

**WORKSESSION/REGULAR MEETING
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ
Tuesday, August 3, 2010 – 1pm**

The regular/worksession meeting of City Council of the City of Cape May was called to order by Mayor Mahaney 1:00pm Tuesday, August 3, 2010, 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.
Councilmember William H. Murray
Councilmember Terri L. Swain
Deputy Mayor Jack Wichterman
City Attorney Anthony Monzo
City Manager Bruce MacLeod
City Clerk Diane Weldon
Deputy Clerk Louise Cummiskey

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.

WORK SESSION DISCUSSION ITEMS:

ENGINEER REPORT

Jim Mott, City Engineer, provides a report of the ongoing City projects as follows:

DCA Handicap Beach Access – Phase I project was accepted by Council at the last meeting and the final payment was made. The project came in \$10,000.00 under budget. Phase II is approximately half done and should be completed within the next two weeks.

2009 Road Improvements project is on hold until after the summer season.

USDA Sanitary Sewer Improvements project is on hold until after the summer season.

Elmira Street Widening project. City Manager Bruce MacLeod advises that a meeting was held with the owner and he and City Solicitor Monzo are working on a proposal. Other than that, advises Mr. Mott, we are awaiting approval from the County.

2010 Capital Improvement Program is presently out to bid and the City will receive bids on Thursday September 2, 2010 at 10:00 A.M.

The Cape May Avenue Phase II project is awaiting acceptance from the State of our grant application.

Cape May City Hall Restoration project. Mr. MacLeod and Mr. Mott met with a restoration specialist and it was determined that the cost of the work is greater than anticipated and beyond the means currently available. Mr. MacLeod advises that he submitted a letter of intent to apply for a grant through the National Historic Trust and the grant application due date is September 16, 2010. He is hoping to fund fifty percent of the cost through a grant.

CITY MANAGER ITEMS

Mr. MacLeod advises that we are reviewing some of the City's Ordinances to determine whether they need to be modified.

ATTORNEY ITEMS

CLERK'S ANNOUNCEMENTS

The Clerk announces that there will be a Special Election on Wednesday, September 8, 2010 and the District 5 polling location had to be changed and will now be at the Luthern Church, 509 Pittsburgh Avenue, Cape May.

REGULAR MEETING BUSINESS:

RESOLUTIONS: Council will accept questions from the public on resolutions:

- | | |
|-------------|--|
| 170-08-2010 | Release of maintenance guarantee for 1860-1861 Beach Avenue |
| 171-08-2010 | Resolution authorizing a special municipal election and authorizing an emergency appropriation to cover the cost thereof |
| 172-08-2010 | Resolution authorizing purchase of one (1) new 2011 Ford Escape 4DR, 4WD for use by Construction office under state contract no. A73845 (\$19,882.00) |
| 173-08-2010 | Resolution of the City Council of the City of Cape May approving the revisions to the New Jersey Alcoholic Beverage Commission retail liquor license application for Carney's Inc. – Change in corporate structure |
| 174-08-2010 | Green Acres enabling resolution |
| 175-08-2010 | Resolution to approve settlement agreement and mutual general release – Remington, Vernick & Walberg, Engineers |
| 176-08-2010 | Resolution fixing the date of delinquency for taxes due for the third quarter 2010 |
| 177-08-2010 | Resolution authorizing purchase of one (1) new 2011 Chevrolet Tahoe SUV 4X4 for use by the police department under state contract no. A73848 (\$28,330.00) |
| 178-08-2010 | Resolution authorizing an award of contract for electric generation supply services (Bid A-28), for the South Jersey Power Cooperative |
| 179-08-2010 | Resolution certifying the 2009 City of Cape May annual audit |
| 180-08-2010 | Resolution of the City of Cape May approving the Corrective Action Plan for the year 2009 |

181-08-2010	Payment of bills
182-08-2010	Resolution of the City of Cape May approving an agreement between the City of Cape May and Triad Associates
183-08-2010	Resolution of the City of Cape May establishing a Convention Hall Project Team Committee
184-08-2010	Resolution approving an agreement between the City of Cape May and Hunter Roberts Construction Group, LLC

Motion: Wichterman
Second: Swain

Mr. Murray advises he is not prepared to vote on Resolution 184-08-2010 because he has not had time to fully review the Contract and asks that it be removed from the Consent Resolution.

Mr. MacLeod would like to try to resolve this because of the limited time the Convention Hall Project Team has to make decisions regarding the new Convention Hall.

Deputy Mayor Wichterman moves to take Resolution 184 off the Consent vote and Councilmember Murray seconds the Motion.

Mr. Monzo advises that he received the proposal and prepared the contract in question. He suggests that council recess for fifteen minutes to review the Contract.

Mayor Mahaney suggests that we finish the existing business and then take a fifteen minute recess to review the Contract.

The Motion on the floor is to approve all Resolutions from 170-08-2010 to 183-08-2010.

