

**WORKSESSION/REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, May 5, 2015, 7:00 P.M.**

Present: Mayor Edward J. Mahaney, Jr.
Councilmember Meier
Councilmember Pessagno
Deputy Mayor Swain
Councilmember 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 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:

120-05-2015 – Resolution Regarding City of Cape May City-Wide Annual Sidewalk Sale
ADDED

121-05-2015 – Resolution Provided for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meeting Act N.J.S.A.10:4-12 Police Department Matters **ADDED**

Motion: Mahaney
Second: Wichterman
Roll Call:
Meier Yes
Pessagno Yes
Swain Yes
Wichterman Yes
Mahaney Yes

PROCLAMATION

Knights of Columbus, Council 6202 Fund Drive for Individuals with Special Needs – Read by the City Clerk

DISCUSSION

HURRIPLAN Seminar

Mayor Mahaney introduces Dennis Wang, Environmentalist, Dean Sacamoto, Architect/Specialist - sustainability in buildings and Don Watson, Specialist in climate change and sustainability in building practices with the National Disaster Preparedness Training Center in Honolulu, Hawaii. The Mayor advises that over the past two days, a training session took place at Convention Hall. The National Disaster Preparedness Training Center provides a program that develops worldwide training for Federal, State, County, and Local Governments, as well as the General Public.

Mayor and Council thank the team for the efforts.

ENGINEER REPORT

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

USDA Water Tank and Standpipe Expanded Improvements – The Lime Silo access has been completed and the close-out phase has been started.

FY2014 Road and Utility Improvement Program – The reconstruction of Cape May Avenue and Delaware Avenue has been completed and there are a few punchlist items to be finalized. The construction on Hughes Street will be completed by June 5, 2015. The Philadelphia Avenue storm drain project was started on May 4, 2015 and will be completed before Memorial Day.

FY2014 NJDCA Small Cities Grant Application – East Lyle Lane and Mansion Street – the underground water line has been installed and the pavers have been set down. The curb between Chestnut and Perry Street is being installed and the road will then be milled and paved. The project is substantially complete.

Projects in Close-Out Phase are FY2012 NJDOT Municipal Aid for Cape May Avenue (Madison to Reading Avenue), USDA Site Improvements – Madison Avenue Water Tank, Harbor Lane Bulkhead and Emergency Generator Wells #5 and #7.

CITY MANAGER ITEMS

Mr. MacLeod gives a report on the cost of hiring a new employee for the Fire Department. Mr. MacLeod sets forth the statistics on the type and number of calls received by the Fire Department. Finally, Mr. Macleod advises that the City receives participation and support from the USCG and neighboring municipal Fire Departments. Mr. MacLeod asks Council to create a small committee to further review the Fire Department Study.

Mayor Mahaney advises that a fifth employee will be on each shift in the Fire Department from May 15, 2015 until September 15, 2015. Mayor Mahaney asks to have a report on the Fire Department Study by mid-July.

Councilmember Pessagno and Councilmember Meier agree to be on the Committee to work on the Fire Department study.

ATTORNEY ITEMS

Mr. Monzo reports that JCP&L submitted their application for the remediation plan and would like to have a courtesy review at the Planning Board meeting on June 9, 2015 at 7 P.M. The work is scheduled to begin in the fall of this year, advises Mr. Monzo.

Mayor Mahaney asks the City Manager to have representatives from the Police and Fire Departments, along with resident input, at the Planning Board Meeting.

Mr. Monzo clarifies the City Engineer appointment, specifically the term.

CLERK'S ANNOUNCEMENTS

Ms. Cummiskey reminds everyone about the Cape May City Blood Drive at Convention Hall on Tuesday, May 12, 2015 between 10:00 A.M. and 3:00 P.M.

Mr. MacLeod announces that future Resolutions and Ordinances will be on the City web-site prior to the Council Meetings without attachments. Mr. MacLeod reports that the Resolutions on tonight's Agenda will be explained by Mayor Mahaney.

REGULAR MEETING BUSINESS:

RESOLUTIONS:

- 108-05-2015 – Resolution Approving Refund of Overpaid 2015 Utilities
- 109-05-2015 – Resolution Approving Refund of Overpaid 2015 Utilities
- 110-05-2015 – Resolution Authorizing Tax Title Lien Redemption
- 111-05-2015 – Resolution Authorizing Utility Bill Adjustment Due to Catastrophic Occurrence
- 112-05-2015 – Resolution Authorizing the Release of Performance Guarantee for 1136-1138 Lafayette Street LLC
- 113-05-2015 – Resolution Awarding Contract for the Supply of Uniforms for Beach patrol, Jr. Lifeguards and Beach Tag Personnel for the 2015 Season
- 114-05-2015 – Resolution of the City of Cape May Authorizing Change Order No. 1 for Contract with Charles Marandino, LLC for FY 2014 NJDCA Small Cities CDBG Program
- 115-05-2015 – Resolution Providing for the Insertion of a Special Item of Revenue in the Budget Pursuant to Chapter 159 PL 1948
- 116-05-2015 – Payment of Bills
- 117-05-2015 – Resolution Approving Stronger New Jersey Neighborhood Community Revitalization Program Development and Public Improvement Sub-recipient Agreement
- 118-05-2015 – Resolution Providing for the Insertion of a Special Item of Revenue in the Budget Pursuant to Chapter 159 PL 1948
- 119-05-2015 – Resolution Accepting Proposal to Complete the Design, Bidding, Construction Management, and Inspection of Phase 1 of Lafayette Street Park Renovations
- 120-05-2015- Resolution Regarding City of Cape May City-Wide Annual Sidewalk Sale-

ADDED

121-05-2015 - Resolution Provided for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meeting Act N.J.S.A.10:4-12 – Police Department Litigation **ADDED**

PUBLIC COMMENT ON RESOLUTIONS

Patricia Hendricks, 106 Trenton Avenue, Cape May asks that Resolution 119-05-2015 be read in its entirety.

