

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

ORDINANCE NO. 334 - 2017

**AN ORDINANCE AMENDING CHAPTER 525, SECTION 4
OF THE CAPE MAY CITY MUNICIPAL CODE,
TO ADD A DEFINITION OF THE TERM "FENCE"**

WHEREAS, Chapter 525 of the Cape May Municipal Code regulates the zoning within the City; and

WHEREAS, Section 525-4 of the Code contains the definitions of various terms that pertain to the City's zoning regulations; and

WHEREAS, although the term "fence" appears numerous times in the Cape May Zoning Ordinance, and although the Zoning Ordinance regulates the height and location of "fences," the Zoning Ordinance does not currently define the term "fence"; and

WHEREAS, having carefully considered the matter, the Cape May City Council desires to amend Section 525-4 to include a definition of "fence" so as to afford greater clarity and specificity, and to avoid unnecessary disputes about what does, and does not, constitute a "fence."

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 (additions underlined; deletions [in brackets]):

1. The averments of the preamble are incorporated into this Ordinance.
2. Section 525-4 of the Cape May Municipal Code is hereby amended to add the following definition:

FENCE – An artificially constructed barrier of wood, masonry, stone, wire, metal or any other manufactured material or combination of materials.

3. Pursuant to N.J.S.A. 40:55D-26, this Ordinance shall be referred to the Planning Board for its review and a report thereon.

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

5. 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.

6. 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 334-2017 was introduced at a regular meeting of the City Council of the City of Cape May, held on October 17, 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 November 21, 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				

Introduced: October 17, 2017
First Publication: October 25, 2017
2nd Reading & Adoption: November 21, 2017
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**CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
ORDINANCE NO. 335-2017**

**AN ORDINANCE OF THE CITY OF CAPE MAY
AMENDING THE CAPE MAY DESIGN STANDARDS AND
CITY CODE SECTION 525-39 - STANDARDS, DESIGN
GUIDELINES AND CRITERIA**

MOTION:

SECOND:

WHEREAS, Cape May City Code §525-39 provides uniform standards, design standards and criteria for the regulation of historic sites and districts for use by the Historic Preservation Commission (“HPC”);

WHEREAS, the HPC has requested an amendment to the Design Standards pertaining to solar panels, wind turbines/windmills and satellite and broadband television antennas; and

WHEREAS, the City Council desires to approve the suggested amendments to the Design Standards pursuant to the terms and conditions set forth herein; and

WHEREAS, the City Council wishes to make additional amendments to the Historic Preservation sections of the city’s zoning ordinance to clarify and standardize its nomenclature, and to clearly establish the procedure for, and scope of review of, appeals from decisions of the HPC,

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:

Section 1. The following standard is hereby added to the “City of Cape May Historic Preservation Design Standards” to address solar panels in a rehabilitation or new project:

Solar Panel in a Rehabilitation or New Project.

Applicable existing Design Standard(s): Roofs, Accessory Structures and New Construction

Enhancing the energy efficiency of a historic building is important. To that end, it is often possible to install features such as solar panels and photovoltaic cells provided they are installed in a sensitive manner. Because these elements must be positioned to take advantage of unobstructed sunlight, the roof of a historic structure may be an obvious location. However, the roofline of a historic building is often a distinctive feature. Therefore, the installation of solar panels should conform to guidance regarding rooftop additions to avoid altering the historic character of the building. Historic buildings with a flat roof or parapet can usually accommodate solar panels because the panels will be hidden, while properties with a hipped or gabled roof are generally not good candidates for a rooftop solar installation. Solar panels in the historic district or on historic buildings

outside the historic district which are conspicuous from a public right of way, such as a nearby street, sidewalk or other public space are not appropriate in the historic district or on any historic sites. Should solar technology develop to a point where it is indistinguishable from existing, historically accurate materials, that technology may be acceptable in non-rated structures.

In circumstances where solar collectors are not placed on rooftops, they shall be positioned in limited or no-visibility locations in secondary areas of the property. Vegetation or compatible screen may also be an option to further reduce the impact of these features on an historic site. For some historic sites, it may not be possible to incorporate solar panels and meet the Secretary of Interior's Standards for Rehabilitation. This standard shall apply for all rehabilitation or new projects in the historic district and for any rehabilitation projects that impact a historic site outside of the historic district.

Section 2. The following standard is hereby added to the "City of Cape May Historic Preservation Commission Design Standards" to address installing windmills/wind turbines in a rehabilitation or new project:

Installing Windmill/Wind Turbine in a rehabilitation or New Project.

Applicable existing Design Standard(s): Streetscape and Accessory Structures

Enhancing energy resources to save the burning of carbon fuel is important. However, because the placement of windmills/wind turbines requires the unobstructed use of wind, they must, by definition, be visible from the street and will therefore adversely impact the historic character of the City. As a result, windmills and wind turbines are not appropriate in the City's historic district.

