



**REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, April 17, 2018 6:00 P.M.**

The Regular Meeting of City Council of the City of Cape May was called to order by Cape May City Mayor, Clarence F. Lear, III at 6:00 P.M. Tuesday, April 17, 2018 in the Cape May City Hall Auditorium. The Pledge of Allegiance was recited.

Patricia Harbora, City Clerk announced that under the Open Public Meetings Law, notice of this meeting was sent to the Cape May Star and Wave and The Press of Atlantic City and a copy of the agenda was delivered to each member of Council and was posted on the City Hall bulletin board.

Present: Councilmember Roger M. Furlin
Councilmember Patricia Gray Hendricks
Mayor Clarence F. Lear, III
Deputy Mayor Shaine P. Meier
Councilmember Beatrice Gauvry Pessagno

Also Present: City Attorney Frank Corrado
City Manager Neil Young
City Clerk Patricia Harbora
Deputy City Clerk Erin Burke

Minutes do not reflect the actual order in which the events occurred.

A moment of silence is taken in honor of Mr. Ralph Bakley, former Cape May City Police Officer and County Freeholder.

PROCLAMATIONS

Cape May Elementary School Educational Recognition

Mayor Lear reads the proclamation in full.

Cape May Elementary School (CMES) Superintendent Victoria Zelenak states that the school is honored to be one of the districts recognized by the New Jersey Department of Education District as a Lighthouse District for illuminating the path toward academic growth and student success.

Isabelle Ristoff, a 6th grade student at CMES, reads a statement regarding her positive experiences at the school.

Ryan Gutiera, also a 6th grade student at CMES, reads a statement crediting the achievements of the students to the dedicated teachers and staff of the school.

City of Cape May Arbor Day

Mayor Lear reads the proclamation in full.

Mark Pask, a member of the Cape May City Shade Tree Commission, accepts the proclamation on behalf of the commission. Mr. Pask details the commission's partnership with the American Chestnut Foundation this Arbor Day in planting five blight-resistant American Chestnut seedlings within Cape May.

AGENDA ADDITION/DELETION OF LATE AGENDA ITEMS TO BE CONSIDERED FOR ACTION

Cape May City Council Regular Meeting minutes dated January 17, 2017 – **ADD**

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

Cape May City Council Worksession/Regular Meeting minutes dated November 6, 2017 – **ADD**

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

Seawall/Promenade Improvement Advisory Committee Update – **REMOVE**

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

ORDINANCES FOR INTRODUCTION

350-2018 An Ordinance Amending Chapter 158, Section 9 of the Cape May City Municipal Code, Regulating Bicycles on the Promenade

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

City Solicitor Frank Corrado explains that this ordinance lengthens the time bicycles are permitted to be used on the promenade.

ORDINANCES FOR SECOND READING AND CONSIDERATION FOR ADOPTION

345-2018 An Ordinance of the City of Cape May Approving an Amendment of the Lease with the New Jersey Audubon Society

PUBLIC HEARING – None.

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

346 – 2018 An Ordinance Amending Section 7-35 of the Code of the City of Cape May, Concerning Mid-Block Crosswalks

PUBLIC HEARING – None.

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

347-2018 An Ordinance Amending Chapter 134, Section 5(A) of the Cape May City Municipal Code, Regulating Sunday Sales of Alcoholic Beverages

PUBLIC HEARING –

Reid Levin, Collier's Liquor Store, 202 Jackson Street – Mr. Levin speaks in favor of Ordinance 347-2018, citing the "giant" discount liquor outlet that is being built at the base of the Cape May Bridge. This liquor store will be open at 10:00 A.M. on Sundays, and urges Council to adopt this ordinance so that Collier's will be able to compete for business.

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

348-2018 An Ordinance Amending Section of 199-7 of the Code of the City of Cape May,
Concerning Miscellaneous Construction Fees

PUBLIC HEARING – None.

