

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

ORDINANCE NO. 366-2019

**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
37 JACKSON STREET, OCCUPIED BY JEANNE A. SEETOO**

MOTION:

SECOND:

WHEREAS, Section 7-37.5 the Revised General Ordinances of the City of Cape May currently permits handicapped parking by specific individuals at certain designated parking spaces within the City of Cape May; and

WHEREAS, N.J.S.A. 39:4-197.6, *et seq.* allows a municipality to issue a permit to a handicapped property owner, allowing for restricted parking for one motor vehicle at a space designated for the sole benefit of such property owner at or adjacent to the property owner's residence; and

WHEREAS, N.J.S.A. 39:4-197.6, *et seq.* further requires that such designations be rescinded or removed when the handicapped person no longer resides at the property; and

WHEREAS, **JEANNE A. SEETOO**, the occupant of 37 Jackson Street, has requested that the City Council designate a handicapped parking space in front of the residence; and

WHEREAS, Seetoo has presented proof that she is a handicapped person, within the meaning of the statute, entitled to a designated, restricted parking space under its terms; and

WHEREAS, the Chief of Police has reviewed Seetoo's application and has determined that the requested location does not conflict with any traffic patterns or pedestrian walkways and therefore designation as a restricted space would not interfere with the normal flow of traffic; and

WHEREAS, the City Council desires to amend the Revised General Ordinances of the City of Cape May to permit handicapped parking at all times at a designated parking space located at or near 37 Jackson Street in accordance with the terms and conditions set forth herein.

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

1. Section 7-37.5 of the Revised General Ordinances of the City of Cape May is amended by adding the following designated handicapped parking space:

<u>NAME OF STREET</u>	<u>SIDES</u>	<u>LOCATION</u>	<u>NAME OF PERSON</u>
Jackson Street Meter Space #5	West	168.8 feet south of the corner of Carpenters Lane and Jackson Street directly in front of 34 Jackson Street	Jeanne A. Seetoo

Such spaces are for use only by the person so designated provided such persons have been issued a special vehicle identification card or plates or placards by the New Jersey Division of Motor Vehicles, or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces. In addition, such designated persons shall provide the City Clerk and Chief of Police a copy of the vehicle registration of the vehicle to be parked at the designated location and no other vehicle shall be permitted to park in the designated space. Each designated person shall also notify the City Clerk and Chief of Police of any change in the vehicle and shall provide a copy of the vehicle registration for any replacement vehicle. The designated person shall only be permitted to register one vehicle with the City for such purpose. Such designated parking place shall terminate automatically and without further ordinance either (i) upon the death of the designated person or (ii) at such time that the designated person no longer resides at the property adjacent to the designated location.

2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or 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 provisions of this Ordinance are hereby declared to be severable.

4. This Ordinance shall take effect within twenty (20) days of 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 366-2019 was introduced at a regular meeting of the City Council of the City of Cape May, held on January 15, 2019 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 February 19, 2019 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Mullock				
Meier				
Hendricks				
Sheehan				
Lear				

Introduction: January 15, 2019
First Publication: January 23, 2019
Second Reading & Adoption: February 19, 2019
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CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 367-2019

**AN ORDINANCE OF THE CITY OF CAPE MAY AMENDING A PORTION OF THE
CAPE MAY HISTORIC PRESERVATION ORDINANCE**

MOTION:

SECOND:

WHEREAS, Section 525-35 of the Revised General Ordinances of the City of Cape May establishes an Historic Preservation Commission, as authorized by N.J.S. A. 40:55D-107 et seq.; and

WHEREAS, Subsection 525-35(B)(4) establishes the position of “Council Liaison” to the HPC, and requires the Cape May City Council to designate one of its members as liaison to the HPC; and

WHEREAS, the subsection as it currently exists does not define the functions of the Council Liaison position; and

WHEREAS, the Cape May City Council believes it appropriate to amend Subsection 525-35(B)(4) to better define and clarify the duties of the Council Liaison to the Historic Preservation Commission.