Section 3. The following standard is hereby added to the "City of Cape May Historic Preservation Commission Design Standards" to address the installation of satellite and broadband television antennas in historic districts.

Installing Satellite and Broadband Television Antennas.

Applicable existing Design Standard(s): Roofs, Accessory Structures and New Construction

Because these elements must be positioned to take advantage of unobstructed views of satellite positions or other communication methods, they generally do. By definition, these locations are generally conspicuous from the street, public right-of-way or public space, thus adversely impacting the historic character of the City. As a result, these elements are not appropriate for the City of Cape May's Historic District. This standard shall apply to all projects in the Historic District and to all projects that impact historic sites outside of the Historic District.

Section 4. The following standard is hereby added to the “City of Cape May Historic Preservation Design Standards” to address installing replacement windows at a historic site:

Installing Replacement Windows at a Historic Site

Applicable existing Design Standard(s): Windows

In the name of energy efficiency and environmental responsibility, replacement window manufacturers and contractors are developing technologically advanced construction materials to replicate historic wood windows. The goal is to maintain the historic character of the building without eroding its timeless essence. Previously, replacement windows were vinyl, aluminum, or a composite with wood. These options have not been as durable as the original wood window. Where feasible, repair, rather than replacement, of wood windows is generally the “greener” option. Original windows properly repaired and maintained can be as energy efficient as replacement window, however, such repair and maintenance is not always possible or may be prohibitively expensive. It is incumbent on the HPC and the Zoning Board of Adjustment to stay abreast of construction advances and encourage use of increasingly acceptable and sustainable wood composites.

When the original wood windows have deteriorated beyond repair, a solid wood replacement window is a preferred replacement. However, when a contributing property has clad windows, an owner may replace those windows with “like for like” materials. The appearance of the replacement clad windows must be consistent with the general characteristics of a historic window of the type and period, but need not replicate the missing historic window.

Section 5. Section 525-39(F) of the City Code of the City of Cape May is hereby amended as follows (new language is underlined and deleted language is stricken):

F. ~~GuidelinesStandards~~. ~~GuidelinesStandards~~ as are adopted by theHistoric Preservation Commission pursuant to resolution of the Historic Preservation Commission are hereby adopted and made part of this chapter. The ~~guidelinestandards~~ consist of window ~~guidelinestandards~~, exterior sheathing ~~guidelines~~ standards, fence ~~guidelines~~ standards, streetscape ~~guidelinesstandards~~, roof standards, door standards, porch standards, solar panel standards, windmill/wind turbine standards, broadband television antenna standards, and design ~~guidelinesstandards~~ for all new construction and rehabilitation projects in the historic district and for all rehabilitation projects that affect historic sites outside of the historic districtbuilding in East Cape May historie.

A copy of the ~~guidelines standards~~ shall be available in the offices of the Construction Official and the City Clerk. The ~~guidelinesstandards~~ may be amended by the Historic Preservation Commission, but shall not take effect until proved approved by ordinance of City Council.

Section 6. A new section, Section 525-39(H), is added to the City Code of the City of Cape May as follows:

H. *De Minimis* Exception. The standards provided for in Section 525-39(F) may be waived by the Historic Preservation Commission based upon a finding that the impact from said waiver is *de minimis*, and thus will not have a material or substantial impact on the historic district or a historic site.

Section 7. Section 525-37(E)(5) of the City Code of the City of Cape May is hereby amended as follows:

Appeals from determinations of the Construction Official pursuant to referral to the Historic Preservation Commission may be made by the applicant to the Zoning Board of Adjustment, according to N.J.S.A. 40:55D-70(a). Nothing herein shall be deemed to limit the right of judicial review of the action after an appeal is concluded by the Zoning Board of Adjustment. The appellant shall pay all costs for copies of any transcript(s), which shall be by a certified court reporter. The appeal shall be heard on the record made before the Historic Preservation Commission. A determination by the Historic Preservation Commission on issues within its authority shall be entitled to due deference. If, in the case of an appeal made pursuant to this subsection, the Zoning Board of Adjustment determines there is an error in any order, requirement, decision or refusal made by the Construction Official pursuant to a certificate or denial of a certificate submitted by the Historic Preservation Commission in accordance with N.J.S.A. 40:55D-111, the Zoning Board of Adjustment shall, in writing, include the reasons for its determination in the findings of its decision thereon. The determination of the Historic Preservation Commission may be overturned only if the Zoning Board of Adjustment finds that the Historic Preservation Commission determination was arbitrary, capricious, unreasonable, or contrary to law.

Section 8. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 9. 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.

