



**REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, July 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, July 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 – ABSENT
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.

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

Presentation and public hearing on proposed Small Cities Rehabilitation grant application FY 2019 – Mark Blauer –ADD

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

181-07-2018 Resolution Approving New Collective Bargaining Agreement with Local 59 Police Benevolent Association Representing City of Cape May Police Officers – ADD

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

PROCLAMATIONS

Tyler Flynn, Eagle Scout

Mayor Lear reads the proclamation in full and presents it to Mr. Flynn. Gretchen Whitman of the Nature Center of Cape May commends Mr. Flynn's construction of the much-needed kayak storage rack on the Nature Center's property. Mr. Flynn briefly explains his Eagle Scout project, referring to a photo of the constructed storage rack.

Coast Guard Day 2018

Mayor Lear reads the proclamation in part, which will be mailed to Coast Guard Training Center Cape May.

National Night Out 2018

Mayor Lear reads the proclamation and presents it to Chief of Police Anthony Marino.

ENGINEER REPORT

Thomas R. Thornton, PE, CME, of Mott, MacDonald (MM), presents the engineer's report as follows:

PROJECTS UNDER CONSTRUCTION:

Cape May Stage Fire Suppression System – The basic fire service connection work is complete and MM recommends payment to the contractor. MM recommends rebidding the interior fire suppression system project in late summer 2018 and awarding the project in October 2018, so the project could tentatively be finished by March 2019.

Reading Avenue Storm Sewer Improvements – Project is complete. The final payment application is being processed with \$56,640 in savings from the original contract price.

Reconstruction of Pennsylvania Avenue/Pennsylvania Avenue Traffic Study – The project is moving along as expected, with irrigation, final paving, and the filling of the abandoned storm water pipe remaining.

Mayor Lear comments that the improvements so far look great and enhance the neighborhood.

Dale Place Reconstruction and Utility Upgrades – Project is substantially complete, with only punch list items remaining. The work should be completed by next week.

Delaware Avenue Sanitary Sewer Pump Station Generator – The generator and electrical are complete and operational; the platform and stairs are substantially complete; and the gate is scheduled to be installed tomorrow.

Public Works Above Ground Storage Tank (AST) – Project is substantially complete, and the fuel tanks are operational. The damaged front gate is to be repaired by the contractor prior to final payment.

Welcome Center Lighting and Parking – Cape May Seashore Lines has been unresponsive to both MM and City Solicitor Corrado's phone calls and requests to memorialize the terms of agreement reached in previous meetings. Mr. Corrado has spoken with the New Jersey Department of Transportation and his point of contact promised to put pressure on CMSL to respond and move forward.

PROJECTS IN DESIGN PHASE:

Public Safety Building Property and Topo Survey – Project is complete. The next step is to prepare the RFP/Q, that City Council authorized on June 19, 2018, to advertise for bids for the project.

Cape Island Creek Water Main Rehabilitation – City Council authorized the project at the June 19, 2018 Council meeting. MM is coordinating the next steps to locate the water transmission main and soliciting contractors to perform preliminary work necessary to locate the main.

STUDIES AND INITIATIVES:

Water System Master Plan – Eight (8) chapters are completed. The final ninth chapter is substantially complete MM is waiting for the response from the Cape May City Water/Sewer Department on the draft chapters.

Geographic Information System (GIS) – MM is waiting for the response from the Cape May City Water/Sewer Department to schedule training with MM's GIS staff.

Lafayette Street Park Master Plan – MM has met several times with the Lafayette Street Park Advisory Committee. MM is scheduled to present the final plan to the committee on July 19, 2018.

Public Works Facility Groundwater Monitoring Program – A groundwater sample obtained from monitoring wells indicated presence of a contaminant. MM is working to resolve the issue through development of a monitoring well. No contaminants were detected in the initial sampling following the development of the well. A follow-up sample will be taken. Assuming favorable results of the testing, MM will wrap up the necessary NJDEP reports.

Convention Center HVAC Evaluation – MM is scheduling a meeting with the Cape May City Construction Official to review the plans, with an on-site visit being planned to evaluate the existing HVAC system.

Bank Street Traffic Study – The project was authorized at the June 19, 2018 Council meeting. Traffic counts are to be conducted in July 2018. The findings are estimated to be delivered to the City in August 2018.