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:

Section 1. Section 525-35(B)(4) of the Cape May Municipal Code is amended as follows (additions are underlined; deletions are [bracketed]):

Council Liaison. The City of Cape May Municipal Council shall designate a member to act as a liaison between the Historic Preservation Commission and the Council. The Council Liaison shall perform the following functions:

- a. The Council Liaison shall serve as the Council’s contact with the HPC.
- b. The Council Liaison shall facilitate the exchange of information between the HPC and the City Council.
- c. The Council Liaison shall foster a productive relationship among the HPC, the City Council, and the community.
- d. The Council Liaison shall not function as a member of the HPC.

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

Section 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 provisions of this Ordinance are hereby declared to be severable.

Section 4. Upon introduction and before final passage and adoption, this Ordinance shall be referred to the Cape May Planning Board for a consistency review pursuant to N.J.S.A. 40:55D-26.

Section 5. This Ordinance shall take effect within twenty (20) days of 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 367-2019 was introduced at a regular meeting of the City Council of the City of Cape May, held on January 15, 2019 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 February 19, 2019 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Mullock				
Meier				
Hendricks				
Sheehan				
Lear				

Introduction: January 15, 2019
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RESOLUTION NO. 02-11-2019: 1

FINDINGS OF FACT AND CONCLUSIONS OF LAW OF THE

CITY OF CAPE MAY PLANNING BOARD

WHEREAS, the City of Cape May City Council is contemplating an Ordinance No. 367-2019 captioned "An Ordinance of the City of Cape May Amending a Portion of the Cape May Historic Preservation Ordinance" (attached as Exhibit A)

WHEREAS, said Ordinance has been referred to the Planning Board for issuance of a report pursuant to N.J.S.A. 40:55d-64 and N.J.S.A. 40:55d-26A, and the Planning Board having reviewed said Ordinance and considered the matter in relation to the Zoning Ordinance and Master Plan,

NOW THEREFORE, it is hereby determined by the Planning Board of the City of Cape May, County of Cape May, in the State of New Jersey as follows:

SECTION ONE

1. The Planning Board has reviewed the above referenced Ordinance No. 367-2109 and has determined as a matter of fact that the Ordinance is not inconsistent with the Master Plan.
2. The Clerk of the Planning Board may report to the City Council, in the form of this Resolution, that the matter has in fact been reviewed by the Planning Board and no recommended changes are submitted for consideration.

MOVED BY: Mr. Shuler

SECONDED BY: Mr. Inderwies

THOSE IN FAVOR: Mr. Macciocchi, Deputy Mayor Hendricks, Mr. Inderwies, Mr. Jones, Dr. Maslow, Dr. Wolf, Mr. Shuler, Mr. Bezaire

THOSE OPPOSED: None

THOSE ABSTAINING: None

The foregoing is a true copy of a Resolution adopted by the Cape May City Planning Board at its regular monthly meeting on February 11, 2019 as indicated in the copies of the Minutes of said meeting.


Tricia Oliver, Board Assistant

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

ORDINANCE NO. 368-2019

**AN ORDINANCE OF THE CITY OF CAPE MAY ESTABLISHING
THE POSITION OF COUNCIL LIAISON FOR
THE SHADE TREE AND THE ENVIRONMENTAL COMMISSIONS**

MOTION:

SECOND:

WHEREAS, Chapter 10, Article XXXII of the Revised General Ordinances of the City of Cape May establishes a Shade Tree Commission, as authorized by N.J.S.A. 40:64-1 et seq.; and

WHEREAS, Chapter 10, Article XXXIII of the Revised General Ordinances of the City of Cape May establishes an Environmental Commission, as authorized by N.J.S.A. 40:56A-1 et seq.; and

WHEREAS, the Cape May City Council desires to appoint one of its members as a Council Liaison to each of those Commissions; and

WHEREAS, the City Council accordingly wishes to create a Council Liaison position for both the Shade Tree Commission and the Environmental Commission and to define the duties and responsibilities of said Council Liaisons,

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:

Section 1. Section 10-106.1 is hereby added to the Cape May Municipal Code as follows (additions are underlined):

§ 10-106.1 Council Liaison.

