

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

**RESOLUTION NO. 216-10-2018**

**RESOLUTION FOR THE REFUND OF OVERPAID 2018 PROPERTY TAXES**

**MOTION:**

**SECOND:**

**WHEREAS**, the 3rd quarter 2018 Property taxes were paid by the property owner twice and paid Wells Fargo Mortgage Company; 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:

<b>PROPERTY OWNER</b>	<b>ADDRESS</b>	<b>BLOCK LOT</b>	<b>AMOUNT</b>
Hughes Street, LLC @ J Hotte	654 Hughes Street	1066-7	\$2,348.42

**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 as stated above.

I, Patricia Harbora, City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on October 2, 2018.

\_\_\_\_\_  
Patricia Harbora, City Clerk

<b>Roll Call</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Pessagno</b>				
<b>Meier</b>				
<b>Hendricks</b>				
<b>Furlin</b>				
<b>Lear</b>				

cc: Tax Collector  
CFO/Finance

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

**RESOLUTION NO. 217-10-2018**

**RESOLUTION FOR THE REFUND OF OVERPAID 2018 PROPERTY TAXES**

**MOTION:**

**SECOND:**

**WHEREAS**, the 3rd quarter 2018 Property taxes were paid by the property owner twice and paid Core Logic; 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:

<b>PROPERTY OWNER</b>	<b>ADDRESS</b>	<b>BLOCK LOT</b>	<b>AMOUNT</b>
Robert/Kim Russell	1053 Cape May Ave	1131-5	\$1,667.98

**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 as stated above

This Resolution shall take effect immediately, according to law.

I, Patricia Harbora, City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on October 2, 2018.

\_\_\_\_\_  
Patricia Harbora, City Clerk

<b>Roll Call</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Pessagno</b>				
<b>Meier</b>				
<b>Hendricks</b>				
<b>Furlin</b>				
<b>Lear</b>				

cc: Tax Collector  
CFO/Finance

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

**RESOLUTION NO. 218-10-2018**

**RESOLUTION APPOINTING A MEMBER TO THE HOUSING AUTHORITY  
OF THE CITY OF CAPE MAY**

**MOTION:**

**SECOND:**

**BE IT RESOLVED** by the City Council of the City of Cape May, pursuant to New Jersey Statutes Annotated 40A:12A-17, that the following appointment be made:

**HOUSING AUTHORITY**

<u>Member</u>	<u>Term</u>	<u>Term Expires</u>
<b>Patricia A. Martz, MD FACS</b> (filling Thomas Hynes unexpired term)	5 years	09/15/2019

This Resolution shall take effect immediately, according to law.

I, Patricia Harbora, City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on October 2, 2018.

\_\_\_\_\_  
Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

cc: City Manager/CFO  
MHL  
City Solicitor  
Housing Authority  
Members

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

**RESOLUTION NO. 219-10-2018**

**RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION  
AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY  
DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION  
OF PENNSYLVANIA AVENUE BETWEEN BROOKLYN AVENUE AND  
BALTIMORE AVENUE**

**MOTION:**

**SECOND:**

**WHEREAS**, the City Engineer has recommended to City Council that Pennsylvania Avenue, between Brooklyn Avenue and Baltimore Avenue, is an area in need of improvement; and

**WHEREAS**, City Council, having considered the matter, and having considered the recommendation of the City Engineer, believes this project to be in the best interest of the City and approves a grant application and execution of a grant contract with the New Jersey Department of Transportation for the reconstruction of Pennsylvania Avenue between Brooklyn Avenue and Baltimore Avenue.

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

1. The Recital paragraphs are incorporated as if fully set forth.
2. The City Council hereby approves the grant application and execution of a grant contract with the New Jersey Department of Transportation for the reconstruction of Pennsylvania Avenue between Brooklyn Avenue and Baltimore Avenue.
3. The Mayor and City Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-Reconstruction of Pennsylvania Avenue-00423 to the New Jersey Department of Transportation on behalf of the City of Cape May.
4. The Mayor and City 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, Patricia Harbora, City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on October 2, 2018.

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Patricia Harbora, City Clerk

<b>Roll Call</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Pessagno</b>				
<b>Meier</b>				
<b>Hendricks</b>				
<b>Furlin</b>				
<b>Lear</b>				

cc: City Manager  
Engineer

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

**RESOLUTION NO. 220-10-2018**

**RESOLUTION TO AFFIRM THE CITY OF CAPE MAY'S CIVIL RIGHTS  
POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES,  
PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT  
CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO  
CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND  
VOLUNTEERS**

**MOTION:**

**SECOND:**

**WHEREAS**, it is the policy of City of Cape May to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

**WHEREAS**, the governing body of City of Cape May has determined that certain procedures need to be established to accomplish this policy.

**NOW, THEREFORE BE IT ADOPTED** by the City Council of the City of Cape May that:

**Section 1:** No official, employee, appointee or volunteer of the Municipality by whatever title known, or any entity that is in any way a part of the Municipality shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Municipalities business or using the facilities or property of the Municipality.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Municipality to provide services that otherwise could be performed by the Municipality.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The City Manager, Neil Young shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The City Manager, Neil Young shall establish written procedures that require all officials, employees, appointees and volunteers of the Municipality as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The City Manager, Neil Young shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the City Manager, Neil Young shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Municipality. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Municipalities web site.

