

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

RESOLUTION NO. 91-03-2018

**RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND
EXECUTION OF A GRANT AGREEMENT WITH THE USDA FOR COMMUNITY
FACILITIES DIRECT LOAN & GRANT PROGRAM**

MOTION:

SECOND:

WHEREAS, the United State Department of Agriculture (USDA) offers Community Facilities Direct Loan & Grant Program; and

WHEREAS, this program provides affordable funding to develop essential community facilities. An essential community facility is defined as a facility that provides an essential service to the local community for the orderly development of the community, and does not include private, commercial or business undertakings; and

WHEREAS, a public safety complex qualifies as an essential community facility; and

WHEREAS, a priority of this program is to provide funding to small communities with a population of 5,500 or less for which Cape May City qualifies; and

WHEREAS, the City of Cape May carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

NOW, THEREFORE, BE IT RESOLVED that City Council of the City of Cape May formally approves that grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a grant application to the United State Department of Agriculture.

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.

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 March 20, 2018.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

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

RESOLUTION NO. 92-03-2018

RESOLUTION FOR APPOINTMENT TO AND REMOVAL FROM THE LAFAYETTE STREET PARK ADVISORY COMMITTEE

MOTION:

SECOND:

BE IT RESOLVED, by the City Council of the City of Cape May that the following members be appointed to or removed from the Lafayette Street Park Advisory Committee:

APPOINTED:

Dawn Austin, President of Cape May Elementary School Board
1132 Pennsylvania Avenue
Cape May, NJ 08204

APPOINTED:

Mark Le Munyon, Cape May Elementary School Board Member
1037 Michigan Avenue
Cape May

REMOVED:

John Thomas, Administrator Cape May Elementary School

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 March 20, 2018.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

cc: Committee Folder
Member

CITY OF CAPE MAY

RESOLUTION NO. 93-03-2018

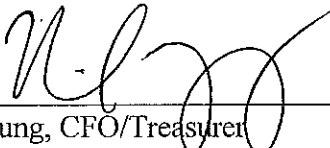
RESOLUTION FOR THE PAYMENT OF BILLS

MOTION:

SECOND:

BE IT RESOLVED by the City Council of the City of Cape May, that the following bills, approved for payment by the City Manager, be paid and that the Chief Financial Officer/Treasurer of the City of Cape May, is hereby authorized to draw orders for the amounts of same, as shown on bill list dated March 16, 2018 for the amount of: \$2,167,405.89

Current Fund Appropriations	\$ 1,881,127.38
Water/Sewer Utility Operating Fund	\$ 20,413.97
Tourism Utility Fund	\$ 58,906.07
General Capital Improvements	\$ 139,390.10
Water/Sewer Capital Improvements	\$ 59,896.64
Escrow Special Account	\$ 2,106.25
Trust Fund	\$ 19.80
Grant Fund	\$ -
Beach Utility Fund Appropriations	\$ 5,545.68
Beach Utility Capital Improvements	\$ -
	<u>\$ 2,167,405.89</u>



 Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 20, 2018.

 Patricia Harbora, City Clerk

CITY OF CAPE MAY

RESOLUTION NO. 94-03-2018

TRANSFERS OF APPROPRIATIONS – 2017 BUDGET

MOTION:

SECOND:

WHEREAS, N.J.S.A. 40A:4-59 permits transfers between appropriation reserves during the first three (3) months of the fiscal year; and

WHEREAS, the settling of expired collective bargaining agreements will cause retroactive payments for 2017 salaries and wages for which inadequate 2017 appropriation reserves exist to pay said claims.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, County of Cape May, New Jersey (not less than two-thirds of the full membership concurring) that transfers between appropriation reserves be and are hereby authorized as follows:

FROM: Tourism Utility – Other Expenses \$ 10,000.00
Total: \$ 10,000.00

TO: Tourism Utility –Salaries and Wages \$10,000.00
Total: \$10,000.00

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 March 20, 2018.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

cc: Council Table
Chief Financial Officer

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

RESOLUTION NO. 95-03-2018

RESOLUTION REFUNDING OVERPAID 2017 UTILITIES

MOTION:

SECOND:

WHEREAS, the 4th quarter 2017 utility bill was paid by the Title Company and the home owner;

WHEREAS, the homeowner has requested a refund of overpaid utilities; and

WHEREAS, the Tax Collector of the City of Cape May has calculated the amount of the refunds as listed below; and

WHEREAS, the specific properties and amount of the overpaid utilities are listed below:

PROPERTY OWNER	ADDRESS	ACCOUNT NO.	AMOUNT
John & Nance Bolte	921 Stockton Ave	#1146-1 & #1146-2	\$312.30

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, that it authorizes the appropriate officers and officials of the City of Cape May to refund the overpaid utilities as stated above.

