



**WORKSESSION/REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, August 7, 2018 2:00 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 2:00 P.M. Tuesday, August 7, 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

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

PRESENTATION

Airport Incentives Bill – Carole M. Mattessich, Esq. – CMC Director of Strategic Business Development

Ms. Mattessich gives a brief background on the efforts of Cape May County to incentivize tech development at the Cape May County Airports. She explains that a bill supporting tech development at the airports has been sitting on New Jersey Governor Murphy's desk for some time, and that the municipalities within Cape May County have been passing resolutions urging the Governor to sign the legislation. Ms. Mattessich emphasizes that incentivizing tech development at the airports would significantly impact the economy of Cape May County by creating high-paying, year-round jobs. Ms. Mattessich urges the Cape May City Council to adopt resolution 187-08-2018: *Resolution Requesting the Governor to Sign A3190/S250 Incentivizing Tech Development at Cape May County Airports.*

Councilmember Hendricks asks what the public could do to help the County's cause.

Ms. Mattessich encourages the public to write directly to the Governor's office in support of tech development at the airports.

187-08-2018 Resolution Requesting the Governor to Sign A3190/S250 Incentivizing Tech Development at Cape May County Airports

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

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 Project will re-bid as soon as possible, and potentially awarded in October 2018 so the project could tentatively be finished by February 2019.

Reading Avenue Storm Sewer Improvements – Project is complete.

Reconstruction of Pennsylvania Avenue/Pennsylvania Avenue Traffic Study – Project is wrapping up quickly. Traffic striping is to be completed following asphalt surface course.

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 – Project is complete.

Lafayette Street Sanitary Sewer Extension – Project is substantially complete, with only punch list items remaining. The work should be completed by mid-August 2018.

Public Works Above Ground Storage Tank (AST) – Project is substantially complete, with only punch list items remaining. The project should be completed this month.

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. Deputy Mayor Meier asks if the City can move forward with any portion of the project in the meantime, and Mr. Thornton said he would look into the possibility.

PROJECTS IN DESIGN PHASE:

Public Safety Building RFP/Q – City Council authorized the RFP preparation at the June 19, 2018 Council Meeting. The RFP has been completed and provided to the Public Safety Building Advisory Committee and City Manager for consideration. City Council authorized the advertisement for proposals for architectural/engineering services at a July 26, 2018 Special Council Meeting. The RFP was advertised in the paper on August 6, 2018.

Cape Island Creek Water Main Rehabilitation – City Council authorized the project at the June 19, 2018 Council meeting. MM conducted a site meeting with the utility location firm to develop a plan for location of existing water transmission main. MM is preparing requests for quotes for insertion of valves to facilitate location of the water main in September.

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 in August 2018. The schoolboard will then be provided with the latest plan for review.

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 – Study was authorized at the May 15, 2018 Council Meeting. 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 August 2018. The findings are estimated to be delivered to the City in September 2018.

PROPOSALS:

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

Reconstruction of Pennsylvania Avenue – Wilmington Avenue to Brooklyn Avenue – MM submitted a proposal for professional engineering services for the surveying, design, and inspection of the reconstruction of Pennsylvania Avenue between Wilmington Avenue and Brooklyn Avenue. The City received an NJDOT Municipal Aid grant for this section of roadway.

Groundwater Sampling and Environmental Remediation Services – MM submitted a proposal for environmental remediation services for additional groundwater sampling and closeout reports at the Public Works Facility.

ORDINANCES FOR INTRODUCTION

359-2018 Ordinance Amending the City of Cape May's Affordable Housing Ordinance in Compliance with the City's COAH Settlement

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

City Solicitor Corrado explains that the City is introducing, and intends to adopt, this ordinance as a part of their COAH settlement to bring the City into compliance with the Mount Laurel Doctrine.

360-2018 Ordinance Authorizing the Private Sale of Undersized Property Owned by the City of Cape May, Block 1104, Lot 49, A/K/A 1015 Maryland Avenue in Cape May

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

Mayor Lear states that the City has done their research and has not uncovered any information that would dissuade Council from moving forward with introducing this ordinance.

Councilmember Pessagno believes that Council should postpone taking any action relating to this property until Mr. Thomas Phelan has more time to research the history and implications.

City Solicitor Corrado states that Council is only voting to introduce the ordinance and encourages Mr. Phelan to present his findings to Council at the future scheduled public hearing for the ordinance.

361-2018 An Ordinance of the City of Cape May Amending those Provisions Governing Animals on the Promenade, Beach and Mall

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

ORDINANCES FOR SECOND READING AND CONSIDERATION FOR ADOPTION

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

PUBLIC HEARING – None.

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

PUBLIC HEARING – None.

REGULAR MEETING BUSINESS :

RESOLUTIONS:

184-08-2018 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 – School Funding Update and Possible Purchase of Property by the City (Allen A.M.E. Church)

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

185-08-2018 Resolution of the Governing Body of the City of Cape May Adopting the Form of the New Jersey Tort Claims Act Questionnaire Required to be Utilized by Claimants for the Filing of Notices of Tort Claim

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

City Solicitor Corrado explains that Resolution 185-08-2018 adopts a revised tort claim questionnaire.

186-08-2018 Resolution Urging the Legislature to Amend S-716, S-477 and S-1766

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

City Solicitor Corrado explains that the three bills discussed in Resolution 186-08-2018 would increase municipalities' exposure in regard to various injuries suffered by firefighters or in worker's compensation cases. This resolution urges the State legislature to amend the bills to reduce the exposure of the municipalities.