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

REGULAR MEETING BUSINESS :

RESOLUTIONS:

114-04-2018 Resolution Approving Change Order No. 7 to the Agreement between TKT Construction Company, Inc. and the City of Cape May's Contract for Cape May City Well Number 8

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

115-04-2018 Resolution Proclaiming May 1, 2018 as Loyalty Day

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

116-04-2018 Resolution Authorizing Release of Performance Guarantee and Establishment of Maintenance Guarantee for Darby Residence (F.K.A. Olsen Minor Subdivision 1221.5 Lafayette Street, Block 1061, Lot 89.02

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

117-04-2018 Resolution for the Approval to Submit a Grant Application Local Aid Infrastructure Fund-2018 Cape May City-00123 and Execute Grant Agreement with the New Jersey Department of Transportation

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

118-04-2018 Resolution Refunding Overpaid Water/Sewer Utility

Motion: Meier **Second:** Lear **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

119-04-2018 Resolution Authorizing Utility Bill Adjustments due to Catastrophic Occurrences

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

120-04-2018 Resolution approving a Shared Services Agreement between West Cape May, Cape May, and Cape May Point for the Cape Island Joint Rabies Clinic

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

121-04-2018 Payment of Bills

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

122-04-2018 Resolution Approving a Licensing Agreement between the City of Cape May and the County of Cape May Permitting the Installation of a License Plate Reader

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

123-04-2018 Resolution Awarding a Contract for Professional Services – Surveying and Base Map Preparation in Connection with a Proposed Public Safety Building

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

124-04-2018 Resolution Awarding the Contract for Reading Avenue Storm Sewer Improvements, Contract No. M-19, City of Cape May, Cape May County, New Jersey

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

125-04-2018 Resolution of the City of Cape May Authorizing Change Order Numbers 1 & 2 for the Contract with Cardinal Contracting Company, LLC for the Lafayette Street Sanitary Sewer Extension, Contract M-9

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

City Manager Young explains that these change orders result in a savings of \$84,000.

126-04-2018 Resolution for Appointment to and Removal from the Lafayette Street Park Advisory Committee

Councilmember Furlin voices his concerns for Resolution 126-04-2018, specifically the fact that all City officials have been removed from the list of members. He states that he does not know where this committee is going, and opines that the grant money received for the project is at risk. He does not want to see any changes to the membership of the committee until he has a better understanding of the direction of the committee.

Councilmember Pessagno asks to “pass” and vote last. She voices her concerns regarding the lack of diversity among the proposed members of the Lafayette Street Park Advisory Committee. She emphasizes that she does not take issue with the members on the committee, rather the process of reorganizing the committee without full transparency, citing that those who were removed from the committee were not told in advance.

Mayor Lear states that the Lafayette Street Park Advisory Committee was formed in October 2017 and had only met once. He maintains that the co-chairing of the committee by two Council members was not working out, and the newly reorganized committee is proposed to be chaired by a resident. He assures that certain community members from the original committee are being kept on as “legacy” members.

Motion: Meier **Second:** Hendricks **Meier:** Yes **Hendricks:** Yes **Furlin:** No **Pessagno:** No **Lear:** Yes

MINUTES:

Cape May City Council Regular Meeting minutes dated January 17, 2017

Cape May City Council Worksession/Regular Meeting minutes dated November 6, 2017

Cape May City Council Town Hall meeting minutes dated July 8, 2017

Cape May City Council Town Hall meeting minutes dated September 27, 2017

Cape May City Council Reorganization meeting minutes dated January 2, 2018

Cape May City Council Special meeting minutes dated January 23, 2018

Cape May City Council Special meeting minutes dated January 29, 2018

Cape May City Council Special meeting minutes dated January 31, 2018

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

Cape May City Council Town Hall meeting minutes dated December 9, 2017

Motion: Meier **Second:** Lear **Pessagno:** Abstain **Meier:** Yes **Hendricks:** Yes **Furlin:** Abstain **Lear:** Yes

Cape May City Council Special meeting minutes dated February 2, 2018

Motion: Meier **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Abstain **Furlin:** Yes **Lear:** Yes

REPORTS:

Cape May City Fire Prevention Bureau report for the month of March 2018

Cape May City Fire Service and EMS Incident Report for the month of March 2018

Motion: Furlin **Second:** Pessagno **Pessagno:** Yes **Meier:** Yes **Hendricks:** Yes **Furlin:** Yes **Lear:** Yes

UNFINISHED BUSINESS:

NEW BUSINESS:

A) City Attorney – None.