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on March 20, 2018.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

cc: Water/Sewer

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

ORDINANCE NO. 341-2018

**AN ORDINANCE TO AMEND CHAPTER 158 OF THE CODE OF THE
CITY OF CAPE MAY, CONCERNING BEACH TAGS**

WHEREAS, Section 158-2 of the Cape May Municipal Code currently limits the number of seasonal beach tags that can be purchased by one person to five; and

WHEREAS, the City Council of the City of Cape May believes it in the City's best interest to raise that limit to ten,

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

SECTION 1. Section 158-2 of the Code of the City of Cape May is hereby amended as follows (deletions in [brackets], additions underlined):

§ 158-2. Definitions.

As used in this article, the following term shall have the meaning indicated:

SEASONAL BEACH TAG — A beach tag to use the public beaches in the City of Cape May during a bathing season for personal use by the purchaser of such beach tag. No more than [five] ten (10) seasonal beach tags for any one season may be purchased by one person.

SECTION 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 3. Should any section, paragraph, sentence, clause or phase 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. This Ordinance shall become effective 20 days after final passage and publication, according to law.

NOTICE

Ordinance 341-2018 was introduced at a regular meeting of the City Council of the City of Cape May, held on February 20, 2018 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 March 20, 2018 at 6:00 P.M. at which time a Public Hearing will be held.

ATTEST:

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

Patricia Harbora, City Clerk

BY: _____
Clarence F. Lear III, Mayor

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

Introduction: February 20, 2018
First Publication: February 28, 2018
Second Reading & Adoption: March 20, 2018
Final Publication: March 28, 2018
Effective Date: April 17, 2018

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

ORDINANCE NO. 342 - 2018

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 7 OF THE CODE OF THE CITY OF CAPE MAY, CONCERNING TRAFFIC

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

WHEREAS, the City Council of the City of Cape May believes it in the City's best interest to raise make certain amendments to that Chapter to clarify the responsibilities of the City Manager, and

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Cape May in the County of Cape May and State of New Jersey that Chapter 7 of the Cape May Municipal Code is hereby amended as follows (deletions in [brackets], additions underlined):

SECTION 1. Section 7.2of the Code of the City of Cape May is amended as follows:

§ 7-2. Authorization for street closings.

A. The [Mayor] City Manager or, in his/her absence, disability or inability to act, the Chief of Police and, in the event of his/her absence, disability or inability to act, then the ranking officer of the Police Department, is hereby authorized to provide by regulation for the closing of any street or portion thereof to motor vehicle traffic on any day or days during specified hours on any day or days whenever he/she finds that such closing is necessary for the preservation of the public safety, health or welfare.

B. Any regulations promulgated by the [Mayor] City Manager and in accordance with paragraph A. above, shall provide for the posting of proper warning signs of such closing on any street or portion thereof during the time the same is closed in pursuance thereof.

C. Any violation of this regulation promulgated thereunder shall be punished by a fine not to exceed fifty (\$50.00) dollars.

D. Any regulation adopted that mandates the closing of any street for a period greater than forty-eight (48) consecutive hours shall not become effective unless and until it has been submitted to and approved by the Commissioner of the Department of Transportation.

SECTION 2. Section 7-10 of the Code of the City of Cape May is amended as follows:

§ 7-10. Parking prohibited during state of emergency.

A. Upon the declaration of an emergency, there shall be no vehicles operated or parked upon streets or portions of streets where temporary "EMERGENCY-NO PARKING", "EMERGENCY-STREET CLOSED" or barricades are displayed or placed. When weather conditions, accidents, fires, street excavations, utility installations, repairs, public celebrations or various similar activities dictate or require that regular/normal traffic flow and/or parking be temporarily suspended, the Chief of Police or, in his/her absence, the next highest ranking police officer is authorized to direct the posting of "EMERGENCY-NO PARKING" or "EMERGENCY-STREET CLOSED" signs or barricades. Notification that "EMERGENCY-NO PARKING" or "EMERGENCY-STREET CLOSED" signs or barricades are being or will be posted shall be given to any operator/owner of any vehicle parked on the street or portion prior to the posting of the signs.