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

MINUTES:

Closed Executive Session Meeting Minutes dated July 6, 2010
Regular/Worksession Meeting Minutes dated July 6, 2010
Special Meeting Minutes dated July 9, 2010
Regular Meeting Minutes dated July 20, 2010
Closed Executive Session Meeting Minutes dated July 20, 2010

Motion: Wichterman
Second: Swain
Roll Call:

Fiocca	Yes
Murray	Yes
Swain	Yes
Wichterman	Yes
Mahaney	Yes

LICENSES:

Merchandise Raffle, Animal Outreach of Cape May County, drawing to be held during the Mutt Strut, 722 Beach Ave., September 18, 2010 @ Noon

Motion: Swain

Second: Wichterman

Roll Call:

Fiocca	Yes
Murray	Yes
Swain	Yes
Wichterman	Yes
Mahaney	Yes

REPORTS RECEIVED BY THE CLERK:

Zoning Board meeting minutes dated June 24, 2010

2% Occupancy tax budget projection dated July 20, 2010

Bond anticipation note quotes

Motion: Mahaney

Second: Swain

Roll Call:

Fiocca	Yes
Murray	Yes
Swain	Yes
Wichterman	Yes
Mahaney	Yes

Bob Biehn, 315 Franklin Street, Cape May advises that at last meeting he urged council not to rush into any decisions regarding Convention Hall. He questions whether or not council should vote on Resolution 184-08-2010.

UNFINISHED BUSINESS:

There is a fifteen minute recess to review the Hunter Roberts' Contract.

City council worksession meeting is back in session at 2:00 P.M.

Mr. Murray asks for a minor change on page two of the Hunter Roberts' Contract.

Resolution 184-08-2010

Motion: Wichterman

Second: Swain

Jim Moffit, 806 Sewell Avenue, Cape May asks if the contract was put out to bid and asks if the amount bid was for the full construction phase or just through the award phase. Mayor Mahaney responds that the contract is through the construction phase and that based upon special circumstances, it was not required to go out to bid.

Roll Call:

Fiocca Yes

Murray Yes

Swain Yes

Wichterman Yes

Mahaney Yes

NEW BUSINESS:

A) City Attorney - None

B) City Manager – Mr. MacLeod advises that the first convention hall meeting will begin tomorrow at 9:30 A.M. in the auditorium. Mr. Murray wants someone to take notes and place on the website.

C) City Clerk - None

D) Councilmembers – Councilmember Fiocca asks if we will be receiving a status report from Temple. Mayor Mahaney advises we will, probably at the end of this month, after the review of the survey data. Ms. Fiocca advises that there is a vacancy on the tourism commission and if anyone is interested, to please contact her or any other member. Finally, she advises that there are some gas lamps out on Lyle Lane.

Councilmember Murray commends City Manager MacLeod on the ADA compliant access sections on the beach.

Deputy Mayor Wichterman asks Mr. MacLeod to post hours and months of operation on the parking meters.

Mayor Mahaney reminds everyone that tonight is national night out at the Elementary School from 6:00 to 9:00 P.M.

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.

Bill Causey, President of the Greater Cape May Chamber of Commerce is here today to ask for some direction regarding parking meters and lack of signage. The Chamber is concerned about the number of complaints being fielded this year and would like to help make the tourist experience more favorable. Mayor Mahaney advises Mr. Causey to contact Mr. MacLeod regarding his concerns.

Mr. Murray comments about a parking committee which he sat on for two years and advises that he has some recommendations based upon the meetings he attended.

Richard Orth, 122 Sunset, Cape May Bait and Tackle wants to sell bait and tackle on Beach Avenue from his truck and distributes his proposal to Mayor and Council. Mayor Mahaney thanks him and asks councilmembers to review Mr. Orth's proposal and get back to Mr. MacLeod with their feedback.

Roy Steinberg, Cape May Stage requests that the concerts at Rotary Park begin at 7:00 P.M. instead of 8:00 P.M. as there is oftentimes a conflict with the bands performing at Cape May Stage.

Mayor Mahaney asks that Councilmembers consider the request and offer their thoughts to Mr. MacLeod. Mr. Wichterman comments that he performs at Rotary Park and at 8:00 P.M. the park is about one-third full. However, at 9:00 P.M. the park is full so he questions what will happen to attendance if the concerts begin at 7:00 P.M. He does not think it is a good idea.

Arnold Pitman, 251 Grant Street, Cape May talks about the safety of pedestrians crossing the street at Colliers Liquor Store and at Swains Hardware Store. He asks if we can contact the County and have crosswalks painted at those intersections.

Bob Biehn, 315 Franklin Street, Cape May thanks Council for the successful on street parking program. He comments on the parking meters and the need to post times of operation.

COUNCIL & CITY MANAGER COMMENTS

Motion made by Councilmember Swain, seconded by Councilmember Murray to adjourn. Meeting adjourned at approximately 2:30 P.M.

Edward J. Mahaney, Jr., Mayor

Jack Wichterman, Deputy Mayor

Deanna Fiocca, Councilmember

Terri L. Swain, Councilmember

William H. Murray, Councilmember

Diane L. Weldon, City Clerk