

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 363-2018

AN ORDINANCE AMENDING CHAPTER 7, SECTION 7-13 OF THE CAPE MAY CITY CODE REGARDING “NO PARKING ZONES”

WHEREAS, Chapter 7, Section 13 of the Cape May City Code prohibits parking on certain streets and portions of streets in the City of Cape May; and

WHEREAS, the Cape May City Council, having considered the matter, has determined that the public health, safety and welfare will be best served by prohibiting parking on Capehart Lane in the City of Cape May; and

WHEREAS, the City Engineer has reviewed the parking situation on Capehart Lane and concurs that a parking prohibition is in the best interest of the City, and further has determined that the prohibition, and the signs erected pursuant thereto, are consistent with the standards of the manual on Uniform Traffic Control Devices for Streets and Highways.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cape May, County of Cape May, State of New Jersey, as follows:

1. Section 7-13 of the Cape May City Code (the “City Code”) entitled “Parking Prohibited at All Times on Certain Streets” is hereby amended to add the following:

NAME OF STREET	SIDES	LOCATION
Capehart Lane	Both	From Claghorne Place to street end

2. All ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

4. This Ordinance shall take effect within twenty (20) days after final passage and publication as provided by law.

ATTEST:

CITY OF CAPE MAY, a municipal corporation of
the State of New Jersey

Patricia Harbora, City Clerk

BY: _____
Clarence F. Lear III, Mayor

NOTICE

Ordinance 363-2018 was introduced at a regular meeting of the City Council of the City of Cape May, held on October 16, 2018 and will be further considered for final passage during a meeting of the City Council, to be held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on November 7, 2018 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

cc: Police Department
Public Works Department

Introduced:	October 16, 2018
First Publication:	October 24, 2018
2nd Reading & Adoption:	November 7, 2018
Final Publication:	November 14, 2018

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 227-10-2018

**RESOLUTION AWARDING A CONTRACT FOR PROFESSIONAL SERVICES
IN CONNECTION WITH ARCHITECTURAL DESIGN SERVICES FOR THE
CONVENTION HALL ANNEX BUILDINGS**

MOTION:

SECOND:

WHEREAS, the City of Cape May has received a Streetscape Grant Award from the New Jersey Economic Development Authority; and

WHEREAS, one of the projects contemplated under that grant is renovation of the City-owned Convention Hall Annex Buildings on the Cape May Promenade; and

WHEREAS, as an initial step in that process, the City wishes to retain the professional services of an architectural firm to provide comprehensive design services in conjunction with the renovation projects; and

WHEREAS, the firm of **William McLees Architecture**, of Somers Point, NJ, has submitted a proposal, dated September 19, 2018, to perform those services for a total cost of \$18,750, which amount shall be paid under the City's EDA Streetscape grant; and

WHEREAS, a copy of that proposal is attached to this Resolution and is incorporated herein; and

WHEREAS, having reviewed that proposal, the Cape May City Council deems it in the best interest of the City to accept the William McLees proposal and to award a contract for those architectural services to William McLees Architecture in accordance with the terms contained in its September 19, 2018, proposal letter.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cape May, County of Cape May, State of New Jersey, that:

1. The Recital paragraphs are incorporated as if fully set forth.
2. The Cape May City Council hereby authorizes the award of a contract to perform professional architectural design services in connection with the renovation of the Cape May Convention Hall Annex Buildings, in the contract amount of \$18,750, in full conformance with its proposal letter dated September 19, 2018.
3. The appropriate City officials are hereby authorized to execute all documents required to consummate this contract award.
4. The City Chief Financial Officer has certified the availability of adequate funds to pay this contract.

5. This contract is awarded as a professional services contract, without public bidding, pursuant to N.J.S.A. 40A:11-5(1)(a)(i), and pursuant to the "Non-Fair and Open Process," N.J.S.A. 19:44A-20.4 *et seq.*

6. This Resolution shall take effect immediately upon passage, according to law.

I, Patricia Harbora, City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on October 16, 2018.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

cc: William McLees, Architecture
CFO

TREASURER'S CERTIFICATION

The undersigned, Treasurer of the City of Cape May, does hereby certify to the Mayor and Council that sufficient funds are appropriated in the General Capital Fund. To satisfy any and all obligations resulting from the award of the referenced contract and further, that all expenses on account of the aforesaid contract shall be charged to C-04-55-916-203 and shall be encumbered on same.

Neil Young, City Manager/CFO/Treasurer

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 228-10-2018

**RESOLUTION AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT
WITH THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

MOTION:

SECOND:

WHEREAS, the state Department of Environmental Protection has cited the City of Cape May for an inadvertent failure to submit a Discharge Monitoring Report required by the state in conjunction with the City's permitted operation of its Desalinization Plant; and

WHEREAS, that failure, even though inadvertent and not the result of any negligence or improper conduct by the City, nevertheless could subject the City to civil administrative penalties in amounts as high as \$40,000; and

WHEREAS, the City and the state DEP have conferred regarding the nature and cause of the failure to report, and the DEP, pursuant to its regulatory authority, has offered to compromise its claim for a maximum civil penalty and to accept a \$3,000 payment in full satisfaction of the penalty for the inadvertent violation; and

WHEREAS, the cost of contesting the imposition of the civil penalty would far exceed the settlement amount agreed to by the DEP; and

WHEREAS, the Cape May City Council, having considered the matter, believes it in the City's best interest to accept the DEP's settlement proposal and to execute the Settlement Agreement proffered by the DEP.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cape May, County of Cape May, State of New Jersey, that:

1. The Recital paragraphs are incorporated as if fully set forth.
2. The City Council hereby approves the settlement offer of the DEP and authorizes the payment of \$3,000 as a compromise civil penalty for the inadvertent failure to report violation in connection with the operation of the Desalinization Plant.
3. The Mayor or the City Manager is hereby authorized to execute the attached settlement agreement, which the City Clerk shall then forward to the DEP together with the payment of the settlement amount and a certified copy of this Resolution.
4. This Resolution shall take effect immediately upon passage, according to law.

I, Patricia Harbora, City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on October 16, 2018.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

cc: DEP (certified)
CFO
Water/Sewer Department

CITY OF CAPE MAY

RESOLUTION NO. 229-10-2018

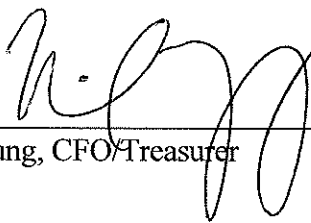
RESOLUTION FOR THE PAYMENT OF BILLS

MOTION:

SECOND:

BE IT RESOLVED by the City Council of the City of Cape May, that the following bills, approved for payment by the City Manager, be paid and that the Chief Financial Officer/Treasurer of the City of Cape May, is hereby authorized to draw orders for the amounts of same, as shown on bill list dated October 12, 2018 for the amount of: \$1,048,906.12

Current Fund Appropriations	\$ 937,993.08
Water/Sewer Utility Operating Fund	\$ 56,631.28
Tourism Utility Fund	\$ 6,038.64
General Capital Improvements	\$ 35,291.41
Water/Sewer Capital Improvements	\$ -
Escrow Special Account	\$ -
Trust Fund	\$ 5,434.70
Grant Fund	\$ -
Beach Utility Fund Appropriations	\$ 7,517.01
Beach Utility Capital Improvements	\$ -
	<u>\$ 1,048,906.12</u>



Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

I hereby certify the foregoing to be an original resolution adopted by the City Council of the City of Cape May at a meeting held on October 16, 2018.

Patricia Harbora, City Clerk