Section 9. 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 335-2017 was introduced at a regular meeting of the City Council of the City of Cape May, held on October 17, 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 November 21, 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				

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

ORDINANCE NO. 336-2017

**AN ORDINANCE TO UPDATE THE UNIFORM SALARY
AND CLASSIFICATION PLAN FOR THE DEPARTMENT
OF PERSONNEL POSITIONS IN THE CITY OF CAPE MAY**

WHEREAS, New Jersey Statutes and regulations promulgated by the New Jersey Department of Personnel require the governing body to adopt by ordinance an updated Uniform Salary and Classification Plan for all positions of employment in the municipal government of the City of Cape May. Said regulations provide that copies of the following schedules and specifications be placed on file in the Office of the City Clerk upon the introduction of this ordinance, which copies are to remain on file, are made a part hereof without the inclusion of the text thereof herein, and they are to be available during all regular business hours for examination by the public:

Schedule 1 – Alphabetical listing of titles and salary ranges in the UNCLASSIFIED service, with statutory provisions placing positions in said unclassified service.

Schedule 2 – ALPHABETICAL listing of titles and salary ranges in the classified and unclassified service.

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

Section 1. All ordinances concerning salary, wages, and payroll classifications heretofore adopted are specifically repealed, and any titles not listed herein are abolished.

Section 2. The following alphabetical listings of all positions and salary ranges are hereby adopted and are applicable to all employees of the City of Cape May. (See Schedules 1 and 2)

Section 3. The adoption of this ordinance shall operate to establish minimum and maximum limits of salary ranges for each title only to those employees who have satisfactorily performed the duties of their positions; and that any changes in salary may be granted or withheld at the discretion of the appointing authority.

Section 4. Payments on the basis of the salary ranges and titles hereby adopted for each and every class on the schedules are contingent upon budgetary appropriations and availability of funds.

Section 5. This ordinance shall take effect after publication, public hearing, and final passage as required by law.

ATTEST:

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

Patricia Harbora, City Clerk

Clarence F. Lear III, Mayor

Ordinance 336-2017 was introduced at a regular meeting of the City Council of the City of Cape May, held on October 17, 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 November 21, 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				

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SCHEDULE 1

ALPHABETICAL LISTING OF TITLES AND SALARY RANGES IN UNCLASSIFIED SERVICE, WITH THE STATUTORY PROVISIONS PLACING POSITIONS IN UNCLASSIFIED DIVISION

N.J.S.A.	CaCd	TITLE	MIN.	MAX.
		Administrative Officer	5,000	15,000
		Asst. Dir. of Mktg, Comm & Event Sales	65,000	80,000
40:69A-122	07451	Chief Financial Officer	40,000	99,000
40:69A-93	01233	City Manager	25,000	122,000
	06977	Confidential Assistant	35,000	50,000
	06977	Confidential Assistant – (P/T)	15.00	32.00
40:69A-117	01381	Council Member	8,000	10,000
	01509	Deputy Municipal Clerk	35,000	55,500
	07584	Deputy Municipal Manager	35,000	65,000
	10103	Director of Mktg, Comm & Event Sales	75,000	95,000
2A:8-5	02219	Judge of Municipal Court	30,000	50,000
40:69A-117	02428	Mayor	8,000	15,000
40:69A-133	02521	Municipal Clerk	40,000	80,000
40:69A-122	05079	Municipal Emergency Management Coordinator - (P/T)	2,000	6,000
	06935	Recreation Director	65,000	90,000
	03125	School Traffic Guard (P/T)	5,000	8,000
40:55D-24	07419	Secretary Board/Commission	15,000	55,000
40:69A-122	06895	Special Law Enforcement Officer - (P/T)	8.38	15.00
40:69A-122	06895	Special Law Enforcement Officer	15,000	37,500
40:69A-122	04120	Tax Assessor	40,000	80,000
40:69A-122	04120	Tax Assessor (P/T)	12,500	40,000
40:69A-122	04124	Tax Collector	40,000	88,000