B. No person shall park, leave standing or operate any vehicle in violation of this section.

Any unoccupied vehicle parked or left standing in violation of this section shall be deemed to be a nuisance or threat to the safe and appropriate regulation of traffic or emergency operation and any police officer may order the removal and storage of the vehicle. The owner/operator of any vehicle towed for violating this section shall be responsible for payment of any expense resulting from towing and storage before regaining possession of the vehicle.

C. A vehicle owner/operator will not be considered in violation of this section unless the appropriate signs, barricades or other reasonable or required means of notification has been made and sufficient time is given for proper removal of the vehicle.

A police officer may arrange for the towing or removal of a vehicle that is not in violation of this section when an emergency exists that requires the vehicle be removed without delay and the owner/operator cannot be immediately located.

D. Pursuant to N.J.S.A. 40:67-16.9, the [Mayor] City Manager is authorized to provide by regulation for the closing of any street or portion thereof to motor vehicle traffic during specific hours of any day or days whenever he finds that such closing is necessary for the preservation of the public safety, health or welfare. The appropriate signs or barricades shall be placed for the purpose of notifying vehicle operators that the street is closed during the time specified.

SECTION 3. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 4. Should any section, paragraph, sentence, clause or phase 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 5. This Ordinance shall become effective 20 days after final passage and publication, according to law.

NOTICE

Ordinance 342-2018 was introduced at a regular meeting of the City Council of the City of Cape May, held on February 20, 2018 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 March 20, 2018 6:00 P.M. at which time a Public Hearing will be held.

ATTEST:

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

Patricia Harbora, City Clerk

BY: _____
Clarence F. Lear III, Mayor

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

Introduction: February 20, 2018
 First Publication: February 28, 2018
 Second Reading & Adoption: March 20, 2018
 Final Publication: March 28, 2018
 Effective Date: April 17, 2018

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

ORDINANCE NO. 343- 2018

**BOND ORDINANCE PROVIDING FOR PRELIMINARY
EXPENSES FOR THE CONSTRUCTION OF A NEW
PUBLIC SAFETY BUILDING IN AND BY THE CITY OF
CAPE MAY, IN THE COUNTY OF CAPE MAY, NEW
JERSEY, APPROPRIATING \$300,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR
NOTES OF THE CITY TO FINANCE PART OF THE COST
THEREOF.**

BE IT ORDAINED BY THE CITYCOUNCIL OF THE CITY OF CAPE MAY, IN THE COUNTY OF CAPE MAY, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the City of Cape May, in the County of Cape May, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$300,000, including the sum of \$15,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$285,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the preliminary expenses for the construction of a new public safety building, including all related costs and expenditures necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond

anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 30 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$285,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.
- (d) An aggregate amount not exceeding \$300,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the

proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

NOTICE

Ordinance 343-2018 was introduced at a regular meeting of the City Council of the City of Cape May, held on February 20, 2018 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 March 20, 2018 at 6:00 P.M. at which time a Public Hearing will be held.

NOTICE OF ADOPTION

The foregoing Ordinance was considered on second reading by the City Council of the City of Cape May, New Jersey, and, after public hearing, was adopted finally on March 20, 2018.

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

ATTEST:

Patricia Harbora, City Clerk

BY: _____
Clarence F. Lear III, Mayor

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

Introduction: February 20, 2018
First Publication: February 28, 2018
Second Reading & Adoption: March 20, 2018
Final Publication: March 28, 2018
Effective Date: April 17, 2018

Re: CITYOF CAPE MAY
 \$300,000/\$285,000 BOND ORDINANCE
 PRELIMINARY EXPENSES FOR THE CONTRUCTION OF A NEW
 PUBLIC SAFETY BUILDING

- 11 Certified copy of the Supplemental Debt Statement prepared as of the date of introduction of the bond ordinance, together with the electronic confirmation of filing provided by the Division of Local Government Services and evidence of filing in the Clerk's Office.
- 12 Down Payment Certificate.
- 13 Certified copy of the minutes of the meeting of the CityCouncil held on ___/___/___ showing introduction of the bond ordinance.
- 14 Affidavit of Publication in local newspaper following introduction of the bond ordinance.
- 15 Certified copy of the minutes of the meeting of the CityCouncil held on ___/___/___ showing public hearing and final adoption of the bond ordinance.
- 16 Affidavit of Publication in local newspaper following final adoption of the bond ordinance.
- 17 Clerk's Certificate executed no sooner than 21 days following final publication of the bond ordinance.