PROPOSALS:

War Memorial Park – MM is preparing a proposal for professional engineering services for design, bidding, and construction phase engineering services for War Memorial Park improvements.

2018 Capital Improvement Projects – MM is preparing a proposal for professional engineering services for design, bidding, and construction phase engineering services for various capital improvement projects following a meeting with City officials.

PRESENTATION

Small Cities Rehabilitation grant application FY 2019 – Mark Blauer

As the grant writer for the City of Cape May, Mr. Blauer details the parameters of the Small Cities Rehabilitation grant program and application. He explains that, in order to qualify for the \$400,000 grant, the proposed project must benefit the entire City, and the City must match \$40,000. He proposes a two-phase project of replacing older water service laterals that contain lead. He opines that this proposed project would make for a strong application for the Small Cities Rehabilitation grant. Mr. Blauer encourages all to come forward with other ideas of projects to propose for the grant application.

Public hearing:

Jules Rauch, 1010 New York Avenue – Mr. Rauch questions if there is a time frame for submitting project ideas. Mr. Blauer states that ideas can be submitted in writing to Mayor and Council at the earliest opportunity.

Christine Miller, 535 Bank Street – Ms. Miller proposes converting the desalination plant to being powered by wind turbines or another alternative form of energy production. Mr. Blauer states that a desalination plant project would benefit the City as a whole, however would not be a strong application for the grant since the plant is working fine currently.

Deputy Mayor Meier suggests multiple ideas for potential projects for the grant application, including an extension of the promenade; a Cape May City “app”; improvements to the shoreline at the harbor; an ADA compliant kayak launch; etc.

ORDINANCES FOR INTRODUCTION

357-2018 An Ordinance of the City of Cape May Amending the Revised General Ordinances of the City of Cape May to Provide for a Restricted Handicapped Parking Space at or Adjacent to 22 Congress Street, Occupied by Joan P. Green

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

358-2018 Ordinance of the City of Cape May Adjusting the Water and Sewer Charges for the Cape May Housing Authority

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

City Manager Young explains that this ordinance changes the water and sewer charges for the Cape May Housing Authority from a flat rate to a normal rate based on actual usage.

REGULAR MEETING BUSINESS

RESOLUTIONS

Mayor Lear opens a public portion, asking if anyone present has any questions or comments specifically regarding the proposed resolutions.

William Seeger, 1361 B Vermont Avenue – Regarding resolution *177-07-2018: Resolution of the City of Cape May Appointing a Municipal Humane Law Enforcement Officer*, Mr. Seeger questions if there will be any additional expenses associated with appointing the officer. Chief of Police Anthony Marino explains that the Municipal Humane Law Enforcement Officer is a state-mandated appointment to specifically deal with animal abuse cases. He clarifies that an existing Cape May City Police Detective is being appointed at no additional cost.

Mr. Seeger then questions resolution *176-07-2018: Resolution of The City of Cape May Authorizing the Execution of a Shared Services Agreement with the City of Cape May, New Jersey and the Borough of West Cape May, New Jersey for Uniform Construction Code Services*. City Solicitor Corrado and City Manager Young explain that Cape May City currently completes all U.C.C. services for Cape May City and Cape May Point, and with the adoption of this resolution, will take over West Cape May as well. City Manager Young estimates \$35,000 worth of revenue to come from this agreement.

Jules Rauch, 1010 New York Avenue – Mr. Rauch questions how the City will know if it is making or losing money with the shared services agreement with West Cape May. He also questions if the staffing will be increased in the Construction/Zoning Office in order to handle the additional incoming work. City Manager Young responds that the City must send a quarterly report to WCM, and will have to review the reports at the end of the year to see if the agreement is worth it. He then states that existing Construction/Zoning employees will be working additional hours, and that the City will advertise for a new Zoning Officer.

Mr. Rauch the suggests amending proposed resolution *178-07-2018: Resolution Regarding the Height and Other Aspects of a Proposed Seawall at the Corner of Wilmington and Beach Avenues in the City of Cape May* to reflect Cape May County's responsibilities, since the County owns both Beach Avenue and the seawall.