SCHEDULE 2

**CITY OF CAPE MAY SALARY ORDINANCE
ALPHABETICAL LISTING OF TITLES**

CaCd	Full Title	Min.	Max.
00001	Account Clerk	24,300	34,800
00020	Administrative Clerk	26,100	60,000
07907	Administrative Clerk/Zoning Officer	30,000	50,600
	Administrative Officer	5,000	15,000
00112	Administrative Secretary	35,000	50,000
00264	Animal Control Officer (P/T- Per Hr)	8.38	18.00
07858	Animal Control/Principal Clerk	26,400	34,800
00295	Assessing Clerk (P/T) - Per Hr.	10.00	15.00
00295	Assessing Clerk	24,300	34,800
00312@	Asst. Animal Control Officer	26,400	34,800
05728	Asst. Construction Official	35,000	50,000
	Asst. Dir. of Mktg, Comm & Event Sales	65,000	80,000
05038	Asst. Mun. Tax Collector/Treasurer	35,000	50,000
00617	Asst. Municipal Clerk	35,000	55,500
00671	Asst. Public Works Superintendent	40,000	75,000
06601	Asst. Supervisor - Carpenter	34,800	68,000
06651	Asst. Supervisor - Public Works	34,800	69,000
06817	Asst. Supervisor - Traffic Maintenance	34,800	68,000
06705	Asst. Supervisor – Sewer & Water	34,800	68,000
06467	Asst. Supervisor - Building Service	34,800	68,000
00811	Asst. W/S Utility Superintendent	40,000	65,800
00836	Attorney, Planning/Zoning Bd. (P/T - Per Hr)	75.00	125.00
00857	Beach Tag Inspector (P/T - Per Hr)	8.38	17.00
00863	Beach Supervisor - Lifeguards	25,000	58,000
00863	Beach Supervisor - Tag Inspectors (P/T - Per Hr)	10.00	24.00
00924	Building Inspector	28,623	45,000
00924	Building Inspector P/T -- Per Hr)	25.00	50.00
05048	Building Sub-code Official	37,500	70,500
06630	Bldg. Sub-code Off. /Fire Prot Sub-code Off	28,623	46,500
00970	Carpenter	30,600	45,000
00970	Carpenter (P/T - Per Hr)	8.38	15.00
07451	Chief Financial Officer	40,000	99,000
01220	Chief Water Treatment Plant Operator	37,500	65,000
01233	City Manager	25,000	122,000
01245	Clerk 1	22,200	30,000
01245	Clerk (P/T - Per Hr)	8.38	15.00

03247	Clerk 2	26,400	39,000
02773	Clerk 3	27,800	51,000
01260	Clerk-Stenographer	26,100	32,000
01268	Clerk-Typist	24,300	37,000
01268	Clerk Typist - (P/T- Per Hr)	8.38	25.00
07594	Code Enforcement Officer Trainee (P/T- Per Hr)	8.38	15.00
07594	Code Enforcement Officer Trainee	26,400	30,000
01285	Code Enforcement Officer	27,800	70,500
01285	Code Enforcement Officer (P/T- Per Hr)	10.00	25.00
05694	Code Enforcement Officer/Housing Inspect.	27,800	75,800
06977	Confidential Assistant	35,000	50,000
06977	Confidential Assistant – (P/T)	15.00	30.00
05045	Construction Official	40,000	89,000
05045	Construction Official (P/T- Per Hr)	25.00	50.00
01381	Council Member	8,000	10,000
01506	Deputy Fire Chief	79,000	95,000
01509	Deputy Municipal Clerk	35,000	55,000
01210	Deputy Municipal Court Clerk (P/T)	10.00	15.00
07796	Deputy Municipal Court Admin.	26,400	43,000
05077	Deputy Mun. Emerg. Mgt. Coordinator (P/T)	1,000	2,000
07584	Deputy Municipal Manager	35,000	65,000
01520	Deputy Registrar of Vital Statistics	20,000	30,500
07422	Deputy Registrar of Vital Stats./Sec Boards & Comms	22,000	34,500
02440	Diesel Mechanic	30,600	58,000
	Director of Mktg, Comm & Event Sales	75,000	90,000
01650	Director of Public Assistance (P/T – Per Hr)	8.38	15.00
01699	Electrical Inspector (P/T- Per Hr)	25.00	50.00
05046	Electrical Sub Code Official (P/T- Per Hr)	25.00	50.00
01724	Emergency Medical Technician (P/T- Per Hr)	8.38	15.00
01746	Equipment Operator	30,600	54,000
	Event Sales & Operations Coordinator	40,000	55,000
	Event Services & Operations Clerk	24,300	35,000
01837	Fire Chief	79,000	115,000
01839	Fire Fighter – 1st-20th Year	36,000	87,000
01839	Fire Fighter – 21st Year & Over	66,000	89,000
01839	Fire Fighter (P/T-Per Hr)	8.38	20.00
01843	Fire Lieutenant 1st-20th Year	50,000	91,000
01843	Fire Lieutenant 21st Year & Over	70,000	92,000
06350	Fire Official	25,000	70,000
06356	Fire Prevention Specialist	20,000	40,000
06356	Fire Prevention Specialist (P/T – Per Hr.)	12.00	23.00
05013	Fire Protection Sub Code Off. (P/T- Per Hr)	25.00	50.00
01883	Gardener	22,200	30,000
01926	Graduate Nurse-Pub. Health (P/T- Per Hr)	15.00	30.00
02001@	Heavy Equipment Operator	34,000	57,900
04534	Housing Assistance Technician (P/T)	12.00	25.00