BELOW FOR McMANIMON, SCOTLAND & BAUMANN, LLC USE ONLY

Posted: ___/___/___ Useful Life: ___ years Reviewed By: ___

'20 Costs: \$300,000 Mayor's Approval: ___/___/___

Amends/Amended By: Ord. # _____ F/A: ___/___/___

Amendment: _____

Supplements/Supplemented By: Ord. # _____ F/A: ___/___/___

Original Appropriation/Authorization: \$ _____ /\$ _____

Authorization for CFO to Sell Notes: Yes No

Resolution Authorizing CFO to Sell Notes: F/A ___/___/___

Grant Moneys Expected: N/A

NOTES/BONDS ISSUED HEREUNDER						
AMOUNT	DATE	MATURITY	RATE	PAYDOWN	NEW/ RENEWAL	REMAINING AUTHOR- IZATION

DEBT STATEMENT CERTIFICATE

I, Patricia Harbora, Clerk of the City of Cape May, in the County of Cape May, New Jersey (herein called the "City"), HEREBY CERTIFY that annexed hereto is a true and complete copy of the Supplemental Debt Statement of the City that was prepared as of _____, 2018 by Neil Young, who was then chief financial officer of the City and filed in my office on _____, 2018, and that a complete, executed copy of such statement was filed in the office of the Director of the Division of Local Government Services of the State of New Jersey on _____, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City this _____ day of _____, 2018.

Patricia Harbora, Clerk

(SEAL)

CERTIFICATE OF DOWN PAYMENT

I, Neil Young, Chief Financial Officer of the City of Cape May, in the County of Cape May, New Jersey (the "City") HEREBY CERTIFY that prior to the final adoption on _____, 2018 of a bond ordinance entitled:

BOND ORDINANCE PROVIDING FOR PRELIMINARY EXPENSES FOR THE CONTRUCTION OF A NEW PUBLIC SAFETY BUILDING IN AND BY THE CITY OF CAPE MAY, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF,

there was available as a down payment for the purposes authorized by the bond ordinance the sum of \$15,000, which amount was appropriated as a down payment by the bond ordinance and was made available from the following sources (strike out inapplicable language):

- a. by provision in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes;
- b. from moneys then actually held by the City and previously contributed for such purpose other than by the City; or
- c. by emergency appropriation.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2018.

Neil Young, Chief Financial Officer

EXTRACT from the minutes of a _____ meeting of the City Council of the City of Cape May, in the County of Cape May, New Jersey held at the _____ in the City on _____, 2018 at _____ o'clock ____ .m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, Patricia Harbora, Clerk of the City of Cape May, in the County of Cape May, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the City duly called and held on _____, 2018 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this _____ day of _____, 2018.

Patricia Harbora, Clerk

(SEAL)

EXTRACT from the minutes of a _____ meeting of the City Council of the City of Cape May, in the County of Cape May, New Jersey held at the _____ in the City on _____, 2018 at _____ o'clock ____ .m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, Patricia Harbora, Clerk of the City of Cape May, in the County of Cape May, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the City duly called and held on _____, 2018 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this _____ day of _____, 2018.

Patricia Harbora, Clerk

(SEAL)

CLERK'S CERTIFICATE

I, Patricia Harbora, Clerk of the City of Cape May, in the County of Cape May, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Clerk of the City of Cape May, in the County of Cape May, State of New Jersey (herein called the "City"). In this capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the City and the records relative to all ordinances and resolutions of the City. The representations made herein are based upon the records of the City.

2. Attached hereto is a true and complete copy of a bond ordinance passed by the governing body of the City on first reading on _____, 2018 and finally adopted by the governing body on _____, 2018 and, where necessary, approved by the Mayor on _____, 2018.

3. On _____, 2018, a copy of the bond ordinance and a notice that copies of the bond ordinance would be made available to the members of the general public of the City who requested copies, up to and including the time of further consideration of the bond ordinance by the governing body, was posted in the principal municipal building of the City at the place where public notices are customarily posted. Copies of the bond ordinance were made available to all who requested them.