Councilmember Pessagno agrees that Council should further explore the possibility of the County contributing to the seawall project and asks Mr. Corrado if that can still happen if Council chooses to pass

resolution 178-07-2018. Mr. Corrado suggests amending the resolution to expand the County's involvement in the project.

Scott Maslow, 18 2nd Avenue – Dr. Maslow speaks in support of resolution 178-07-2018, explaining that the Army Corps of Engineers needs a commitment from the City in order to move forward with the seawall project.

176-07-2018 Resolution of The City of Cape May Authorizing the Execution of a Shared Services Agreement with the City of Cape May, New Jersey and the Borough of West Cape May, New Jersey for Uniform Construction Code Services

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

Deputy Mayor Meier motions, seconded by Mayor Lear, to amend resolution 177-07-2018 to add the word “humane” to the phrase “Municipal [Humane] Law Enforcement Officer” in the second-to-last-paragraph.

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

177-07-2018 Resolution of the City of Cape May Appointing a Municipal Humane Law Enforcement Officer **AS AMENDED**

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

Deputy Mayor Meier motions, seconded by Councilmember Pessagno, to amend resolution 178-07-2018 by adding the wording “Whereas, given the city’s continuing relationship with Cape May County, the City Council believes it to be in the city’s best interest also to seek County sponsorship of the project; and” and also adding “and county sponsorship” to section 3, page 2 of the resolution.

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

178-07-2018 Resolution Regarding the Height and Other Aspects of a Proposed Seawall at the Corner of Wilmington and Beach Avenues in the City of Cape May **AS AMENDED**

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

179-07-2018 Resolution Providing for the Insertion of a Special Item of Revenue in the Budget Pursuant to Chapter 159 Pl 1948

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

180-07-2018 Payment of Bills

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

181-07-2018 Resolution Approving New Collective Bargaining Agreement with Local 59 Police Benevolent Association Representing City of Cape May/ Police Officers

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

MINUTES

Cape May City Council Closed Session Meeting Minutes dated April 3, 2018

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

Cape May City Council Special Meeting Minutes dated May 15, 2018

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

Cape May City Council Closed Session Meeting Minutes dated May 15, 2018

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

Cape May City Council Special Meeting Minutes dated June 4, 2018

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

Cape May City Council Closed Session Meeting Minutes dated June 4, 2018

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

Cape May City Council Special Meeting Minutes dated June 19, 2018

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

Cape May City Council Closed Session Meeting Minutes dated June 19, 2018

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

REPORTS

Cape May City Overtime report for the month of June 2018

Cape May City Fire Prevention Report for the month of June 2018

Cape May City Police Department Incident Analysis Report for the month of June 2018

Cape May City Fire Department Incident Report for the month of June 2018

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

UNFINISHED BUSINESS

NEW BUSINESS

A) City Attorney – None.

B) City Manager – None.

C) City Clerk –

City Clerk Patricia Harbora announces that National Night Out is scheduled for Tuesday, August 7, 2018 from 6:00 P.M. - 9:00 P.M. around Convention Hall, and the Cape May City Baby Parade is scheduled for Friday, August 3, 2018 at 1:00 P.M. along Beach Avenue.

D) Councilmembers

Councilmember Pessagno encourages all to purchase their tickets for the Summer Concert Series. She thanks all those who contributed to the 4th of July festivities throughout the City. She also thanks Virginia Hesel for her comments regarding speaking clearly into the microphones and facing the public so everyone can hear what is being said.

Deputy Mayor Meier commends Jules Rauch for his suggestion of including the County in *Resolution 178-07-2018: Resolution Regarding the Height and Other Aspects of a Proposed Seawall at the Corner of Wilmington and Beach Avenues in the City of Cape May*. He then congratulates Cape May Beach Patrol member Rob Moran on winning the Lifeguard Championship. Deputy Mayor Meier then announces that the next Lafayette Street Park Advisory Committee is scheduled for Thursday, July 19, 2018 at 4:00 P.M. in the City Hall auditorium.

PUBLIC PORTION: Those wishing to publicly comment shall come forward, give their name and address and speak into the microphone.

