

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

RESOLUTION NO. 222-10-2017

RESOLUTION AUTHORIZING THE CAPE MAY PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION TO ESTABLISH A NON-CONDEMNATION REDEVELOPMENT AREA WITHIN THE CITY OF CAPE MAY

MOTION:

SECOND:

WHEREAS, N.J.S.A. 40A:12A-6, authorizes the governing body of any municipality, by Resolution, to have its Planning Board conduct a preliminary investigation to determine whether any area of the municipality is a redevelopment area; and

WHEREAS, the Cape May City Council considers it to be in Cape May's best interest to have the Cape May Planning Board ("Planning Board") conduct such an investigation regarding an area located in the City of Cape May; and

WHEREAS, the area to be studied includes those parcels of land described and delineated on the official Tax Map of the City of Cape May as **Block 1059, Lots 1 through 12** (the "Study Area"); and

WHEREAS, certain parcels of land located within the Study Area appear to be in a state of deterioration, appear to be vacant, obsolete and/or underutilized and/or otherwise appear to be blighted; and

WHEREAS, a redevelopment area designation shall authorize the City of Cape May to use all those powers provided by the Legislature for use in a redevelopment area, except that the use of eminent domain shall not be permitted, and any such designation of the Study Area shall be a Non-Condemnation Area; and

WHEREAS, the Cape May City Council wishes to direct the Planning Board to undertake such preliminary investigation to determine whether the Study Area meets the criteria

for designation as a Non-Condernnation Redevelopment Area pursuant to N.J.S.A. 40A:12A-5 and in accordance with the investigation and hearing process set forth at N.J.S.A. 40A:12A-6.

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

1. The Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Study Area should be designated as a Non-Condernnation Redevelopment Area according to the criterion in N.J.S.A. 40A:12A-1 et seq.;

2. The Planning Board is hereby directed to prepare a report of its findings and once completed, the Planning Board is directed to transmit the report to the Cape May City Council for its review and approval in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1.

3. This Resolution shall take effect immediately.

I hereby certify the foregoing to be an original true copy Resolution adopted by the City Council of the City of Cape May at a meeting held on October 3, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

cc: Planning Board

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

RESOLUTION NO. 223-10-2017

**RESOLUTION DESIGNATING OCTOBER 2017 AS
“BREAST CANCER AWARENESS MONTH” IN THE CITY OF CAPE MAY**

MOTION:

SECOND:

WHEREAS, Breast Cancer is the most common cancer among American women and is second only to lung cancer as the leading cause of cancer-related death; and

WHEREAS, an estimated one in every eight women in the United States will develop breast cancer during her lifetime; and

WHEREAS, women 65 years of age and older are less likely to be screened for breast cancer with mammography than women 40 to 49 years of age, even though breast cancer risk increases with age; and

WHEREAS, October marks the anniversary of National Breast Cancer Awareness Month, which is dedicated to increasing awareness of breast cancer issues, especially the importance of early detection;

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Cape May, County of Cape May hereby declare the month of October to be Breast Cancer Awareness Month in City of Cape May.

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 3, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

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

RESOLUTION NO. 224-10-2017

**RESOLUTION APPROVING CHANGE ORDER NO. 4 TO THE AGREEMENT
BETWEEN TKT CONSTRUCTION COMPANY, INC. AND THE CITY OF CAPE
MAY'S CONTRACT FOR CAPE MAY CITY WELL NO. 8**

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") and TKT Construction Company, Inc. ("TKT Construction") are parties to a certain agreement (the "Agreement") for the New Jersey Environmental Infrastructure Financing Program Clean Water Application for Financial Assistance for Well No. 8 (the "Services") located at Block 759, Lot 402 in Lower Township; and

WHEREAS, the original Agreement was awarded to TKT Construction pursuant to Cape May City Resolution No. 126-06-2016;

WHEREAS, the original Agreement price was ONE MILLION ONE HUNDRED FORTY-NINE THOUSAND NINE HUNDRED (\$1,149,900.00) DOLLARS (Agreement Price");

WHEREAS, Change Order No. 1 increased the Agreement Price to ONE MILLION ONE HUNDRED SEVENTY-TWO THOUSAND FOUR HUNDRED THIRTY-FIVE DOLLARS AND TEN CENTS (\$1,172,435.10) (the "Revised Agreement Price");

WHEREAS, Change Order No. 2 increased the Agreement Price to ONE MILLION TWO HUNDRED FORTY-SEVEN THOUSAND FORTY-EIGHT DOLLARS AND TEN CENTS (\$1,247,048.10) (the "Revised Agreement Price");

WHEREAS, in order to provide better access to service the emergency generator and to provide a submersible pump in lieu of a vertical turbine pump, due to the estimated draw down as determined by the pump test it was recommended that additional work be performed; and

WHEREAS, the City and TKT Construction have therefore agreed to Change Order No.4 to increase the Revised Agreement Price by an amount not to exceed THIRTY-NINE THOUSAND SIX HUNDRED FIFTY-FIVE DOLLARS AND ELEVEN CENTS (\$39,655.11) for the additional work.

