

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

RESOLUTION NO. 219-10-2015

REFUND OF OVERPAID 2015 UTILITIES

MOTION:

SECOND:

WHEREAS, the special reading fee was overpaid by Affinity Title; and

WHEREAS, the owner has requested a refund of overpaid utilities; 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 utilities are listed below:

PROPERTY OWNER	ADDRESS	BLOCK/LOT	AMOUNT
Cocci, John and Cabot, Jennifer	544 Elmira St.	1054/3	\$40.00

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 utilities 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 October 6, 2015

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Meier				
Pessagno				
Swain				
Wichterman				
Mahaney				

cc: Tax Collector

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

RESOLUTION NO. 220-10-2015

REFUND OF OVERPAID 2015 UTILITIES

MOTION:

SECOND:

WHEREAS, miscellaneous water/sewer fees were paid by the home owner and Seaboard Title Agency; and

WHEREAS, the owner has requested a refund of overpaid utility fees; 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 utilities are listed below:

PROPERTY OWNER	ADDRESS	BLOCK/LOT	AMOUNT
Glenn Reagan, et al Cabot, Jennifer	933 Corgie St.	1093/10	\$125.00

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 utilities 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 October 6, 2015

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Meier				
Pessagno				
Swain				
Wichterman				
Mahaney				

cc: Tax Collector

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

RESOLUTION NO. 221-10-2015

RESOLUTION REGARDING TRICK-OR-TREAT NIGHT

MOTION:

SECOND:

WHEREAS, it is the desire of the City of Cape May, to provide proper supervision and police protection for the children while engaging in the celebration of Halloween in the form of "Trick-or-Treat" activities; and

WHEREAS, it is further desired that these activities, as closely as possible, be observed on the same day, at the same hours as our neighboring Municipalities;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, that "Trick-or-Treat" night shall be established in the City of Cape May on **Saturday evening, October 31, 2015, from 5:00 P. M. to 7:00 P. M.**

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 October 6, 2015.

Louise Cummiskey, City Clerk

cc: Police Department
Bulletin Board
CM Coast Guard Housing Officer
Local Newspapers
Civic Affairs
Cape May Elementary

Roll Call	Ayes	Nays	Absent	Abstain
Meier				
Pessagno				
Swain				
Wichterman				
Mahaney				

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

RESOLUTION NO. 222-10-2015

**RESOLUTION AUTHORIZING MEMBERSHIP IN THE CAPE ISLAND JOINT
RABIES CLINIC**

MOTION:

SECOND:

WHEREAS, interlocal service agreements between municipalities are permitted pursuant to N.J.S.A. 40A:65-1 et seq. and encouraged by our State Legislature as a viable cost savings option; and

WHEREAS, it is deemed to be in the best interest of the residents of the City of Cape May to enter into an interlocal services agreement with the Borough of West Cape May and the Borough of Cape May Point to provide free rabies vaccinations on an annual basis as required by the County of Cape May Health Department and;

WHEREAS, said interlocal service for such health service is authorized by N.J.S.A 40A:65-1 et seq.

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

1. The Mayor and Municipal Clerk of Cape May are hereby authorized and directed to enter into the Cape Island Joint Rabies Clinic Agreement Between Participating Units, a copy of which is attached hereto and made part hereof, on the terms and conditions contained herein.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Cape May.
3. A copy of this Resolution and an executed copy of the Cape Island Rabies Clinic Agreement shall forthwith be provided to the Cape May County Health Department for filing as appropriate.
4. This Resolution shall take effect immediately, according to 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 October 6, 2015.