The City of Cape May Municipal Council shall designate a member to act as a liaison between the Shade Tree Commission and the Council. The Council Liaison shall perform the following functions:

A. The Council Liaison shall serve as the Council's contact with the Shade Tree Commission.

B. The Council Liaison shall facilitate the exchange of information between the Shade Tree Commission and the City Council.

C. The Council Liaison shall foster a productive relationship among the Shade Tree Commission, the City Council, and the community.

D. The Council Liaison shall not function as a member of the Shade Tree Commission.

Section 2. Section 10-116.2 is hereby added to the Cape May Municipal Code as follows (additions are underlined):

§ 10-116.2 Council Liaison.

The City of Cape May Municipal Council shall designate a member to act as a liaison between the Environmental Commission and the Council. The Council Liaison shall perform the following functions:

A. The Council Liaison shall serve as the Council's contact with the Environmental Commission.

B. The Council Liaison shall facilitate the exchange of information between the Environmental Commission and the City Council.

C. The Council Liaison shall foster a productive relationship among the Environmental Commission, the City Council, and the community.

D. The Council Liaison shall not function as a member of the Environmental Commission.

Section 3. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 4. 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 provisions of this Ordinance are hereby declared to be severable.

Section 5. This Ordinance shall take effect within twenty (20) days of final passage and publication, as provided by law.

ATTEST:

Patricia Harbora, City Clerk

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

BY: _____
Clarence F. Lear III, Mayor

NOTICE

Ordinance 368-2019 was introduced at a regular meeting of the City Council of the City of Cape May, held on January 15, 2019 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 February 19, 2019 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Mullock				
Meier				
Hendricks				
Sheehan				
Lear				

Introduction: January 15, 2019
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Effective Date: March 19, 2019

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

ORDINANCE NO. 369-2019

**AN ORDINANCE OF THE CITY OF CAPE MAY
AMENDING SECTION 10-69 OF THE CAPE MAY CITY CODE,
GOVERNING THE APPOINTMENT OF DEPUTY EMERGENCY MANAGEMENT
COORDINATORS**

MOTION:

SECOND:

WHEREAS, Section 10-69 of the Revised General Ordinances of the City of Cape May currently provides for the appointment of a single Deputy Emergency Management Coordinator; and

WHEREAS, the Cape May City Council believes it desirable, and in the best interest of the City and its residents to provide for the appointment of up to three Deputy Management Coordinators, and to provide for their qualifications,

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:

Section 1. Section 10-69 of the Cape May Municipal Code is amended as follows (additions are underlined; deletions are [bracketed]):

§ 10-69. Deputy Emergency Management Coordinators.

The Emergency Management Coordinator shall appoint three[a] Deputy Emergency Management Coordinators, each of whom will be approved by [with the approval of] the Mayor. Two of the deputy coordinators shall be employees of the Police Department and the Fire Department with the rank of lieutenant or higher. The third deputy coordinator will be an employee of the Public Works Department who holds a supervisory position. The deputies shall assist the Emergency Management Coordinator as needed. In the absence of the Emergency Management Coordinator, the deputy from the Police Department shall fulfill that role.[Whenever possible, such Deputy shall be appointed from among the salaried officers or employees of the City.]