4. A certified copy of the bond ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services.

5. After final passage, the bond ordinance, a copy of which is attached hereto, was duly published on _____, 2018. No protest signed by any person against making the improvement or incurring the indebtedness authorized therein, nor any petition requesting that a

referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body or to me or filed in my office within 20 days after the publication or at any other time after the final passage thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this _____ day of _____, 2018.

Patricia Harbora, Clerk

[SEAL]

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the City of Cape May, in the County of Cape May, State of New Jersey, on February 20, 2018. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Regular Council Meeting, in the City of Cape May on March 20, 2018 at 6 o'clock p.m. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR PRELIMINARY EXPENSES FOR THE CONTRUCTION OF A NEW PUBLIC SAFETY BUILDING IN AND BY THE CITY OF CAPE MAY, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

Purpose(s): To provide for the preliminary expenses for the construction of a new public safety building, including all related costs and expenditures necessary therefor and incidental thereto.

Appropriation: \$300,000

Bonds/Notes Authorized: \$285,000

Grants (if any) Appropriated: N/A

Section 20 Costs: \$300,000

Useful Life: 30 years

Patricia Harbora, Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

BOND ORDINANCE STATEMENT AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the City of Cape May, in the County of Cape May, State of New Jersey on _____, 2018 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR PRELIMINARY EXPENSES FOR THE CONTRUCTION OF A NEW PUBLIC SAFETY BUILDING IN AND BY THE CITY OF CAPE MAY, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

Purpose(s): To provide for the preliminary expenses for the construction of a new public safety building,including all related costs and expendituresnecessary therefor and incidental thereto.

Appropriation: \$300,000

Bonds/Notes Authorized: \$285,000

Grants (if any) Appropriated:N/A

Section 20 Costs: \$300,000

Useful Life: 30 years
Patricia Harbora, Clerk

NOTICE

Ordinance 343-2018 was introduced at a regular meeting of the City Council of the City of Cape May, held on February 20, 2018 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 March 20, 6:00 P.M. at which time a Public Hearing will be held.

Introduction:	February 20, 2018
First Publication:	February 28, 2018
Second Reading & Adoption:	March 20, 2018
Final Publication:	March 28, 2018
Effective Date:	April 17, 2018

**CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY
ORDINANCE NO. 345-2018**

**AN ORDINANCE OF THE CITY OF CAPE MAY APPROVING AN AMENDMENT OF
THE LEASE WITH THE NEW JERSEY AUDUBON SOCIETY**

WHEREAS, Cape May City has entered into a lease with the New Jersey Audubon Society, dated April 24, 1995, and amended on March 2, 2004, and April 4, 2005; and

WHEREAS, that lease terminates in January 2021; and

WHEREAS, the City now wishes to amend that lease to include two parcels – Block 1184, Lot 1, and Block 1195, Lot 1, to allow the Audubon Society to place temporary, seasonal kayak storage racks for rental to residents and non-residents,

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 Amendment to the Lease Agreement, in the form attached as Exhibit A and incorporated into this Ordinance, is hereby approved.

2. The Mayor and Clerk, and all other appropriate city officials, are authorized to execute the Amendment to the Lease Agreement on behalf of the City and to consummate all terms contained therein.

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

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 345-2018 was introduced at a regular meeting of the City Council of the City of Cape May, held on March 20, 2018 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 April 17, 2018 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

Introduction: March 20, 2018
First Publication: March 28, 2018
Second Reading & Adoption: April 17, 2018
Final Publication: April 25, 2018
Effective Date: May 15, 2018

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

ORDINANCE NO. 346 - 2018

AN ORDINANCE AMENDING SECTION 7-35 OF THE CODE OF THE CITY OF CAPE MAY, CONCERNING MID-BLOCK CROSSWALKS

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

WHEREAS, Section 7-35 of the Cape May Municipal Code enumerates the established and approved mid-block crosswalks in the City; and

WHEREAS, it has come to the attention of the City Council of the City of Cape May that the mid-block crosswalk on the 500 block Lafayette Street, originally established as a school crossing, has become obsolete and now presents a pedestrian safety hazard; and

WHEREAS, the Cape May City Council accordingly believes it in the best interest of the residents of Cape May that this crosswalk be eliminated,

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

SECTION 1. Section 7-35 of the Cape May Municipal Code is hereby amended to eliminate the “school crossing” mid-block crosswalk on the 500 block of Lafayette Street.