NOW, THEREFORE, LET IT BE 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 Cape May City Council hereby approves Change Order No. 4, increasing the Revised Agreement Price by THIRTY-NINE THOUSAND SIX HUNDRED FIFTY-FIVE DOLLARS AND ELEVEN CENTS (\$39,655.11), thereby increasing the total cost of the Agreement to ONE MILLION TWO HUNDRED EIGHTY-SIX THOUSAND SEVEN HUNDRED THREE DOLLARS AND TWENTY-ONE CENTS (\$1,286,703.21), is hereby approved.

3. The appropriate city officials are hereby authorized to execute all documents required to effect this modification.

4. A certified copy of this resolution, and the contract modification documents, shall be forwarded to the New Jersey Department of Environmental Protection.

5. 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 3, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

cc: Water/Sewer
Remington Vernick & Walberg
Township of Lower

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

RESOLUTION NO. 225-10-2017

**RESOLUTION APPROVING CHANGE ORDER NO. 5 TO THE AGREEMENT
BETWEEN TKT CONSTRUCTION COMPANY, INC. AND THE CITY OF CAPE
MAY'S CONTRACT FOR CAPE MAY CITY WELL NUMBER 8**

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") and TKT Construction Company, Inc. ("TKT Construction") are parties to a certain agreement (the "Agreement") for the New Jersey Environmental Infrastructure Financing Program Clean Water Application for Financial Assistance for Well No. 8 (the "Services") located at Block 759, Lot 402 in Lower Township; and

WHEREAS, the City has requested a no cost time extension from the TKT Construction because of time required for the well testing and analysis as required by the N.J.D.E.P., and

WHEREAS, TKT Construction has agreed to a no cost time extension to December 31, 2017; and

WHEREAS, this contract modification can be made without any additional cost to the City,

Now, THEREFORE, LET IT BE 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 Cape May City Council hereby approves Change Order Number 5 to the contract for the installation of City Well Number 8, extending the time for completion of the project to December 31, 2017.
3. The appropriate city officials are hereby authorized to execute all documents required to effect this modification.
4. A certified copy of this resolution, and the contract modification documents, shall be forwarded to the New Jersey Department of Environmental Protection.
5. 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 3, 2017.

Patricia Harbora, City Clerk

RollCall	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

cc: Water/Sewer
Remington Vernick & Walberg
Township of Lower
NJ Department of Environmental Protection

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

RESOLUTION NO. 226-10-2017

RESOLUTION REGARDING TRICK-OR-TREAT NIGHT IN THE CITY OF CAPE MAY

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 **Tuesday evening, October 31, 2017, 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 3, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

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

Files/resol/trick or treat

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

RESOLUTION NO. 227-10-2017

**RESOLUTION EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS REGARDING
THE OPEN PUBLIC MEETINGS ACT AND OPEN PUBLIC RECORDS ACT**

MOTION:

SECOND:

WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, the bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

WHEREAS, the legislation would expand the Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

WHEREAS, under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the

States or the courts, every municipality would be on its own to meet the myriad new requirements of the law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

This Resolution shall take effect immediately.

I hereby certify the foregoing to be an original true copy Resolution adopted by the City Council of the City of Cape May at a meeting held on October 3, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

[Type here]

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

RESOLUTION NO. 228-10-2017

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY FOR THE FY 2017 FEMA PRE-DISASTER MITIGATION PROGRAM

MOTION:

SECOND:

WHEREAS, the U. S. Department of Homeland Security for the FY 2017 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 identified in a FEMA approved Mitigation Plan among other priorities; 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 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.