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

Section 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 provisions of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall take effect within twenty (20) days of 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 369-2019 was introduced at a regular meeting of the City Council of the City of Cape May, held on January 15, 2019 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 February 19, 2019 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Mullock				
Meier				
Hendricks				
Sheehan				
Lear				

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

ORDINANCE NO. 370- 2019

**AN ORDINANCE DESIGNATING ONE-WAY TRAFFIC
AND RESTRICTED PARKING
ON PORTIONS OF BANK STREET AND VENICE AVENUE**

WHEREAS, Chapter 7 of the Cape May Municipal Code regulates traffic and parking in the City; and

WHEREAS, Section 7-24 of the Cape May Municipal Code designates one-way streets in the City; and

WHEREAS, both the 2009 Master Plan Re-Examination Report, and the November 9, 2018, report of Mott Macdonald Engineers, have concluded that traffic circulation and safety in the City will be enhanced if portions of Bank Street and Venice Avenue be designated as one-way streets; and

WHEREAS, having reviewed both the Master Plan Re-Examination, and the Mott Macdonald report, City Council believes it to be in the best interest of the City and its residents to accept those conclusions and to designate portions of Bank Street and Venice Avenue as one-way streets and to limit parking on those streets.

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

SECTION 1. Section 7-24 of the Cape May Municipal Code is hereby amended to add the following:

STREET	DIRECTION	LIMITS	PARKING PERMITTED
Bank Street	North	Lafayette Street To Broad Street	Left (mobile app only)
Bank Street	North	502 Bank Street (rear driveway) To Venice Avenue	Left (mobile app only)
Venice Avenue East		Bank Street To Elmira	Left (mobile app only)

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

SECTION 3. Should any section, paragraph, sentence, clause or phase 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 provisions of this Ordinance are hereby declared to be severable.

SECTION 4. This Ordinance shall become effective 20 days after final passage and publication, according to 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 370-2019 was introduced at a regular meeting of the City Council of the City of Cape May, held on January 15, 2019 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 February 19, 2019 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

Introduction: January 15, 2019
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 Effective Date: March 19, 2019

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

ORDINANCE NO. 371-2019

**AN ORDINANCE OF THE CITY OF CAPE MAY
AMENDING CHAPTER 38 OF THE CAPE MAY CITY CODE,
GOVERNING PROVISION OF EMERGENCY MEDICAL SERVICES**

MOTION:

SECOND:

WHEREAS, Chapter 38 of the Revised General Ordinances of the City of Cape May provides for the provision of emergency medical services by the City to citizens, residents and visitors; and

WHEREAS, Section 38-5 of the Code establishes the billing procedure and amount of billing for the provision of emergency medical services, and

WHEREAS, Section 38-5 of the Code was last amended in 2010, and since that time the cost of providing emergency services has risen; and

WHEREAS, since 2010 other Cape May County municipalities have raised the billing amount for emergency medical services to account for these increase costs; and

WHEREAS, in order to absorb these increased costs and to bring the City's billing into line with other county municipalities, the Cape May City Council believes it appropriate to amend Subsection 38-5 to reflect these developments.

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:

Section 1. Section 38-5 of the Cape May Municipal Code is amended as follows (additions are underlined; deletions are [bracketed]):

§38-5. Billing to insurance companies and/or persons served; amount.

Except as may be arranged pursuant to duly adopted emergency medical service agreements authorized by § 38-7 below, the Tax Collector shall issue a bill in the amount of \$[500]700 plus mileage rate of \$[8.00]10.00 per mile from the point of pick up to the point of destination in each instance where City-EMS services are utilized. The bill shall be issued to the insurance company providing coverage for the person served and [if any, or]directly to the person served. [i]If insurance coverage is not available, the bill shall be issued directly to the person served.

Section 2. Section 38-6 of the Cape May Municipal Code is amended as follows (additions are underlined; deletions are [bracketed]):

§ 38-6. Payment for emergency medical services; amount.

Persons receiving bills for City-EMS services shall be responsible for payment of same in full to the Tax Collector or proof of submission of a claim to the person's insurance carrier for payment within 30 days of the date of the bill, subject to the following:

A. Persons receiving City-EMS services and who have health insurance to cover ambulance and emergency medical services are expected to cooperate with the Tax Collector, other City personnel, or designated agents of the City of Cape May to secure full payment for services provided.