**Section 9:** This resolution shall take effect immediately.

**Section 10:** A copy of this resolution shall be published in the official newspaper of the Municipality in order for the public to be made aware of this policy and the Municipalities commitment to the implementation and enforcement of this policy.

This Resolution shall take effect immediately, according to law.

I, Patricia Harbora, City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on October 2, 2018.

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Patricia Harbora, City Clerk

<b>Roll Call</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Pessagno</b>				
<b>Meier</b>				
<b>Hendricks</b>				
<b>Furlin</b>				
<b>Lear</b>				

cc: City Manager



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

**RESOLUTION NO. 221-10-2018**

**RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND  
EXECUTION OF A GRANT AGREEMENT WITH THE U. S. DEPARTMENT OF  
HOMELAND SECURITY FOR THE FY 2019 FEMA PRE-DISASTER MITIGATION  
PROGRAM**

**MOTION:**

**SECOND:**

**WHEREAS**, the U. S. Department of Homeland Security for the FY 2019 FEMA Pre-Disaster Mitigation Program; and

**WHEREAS**, this program is available to certain municipalities in the State of New Jersey; and

**WHEREAS**, this grant program requires a 25 percent local match from the municipality; 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

**WHEREAS**, the Pre-Disaster Mitigation Program may fund generators for critical facilities; planning for the seawall project; and other projects identified in a FEMA approved Mitigation Plan.

**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 submit a grant application to the U. S. Department of Homeland Security.

**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.

This Resolution shall take effect immediately, according to law.

I, Patricia Harbora, City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on October 2, 2018.

\_\_\_\_\_  
Patricia Harbora, City Clerk

<b>Roll Call</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Pessagno</b>				
<b>Meier</b>				
<b>Hendricks</b>				
<b>Furlin</b>				
<b>Lear</b>				

cc: City Manager/CFO  
Rutala Associates, LLC

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

**RESOLUTION NO. 222-10-2018**

**RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND  
EXECUTION OF A GRANT AGREEMENT WITH THE U. S. DEPARTMENT OF  
HOMELAND SECURITY FOR THE FY 2019 FLOOD MITIGATION ASSISTANCE  
PROGRAM**

**MOTION:**

**SECOND:**

**WHEREAS**, the U. S. Department of Homeland Security for the FY 2019 Flood Mitigation Assistance Program; and

**WHEREAS**, this program is available to certain municipalities in the State of New Jersey; and

**WHEREAS**, this grant program requires a 25 percent local match from the municipality; 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

**WHEREAS**, the Flood Mitigation Assistance Program may fund watershed management plans; home elevations; seawall development and other mitigation measures; and

**WHEREAS**, actions taken through the Flood Mitigation Assistance Program may result in lower flood insurance premiums through the Community Rating System, increase ratables and improved resiliency.

**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 submit a grant application to the U. S. Department of Homeland Security.

**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.

This Resolution shall take effect immediately, according to law.

I, Patricia Harbora, City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on October 2, 2018.

\_\_\_\_\_  
Patricia Harbora, City Clerk

<b>Roll Call</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Pessagno</b>				
<b>Meier</b>				
<b>Hendricks</b>				
<b>Furlin</b>				
<b>Lear</b>				

cc: City Manager/CFO  
Rutala Associates, LLC

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

**RESOLUTION NO. 223-10-2018**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR A BIKEWAY GRANT BIKE-2019-CAPE MAY CITY-00030**

**MOTION:**

**SECOND:**

**WHEREAS**, the New Jersey Department of Transportation is accepting applications for the Bikeway Grant Program; and

**WHEREAS**, this program is available to all counties and municipalities in the State of New Jersey; and

**WHEREAS**, this grant program does not require a local match; 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 submit an electronic grant application identified as Bike-2019-Cape May City-00030 to the New Jersey Department of Transportation on behalf of the City of Cape May.

**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.

This Resolution shall take effect immediately, according to law.

I, Patricia Harbora, City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on October 2, 2018.

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Patricia Harbora, City Clerk

<b>Roll Call</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Pessagno</b>				
<b>Meier</b>				
<b>Hendricks</b>				
<b>Furlin</b>				
<b>Lear</b>				

cc: City Manager/CFO  
Rutala Associates, LLC  
NJDOT

**CITY OF CAPE MAY**

**RESOLUTION NO. 224-10-2018**

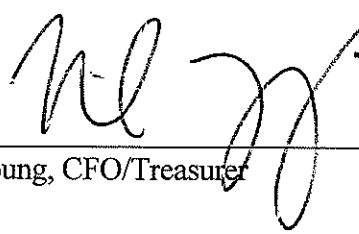
**RESOLUTION FOR THE PAYMENT OF BILLS**

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 September 28, 2018 for the amount of: \$439,401.03

Current Fund Appropriations	\$ 289,785.66
Water/Sewer Utility Operating Fund	\$ 26,202.51
Tourism Utility Fund	\$ 23,582.39
General Capital Improvements	\$ 36,412.10
Water/Sewer Capital Improvements	\$ 200.00
Escrow Special Account	\$ 1,811.25
Trust Fund	\$ -
Grant Fund	\$ 13,774.05
Beach Utility Fund Appropriations	\$ 47,633.07
Beach Utility Capital Improvements	\$ -
	<u>\$ 439,401.03</u>

  
\_\_\_\_\_  
Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

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 2, 2018.