Louise Cumiskey, City Clerk

cc: CFO
Borough of West Cape May
Borough of Cape May Point
Cape May County Health Department

Roll Call	Ayes	Nays	Absent	Abstain
Meier				
Pessagno				
Swain				
Wichterman				
Mahaney				

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

RESOLUTION NO. 223-10-2015

**RESOLUTION MODIFYING CONDITIONS ON LIQUOR LICENSES
FOR CARNEYS, INC. AND FROG SPRING CORP.**

MOTION:

SECOND:

WHEREAS, there are currently conditions placed on the liquor licenses issued to Carneys, Inc., License No. 0502-32-001-005, and Frog Spring Corp., License No. 0502-33-007-004, (collectively, the "Licenses") requiring an administrative charge with respect to police matters based on certain terms and conditions as set forth in the approving resolutions which were initiated for the license year 2013-2014 and have remained in place since then;

WHEREAS, when the conditions were first placed on the Licenses for the 2013-2014 license year, the resolutions were sent to New Jersey Division of Alcoholic Beverage Control ("ABC") for review and approval; and

WHEREAS, as a result of a recent review of these conditions and based upon the interpretation given to the statute by ABC, it was determined that the administrative fees are no longer permitted by statute.

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 148-06-2015, approving the License of Carneys, Inc. and Resolution No. 175-07-2015, approving the License of Frog Spring Corp., for the 2015-2016 license term is hereby amended by eliminating the following condition:

1. (d) The City shall have the right to charge an administrative fee for the allocated cost of police services for incidents involving fighting, disorderly persons, harassment, assault, and noise complaints at the Premises provided that a warning shall first be issued to Licensee with an opportunity to meet with the Police, City Manager and City Attorney to develop an action to prevent future incidents at the Premises.
2. All of the remaining conditions contained on the Licenses issued to Carneys, Inc. and Frog Spring Corp. shall remain in effect and unaltered by this resolution.
3. That a certified copy of this Resolution shall be forwarded to the Director of the Division of Alcoholic Beverage Control with the special conditions set forth herein be listed on the License.

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 October 6, 2015.

Louise Cummiskey, City Clerk

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

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

RESOLUTION NO. 224-10-2015

**RESOLUTION OF THE CITY OF CAPE MAY APPROVING AND
AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL
SERVICES WITH GRUCCIO PEPPER DESANTO RUTH, PA**

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") desires to appoint Gruccio Pepper DeSanto Ruth, PA ("Gruccio Pepper") as special counsel to assist the City in connection with collective bargaining negotiations with its employees who are covered under collective bargaining agreements and other related matters as assigned from time to time (the "Project");

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the Resolution authorizing the award of a contract for professional services without competitive bids and the contract itself must be available for public inspection.

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

1. The City Council of the City of Cape May hereby approves a professional services agreement with Gruccio Pepper, with Lawrence A. Pepper, Jr., Esquire, as the attorney assigned to the Project and person responsible for all services rendered in connection therewith, in the form attached hereto as EXHIBIT A, and by this reference made a part hereof.
2. The Mayor and Clerk are hereby authorized and directed to execute the contract on behalf of the City, and to take any and all other actions necessary to effectuate the purposes thereof.
3. The contract has been reviewed and approved by the City Solicitor as to form, content and legal procedure.
4. This resolution is contingent upon the contract being executed by the Mayor and City Clerk within thirty (30) days from the date of this resolution.
5. A Notice of Award of Contract for the above services shall be published in the Cape May County Herald.
6. The Business Disclosure Entity Certification shall be placed on file with 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 October 6, 2015.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Meier				
Swain				
Pessagno				
Wichterman				

CITY OF CAPE MAY

RESOLUTION NO. 225-10-2015A

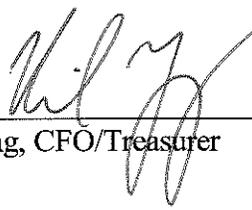
RESOLUTION FOR THE PAYMENT OF BILLS

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 October 2, 2015 for payments excluding those related to Swain's Ace Hardware Inc. Total Bill List: \$1,352,030.56.