B. In the event health insurance of a taxpayer or year-round resident of the City of Cape May does not fully pay the bill, the City will accept such partial payment to the extent of the insured's policy limits, including deductible and co-insurance requirements, as payment in full.

C. In the event a taxpayer or year-round resident of the City of Cape May does not have health insurance, payment in full shall be required except that upon submission of sufficient proof to the Tax Collector of inability to pay the full \$[500]700 charge, a minimum payment in an amount not less than the current and customary Medicare payment for EMS services may be accepted.

D. Due to time requirements for the preparation and processing of insurance claims, interest shall not be charged on EMS billings.

Section 3. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 4. 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 provisions of this Ordinance are hereby declared to be severable.

Section 5. This Ordinance shall take effect within twenty (20) days of 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 371-2019 was introduced at a regular meeting of the City Council of the City of Cape May, held on January 15, 2019 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 February 19, 2019 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

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Effective Date: March 19, 2019

cc: Fire Department
CFO

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

RESOLUTION NO. 56-02-2019

RESOLUTION AWARDING A CONTRACT FOR PROFESSIONAL ADVERTISING SERVICES, IN CONNECTION WITH THE 2019 SUMMER CONCERT SERIES, TO WISER LINK

MOTION:

SECOND:

WHEREAS, the City of Cape May has requested and received proposals for professional advertising services in connection with the City's 2019 Summer Concert Series; and

WHEREAS, the advertising firm of Wisser Link, PO Box 313, Egg Harbor City, NJ 08215 has submitted a proposal to perform those advertising services for a total cost of \$12,500; and

WHEREAS, the scope of those services is described in the attached Exhibit A to this resolution; and

WHEREAS, having reviewed that proposal, the Cape May City Council deems it in the best interest of the City to accept the Wisser Link proposal and to award the contract for advertising services to Wisser Link in accordance with the terms contained in Exhibit A.

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 for professional advertising services in connection with the City's 2019 Summer Concert Series to Wisser Link, in the contract amount of \$12,500 and in full conformity with the terms set forth in Exhibit A.
3. The appropriate city officials are hereby authorized to execute all documents required to consummate this contract award.
4. This contract is awarded as a professional services contract, N.J.S.A. 40A:11-5(1)(a)(i).
5. 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 February 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

cc: Wiser Link

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 The TOURISM UTILITY.

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 9-20-28-370-229 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. 57-02-2019

RESOLUTION TO APPROVE THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT WITH THE NATIONAL PARK SERVICE – HISTORIC REVITALIZATION SUBGRANT PROGRAM

MOTION:

SECOND:

WHEREAS, the National Park Service is accepting applications for the Historic Revitalization Subgrant Program; and

WHEREAS, the goal of this program is to support the rehabilitation of historic properties in order to rehabilitate, protect, and foster economic development of rural communities; and

WHEREAS, this program is available to Certified Local Governments, like Cape May City; and

WHEREAS, the City of Cape May carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

WHEREAS, the National Park Service – Historic Revitalization Subgrant Program will help fund the Franklin Street School renovations; and

NOW, THEREFORE, BE IT RESOLVED that City Council of the City of Cape May formally approves that grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a grant application to the U. S. Department of Homeland Security and for James M. Rutala PP, AICP, MCA, of Rutala Associates, LLC. to be its authorized representative for this application.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Cape May and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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 February 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

cc: Rutala Associates, LLC.

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

RESOLUTION NO. 58-02-2019

**RESOLUTION REGARDING THE PROCESS FOR APPOINTING MEMBERS OF
ADVISORY COMMITTEES OF THE CITY OF CAPE MAY**

MOTION:

SECOND :

WHEREAS, from time to time, the City of Cape May appoints committees, whose membership is drawn from interested members of the community, to research and advise the Cape May City Council on issues of importance to the municipality; and

WHEREAS, the City Council wishes to establish a standardized process for the solicitation and selection of members for these committees; and

WHEREAS, the City Council believes that the establishment of such a process is in the best interest of the City and its residents, in that it will ensure that selection of committee members is done on a comprehensive, open and fair basis, with adequate notice to all interested residents, and in a manner that ensures membership of the highest quality and expertise.