02071	Housing Inspector (P/T)	6,000	10,000
02219	Judge of Municipal Court	30,000	50,000
01268	Keyboarding Clerk 1	24,300	35,000
03256@	Keyboarding Clerk 2	26,400	44,500
02781	Keyboarding Clerk 3	27,800	51,000
02248	Laborer	22,200	32,000
02248	Laborer (P/T- Per Hr)	8.38	15.00
02292	License Inspector (P/T- Per Hr)	8.38	9.00
02297	Lifeguard (Per Day)	87.15	135.00
02297	Lifeguard (Lieutenant) (Per Day)	147.49	195.00
02297	Lifeguard (Captain)	20,000	45,000
02328	Maintenance Repairer	24,000	34,000
02428	Mayor	8,000	15,000
02434	Mechanic	30,600	55,000
05565	Motor Broom Driver	26,400	33,000
06196	Motor Broom Driver/Public Works Repairer	26,400	39,000
02521	Municipal Clerk	40,000	80,000
02525	Municipal Court Administrator	40,000	70,000
07397	Mun. Emerg. Mgt. Coordinator (P/T)	2,000	6,000
03043	Mun. Recycling Coordinator (P/T)	3,500	4,500
02589	Painter	26,400	39,000
07305	Parking Enforcement Officer (P/T- Per Hr)	8.38	13.00
02685	Planning Aide (P/T- Per Hr)	8.38	15.00
02693	Plumber	30,600	57,000
	Plumbing Subcode Official (P/T – Per Hr)	25.00	50.00
02726	Police Captain	95,000	128,000
02719	Police Chief	95,000	135,000
02727	Police Lieutenant	93,500	122,000
02728	Academy/Probation	37,295	37,384
02728	Police Officer - 1 st Year	40,996	41,094
02728	Police Officer - 2 nd Year	44,697	44,804
02728	Police Officer - 3 rd Year	48,398	48,514
02728	Police Officer - 4 th Year	52,099	52,224
02728	Police Officer - 5 th Year	55,801	55,935
02728	Police Officer - 6 th Year	59,502	59,645
02728	Police Officer – 7 th Year	63,203	63,355
02728	Police Officer – 8 th Year	66,904	67,065
02728	Police Officer – 9 th Year	70,605	70,775
02728	Police Officer – 10 th Year	74,306	74,485
02728	Police Officer – 11 th Year	78,008	78,195
02728	Police Officer – 12 th Year	81,709	81,905
02728	Police Officer – 13 th Year	85,410	85,615
02728	Police Officer – 14 th Year	89,111	89,325
02728	Police Officer – 15 th Year	92,812	93,035
02728	Police Officer – 16 th Year	96,513	96,745
02728	Police Officer – 17 th Year	100,215	100,455

02728	Police Officer – 18 th Year	102,526	104,070
02738	Police Records Clerk-Typing	26,128	35,000
02739	Police Sergeant I	108,568	110,673
02739	Police Sergeant	106,120	106,375
02767	Prin. Bookkeeping Mach. Opr.-Typing	27,800	51,000
02755	Principal Account Clerk	27,800	53,000
02781	Principal Clerk -Typist	27,800	51,000
02777	Principal Clerk -Stenographer	27,800	51,000
04939	Principal Payroll/Personnel Clerk	27,800	65,000
02855	Principal Tax Clerk	27,800	54,000
04399	Program Coordinator-Special Events	40,000	55,000
02923	Public Information Assistant	40,000	75,000
02927	Public Information Officer	45,000	86,000
06229	Public Safety Telecommun. Trainee (P/T- Per Hr)	9.00	15.00
06229	Public Safety Telecommunicator Trainee	26,000	29,500
01296	Public Safety Telecommunicator	31,000	49,500
01296	Public Safety Telecommunicator (P/T- Per Hr)	12.00	18.00
02935	Public Works Repairer	30,600	52,000
02935	Public Works Repairer (P/T- Per Hr)	8.38	15.00
02936	Public Works Superintendent	55,000	94,000
02948	Purchasing Agent	42,000	73,000
02948	Qualified Purchasing Agent	42,000	73,000
56563	Records Support Technician 2	26,400	42,000
56564	Records Support Technician 3	27,800	51,000
02983	Recreation Aide	22,000	30,000
02983	Recreation Aide (P/T- Per Hr)	8.38	27.00
06935	Recreation Director	65,000	90,000
02993	Recreation Leader	22,200	45,000
03018	Recreation Program Coordinator	27,800	50,000
03043	Recycling Program Aide	15,000	27,000
03043	Recycling Program Aide (P/T)	2,000	7,500
03125	School Traffic Guard (P/T)	5,000	9,000
07419	Secretary Board/Commission	15,000	55,000
07419	Secretary Board/Commission (Per Mtg.)	40.00	200.00
03127	Secretarial Assistant	27,800	50,000
03165	Senior Account Clerk	26,400	40,000
03214	Senior Bookkeeping Machine Operator	26,400	39,000
05009	Senior Carpenter	32,000	49,000
03247	Senior Clerk	26,400	39,000
03247	Senior Clerk (P/T - Per Hr)	9.50	15.00
03256	Senior Clerk-Typist	26,400	44,500
	Senior Equipment Operator	32,000	44,500
03459	Senior Mechanic	32,000	59,000
03262	Senior Public Safety Telecommunicator	34,000	66,000
03541	Senior Public Works Repairer	32,000	44,500
05295	Senior Sewer Repairer/Sr. Water Repairer	32,000	44,500

