Columbia Avenue and the USGC Service will take place at Convention Hall at 11:00 A.M.

Mayor and Council wish everyone a happy and safe Memorial Day weekend.

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.

CLOSED SESSION

Motion made by Councilmember Wichterman, seconded by Deputy Mayor Murray, to go into Closed Session.

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

Motion made by Councilmember Wichterman to adjourn. The meeting adjourned at 9:10 PM.



Edward J. Mahaney, Jr., Mayor



Jack Wichterman, Councilmember

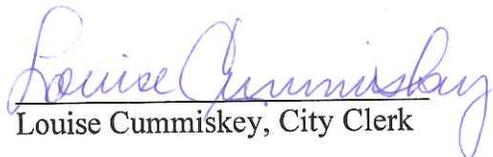
ABSENT
Deanna Fiocca, Councilmember



Terri L. Swain, Councilmember



William H. Murray, Deputy Mayor



Louise Cumiskey, City Clerk