188-08-2018 Resolution for the Adoption of the State Model Citizen Participation Plan for DCA Small Cities Program

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

189-08-2018 Resolution Identifying Small Cities Fair Housing Officer

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

190-08-2018 Resolution for Approval of Public Facilities Grant Management Plan

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

191-08-2018 Resolution Approving Submission of Fiscal Year 2019 Small Cities Public Facilities Application

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

192-08-2018 Resolution Awarding a Contract for City Hall Website Re-design to EVO Studios, Inc. (EVOGOV)

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

193-08-2018 Resolution Authorizing the Advertisement for Bids for Fire Suppression System for Cape May Stage

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

194-08-2018 Resolution Awarding a Contract for Professional Services for Landscape Architecture and Professional Engineering Services for Improvements to the War Memorial Park

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

195-08-2018 Resolution Awarding a Contract for Professional Engineering Services for the Reconstruction of Pennsylvania Avenue between Wilmington Avenue and Brooklyn Avenue

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

196-08-2018 Resolution Awarding a Contract for Professional Services in Connection with Environmental Investigation Services for the Diesel Fuel Aboveground Storage Tank

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

197-08-2018 Payment of Bills

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

MINUTES:

Cape May City Council Worksession/Regular Meeting minutes dated July 3, 2018

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

REPORTS

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

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

UNFINISHED BUSINESS:

NEW BUSINESS:

A) City Attorney –

City Solicitor Corrado discusses the appropriate protocol for public comment during City Council meetings. He explains that while some municipalities have very strict rules and timelines for the public comment period, Cape May City is rather flexible. He discusses general guidelines that should be followed for public comment, included but not limited to: making sure the green light is on, speaking clearly into the microphone, stating your full name and address, and efficiently identifying the topic to

be commented on. He urges the public to stay on topic and only comment on the issues at-hand during the meeting, and to keep their comment period to under five (5) minutes in consideration of others who would like to speak. He emphasizes that the Mayor is the presiding officer of the Council meetings and has the discretion to direct the public comment period. Mr. Corrado stresses that the public portion of a Council meeting is for comments only, not a question-and-answer session.

B) City Manager – None.

C) City Clerk –

City Clerk Patricia Harbora announces that National Night Out is scheduled for this evening from 6:00PM-9:00PM at the Convention Hall area.

D) Councilmembers

Councilmember Pessagno encourages everyone to pick up their tickets for the Summer Concert Series, and thanks all those involved with the Queen Maysea Coronation and Cape May City Baby Parade.

Councilmember Hendricks echoes Councilmember Pessagno’s sentiments regarding the Queen Maysea Coronation and Baby Parade and emphasizes the importance of the traditions surrounding those events.

Deputy Mayor Meier brings attention to the Community Emergency Response Team (“CERT”) shirt that he is wearing this evening, explaining that this course available to teach basic skills for use after a disaster when emergency response services may not be readily available. He encourages anyone who is interested in taking the course to reach out to him directly.

Mayor Lear is glad to see that the concerts at Convention Hall and Rotary Park are all going well, and reminds those present that the Redevelopment Town Hall Meeting is scheduled for Monday, August 13, 2018 at 7:00PM in Convention Hall.

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

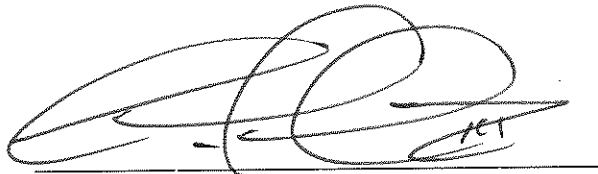
Linda Steenrod, 1011 Washington Street – Ms. Steenrod thanks Council for adopting *Resolution 187-08-2018: Resolution Requesting the Governor to Sign A3190/S250 Incentivizing Tech Development at Cape May County Airports* and encourages everyone to contact the Governor in support of tech development at the airports. She also thanks Council for introducing *Ordinance 361-2018: An Ordinance of the City of Cape May Amending those Provisions Governing Animals on the Promenade, Beach and Mall*, stating that this ordinance extends the opportunity for people to enjoy Cape May with their dogs. She encourages Council to consider allowing dogs on the beach between the hours of 6:00AM-8:00AM, since there are no sunbathers on the beach during those hours.

CLOSED SESSION is entered at 3:02PM.

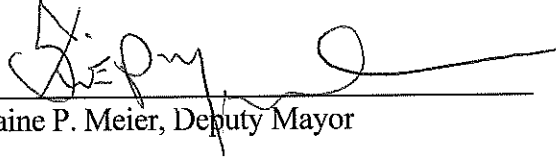
OPEN PUBLIC MEETING resumes at 4:38PM.

ADJOURNMENT

Motion made by Deputy Mayor Meier, seconded by Councilmember Pessagno, to adjourn. The meeting adjourned at 4:38 P.M.



Clarence F. Lear III, Mayor

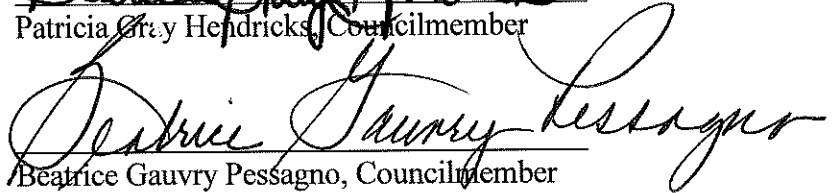


Shaine P. Meier, Deputy Mayor

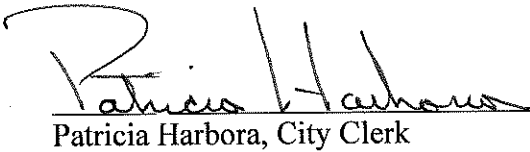
Absent from meeting, abstains from voting
Roger M. Furlin, Councilmember



Patricia Gray Hendricks, Councilmember



Beatrice Gauvry Pessagno, Councilmember



Patricia Harbora, City Clerk