Anthony Marino, Chief of Police – Chief Marino encourages all to attend National Night Out on August 7, 2018 at Convention Hall. He then details a recent active shooter training that took place at Cape May City Hall. Chief Marino then mentions the picture of a Cape May City Police Officer holding a found Pug that has been circulating on numerous social media platforms. He emphasizes that although the job of a Cape May City Police Officer is taken very seriously, it's beneficial to see the officers still having fun. Chief Marino then thanks Lt. Fashaw for the coordination of the various 4th of July festivities within the City.

Christine Miller, 535 Bank Street – Ms. Miller recounts her attendance at a recent Parking Advisory Committee meeting and questions the parking specialist that is scheduled to make a presentation to the committee on August 13, 2018. Councilmember Hendricks explains that the individual who is presenting is a Cape May resident who an expert in the area of parking will be discussing long-term goals with the committee and answering any questions that the committee has on that date.

Ms. Miller then goes on to discuss the town-hall style meeting that is scheduled for August 13, 2018 at Convention Hall at 7:00pm regarding redevelopment. Ms. Miller asks numerous questions regarding the proposed redevelopment area and rumored partnerships with local developers. Various members of City Council explain that M. James Maley, Esquire, the City's Special Counsel for redevelopment, will be at the meeting scheduled for August 13, 2018 to discuss the process of redevelopment with the public, and answer any questions the public may have.

Ms. Miller then questions where the parking will be located in the plans for the proposed public safety building, and Deputy Mayor Meier responds that no plans have been solidified.

Jules Rauch, 1010 New York Avenue – Mr. Rauch questions if an architect has been selected for the proposed public safety building, and City Manager Young responds that no architect has been chosen, and a Request for Proposal (RFP) will be advertised soliciting for a professional engineer for the project.

Mr. Rauch then voices concerns regarding Mr. Maley speaking and making recommendations regarding redevelopment at the August 13, 2018 redevelopment meeting. Mayor Lear explains that this meeting is meant to be an informative session to discuss the process of redevelopment, and Mr. Maley is an expert in the field and will be able to explain it to the public and answer questions regarding redevelopment. Mayor Lear emphasizes that Council wants to educate the public on the redevelopment process.

Mr. Rauch moves on to state his concern about the near-drowning incident that occurred after-hours recently at Poverty Beach. He questions how people are able to swim after the lifeguards are gone for the day. City Manager Young explains that the after-hours workers are located in Beach Patrol/Lifeguard Headquarters, and not positioned on every beach.

William Seeger, 1361 B Vermont Avenue – Mr. Seeger questions when the tax bills will be mailed out. City Manager Young states the should be mailed by the end of the month. Mr. Seeger then questions whether the school tax will increase the overall tax bills received by the residents. Mr. Young explains that regional school funding received less State aid, and therefore they may adjust their levy to make up for it. Cape May City only controls municipal taxes, so any school tax questions should be directed to the school boards.

Jean Krupinski, 18 Stockton Place – Ms. Krupinski thanks Mr. Young for assisting in the clean-up of the rear of the Franks Theaters property. She questions how she can stay informed on the redevelopment

process. Mr. Young explains that there will be advertised public meetings and public hearings on redevelopment, a that the City is working on some press releases regarding redevelopment.

Virginia Hesel, 1340 C Illinois – Ms. Hesel urges everyone to please speak close and into the microphone during the Council meetings, because she and others have a very difficult time hearing the dialogue. She suggests having presenters face the audience rather than Council so it would be easier to hear and understand them. She then mentions that the Public Works Facility is messy and should be tidied up.

Motion made by Deputy Mayor Meier, seconded by Councilmember Hendricks, to adjourn with all in favor. The meeting adjourned at 6:39 P.M.



Clarence F. Lear III, Mayor

ABSENT FOR ADOPTION

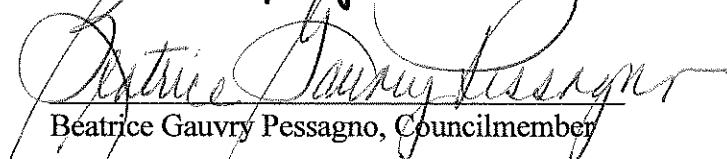
Shaine P. Meier, Deputy Mayor

ABSENT


Roger M. Furlin, Councilmember



Patricia Gray Hendricks, Councilmember



Beatrice Gauvry Pessagno, Councilmember



Patricia Harbora, City Clerk