

**REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, December 17, 2013, 7:00 P.M.**

The Regular meeting of City Council of the City of Cape May was called to order by Mayor Mahaney at 7:00 P.M. Monday, December 17, 2013 in the Cape May City Hall Auditorium. The Clerk called the roll and the Pledge of Allegiance was recited.

Present:	Councilmember Deanna Fiocca Mayor Edward J. Mahaney, Jr. Deputy Mayor William H. Murray Councilmember Terri L. Swain Councilmember Jack Wichterman
Also Present:	City Manager Bruce MacLeod City Clerk Louise Cummiskey
Absent:	City Attorney Anthony Monzo

Mayor Mahaney announced that under the Open Public Meetings Law, notice of this meeting was sent to the Cape May Star and Wave and The Press and a copy of the agenda was delivered to each Member of Council and was posted on the City Hall Bulletin Board.

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

COUNCIL COMMENTS

Mayor Mahaney announces that the City of Cape May will honor Patrolman Scott Krissinger at the January 7, 2014 Worksession Meeting for pulling a motorist from a burning vehicle. The City of Cape May would like to specially thank Patrolman Krissinger for his heroic actions that saved the life of the motorist. City Manager, Bruce MacLeod, will present the 2014 Budget to City Council on Wednesday, January 15, 2014 at 1:00 P.M. Finally, the City of Cape May would like to announce a ceremony which will take place at the Sea Isle City Elementary School, December 18, 2013 at 12:30 P.M. conducted by FEMA, acknowledging the New Jersey Communities who helped reduce their flood risk through the community rating system. The municipalities of Avalon, Cape May, Cape May Point, Longport, Margate, Ocean City, Sea Isle City and Upper Township moved up to a level 5 or 6 which will allow a 25% discount on their flood insurance premiums next year.

SECOND READING AND PUBLIC HEARING

WSMMC – 2014 Budget Hearing

Joanne Klineberger, Chairwoman, WSMMC, presents the BID Budget for 2014. Ms. Klineberger thanks Mayor and Council for their cooperation on the BID. Ms. Klineberger reports on how well the trolley is working to lighten parking problems and accommodate beachgoers. Finally, Ms. Klineberger thanks the City and the Police Department on behalf of the BID Committee, for all of their cooperation during the summer. Ms. Klineberger and the Committee are looking forward to another wonderful year.

Mayor and Council thanks the WSMMC for all their work and wishes them a Merry Christmas and a Happy New Year.

270-12-2013 – Resolution Adopting the Washington Street Mall Management Co., Inc. Business Improvement District 2014 Annual Budget

Motion: Murray
Second: Wichterman
Roll Call:
Fiocca: Yes
Murray: Yes
Swain: Yes
Wichterman: Yes
Mahaney: Yes

ORDINANCES FOR SECOND READING AND ADOPTION:

272-2013 – Ordinance of the City of Cape May Amending Chapter 7 to Authorize the Issuance of On-Street Parking Permits

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.

Harriet Sosson, 17 Jackson Street, Cape May, supports the amendment of the On-Street Parking Ordinance.

Motion: Wichterman
Second: Murray
Roll Call:
Fiocca: Yes
Murray: Yes
Swain: Yes
Wichterman: Yes
Mahaney: Yes

RESOLUTIONS:

259-12-2013 – Resolution Approving Amusement Games License – Peter and Adele Tiburzio – 732-736 Beach Avenue, Cape May, NJ

260-12-2013 – Resolution Approving Amusement Games License – Peter and Adele Tiburzio – 406 Beach Avenue, Cape May, NJ

261-12-2013 – Resolution Fixing Rate of Interest on Delinquent Taxes and Assessments and Fixing a Six Percent (6%) Penalty on Delinquent Taxes and Municipal Charges – 2013

262-12-2013 – Resolution Authorizing Professional Services Contract with Employee Care for an Employee Assistance Program

263-12-2013 – Resolution Cancelling Outstanding Checks – Clearing Account

264-12-2013 – Resolution Cancelling Outstanding Checks – Payroll Account

- 265-12-2013 – Resolution Awarding Contract – FY 2013 Utility and Road Program-Beach Ave.
- 266-12-2013 – Resolution Awarding Contract – Replacement of Gurney Street Storm Drainage
- 267-12-2013 – Resolution Approving Change Order No. 2–FY 2012 Utility and Road Program–
Phase 1
- 268-12-2013 – Resolution Transferring Appropriations – 2013 Budget
- 269-12-2013 – Payment of Bills “A”
- 269-12-2013 – Payment of Bills “B” **(Removed from Consent)**
- 270-12-2013 – Resolution Adopting the Washington Street Mall Management Co., Inc. Business
Improvement District 2014 Annual Budget **(Removed from Consent)**
- 271-12-2013 – Resolution Cancelling Unexpended Balances of Appropriations in the Water-
Sewer Utility Operating Fund
- 272-12-2013 – 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-
Personnel - Police Department; Boards and Commissions and Professionals
- 273-12-2013 – Resolution Indemnifying City Official in Civil Litigation

Motion: Murray
 Second: Wichterman
 Roll Call:
 Fiocca: Yes
 Murray: Yes
 Swain: Yes
 Wichterman: Yes
 Mahaney: Yes

- 269-12-2013 – Payment of Bills “B” (Removed from Consent)

Motion: Mahaney
 Second: Murray
 Roll Call:
 Fiocca: Yes
 Murray: Yes
 Swain: Abstain
 Wichterman: Yes
 Mahaney: Yes