03608	Senior Tax Clerk	26,400	41,000
03625	Senior Traffic Maintenance Worker	32,000	44,500
03641	Senior Water Meter Reader	32,000	44,500
05875	Sewer Repairer/Water Repairer	30,600	40,000
06705	Sewer Repairer 2/Water Repairer 3	33,000	65,000
03647	Senior Water Treatment Plant Operator	32,000	59,000
01746	Sewer & Water Equipment Operator	30,600	53,000
06895	Special Law Enforcement Officer (P/T- Per Hr)	8.38	15.00
06895	Special Law Enforcement Officer	15,000	37,500
06664	Supervising Equipment Operator	34,800	61,000
05637	Supervising Tax Clerk	27,800	55,000
06544	Supervising Water Treatment Plant Operator	34,800	61,000
06650	Supervisor Public Works	35,000	61,000
06707	Supervisor Sewer/Supervisor Water	37,500	66,000
06816	Supervisor Traffic Maintenance	35,000	55,000
04120	Tax Assessor	40,000	80,000
04120	Tax Assessor (P/T)	12,500	40,000
04122	Tax Clerk	26,100	34,000
04124	Tax Collector	40,000	88,000
04189	Traffic Maintenance Worker	26,400	37,500
05193	Technical Assistant to the Construction Official	27,800	55,000
04244	Violations Clerk	26,100	31,000
04244	Violations Clerk (P/T- Per Hr)	8.38	15.00
04273	Water Meter Reader	24,000	34,000
04278	Water Meter Repairer	24,000	34,000
05945	Water & Sewer Superintendent	55,000	92,000
04296	Water Treatment Plant Operator	32,000	59,000
04338	Zoning Officer	35,000	55,000

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

ORDINANCE NO. 337-2017

**AN ORDINANCE AMENDING SECTION 525-72 OF THE CAPE MAY CODE
GOVERNING EXPANSION OF NON-CONFORMING STRUCTURES ON NON-
CONFORMING LOTS**

MOTION:

SECOND:

WHEREAS, Section 525-72 of the Cape May Municipal Code is that section of the Zoning Ordinance that governs expansion of non-conforming structures on non-conforming lots; and

WHEREAS, both the Cape May City Planning Board and the Cape May City Zoning Board have reviewed this section of the Zoning Ordinance, and have recommended certain amendments that would eliminate the need for, and expense of, variances for non-conforming lots in when proposed replacement structures do not create or exacerbate any existing non-conformity; and

WHEREAS, having reviewed the boards' recommendations, the Cape May City Council deems it in the best interest of the City to accept those recommendations and to amend Section 525-72 to accommodate those concerns.

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

Section 1. Section 525-72 of the Cape May City Code (Zoning Ordinance) shall be amended as follows (additions are underlined; deletions are [bracketed]):

§ 525-72. Expansion of nonconforming structures and structures on nonconforming lots.

A. Raising a portion of or an entire structure to meet the minimum flood standards of the City of Cape May shall be permitted without the need for variance relief; provided that the structure shall not be otherwise expanded or relocated; further provided that no variance relief shall be required for the construction of stairs necessitated by the increased height of any building hereunder.

B. Nonconforming lots with conforming existing structures. Structural expansions and/or alterations or demolition of existing structures and new construction may be made to conforming existing structures situated on existing nonconforming lots without regard to lot size, lot width or lot frontage requirements; provided that the expansion or alteration or new construction meets all of the other area and bulk regulations of the zoning district.

C. Nonconforming structures on conforming lots. Structural expansions and/or alterations may be made to nonconforming structures

situated on conforming lots; provided that the expansion or alteration does not create any nonconformity nor extend or expand any existing nonconformity, whether vertically or horizontally, and meets all of the other area and bulk regulations of the zoning district.

D. Nonconforming structures on nonconforming lots. Structural expansions and/or alterations or demolition of existing structures and new construction may be made to nonconforming structures located on existing nonconforming lots without regard to lot size, lot width or lot frontage requirements; provided that the expansion or alteration or new construction does not create any nonconformity nor extend or expand any existing nonconformity, whether vertically or horizontally, and meets all of the other area and bulk regulations of the zoning district.