SECTION 2. The following language is deleted from the listing of mid-block crosswalks in Section 7-35:

Lafayette Street (School Crossing)	Beginning at a point 159 feet from the west curblineline of Ocean Street to a point 12 feet westerly therefrom.
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SECTION 3. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 4. Should any section, paragraph, sentence, clause or phase 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 5. This Ordinance shall become effective 20 days after final passage and publication, according to 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 345-2018 was introduced at a regular meeting of the City Council of the City of Cape May, held on March 20, 2018 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 April 17, 2018 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

Introduction: March 20, 2018
First Publication: March 28, 2018
Second Reading & Adoption: April 17, 2018
Final Publication: April 25, 2018
Effective Date: May 15, 2018

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

ORDINANCE NO. 347 - 2018

**AN ORDINANCE AMENDING CHAPTER 134, SECTION 5(A) OF
THE CAPE MAY CITY MUNICIPAL CODE, REGULATING SUNDAY
SALES OF ALCOHOLIC BEVERAGES**

WHEREAS, Chapter 134 of the Cape May Municipal Code regulates the licensing and sale of alcoholic beverages; and

WHEREAS, Section 134-5(A) of the Code regulates the sale of alcoholic beverages in the City on Sundays; and

WHEREAS, having carefully considered the matter, the Cape May City Council desires to amend Section 134-5(A) to alter the permissible hours of sale of alcoholic beverages for on-site consumption on Sundays, to better conform to changing dining habits in a resort community,

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 134-5(A) of the Cape May Municipal Code is hereby amended as follows:

§ 134-5. Hours of sale.

No alcoholic beverage shall be sold in the City between the following hours on the following days:

A. Sundays.

- (1) Friday preceding Memorial Day to September 30, inclusive: 3:00 a.m. to 10:00 a.m.[12:00 noon].
- (2) Remainder of the year: 2:00 a.m. to 10:00 a.m.[12:00 noon].
- (3) With respect to those premises offering on-site consumption under, a plenary retail consumption license, the restriction on alcoholic beverage sales for on-site consumption shall be until 8:00 a.m. This exception shall not apply to the sale of alcoholic beverages for off-site consumption. Additional package goods sales from premises operating under a plenary retail consumption license, and all premises operating under a plenary retail distribution license are not permitted until 10:00 a.m.[12:00 noon], as required by § 134-5A(1) and (2) hereinabove.

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 345-2018 was introduced at a regular meeting of the City Council of the City of Cape May, held on March 20, 2018 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 April 17, 2018 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

Introduction: March 20, 2018
First Publication: March 28, 2018
Second Reading & Adoption: April 17, 2018
Final Publication: April 25, 2018
Effective Date: May 15, 2018

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

ORDINANCE NO. 348 - 2018

**AN ORDINANCE AMENDING SECTION OF 199-7 OF THE CODE OF
THE CITY OF CAPE MAY, CONCERNING MISCELLANEOUS
CONSTRUCTION FEES**

WHEREAS, Chapter 199 of the Cape May Municipal Code establishes and implements the Uniform Construction Code in the City of Cape May, and establishes appropriate fees for construction activities; and

WHEREAS, Section 199-7 of the Code, entitled "Miscellaneous Fees," establishes, in subsection 199-7(A), fees for miscellaneous zoning reviews in connection with applications for building and zoning permits; and

WHEREAS, from time to time, the City Council of the City of Cape May reviews these fees to ensure their amounts accurately and reasonably reflect the administrative costs incurred by the City; and

WHEREAS, having reviewed the matter, the City Council believes it appropriate to revise certain of those fees,

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

SECTION 1. Section 199-7(A)(7) of the Code of the City of Cape May is deleted in its entirety and replaced with the following language:

(7) Cape May City Permits. Unless otherwise specified herein, all City permits shall have a flat fee of \$65. For the repair or replacement of any amount of existing roof covering on a detached one- or two-family dwelling, or for the repair or replacement of any amount of existing siding covering on a one- or two-family dwelling, the fee shall be \$45 per \$1,000 of estimated labor and material cost. This paragraph shall not apply to polypropylene siding, which shall not be considered ordinary maintenance.

SECTION 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

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. This Ordinance shall become effective 20 days after final passage and publication, according to 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 345-2018 was introduced at a regular meeting of the City Council of the City of Cape May, held on March 20, 2018 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 April 17, 2018 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
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Introduction: March 20, 2018
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