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

1. The averments of the preamble are hereby incorporated.
2. The City shall announce the formation of a new committee, or the existence of openings on current committees, as soon as a new committee is formed, or as soon as possible after the openings on existing committees occurs. The announcement should make clear that all interested members of the community are encouraged to volunteer their services as members.
3. The creation of the new committee, or the existence of the openings on current committees, shall be posted on the City's website, together with a description of the committee and its responsibilities, the time and frequency of its meetings, and any other information deemed pertinent or useful to persons interested in volunteering their services.
4. Persons interested in volunteering shall be directed to submit their name and qualifications, reasons for interest, and any other pertinent information to the City Clerk by a specified date.
5. The City Council shall meet, in closed session if necessary, to discuss appointment of members.
6. All committee appointments shall be made by resolution of City Council.
7. This resolution shall take effect immediately, 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 February 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

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

RESOLUTION NO. 59-02-2019

A 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

MOTION:

SECOND:

WHEREAS, the City Council of the City of Cape May is subject to certain requirements of the Open Public Meetings Act, N.J.S.A 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the City Council of the City to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

_____ (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

_____ (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

_____ (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information, relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

_____ (4) Matters Relating to Collective Bargaining Agreement: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body – Police Benevolent Association Contracts

_____ (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

_____ (6) Matters relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.

 X (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer – City of Cape May v. Clarke Rd. Associates; Curbside Collection of Recyclable Materials contract

_____ (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting

_____ (9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, assembled in public session on February 19, 2019, that an Executive Session closed to the public shall be held on this date beginning at approximately 6:00 P.M. in the City Hall Building of the City of Cape May, 643 Washington Street, Cape May for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the City Council that the public interest will no longer be served by such confidentiality.

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 February 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

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

RESOLUTION NO. 60-02-2019

**RESOLUTION APPROVING CERTIFIED LIST OF CITY OF CAPE MAY LOSAP
QUALIFIED VOLUNTEER FIRE DEPARTMENT MEMBERS FOR THE YEAR 2018**

MOTION:

SECOND:

WHEREAS, pursuant to Resolution #137-12-2004A, the **City of Cape May** has adopted a Length of Service Award Program Deferred Plan provided by the Lincoln National Life Insurance Company and Lincoln Financial Group, it's agent, Plan Identifier: 01-LOSAP-LINCOLN-101700; and

WHEREAS, pursuant to NJSA 40A:14-191, emergency service organizations participating in a Length of Service Award Program (LOSAP) shall annually certify a list of all volunteer members who have qualified for credit under the LOSAP program for the previous year; and

WHEREAS, the City of Cape May Volunteer Fire Department has provided the governing body with a certified list of volunteer members who have qualified for credit under the LOSAP program from the year 2018; and

WHEREAS, the governing body of the City of Cape May has reviewed the list for accuracy.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Cape May hereby approves the certified list of volunteer members who have qualified for credit under the LOSAP program for the year 2018.

BE IT FURTHER RESOLVED that the approved list shall be posted by the City of Cape May Volunteer Fire Department for a period of thirty (30) days for membership review.

BE IT FURTHER RESOLVED that the approved list shall be available in the office of the Municipal Clerk.

BE IT FURTHER RESOLVED by the City of Cape May that the Municipal Clerk forward a certified copy of this Resolution to the Chief Financial Officer and the Director of the Division of Local Government Services in the State Department of Community Affairs.

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 February 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

cc: LOSAP file
Volunteer Fire Department
Fire Department
CFO
DLGS-DCA

Cape May Volunteer Fire Department LOSAP

January 07, 2019

The following Cape May Volunteer Firefighters have earned the required Fifty (50)L.O.S.A.P. points for the year 2018.

This list will be posted for thirty days from the date above, prior to being forwarded to Cape May City Council for approval.