E. Zoning review. In the event that any documentation exists that any such nonconformity as outlined in Subsections B, C and/or D above was originally the result of variance relief from either the Cape May City Planning Board or Zoning Board, then any further expansion of the structure (whether or not expanding the non-conforming portion) shall not be permitted without approvals from either the Planning Board or Zoning Board, whichever is applicable.

F. If there is an existing non-conforming structure on a non-conforming lot for which there is no evidence of a variance having been granted to permit such structure, and the applicant for development can demonstrate to the satisfaction of zoning officer the non-conforming structure has existed in the same condition for a period of 20 years, and the building inspector is not aware or made aware of any notice of violation or other legal order having been previously issued for its removal or abatement, then the structure will be deemed a Non-Conforming Structure on a conforming lot and proceed under Subsection (c) above.

Section 2. Prior to second reading and final approval, this ordinance shall be referred to the Planning Board for consistency review pursuant to N.J.S.A. 40:55D-26.

Section 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.

Section 4. All ordinances inconsistent with this Ordinance are hereby repealed.

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

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

ATTEST:

Patricia Harbora, City Clerk

BY: _____
Clarence F. Lear III, Mayor

NOTICE

Ordinance 337-2017 was introduced at a regular meeting of the City Council of the City of Cape May, held on October 17, 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 November 21, 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				

Introduced: October 17, 2017
First Publication: October 25, 2017
2nd Reading & Adoption: November 21, 2017
Final Publication: November 29, 2017
Effective Date: December 19, 2017

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

RESOLUTION NO. 252-11-2017

A 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

MOTION:

SECOND:

WHEREAS, the City Council of the City of Cape May is subject to certain requirements of the Open Public Meetings Act, N.J.S.A 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the City Council of the City to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- _____ (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- _____ (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- _____ (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information, relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- _____ (4) Matters Relating to Collective Bargaining Agreement: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- _____ (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

_____ (6) Matters relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.

__X__ (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

_____ (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting

_____ (9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, assembled in public session on November 21, 2017, that an Executive Session closed to the public shall be held on this date beginning at 2:00 P.M. in the City Hall Building of the City of Cape May, 643 Washington Street, Cape May for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the City Council that the public interest will no longer be served by such confidentiality.

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 November 21, 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. 253-11-2017

**A RESOLUTION ADJUSTING THE REORGANIZATION DATE AND TIME OF THE
CITY COUNCIL OF THE CITY OF CAPE MAY**

MOTION:

SECOND:

BE IT RESOLVED, that the reorganization meeting of the City Council of the City of Cape May shall be adjusted from Monday, January 1, 2018 at 12:00 P.M. to Tuesday, January 2, 2018 at 1:00 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 November 21, 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. 254-11-2017

**A RESOLUTION ESTABLISHING A SEAWALL/PROMENADE IMPROVEMENT
ADVISORY COMMITTEE OF THE CITY OF CAPE MAY**

MOTION:

SECOND:

WHEREAS, Hurricanes Jose and Maria (2017), Sandy (2012), Irene (2011), Floyd (1999), and Gloria (1985) have either had direct impact on our City or could have had catastrophic results had they taken a slightly different path; and

WHEREAS, while we tend to remember more vividly the dramatic impact of hurricanes, locals also recount harrowing experiences with and significant damage from major Nor'easters, i.e., Jonas (2016); and

WHEREAS, severe thunderstorms, high winds and wind shear, tidal flooding and similar weather crises can result in unsafe surf conditions, beach erosion and property damage; and

WHEREAS, while the U.S. Army Corps of Engineers project on beach replenishment and Cape May City's beach safety initiatives have had positive effects, there is wisdom in exploring all aspects of preserving our coast and protecting our City; and

WHEREAS, exploration of the pros and cons, costs, funding resources, timetable and options for reinforcing the existing seawall and extending the Promenade should be undertaken; and

WHEREAS, related planning and development of the Promenade and surrounding structures as an enhanced setting for social, educational, recreational and environmental activities and events is warranted.