Ms. Cummiskey accommodates the request.

Jerry Gaffney, 810 Columbia Avenue, Cape May asks for additional information on Resolution 121-05-2015.

Mr. Monzo advises that Mayor and Council will discuss the law suit between the City of Cape May and the Cape May County Prosecutors Office.

Motion: Mahaney
Second: Wichterman
Roll Call:
Meier Yes
Pessagno Yes
Swain Yes
Wichterman Yes
Mahaney Yes

MINUTES:

City Council Regular Meeting Minutes dated March 24, 2015.

Motion: Meier
Second: Pessagno
Roll Call:
Meier Yes
Pessagno Yes
Swain Yes
Wichterman Abstain
Mahaney Yes

REPORTS RECEIVED BY THE CLERK:

City of Cape May Occupancy Tax Report dated April 24, 2015.

Motion: Meier
Second: Swain

Roll Call:

Meier Yes
Pessagno Yes
Swain Yes
Wichterman Yes
Mahaney Yes

NEW BUSINESS:

- A) City Attorney
- B) City Manager – Mr. MacLeod reminds everyone that the water flushing program will continue until May 12, 2015.
- C) City Clerk
- D) Councilmembers – Councilmember Meier thanks the City Manager for placing Resolutions on the city web-site before Council meetings.

Councilmember Pessagno thanks the City Manager for reaching out to the non-profit organizations and attending the luncheon.

Mayor Mahaney announces that the 2015 City Information Guide and Event Schedule is available and is being circulated throughout the city. The Guide has been mailed Cape May City property owners.

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.

Wister Dougherty, 512 Washington Street, Cape May would like the City to resolve the law suit and reinstate Captain Sheehan before the summer season. Mr. Dougherty feels Mayor Mahaney has the best interest of the City at heart and is against the Recall drive. Mr. Dougherty talks about the form of Government in the City of Cape May.

Patricia Hendricks, 106 Trenton Avenue, Cape May is overwhelmed with the Financial breakdown on a new hire for the Fire Department. Ms. Hendricks would like the public to have a financial breakdown on the City's legal expenses. Ms. Hendricks has a discussion with the City Manager on the Fire Department Study and asks if members of the public can be involved with the committee.

Mayor Mahaney feels the committee meetings should be held at in open session.

Jerry Inderwies, 1159 Indiana Avenue, Cape May advises that employees contribute a percentage toward their health insurance and comments that collections from an ambulance transport fee accounts for one-third of the salary budget for the Fire Department. Mr. Inderwies feels Captain Sheehan should be reinstated to Police Chief before the summer season.

Charles Hendricks, 106 Trenton Avenue, Cape May has a discussion with Council and the City Manager on the Fire Department and comments on why the Cape May City Fire Department is so unique.

Mike Costello, 819 Beach Avenue, Cape May talks about the response time of the City Fire Department to a call at his residence and believes that if the City employed additional firefighters, the response time would be less.

Lydia Inderwies, 911 Philadelphia Avenue, Cape May asks about the difference in salary for all employees in the city.

Mr. MacLeod explains the differences in job titles and salaries in the City of Cape May.

CLOSED SESSION

Motion: Mahaney

Second: Pessagno

OPEN SESSION

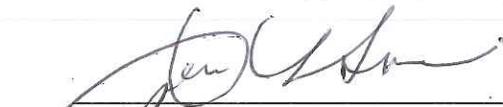
Motion: Wichterman

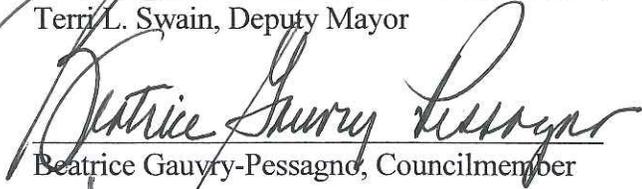
Second: Pessagno

ADJOURNMENT

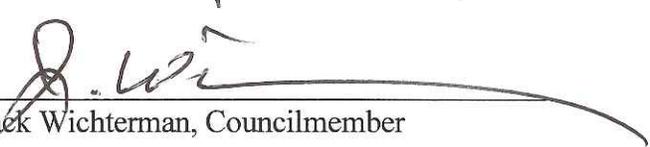
Motion made by Councilmember Wichterman seconded by Pessagno to adjourn. The meeting adjourned at 10:10 P.M.

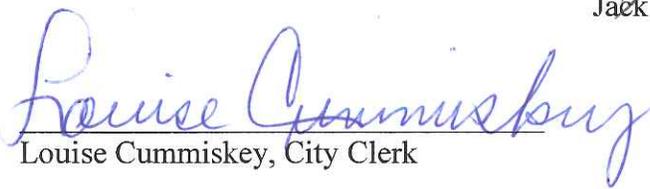

Edward J. Mahaney, Jr., Mayor


Terri L. Swain, Deputy Mayor


Beatrice Gauvry-Pessagno, Councilmember


Shaine P. Meier, Councilmember


Jack Wichterman, Councilmember


Louise Cummiskey, City Clerk