

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

RESOLUTION NO. 245-12-2018

**RESOLUTION INTRODUCING AND APPROVING THE 2019 BUDGET OF THE
WASHINGTON STREET MALL BUSINESS IMPROVEMENT DISTRICT
OF THE CITY OF CAPE MAY**

MOTION:

SECOND:

WHEREAS, the Washington Street Mall Management Company, Inc., a New Jersey Nonprofit Corporation, is legally empowered to manage the administrative and business affairs as the District Management Corporation of the Washington Street Mall Business Improvement District; and

WHEREAS, as required by N.J.S.A. 40:56-84, the District Management Corporation shall submit a detailed annual budget for the adoption by Resolution of the governing body in the amount of \$73,700.00; and

WHEREAS, proper notice will be given by public advertising and posting in public places regarding the time, place and the date of public hearing on the Washington Street Mall Business Improvement District 2019 Budget.

NOW, THEREFORE, BE IT RESOLVED that the attached statement of revenues and appropriations shall constitute the Washington Street Mall Business Improvement District 2019 Budget. Said Budget shall be published in the Cape May Star and Wave in the issue of December 12, 2018. A hearing on the Budget will be held in the City of Cape May City Hall Auditorium on December 18, 2018 at 6:00 P.M.

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 December 4, 2018.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

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

RESOLUTION NO. 246-12-2018

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT WITH
EMPLOYEE CARE FOR AN EMPLOYEE ASSISTANCE PROGRAM**

MOTION:

SECOND:

WHEREAS, there is a need for the City to provide a Drug Free Workplace and Employee Assistance Program under Federal guidelines; and

WHEREAS, the City wishes to renew the contract with **Employee Care**, One Fairway Drive, Cape May Court House, New Jersey to provide said services; and

WHEREAS, funds for such contracts are available; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contract for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

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

1. The Mayor and City Clerk be and are hereby authorized to execute the documents necessary to enter into a 12-month contract with Employee Care beginning December 4, 2018 to December 1, 2019 to provide an Employee Assistance Program at a cost of \$2,876.00.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1) of the Local Public Contracts Law and notice of this action shall be published in the Cape May Star and Wave.

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 December 4, 2018.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

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 _____.

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 _____ and shall be encumbered on same.

Neil Young, City Manager/CFO/Treasurer

cc: CFO
Employee Care
Public Works Superintendent

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

RESOLUTION NO. 247-12-2018

**RESOLUTION AUTHORIZING A REVOCABLE LICENSE AGREEMENT BETWEEN
THE CITY OF CAPE MAY AND CAPE MAY FISH MARKET, LLC**

MOTION:

SECOND:

WHEREAS, in order to eliminate an encroachment, the City of Cape May wishes to license a portion of its property abutting Block 1042, Lots 10 and 11, to Cape May Fish Market LLC, with an address of 408 Washington Street, Cape May; and

WHEREAS, the City has determined that this license shall be revocable at the sole discretion of the City; and

WHEREAS, the City Council of the City of Cape May had determined that it is in the best interest of the City to grant a revocable license to Cape May Fish Market.

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

1. The averments of the preamble are incorporated by reference.
2. Council hereby authorizes the City to enter into a revocable License Agreement, in the form attached hereto as Exhibit A, with Cape May Fish Market, LLC.
3. The Mayor, City Manager and other City officials are authorized to take all appropriate steps to consummate this license agreement.
4. 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 December 4, 2018.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

cc: Cape May Fish Market LLC

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

RESOLUTION NO. 248-12-2018

**RESOLUTION ELIMINATING TERM LIMITS FOR CERTAIN ADVISORY
COMMITTEES IN THE CITY OF CAPE MAY**

MOTION:

SECOND:

WHEREAS, by Resolution 42-01-2017, the Cape May City Council established the Beach Safety Advisory Committee and appointed its members; and

WHEREAS, by Resolution 150-06-2017, the Cape May City Council established the Bicycle Pedestrian Safety Committee and appointed its members; and

WHEREAS, unlike any other advisory committee established by the City, these two committees were established with term limits for their members; and

WHEREAS, having considered the matter, the Cape May City Council now believes that these two advisory committees do not need term limits for members, and that the committees will function more effectively if, as is the case with the other City advisory committees, there are no member term limits.

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

1. The averments of the preamble are incorporated by reference.
2. The term limits for members of the Beach Safety Advisory Committee and the Bicycle and Pedestrian Safety Committee are hereby abolished.
3. The term limits set forth in Paragraph 10 of Resolution 42-01-2017 and Paragraph 9 of Resolution 150-06-2017 are hereby repealed.
4. 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 December 4, 2018.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

cc: Committee Members
BSAC File
BAPAC File

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

RESOLUTION NO. 249-12-2018

RESOLUTION AWARDING A CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE RECONSTRUCTION OF NEW JERSEY AVENUE BETWEEN WILMINGTON AVENUE AND BROOKLYN AVENUE

MOTION:

SECOND:

WHEREAS, the City of Cape May (the "City") is currently contemplating improvements to New Jersey Avenue, between Wilmington Avenue and Brooklyn Avenue; and

WHEREAS, said improvements include the replacement of water, sewer, and storm sewer utilities; and

WHEREAS, based on research and observation of the subject area, utilities within and adjacent to the limits of paving will need to be replaced prior to the paving of the roadway; and

WHEREAS, as part of the contemplated rehabilitation process, the City has requested proposals for the provision of professional engineering services; and

WHEREAS, the engineering firm of Mott Macdonald, LLC, has submitted a proposal dated October 10, 2018, to provide surveying, base map preparation, design, preparation of plans and specifications, bid phase services, and construction phase engineering services for the proposed project; and

WHEREAS, Mott MacDonald, LLC proposes to perform those services for a total cost of \$94,000, with an estimated date of completion of improvements in June 2019; and

WHEREAS, having reviewed that proposal, the Cape May City Council deems it in the best interest of the City to accept the Mott Macdonald proposal and to award the contract for those services to Mott Macdonald in accordance with the terms contained in its October 10, 2018 proposal letter, which is attached to this Resolution and incorporated therein.

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 engineering services for the reconstruction of New Jersey Avenue between Wilmington Avenue and Brooklyn Avenue, in the contract amount of \$94,000 and in full conformity with its proposal letter dated October 10, 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 December 4, 2018.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Pessagno				
Meier				
Hendricks				
Furlin				
Lear				

cc: Mott MacDonald, LLC
Project File
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 Current 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 8-01-23-220-275 and shall be encumbered on same.

Neil Young, City Manager/CFO/Treasurer