

**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**

**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 the Historic Preservation Commission pursuant to resolution of the Historic Preservation Commission are hereby adopted and made part of this chapter. The ~~guideline-standards~~ consist of window ~~guideline-standards~~, 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 ~~guidelines-standards~~ for all new construction and rehabilitation projects in the historic district and for all rehabilitation projects that affect historic sites outside of the historic district~~building 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 ~~guidelines-standards~~ 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 December 19, 2017, 5:30 P.M. at which time a Public Hearing will be held.

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Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

Introduced: October 17, 2017  
First Publication October 25, 2017  
2<sup>nd</sup> Reading & Adoption: November 21, 2017 **TABLED**  
2<sup>nd</sup> Reading & Adoption: December 05, 2017 **TABLED**  
2<sup>nd</sup> Reading & Adoption: December 19, 2017  
Final Publication: December 27, 2017  
Effective Date: January 16, 2018

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

**RESOLUTION NO. 274-12-2017**

**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.

  X   (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 - Fire Department; Upper Management

\_\_\_\_\_ (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 -- Sheehan vs. City of Cape May

\_\_\_\_ (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 December 19, 2017, that an Executive Session closed to the public shall be held on this date beginning at 5:30 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 December 19, 2017.

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

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

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

**RESOLUTION NO. 275-12-2017**

**RESOLUTION OF SUPPORT FOR THE SUSTAINABLE JERSEY  
GRANT APPLICATION**

**MOTION:**

**SECOND:**

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, the City of Cape May strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

**WHEREAS**, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program; and

**WHEREAS**, the PSEG Foundation is contributing \$200,000 to support the Sustainable Jersey Small Grants Program for municipalities. Funding supports efforts to implement projects that help municipalities gain points needed for Sustainable Jersey certification and make progress toward a sustainable future; and

**WHEREAS**, the City of Cape May participates in the Sustainable Jersey Program as a Silver Certified community and the winner of the Sustainable Champion Award; and

**WHEREAS**, the City and the Green Team have been working together with the Friends of Cape May Harbor, an affiliate of Cape May Forum, to raise the sunken Nor'easter II that is sitting on the bottom of the Cape May Harbor; and

**WHEREAS**, this \$10,000 grant will allow this project to proceed.

**NOW THEREFORE BE IT RESOLVED**, that the City Council of the City of Cape May supports the submission of this Sustainable Jersey Grant application.

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 December 19, 2017.

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Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

cc: James Rutala  
State of New Jersey (original)  
File



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

**RESOLUTION NO. 276-12-2017**

**AMUSEMENT GAMES LICENSE  
PETER TIBURZIO, JR. – 406 BEACH AVENUE**

**MOTION:**

**SECOND:**

**WHEREAS**, Peter Tiburzio, Jr., of 1260 Cape May Avenue, Cape May, New Jersey, has made application to hold, operate and conduct amusement games certified permissible for licensing under Certification No. 2 of the Regulations of the State of New Jersey Amusement Games Control Commission; and

**WHEREAS**, the City of Cape May is a seashore resort and the premises to be licensed are located in an amusement area, according to the customary understanding of such terms in the City of Cape May, and in accordance with Ordinance duly adopted.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cape May, that a license to hold, operate and conduct games, as included in Permissible Amusement Games Certification No. 2, for the above-cited premises, be issued to Peter Tiburzio, Jr. trading as Cape May Arcades, Inc. for the Year 2018, as shown on application.

Fee Paid: \$500 to City of Cape May  
Fee Paid: \$650 to NJ Legalized Games of Chance  
MG-D

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 December 19, 2017.

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

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

cc: Amusement Games Control Commission (1 certified copy)  
Mr. Peter Tiburzio, Jr.

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

**RESOLUTION NO. 277-12-2017**

**AMUSEMENT GAMES LICENSE  
PETER TIBURZIO, JR. – 732-736 BEACH AVENUE**

**MOTION:**

**SECOND:**

**WHEREAS**, Peter Tiburzio, Jr., of 1260 Cape May Avenue, Cape May, New Jersey, has made application to hold, operate and conduct amusement games certified permissible for licensing under Certification No. 2 of the Regulations of the State of New Jersey Amusement Games Control Commission; and

**WHEREAS**, the City of Cape May is a seashore resort and the premises to be licensed are located in an amusement area, according to the customary understanding of such terms in the City of Cape May, and in accordance with Ordinance duly adopted.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cape May, that a license to hold, operate and conduct games, as included in Permissible Amusement Games Certification No. 2, for the above-cited premises, be issued to Peter Tiburzio, Jr., trading as Cape May Arcades, Inc. for the Year 2018, as shown on application.