I hereby certify the foregoing to be an original true copy Resolution adopted by the City Council of the City of Cape May at a meeting held on October 3, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

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

RESOLUTION NO. 229-10-2017

**RESOLUTION AUTHORIZING AN AGREEMENT
FOR USE OF THE SOCCER FIELD AT LAFAYETTE STREET PARK**

MOTION:

SECOND:

WHEREAS, the City of Cape May is the tenant, and the Cape May City Elementary School District is the owner, of certain lands adjacent to the Cape May City Elementary School on Lafayette Street in Cape May, which lands include a soccer field; and

WHEREAS, the Recreation Department of the Township of Lower has asked the City for permission to use that soccer field for its youth soccer program between September 21, 2017, through November 11, 2017; and

WHEREAS, in the spirit of municipal comity and cooperation, the City is willing to grand the Township that permission, subject to certain conditions; and

WHEREAS, the School District, as owner of the property, is also willing to permit the Township to use the fields, subject to those same conditions,

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

1. The averments of the preamble are incorporated by reference.
2. The City Council hereby agrees to permit the Lower Township Recreation Department to use the Lafayette Street Park soccer field for its youth soccer program between September 21, 2017 and November 11, 2017. The Township's use shall be limited to that purpose.
3. The hours of use shall be from 5 p.m. until 7:30 p.m. from Monday through Friday, and from 9 a.m. to 1 p.m. on Saturdays.
4. Lower Township shall not pay a fee for use of the field, but will reimburse the City for all maintenance costs caused by its use beyond normal wear and tear.
5. Lower Township shall furnish proof of insurance acceptable to the City and the School District, and will name the City and the School District as an additional insured on all relevant policies.
6. Lower Township shall execute the City's standard use of facilities agreement, including its hold harmless and indemnification provisions.
7. Lower Township shall not schedule use of the field that conflicts with any pre-existing use by the City or School District, or with any event previously scheduled by the City or the School District.

8. Lower Township shall sign a Use Agreement that embodies these conditions, and that Agreement shall also be signed by the School District.

9. The appropriate City officials are hereby authorized to sign a Use Agreement that embodies these conditions, and to take all steps necessary to consummate this arrangement.

10. This Resolution shall take effect immediately, according to law.

I hereby certify the foregoing to be an original resolution that memorializes a resolution adopted verbally by the City Council of the City of Cape May at a special meeting held on October 3, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

cc: All Departments
City Attorney
Cape May City Elementary School District
City Hall Bulletin Board
Cape May City Housing Authority
Cape May Co. Library/Cape May City Branch
Cape May Star and Wave
The Press of Atlantic City
Cape May County Herald
Cape May County Gazette

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

RESOLUTION NO. 230-10-2017

**A RESOLUTION ESTABLISHING A MUNICIPAL BUILDINGS AND PROPERTIES
ADVISORY COMMITTEE TO REVIEW CITY-OWNED PROPERTIES AND OPTIONS
FOR THEIR USE, SALE OR OTHER DISPOSITION AS APPROPRIATE**

MOTION:

SECOND:

WHEREAS, the City of Cape May is increasingly renowned as a treasured historic preservation site and popular tourist destination, and

WHEREAS, over time, the City has acquired various parcels of real property both land and structures; and

WHEREAS, the need for, condition and use of these properties is not always certain; and

WHEREAS, no recent assessment has been made of the City's property holdings; and

WHEREAS, these properties may be unused or underutilized and not generating taxes or other revenues for the City; and

WHEREAS, it would be beneficial to conduct a proper inventory and assessment of City-owned property to determine potential options for the use, repurposing, sale or other disposition of the sites; and

WHEREAS, it is incumbent on the City to assure its real assets are safeguarded and maintained as clean, healthy, secure land and/or facilities; and

WHEREAS, an advisory committee of persons knowledgeable about real estate, building maintenance, construction and rehabilitation joined by other interested, knowledgeable citizens could offer useful insights, guidance and recommendations for the real property inventory, assessment, and potential options for use, repurposing, sale or other disposition of the land and/or building;

NOW, THEREFORE, LET IT BE RESOLVED, by 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 creates and establishes a "Municipal Buildings & Properties Advisory Committee," whose members and duties are described below.
3. The members of the Committee shall be:
 - A. Robert Elwell, Chair
 - B. Gregg Giancola
 - C. Hugh McCauley
 - D. Larry Reed
 - E. Robert Boyd
 - F. Timothy Walsh
 - G. Heather Turner
 - H. Wayne Keyser