Current Fund Appropriations	\$ 1,051,093.76
Water/Sewer Utility Operating Fund Appropriations	\$ 83,281.54
Tourism Utility Fund	\$ 27,443.91
General Capital Improvements	\$ 104,620.17
Water/Sewer Capital Improvements	\$ 30,472.41
Escrow Special Account	\$ 3,861.25
Trust Fund	\$ -
Grant Fund	\$ 26,713.60
Beach Utility Fund Appropriations	\$ 18,911.80
Beach Utility Capital Improvements	\$ 5,443.20
	<u>\$ 1,351,841.64</u>



 Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Swain				
Wichterman				
Pessagno				
Meier				

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 October 6, 2015.

 Louise Cummiskey, City Clerk

CITY OF CAPE MAY

RESOLUTION NO. 225-10-2015B

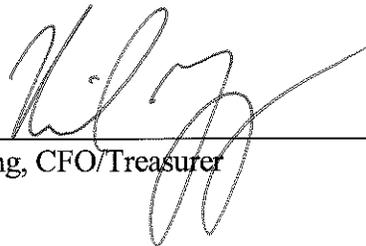
RESOLUTION FOR THE PAYMENT OF BILLS

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 October 2, 2015 for payments related to Swain's Ace Hardware Inc:
Total Bill List: \$1,352,030.56.

Current Fund Appropriations	\$	188.92
Utility Operating Fund Appropriations	\$	-
General Capital Improvements	\$	-
Water/Sewer Capital Improvements	\$	-
Escrow Special Account	\$	-
Trust Fund	\$	-
Tourism Utility	\$	-
Grant Fund	\$	-
Beach Utility Fund Appropriations	\$	-
Beach Utility Capital Improvements	\$	-
	<u>\$</u>	<u>188.92</u>



 Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Swain				
Wichterman				
Pessagno				
Meier				

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 October 6, 2015.

 Louise Cummiskey, City Clerk

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

RESOLUTION NO. 226-10-2015

**RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT
BETWEEN HATCH MOTT MACDONALD AND THE CITY OF CAPE MAY
FOR RECONSTRUCTION OF CAPE MAY AVENUE (SOUTH SIDE)
TRENTON AVENUE TO READING AVENUE**

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") desires to enter into a Professional Services Agreement with Hatch Mott MacDonald (the "Professional Services Agreement"), in the form attached hereto as EXHIBIT A, to perform engineering services necessary in preparing a project area map, preparing a construction cost estimate, completing the application form, and submitting the application to the NJDOT Office of Local Government Services NJDOT using the SAGE grant application system (the "Services");

WHEREAS, the Professional Services Agreement is awarded pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., which provides for the award of a Professional Services Agreement without competitive bids, and further provides that the resolution authorizing the award and the Professional Services Agreement itself is available for public inspection; and

WHEREAS, Hatch Mott MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald has not made any reportable contributions to a political or candidate committee in the City of Cape May in the previous one year, and that the contract will prohibit Hatch Mott MacDonald from making any reportable contributions through the term of the contract.

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

1. The Professional Services Agreement between Hatch Mott MacDonald, located at 833 Rt. 9 North, PO Box 373, Cape May Court House, New Jersey 08210, and the City of Cape May, in the form attached hereto as EXHIBIT A, in an amount not to exceed NINE HUNDRED (\$900.00) DOLLARS, is hereby approved.

2. That the Mayor and Clerk are hereby authorized and directed to execute the Professional Services Agreement on behalf of the City of Cape May, and the City Manager and other City officials are also authorized and directed to take any and all other actions necessary to effectuate the purposes thereof.

3. That the Professional Services Agreement has been reviewed and approved by the City Solicitor as to form, content and legal procedure.

4. This resolution is contingent upon the Professional Services Agreement being executed by the Mayor and City Clerk within thirty (30) days from the date of this resolution.

5. A Notice of Award of Professional Services Agreement for the above services shall be published in the *Cape May County Herald Times/Cape May County Herald*.

6. The Business Disclosure Entity Certification shall be placed on file with 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 October 6, 2015.

Louise Cummiskey, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Mahaney				
Meier				
Pessagno				
Swain				
Wichterman				