Fee Paid: \$500 to City of Cape May  
Fee Paid: \$650 to NJ Legalized Games of Chance  
MG-D

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 December 19, 2017.

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

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

cc: Amusement Games Control Commission (1 certified copy)  
Mr. Peter Tiburzio, Jr.

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

**RESOLUTION NO. 278-12-2017**

**RESOLUTION ADOPTING THE WASHINGTON STREET MALL  
MANAGEMENT CO., INC., BUSINESS IMPROVEMENT DISTRICT 2018  
ANNUAL BUDGET**

**MOTION:**

**SECOND:**

**WHEREAS**, the Washington Street Mall Management Company, Inc., a New Jersey Nonprofit Corporation, is legally empowered to manage the administrative and business affairs as the District Management Corporation of the Washington Street Mall Business Improvement District; and

**WHEREAS**, as required by N.J.S.A. 40:56-84, the District Management Corporation submitted a detailed annual budget for the adoption by resolution of the governing body in the amount of \$73,700.00; and

**WHEREAS**, the public hearing was held on December 5, 2017, after proper notice was given by public advertising and posting in public places regarding the time, place and the date of public hearing on the Washington Street Mall Business Improvement District 2018 Budget.

**NOW THEREFORE BE IT RESOLVED**, that the attached statement of revenues and appropriations shall constitute the Washington Street Mall Business Improvement District 2018 Budget.

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 December 19, 2017.

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

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

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

**RESOLUTION NO. 279-12-2017**

**RESOLUTION FIXING RATE OF INTEREST ON DELINQUENT TAXES AND ASSESSMENTS AND FIXING A SIX (6%) PERCENT PENALTY ON DELINQUENT TAXES AND MUNICIPAL CHARGES - 2018**

**MOTION:**

**SECOND:**

**BE IT RESOLVED** by the City Council of the City of Cape May, in accordance with Chapter 75, New Jersey Laws of 1991, and N.J.S.A. 54:4-67, 54:5-32, 54:5-34, and 54:5-35, which authorizes the Governing Body, inter alia, to fix the rate of interest to be charged in the City of Cape may for the non-payment of taxes, assessments and municipal charges, said rate of interest shall be and is hereby fixed at eight (8%) percent per annum on the first \$1,500.00 of delinquency and eighteen (18%) percent, per annum on any amount in excess of \$1,500.00, to be calculated from the date when the taxes, assessments and charges become delinquent.

**BE IT FURTHER RESOLVED** by the City Council of the City of Cape May, in accordance with N.J.S.A. 54:4-67, Chapter 75, New Jersey Laws of 1991, and Chapter 32, New Jersey Laws of 1994, which permits a six (6%) percent penalty on taxes and municipal charges greater than \$10,000.00 as of the close of the fiscal year, that said end-of-year penalty shall be fixed for the year 2018.

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 December 19, 2017.

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

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

cc: CFO  
Tax Collector

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

**RESOLUTION NO. 281-12-2017**

**CANCELLATION OF OUTSTANDING CHECKS – CLEARING ACCOUNT**

**MOTION:**

**SECOND:**

**BE IT RESOLVED** by the City Council of the City of Cape May, that the Chief Financial Officer be and is hereby authorized to void the attached list of checks, totaling \$231.00 as they have been listed as outstanding checks over one (1) year old. The attached list of checks was issued against the City of Cape May Clearing Account at Sturdy Savings Bank:

- **SEE ATTACHED LIST OF CHECKS**

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 December 19, 2017.

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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>Furlin</b>				
<b>Hendricks</b>				
<b>Meier</b>				
<b>Pessagno</b>				
<b>Lear</b>				

Cc: Council Table  
Chief Financial Officer

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

**RESOLUTION NO. 282-12-2017**

**CANCELLATION OF OUTSTANDING CHECKS – PAYROLL ACCOUNT**

**MOTION:**

**SECOND:**

**BE IT RESOLVED** by the City Council of the City of Cape May, that the Chief Financial Officer be and is hereby authorized to void the attached list of checks, totaling \$2,797.58, as they have been listed as outstanding checks over one (1) year old. The attached list of checks was issued against the City of Cape May Payroll Account at Sturdy Savings Bank:

- **SEE ATTACHED LIST OF CHECKS**

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 December 19, 2017.