4. The Council may from time to time appoint additional committee members as appropriate.
5. The Committee shall be advisory in function.
6. The Committee shall meet periodically, and will report to the City Council on a regular basis or at the Council's request.
7. Committee members shall serve without compensation, but the Committee may request, and Council may allocate funds to defray the Committee's legitimate expenses.
8. The Committee shall exist and perform its designated advisory functions until dissolved by resolution of City Council.
9. The Committee's term shall be for four years.
10. The Committee shall assist and advise the City Manager and City Council on such matters as:
 - A. Carrying out an in-depth inventory of the number, location, condition, usage, and value of City-owned buildings and properties. Such an inventory would include buildings and property currently unused, underutilized, or in use for City purposes or under lease to other entities;
 - B. Proposing plans for renovating, repurposing, maintaining, using, leasing and otherwise managing City-owned buildings and property;
 - C. Establishing criteria for assessing whether City buildings and property should be put on the market and sold;
 - D. Exploring the availability of grant money or other funding resources to renovate, refurbish or otherwise make improvements to City-owned buildings and property;
 - E. Proposing a preliminary assessment and/or plan of action, including sequencing, costs, resources and timetable, for renovating or replacing key City-owned properties including City Hall, the Fire Station and City Parks;
 - F. Reviewing the agreements of City-owned buildings and land leased to non-profit organizations such as the Nature Center, the Middle Atlantic Center for the Arts & Humanities, the Cape May Stage, the Franklin Street School and gymnasium and any other such property;
 - G. Exploring whether building and lots in the City that are in foreclosure or are for sale or may be for sale could be useful resources were the City to purchase them or negotiate other reasonable options;
 - H. Seeking inclusion of building and capital improvements plans in the City's revised Master Plan.
 - I. Soliciting public review and comment.

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 3, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

Cc: Members

CITY OF CAPE MAY

RESOLUTION NO. 231-10-2017

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 29, 2017 for the amount of: \$783,458.20

Current Fund Appropriations	\$ 426,740.13
Water/Sewer Utility Operating Fund	\$ 125,374.27
Tourism Utility Fund	\$ 19,929.62
General Capital Improvements	\$ 36,403.86
Water/Sewer Capital Improvements	\$ 113,817.58
Escrow Special Account	\$ 5,305.00
Trust Fund	\$ -
Grant Fund	\$ 680.00
Beach Utility Fund Appropriations	\$ 26,330.48
Beach Utility Capital Improvements	\$ 28,877.26
	<u>\$ 783,458.20</u>



Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
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 03, 2017.

Patricia Harbora, City Clerk

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

ORDINANCE NO. 330 - 2017

**AN ORDINANCE AMENDING CHAPTER 145, SECTION 9
OF THE CAPE MAY CITY MUNICIPAL CODE,
REGARDING SUPERVISION
OF ANIMAL CONTROL OFFICERS**

WHEREAS, Chapter 145 of the Cape May Municipal Code regulates animals in the City; and

WHEREAS, Section 145-9 of the Code, dealing with enforcement of the city's animal regulations, provides for the appointment of one or more Animal Control Officers, to be supervised by the City Manager, to enforce the animal code; and

WHEREAS, the City recently adopted Ordinance 324-2017, which re-allocates supervision of all Code Enforcement officers to the Chief of Police; and

WHEREAS, the Cape May City Council wishes to amend Code Section 145-9 to bring it into conformance with Ordinance 324-2017,

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

1. The averments of the preamble are incorporated into this Ordinance.

Section 145-9 of the Cape May Municipal Code is hereby amended as follows (additions underlined; deletions [in brackets]):

The City Manager shall have the power to appoint one or more persons, to be known as "Animal Control Officers," who shall be supervised by the [City Manager] Chief of Police. It shall be the duty of any Animal Control Officer to enforce the provisions of this article, to impound unlicensed dogs running at large in violation of the provisions of this article, and to submit a monthly and annual report to the Council. [All summonses based upon complaints filed by the Animal Control Officer or any other individuals working under the supervision of the Animal Control Officer shall only be issued by the Court Administrator or Deputy Court Administrator.]