CORRESPONDENCE

Letter from Kristine Gabor
 Card from Chamber of Commerce

MINUTES:

City Council Worksession/Regular Meeting Minutes dated November 4, 2013
 City Council Regular Meeting Minutes dated November 18, 2013
 City Council Closed Session Meeting Minutes dated November 18, 2013

Motion: Wichterman
Second: Fiocca
Roll Call:
Fiocca: Yes
Murray: Yes
Swain: Yes
Wichterman: Yes
Mahaney: Yes

REPORTS RECEIVED BY THE CLERK:

Shade Tree Commission Meeting Minutes dated November 14, 2013
Cape May City Police Department Monthly Report Nov. 1, 2013 through Nov. 30, 2013
Assessor's Office Monthly Report dated December 5, 2013
City of Cape May Overtime Report dated November 27, 2013
City of Cape May Tax Lien Sale Report December 2013

Motion: Mahaney
Second: Murray
Roll Call:
Fiocca: Yes
Murray: Yes
Swain: Yes
Wichterman: Yes
Mahaney: Yes

NEW BUSINESS:

B) City Manager – The City Manager reports on a progress meeting he attended regarding the Canning House Lane standpipe. Mr. MacLeod advises that the standpipe sand blasting is completed and the first coat of paint has been applied to the exterior. The intermediate coat of paint will be completed this week. Between January 6 and January 10, 2014, the assembly of the corral, mounted on the top of the standpipe, which will hold the wireless antenna will be completed, advises Mr. MacLeod. The finish coat of paint is scheduled to be applied by January 13, 2014, and Mr. MacLeod reports that the demobilization and removal of the scaffold will be completed January 20, 2014.

C) City Clerk – Ms. Cumiskey announces that the Reorganization Meeting of the City of Cape May will be held on New Year's Day, Wednesday, January 1, 2014 at 12:00 P.M. The first City Council Worksession Meeting of 2014 will be held on Tuesday, January 7, 2014 at 1:00 P.M. and the City Manager will present his budget to City Council at a public meeting on Wednesday, January 15, 2014 at 1:00 P.M. Finally, Ms. Cumiskey reports that the first Regular City Council meeting will be held on Tuesday, January 21, 2014 at 7:00 P.M.

D) Councilmembers – Councilmember Fiocca wishes everyone at "Happy and Safe Holiday".

Deputy Mayor Murray announces that West Cape May will be honoring Patrolman Scott Krissinger at their next Council meeting and wishes everyone a "Merry Christmas and Happy New Year".

Councilmember Wichterman asks City Manager, Bruce MacLeod, when the debris will be removed from Vance's property.

Mr. MacLeod advises that the report from the State was received this date, and a few sample levels were positive. JCP&L reviewed the report and advised that the positive levels were a non-factor allowing the City to obtain estimates from a recycling, concrete and asphalt contractor for proper disposal of the material.

Councilmember Swain thanks the public for all their support throughout the year and wishes everyone a "Happy Holiday."

E) Mayor – Mayor Mahaney reports that the League of Municipalities selected an initiative project this year to encourage literacy at the youngest age possible (1st grade) to bolster the reading program. Mayor Mahaney advises that Cape May City was chosen to represent Cape May County in this program. Finally, the Mayor thanks Ms. Fiocca, General Manager of Lucky Bones and the Craig family for providing Hot Chocolate, the Fudge Kitchen for providing fudge and candy and Cape May Bakers for providing 70 pounds of cookies to the free Christmas Festivities at Convention Hall. Mayor Mahaney wishes everyone a Merry Christmas and a Happy New Year.

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 Fleming, 1484 Washington Street, Cape May, asks why the Fire Department has a bar in their building and asks if drinking can take place in a public building. Mr. Fleming feels that it is not appropriate to have a bar in the Fire House.

Mr. MacLeod advises Mr. Fleming that the Volunteer Fire Company houses the building and reports that a draft resolution is being reviewed with the Fire Chief regarding the matter.

Deputy Mayor Murray comments that there is not a "drinking bar" in the building and Mr. Murray advises that he meets at the Fire House once a month and has never seen anyone drinking.

Mr. Fleming asks of the amount of the outstanding water bill owed to the City by the Borough of West Cape May and if the Borough has made any attempt to pay same. Mr. Fleming would also like to know if the residents of the City of Cape May will be responsible for the debt if the Borough does not pay.

Mr. MacLeod advises that the Borough of West Cape May claims that Cape May City owes them money and to date, there has been no payment made by the Borough to the City. The outstanding amount owed by the Borough is \$65,000.00.

Mr. Fleming thanks Mayor and Council for all their efforts.

CLOSED SESSION

Motion made by Mayor Mahaney, seconded by Councilmember Wichterman to go into closed session at approximately 7:55 P.M.


Motion made by Councilmember Wichterman to go back into open session.

ADJOURNMENT

Motion made by Councilmember Swain to adjourn. The meeting adjourned at 8:45 P.M.



Edward J. Mahaney, Jr., Mayor



William H. Murray, Deputy Mayor



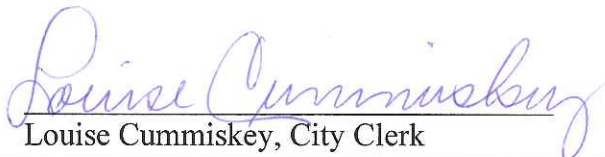
Deanna Fiocca, Councilmember



Terri L. Swain, Councilmember



Jack Wichterman, Councilmember



Louise Cumiskey, City Clerk