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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>Furlin</b>				
<b>Hendricks</b>				
<b>Meier</b>				
<b>Pessagno</b>				
<b>Lear</b>				

Cc: Council Table  
Chief Financial Officer

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

**RESOLUTION NO. 283-12-2017**

**RESOLUTION AWARDING A CONTRACT FOR PROFESSIONAL LANDSCAPE ARCHITECTURE AND ENGINEERING SERVICES FOR THE LAFAYETTE STREET PARK MASTER PLAN, PHASES 2 THROUGH 4**

**MOTION:**

**SECOND:**

**WHEREAS**, the City of Cape May is currently in the process of redesigning and redeveloping the Lafayette Street Park; and

**WHEREAS**, as part of that process, the City has requested proposals for the provision of professional landscape architecture and engineering services for the detailed master plan development of Phases 2 through 4 of the Lafayette Street Park project; and

**WHEREAS**, the engineering firm of Mott Macdonald, LLC, has submitted a proposal, dated December 1, 2017, to perform those engineering services for a total cost of \$119,000, with an expected completion date in May 2018; and

**WHEREAS**, having reviewed that proposal, the Cape May City Council deems it in the best interest of the City to accept the Mott Macdonald proposal and to award the contract to Mott Macdonald in accordance with the terms contained in its December 1, 2017, proposal letter, which is attached to this Resolution and incorporated therein.

**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 to perform professional landscape architecture and engineering services for the detailed master plan development of Phases 2 through 4 of the Lafayette Street Park project, in the contract amount of \$119,000 and in full conformity with its proposal letter dated December 1, 2017.
3. The appropriate city officials are hereby authorized to execute all documents required to consummate this contract award.
4. The City Chief Financial Officer has certified the availability of adequate funds to pay this contract.
5. This contract is awarded as a professional services contract, without public bidding, pursuant to N.J.S.A. 40A:11-5(1)(a)(i).
6. 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 December 19, 2017.

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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>Furlin</b>				
<b>Hendricks</b>				
<b>Meier</b>				
<b>Pessagno</b>				
<b>Lear</b>				



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

**RESOLUTION NO. 284-12-2017**

**RESOLUTION AWARDING A CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH INSTALLATION OF A FIRE SPRINKLER SYSTEM AT THE CAPE MAY STAGE BUILDING**

**WHEREAS**, the City of Cape May owns the historic property at 405 Lafayette Street, which it currently leases on a long-term basis to the Cape May Stage for use as a theater; and

**WHEREAS**, to preserve the historic character of the building and its façade while providing necessary fire protection, the City has determined that installation of a fire sprinkler system in the building's interior best accomplishes those purposes; and

**WHEREAS**, the City has obtained \$90,000 in State grant money to assist in defraying the cost of the design and installation of the sprinkler system; and

**WHEREAS**, the City has requested proposals for the provision of professional engineering services in connection with the design of a new wet pipe fire sprinkler system and the preparation of biddable contract documents for the installation thereof; and

**WHEREAS**, the engineering firm of Mott Macdonald, LLC, has submitted a proposal, dated December 7, 2017, to perform those engineering services for a total cost of \$31,500; and

**WHEREAS**, having reviewed that proposal, the Cape May City Council deems it in the best interest of the City to accept the Mott Macdonald proposal and to award the contract to Mott Macdonald in accordance with the terms contained in its December 7, 2017, proposal letter, which is attached to this Resolution and incorporated therein.

**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 to perform professional engineering services in connection with the design, bidding and installation of a new wet pipe fire sprinkler system at its building at 405 Lafayette Street, currently leased to the Cape May Stage, to Mott Macdonald, LLC, in the contract amount of \$31,500 and in full conformity with its proposal letter dated December 7, 2017.
3. The appropriate City officials are hereby authorized to execute all documents required to consummate this contract award.
4. The City Chief Financial Officer has certified the availability of adequate funds to pay this contract.

5. This contract is awarded as a professional services contract, without public bidding, pursuant to N.J.S.A. 40A:11-5(1)(a)(i).

6. 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 December 19, 2017.

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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>Furlin</b>				
<b>Hendricks</b>				
<b>Meier</b>				
<b>Pessagno</b>				
<b>Lear</b>				

cc: Mott Macdonald

CITY OF CAPE MAY

RESOLUTION NO. 285-12-2017

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 December 15, 2017 for the amount of: \$224,821.41

Current Fund Appropriations	\$ 97,289.28
Water/Sewer Utility Operating Fund	\$ 4,115.61
Tourism Utility Fund	\$ 15,786.92
General Capital Improvements	\$ 53,654.57
Water/Sewer Capital Improvements	\$ 27,573.34
Escrow Special Account	\$ 603.75
Trust Fund	\$ 386.40
Grant Fund	\$ -
Beach Utility Fund Appropriations	\$ 9,885.39
Beach Utility Capital Improvements	\$ 15,526.15
	<u>\$ 224,821.41</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 December 19, 2017.

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