2. This Ordinance shall supersede all other ordinances in conflict or inconsistent with it.

3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

4. This Ordinance shall take effect within twenty (20) days of final passage and publication as provided by law.

ATTEST:

CITY OF CAPE MAY, a municipal corporation
of the State of New Jersey

Patricia Harbora, City Clerk

BY: _____
Clarence F. Lear, III, Mayor

NOTICE

Ordinance 330-2017 was introduced at a regular meeting of the City Council of the City of Cape May, held on September 5, 2017 and will be further considered for final passage during a meeting of the City Council, to be held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on October 3, 2017, 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora,
City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

Introduction: September 5, 2017
First Publication: September 13, 2017
Second Reading & Adoption: October 3, 2017
Final Publication: October 11, 2017
Effective Date: October 31, 2017

cc: Police Chief
Code Enforcement
ACO

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

ORDINANCE NO. 331 - 2017

**AN ORDINANCE REPEALING CHAPTER 7, SECTIONS 16
AND 16.1 OF THE CAPE MAY CITY MUNICIPAL CODE,
REGARDING PARKING AND STREET CLEANING**

WHEREAS, Chapter 7 of the Cape May Municipal Code regulates vehicles and traffic, including parking, in the City; and

WHEREAS, Sections 7-16 and 7.16.1, of the Code, adopted in 1999 and 2004, prohibit parking on certain City streets at certain times, ostensibly to allow street cleaning to occur, and set the penalties for violations of that prohibition; and

WHEREAS, it has been the City's experience during the existence of this ordinance that it is difficult to enforce, economically counterproductive, and as a practical matter unnecessary; and

WHEREAS, for those reasons, the Cape May City Council therefore wishes to repeal Code Sections 7-16 and 7.16.1 in their entirety,

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

1. The averments of the preamble are incorporated into this Ordinance.
2. Section 7-16 and Section 7-16.1 of the Cape May City Code are hereby repealed in their entirety.
3. This Ordinance shall supersede all other ordinances in conflict or inconsistent with it.
4. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.
5. This Ordinance shall take effect within twenty (20) days of final passage and publication as provided by law.

ATTEST:

CITY OF CAPE MAY, a municipal corporation
of the State of New Jersey

Patricia Harbora, City Clerk

BY: _____
Clarence F. Lear, III, Mayor

NOTICE

Ordinance 331-2017 was introduced at a regular meeting of the City Council of the City of Cape May, held on September 5, 2017 and will be further considered for final passage during a meeting of the City Council, to be held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on October 3, 2017, 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora,
City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

Introduction: September 5, 2017
First Publication: September 13, 2017
Second Reading & Adoption: October 3, 2017
Final Publication: October 11, 2017
Effective Date: October 31, 2017

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

ORDINANCE NO. 332 - 2017

**AN ORDINANCE AMENDING CHAPTER 520 OF THE
CAPE MAY CITY MUNICIPAL CODE,
REGARDING WEDDINGS AND CIVIL UNIONS**

WHEREAS, Chapter 520 of the Cape May Municipal Code regulates weddings and Civil Unions, and

WHEREAS, Sections 520-1, -2, and -3, specify the fees to be charged for weddings performed in the City of Cape May by the Mayor or Deputy Mayor; and

WHEREAS, the City Council wishes to amend those sections to clarify the nature and amount of the fees charged, and to eliminate certain inconsistencies in the existing code.

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

1. The averments of the preamble are incorporated into this Ordinance.
2. Sections 520-1, 520-2, and 520-3 of the Cape May Municipal Code are hereby repealed and replaced with the following:

Any persons seeking to be wed by the Mayor or Deputy Mayor of the City of Cape May shall pay to the City a ceremonial service fee of \$300. Of that amount, \$225 shall compensate the Mayor or Deputy Mayor for officiating at the service. The remaining \$75 dollars shall defray the City's costs for booking and scheduling the wedding.

The total annual amount paid to the Mayor or Deputy Mayor as compensation for officiating at the wedding service shall not exceed the maximum total annual amount permitted by the City's salary ordinance.

In addition, anyone whose wedding takes place on City property, including City parks and the beach, shall pay to the City a fee of \$25 to defray the costs associated with the use of the City's property. This section shall apply whether or not the Mayor or Deputy Mayor officiates at the service, but shall not apply to any wedding attended by 20 or fewer persons.

3. This Ordinance shall supersede all other ordinances in conflict or inconsistent with it.
4. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance

shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

5. This Ordinance shall take effect within twenty (20) days of final passage and publication as provided by law.

ATTEST: CITY OF CAPE MAY, a municipal corporation
of the State of New Jersey

Patricia Harbora, City Clerk

BY: _____
Clarence F. Lear III, Mayor

NOTICE

Ordinance 332-2017 was introduced at a regular meeting of the City Council of the City of Cape May, held on September 5, 2017 and will be further considered for final passage during a meeting of the City Council, to be held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on October 3, 2017, 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

Introduction: September 5, 2017
First Publication: September 13, 2017
Second Reading & Adoption: October 3, 2017
Final Publication: October 11, 2017
Effective Date: October 31, 2017