Any appeal may be filed within thirty days from the date above, to the LOSAP Committee Chairperson of the Cape May Volunteer Fire department.

William Bezaire	60 Pts.
Robert Elwell Jr.	56 Pts.
Herbert Lehman	61 Pts.
James Matthews	75 Pts.
Terry Shields	51 Pts.
Christopher Wagner	78 Pts.

RECEIVED

JAN - 8 2019

CITY CLERK
CITY OF CAPE MAY

George Rea Jr

Cape May Vol. Fire Dept.
LOSAP Chairman

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

RESOLUTION NO. 61-02-2019

**RESOLUTION AWARDING THE CONTRACT FOR RECONSTRUCTION
OF NEW JERSEY AVENUE CONTRACT NO. M-21 – MATHIS CONSTRUCTION
CO., INC.**

MOTION:

SECOND:

WHEREAS, after due notification and advertisement pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the City of Cape May received and opened sealed bids for the above-referenced project on February 13, 2019; and

WHEREAS, of the bids received for this project, the lowest bid was submitted by Mathis Construction Co., Inc. of Little Egg Harbor Township, NJ, in the amount of \$792,090.40; and

WHEREAS, the City Engineer has reviewed that bid and has determined that it appears to be competitive and advantageous to the City; and

WHEREAS, both the City Engineer and the City Solicitor have reviewed the bid and have determined that it complies with the bid specifications and the requirements of the Local Public Contracts Law; and

WHEREAS, it accordingly appears that Mathis Construction Co. Inc., is the lowest responsible bidder on the project, in the amount of \$792,090.40, and that award of the contract to Mathis Construction Co., Inc. is in the best interest of the City of Cape May; and

WHEREAS, the City's Chief Financial Officer has certified the availability of funds to pay the contract amount

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 authorizes the award of Contract No. M-21 for the reconstruction of New Jersey Avenue, to Mathis Construction Co. Inc., in the amount of \$792,090.40.
3. The Mayor, City Manager and other appropriate City officials are authorized to take all steps necessary to consummate and effectuate that contract, in accordance with the bid specifications and the requirements of the Local Public Contracts Law.
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 February 19, 2019.

 Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

cc: Mathis Construction Co, Inc.
 CFO
 Mott MacDonald, LLC

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 the General Capital Fund of the Water/Sewer

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-04-55-918-101 and shall be encumbered on same.

U-06-55-918-201



 Neil Young, City Manager/CFO/Treasurer

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

RESOLUTION NO. 63-02-2019

**RESOLUTION DECLARING CERTAIN SURPLUS ITEMS AS SURPLUS PROPERTY
AND AUTHORIZING SALE OF SAME**

MOTION:

SECOND:

WHEREAS, the City of Cape May has certain items which are no longer needed for City use;
and

WHEREAS, miscellaneous equipment, computers, printers, fax machines, cell phones, City
Vehicles (SEE ATTACHMENT) and other miscellaneous items will be auctioned on GOVDEALS;
and

WHEREAS, the sale of these items may be accomplished without Public advertising in keeping
with NJSA 40A:11-36(2) and NJSA 40A:23-13(b)(1).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May that the
items set forth, but not limited to, are hereby declared surplus property.

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 February 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

cc: CFO
Superintendent, Dept. of Public Works
Purchasing Agent

Year	Make	Model	VIN #	
1975	Cus	Cabin Boat	NJZ38440HUKK	
2009	Isuzu	Sweeper	4GTM7F1B39F700300	60,219 miles
2004	Chevy	Impala	2G1WF52E549315007	52,429
2008	Dodge	Durango	1D8HB38N78F129023	95,489
2001	GMC	3500 Box Truck	1GDJG31R611129558	79,689
2011	Ford	Crown Victoria	2FABP7BVOBX102222	90,050
2014	Barber	Surf Rake	61435	

Vehicle Lift

Computer Equipment, Monitors copiers, fax machines