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

1. The Recital paragraphs are incorporated as if fully set forth.
2. The City Council hereby creates and establishes a "Seawall/Promenade Improvements Advisory Committee whose members and duties are described below.
3. The members of the Committee shall be:
 - A. Dr. Scott Maslow, Chair
 - B. Heather Bruno, Secretary
 - C. Jerry Inderwies, Jr.
 - D. Larry Hirsch
 - E. Mike Jones
 - F. Joe Schlitzer

- G. Louie Bruno
- H. Gus Andy
- I. Patricia Hendricks, Liaison

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 will perform its designated advisory functions until a final report is completed or the Committee is dissolved.
9. The Committee shall assist and advise the City Manager and City Council on such matters as:
 - A. Developing a plan of action and timetable for its work;
 - B. Reviewing similar coastal improvement projects in such cities as Virginia Beach, VA; Staten Island, NY; Galveston, TX; Seattle, WA and Charleston, SC;
 - C. Consulting with the City's staff and grant writers to explore fund development resources and to apply for grants to extend the seawall and the promenade;
 - D. Securing grant resources to develop conceptual plans, feasibility studies, and cost estimates;
 - E. Understanding County, State and Federal regulations and processes that could impact seawall and promenade plans;
 - F. Exploring ways to increase public awareness of and support for coastal improvement projects;
 - G. Coordinating with the City's other advisory committees, commissions and boards — e.g., Beach Safety, Environmental, Planning, Historic Preservation, Master Plan, Bikes & Pedestrians, Parks, Pets — where there are shared interests;
 - H. Participating in City-organized meetings with the U.S. Army Corps of Engineers and similar entities with responsibility and expertise on seawall and promenade improvements and extensions;
 - I. Exploring options for additional enhancements and convenience facilities to compliment an improved and extended seawall and promenade;
 - J. Promoting ways to assure the broadest opportunities for community input;
 - K. Assuring inclusion of seawall and promenade needs and plans in the updating of the City's Master Plan;

L. Preparing a final report of the Advisory Committee's findings and recommendations;

M. Processing the Advisory Committee's experience and recommending any improvements to the City's advisory committee protocols and experience.

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 November 21, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

cc: Committee members

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

RESOLUTION NO. 255-11-2017

**RESOLUTION TO APPOINT A MEMBER TO THE
LIBRARY ADVISORY COMMITTEE OF THE CITY OF CAPE MAY**

MOTION:

SECOND:

BE IT RESOLVED, by the City Council of the City of Cape May that the following appointment be made to the Library Advisory Committee:

**Nena Wise
Cape May City Library
110 Ocean Street
Cape May, NJ 08204**

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 November 21, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

cc: Library Advisory Committee
Boards & Commissions Book

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

RESOLUTION NO. 256-11-2017

**RESOLUTION AWARDING A CONTRACT FOR PROFESSIONAL SERVICES FOR
THE CAPE MAY CITY MASTER PLAN RE-EXAMINATION**

WHEREAS, pursuant to the Section 89 of the Municipal Land Use Law, N.J.S.A. 40:55D-89, the City of Cape May is undertaking a periodic re-examination of its Master Plan; and

WHEREAS, in connection with that re-examination, which shall be accomplished by the Cape May City Planning Board, the City wishes to retain the services of a professional engineering and planning firm to assist the Planning Board in its task; and

WHEREAS, the engineering and planning firm of Polistina & Associates, LLC, has submitted a proposal letter, dated October 10, 2017, to perform those services for a total cost of \$47,500.00; and

WHEREAS, that proposal is attached to this Resolution and is hereby incorporated into it; and

WHEREAS, having reviewed that proposal, the Cape May City Council deems it in the best interest of the City to accept the Polistina & Associates, LLC proposal and to award a contract for engineering and planning services, in connection with the Master Plan re-examination, to Polistina & Associates, LLC in accordance with the terms contained in its proposal letter dated October 10, 2017.

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 Cape May City Council hereby authorizes the award of a contract for professional engineering and planning services, in connection with the periodic re-examination of the Cape May Master Plan, to Polistina & Associates, LLC, in the contract amount of \$47,500.00 and in full conformity with its proposal letter dated October 10, 2017, attached hereto.
3. The appropriate city officials are hereby authorized to execute all documents required to consummate this contract award.
4. This contract is awarded as a professional services contract, without public bidding, pursuant to N.J.S.A. 40A:11-5(1)(a)(i).
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 November 21, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

CITY OF CAPE MAY

RESOLUTION NO. 258-11-2017

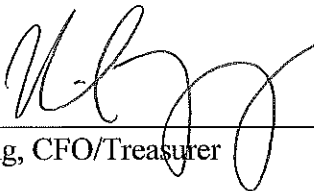
RESOLUTION FOR THE PAYMENT OF BILLS

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 November 17, 2017 for the amount of: \$1,460,850.46

Current Fund Appropriations	\$ 668,938.09
Water/Sewer Utility Operating Fund	\$ 724,960.92
Tourism Utility Fund	\$ 15,962.57
General Capital Improvements	\$ 47,294.27
Water/Sewer Capital Improvements	\$ 2,429.69
Escrow Special Account	\$ -
Trust Fund	\$ 44.40
Grant Fund	\$ 374.22
Beach Utility Fund Appropriations	\$ 846.30
Beach Utility Capital Improvements	\$ -
	<u>\$ 1,460,850.46</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 November 21, 2017.

Patricia Harbora, City Clerk