\_\_\_\_\_  
Patricia Harbora, City Clerk

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

**RESOLUTION NO. 225-10-2018**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPE MAY TO APPROVE THE UPDATED CONCEPTUAL DESIGN OF THE LAFAYETTE STREET PARK-PHASES 2, 3 & 4**

**Motion:**

**Second:**

**WHEREAS**, the City Council of the City of Cape May adopted Resolution 126-04-2018, creating the Lafayette Street Park Advisory Committee; and

**WHEREAS**, the City Council formed the Lafayette Street Park Advisory Committee to review the original park plans and designs and to consider options in keeping with the Phase II and Phase III funding sources and to explore funding resources and options for Phase IV; and

**WHEREAS**, the Lafayette Street Park Advisory Committee worked together with the City Administration, the City Engineer and members of the public to review and update the conceptual design and considered any reorientation of the original designs to better serve evolving community interests and needs; and

**WHEREAS**, the Lafayette Street Park Advisory Committee has presented the attached updated conceptual design for City Council's consideration; and

**WHEREAS**, the City Council of the City of Cape May has reviewed the attached conceptual design scheme and finds that it is in the best interest of the City to approve the same.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Cape May, the governing body thereof, as follows:

1. The recital paragraphs are incorporated as if fully set forth.
2. The City Council of the City of Cape May hereby approves the updated conceptual design for the Lafayette Street Park-Phases 2, 3 & 4, attached to this Resolution.
3. This Resolution shall take effect immediately upon passage, according to law.

I, Patricia Harbora, City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on October 2, 2018.

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Patricia Harbora, City Clerk



<b>Roll Call</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
<b>Pessagno</b>				
<b>Meier</b>				
<b>Hendricks</b>				
<b>Furlin</b>				
<b>Lear</b>				

cc: City Manager  
City Solicitor  
Engineer  
Project File  
Jim Rutala  
Committee Chair

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

**RESOLUTION NO. 226-10-2018**

**RESOLUTION AWARDING THE CONTRACT FOR CAPE MAY STAGE FIRE PROTECTION SYSTEM - REBID, CONTRACT NO. M-18**

**MOTION:**

**SECOND:**

**WHEREAS**, after due notification and advertisement pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the City of Cape May received and opened sealed bids for the above-referenced project on September 26, 2018; and

**WHEREAS**, of the bids received for this project, the lowest bid was submitted by **ABJ Sprinkler Co., Inc.** of Glassboro, New Jersey in the amount of \$104,900.00; and

**WHEREAS**, the City Engineer has reviewed that bid and has determined that it appears to be competitive and advantageous to the City; and

**WHEREAS**, both the City Engineer and the City Solicitor have reviewed the bid and have determined that it complies in all respects with the bid specifications and the requirements of the Local Public Contracts Law; and

**WHEREAS**, it accordingly appears that ABJ Sprinkler Co., Inc. is the lowest responsible bidder on the project, in the amount of \$104,900.00, and that award of the contract to ABJ Sprinkler Co., Inc. is in the best interest of the City of Cape May; and

**WHEREAS**, the City's Chief Financial Officer has certified the availability of funds to pay the contract amount

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

1. The Recital paragraphs are incorporated as if fully set forth.
2. The City Council hereby authorizes the award of Contract No. M-18, for the Cape May Stage Fire Protection System, to ABJ Sprinkler Co., Inc. in the amount of \$104,900.00.
3. The Mayor, City Manager and other appropriate City officials are authorized to take all steps necessary to consummate and effectual that contract, in accordance with the bid specifications and the requirements of the Local Public Contracts Law.
4. This Resolution shall take effect immediately upon passage, 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 2, 2018.

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Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

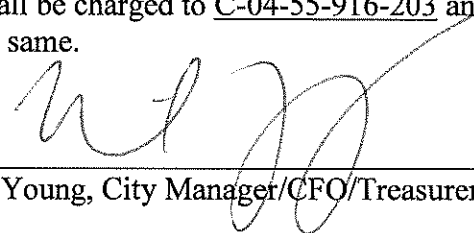
Cc: Engineer  
Project File

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TREASURER'S CERTIFICATION

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The undersigned, Treasurer of the City of Cape May, does hereby certify to the Mayor and Council that sufficient funds are appropriated in the General Capital Fund. To satisfy any and all obligations resulting from the award of the referenced contract and further, that all expenses on account of the aforesaid contract shall be charged to C-04-55-916-203 and shall be encumbered on same.

  
\_\_\_\_\_  
Neil Young, City Manager/CFO/Treasurer