B) City Manager – None.

C) City Clerk –

City Clerk Patricia Harbora announces the following:

- Earth Day & Marine Debris cleanup – Saturday April 21, 2018 from 9:00 A.M. to 12:30 P.M.
- Clean Ocean Action Beach cleanup – Saturday April 21, 2018 from 9:00 A.M. to 12:30 P.M.
- Cape May American Red Cross Blood Drive – Monday, April 23, 2018 from 10:00 A.M. to 3:00 P.M. at Convention Hall
- 2018 Water Main Flushing schedule has started in the City of Cape May from April 16, 2018 to May 1, 2018

D) Councilmembers

Councilmember Pessagno mentions that the City honored Ms. Laurie Johnson of Family Promise at the most recent town hall meeting, and Ms. Johnson sent a thank-you letter in response.

Deputy Mayor Meier announces that approximately 110 people attended the recent Master Plan Open House at Convention Hall, and encourages all community members to tell Council their suggestions for the ongoing Master Plan Reexamination.

Councilmember Hendricks thanks the Bicycle and Pedestrian Advisory Committee for their presentation on April 11, 2018. She moves on to state that the two students who spoke earlier in the meeting are shining examples of what goes on at Cape May Elementary School, and thanks the teachers for all their hard work.

Mayor Lear announces that the Coast Guard Ball is scheduled for May 3, 2018 at Convention Hall, and is open to the public for the first time ever.

PUBLIC PORTION: Those wishing to publicly comment shall come forward, give their name and address and speak into the microphone. Each speaker will be limited to five (5) minutes.

John Van der Vaarst, 1030 Ohio Avenue – Mr. Van der Vaarst questions who is the chair of the newly reorganized Lafayette Street Park Advisory Committee, and Deputy Mayor Meier responds that it is Mike Jones. Mr. Van der Vaarst then discusses that the recently introduced ordinance dealing with extending the time for the parking meters to be on around the Washington Street Mall area may create confusion amongst visitors to Cape May, since it is inconsistent with other metered areas around town. He emphasizes that highly visible signage and public education regarding the meters will be necessary to avoid confusion. Mr. Van der Vaarst then announces that the Annual Memorial Paddle-Out for Andy Boyt is now officially a charity registered with the IRS.

Linda Towne Anderson, West Cape May – Ms. Towns voices her passion for the Wise/Anderson park project, and her concerns about her and Wanda Wise originally being asked to serve on the Lafayette Street Park Advisory Committee, but never actually being given the opportunity to do so. She states that she and Wanda await Council’s direction regarding how to proceed with the committee.

Deputy Mayor Meier explains that the original committee had too many people involved, and that it was desired to have a member of the public chair the committee, rather than two Council members. He affirms that it’s his feelings that the Wise and Anderson names must remain and be celebrated in the park.

Mayor Lear apologizes for any miscommunications regarding the reorganization of the Lafayette Street Park Advisory Committee, and states that Ms. Anderson and Ms. Wise were never to be removed from the committee.

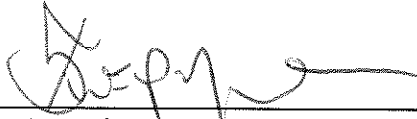
Councilmember Pessagno states that she was not a part of any decision to streamline the committee, and that Council must be transparent with any potential changes to advisory committees.

ADJOURNMENT

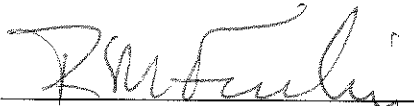
Motion made by Deputy Mayor Meier, seconded by Councilmember Pessagno, to adjourn with all in favor. The meeting adjourned at 7:04 P.M



Clarence F. Lear III, Mayor



Shaine P. Meier, Deputy Mayor




Roger M. Furlin, Councilmember



Patricia Gray Hendricks, Councilmember

ABSENT

Beatrice Gauvry Pessagno, Councilmember



Patricia Harbora, City Clerk