

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

ORDINANCE NO. 374- 2019

**AN ORDINANCE AMENDING PARKING RATES AND LOCATIONS IN
THE CITY OF CAPE MAY**

MOTION:

SECOND:

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

WHEREAS, Section 7-44.3 of the Cape May Municipal Code designates metered public parking areas in the City, and Section 7-45.3 regulates parking at the City's Bank Street parking lot; and

WHEREAS, the Municipal Parking Advisory Committee appointed by City Council pursuant to Resolution 135-05-2018 has submitted a report to City Council that recommends certain changes in the metered parking rates and locations in the City; and

WHEREAS, having reviewed that report, City Council believes it to be in the best interest of the City and its residents to modify the metered parking rates and locations in the City to increase parking supply, better accommodate parking demand, assist City businesses and enhance the experience of visitors to the City,

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 Section 7-44.3 and Section 7-45.3 of the Cape May Municipal Code are hereby repealed in their entirety.

SECTION 2. There are hereby established in the City "Parking Meter Zones" in accordance with the attached map, incorporated into this ordinance.

SECTION 3. Except as set forth below, metered parking hours in the City shall be as set forth of the attached map.

SECTION 4. The parking meter rate in the "red" and "yellow" zones on the attached map, and in the Jackson/Perry Street city parking lot ("purple" on the map) shall be \$2.00 per hour, or 50 cents per 15 minutes. The parking meter rates in the "green" and "orange" zones on the attached map shall be \$1.00 per hour, or 25 cents per 15 minutes.

SECTION 5. Parking on Beach Avenue east of Philadelphia Avenue, and on any side streets off Beach Avenue east of Philadelphia Avenue shall be free after 5:00 p.m., whether or not the spaces are metered.

SECTION 6. The parking of motor homes, trailers, and campers is prohibited in the Jackson/Perry Street parking lot.

SECTION 7. Permits to park at the City's Bank Street Parking Lot shall be available on a year-round basis. No heavy equipment of any kind, whether owned by the City, its contractors, or otherwise, shall be parked in the Bank Street lot at any time.

SECTION 8. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

SECTION 9. 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 10. 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 374-2019 was introduced at a regular meeting of the City Council of the City of Cape May, held on March 19, 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 April 16, 2019 at 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:	March 19, 2019
First Publication:	March 27, 2019
Second Reading & Adoption:	April 16, 2019
Final Publication:	April 24, 2019
Effective Date:	May 14, 2019

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

RESOLUTION NO. 73-03-2019

RESOLUTION FOR THE APPROVAL BY COUNCIL OF THE LOCAL MUNICIPAL BUDGET

MOTION:

SECOND:

Section 1.

Municipal Budget of the City of Cape May, County of Cape May for the Fiscal Year 2019.

BE IT RESOLVED by the City Council of the City of Cape May that the following statements of revenue and appropriations shall constitute the Local Municipal Budget for the Year 2019.

BE IT FURTHER RESOLVED that said budget be published in the Cape May County Star and Wave in the issue of March 27, 2019.

BE IT FURTHER RESOLVED that the City Council of the City of Cape May does hereby approve the following as the Budget for the year 2019:

Notice is hereby given that the Budget and Tax Resolution was approved by the City Council of the City of Cape May, County of Cape May, on March 19, 2019.

A public hearing and consideration for adoption of the Budget and Tax Resolution will be held at City Hall on April 16, 2019 at 6:00 P.M. at which time objections to said Budget and Tax Resolution for the year 2019 may be presented by taxpayers or other interested persons.

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 March 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

cc: Chief Financial Officer
Municipal Auditor
Municipal Clerk

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

RESOLUTION NO. 74-03-2019

**RESOLUTION FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING GRANT**

MOTION:

SECOND:

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Cape May desires to further the public interest by obtaining funding in the amount of \$923,600, in the form of a \$923,600 matching grant from the State to fund Lafayette Street Park – Phase 4 at a cost of \$1,847,200.

NOW, THEREFORE, the governing body/board resolves that Mayor Clarence F. Lear, III or the successor to the office of Mayor is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above-named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above-named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED: By the City Council of the City of Cape May:

1. That the Mayor of the above-named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Lafayette Street Park – Phase 4.
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$923,600.
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project.

4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

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 March 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

Cc: City Manager
James M. Rutala, PP, AICP, MBA

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

RESOLUTION NO. 75-03-2019

**RESOLUTION AUTHORIZING THE USE OF COMPETITIVE CONTRACTING
FOR THE PROVISION OF TOURIST AND VISITOR TRANSPORTATION SERVICES
IN THE CITY OF CAPE MAY**

MOTION:

SECOND :

WHEREAS, the City of Cape May wishes to contract for tourist and visitor transportation services in the City during certain periods of the year; and

WHEREAS, such services are a “recreational or social service facility or program” whose provision may be the subject of “competitive contracting” under N.J.S.A. 40A:11-4.1; and

WHEREAS, the City of Cape May wishes to use the competitive contracting process to solicit proposals for these services and ultimately to award a contract therefore; and

WHEREAS, the N.J.S.A. 40A:11-4.3(a) requires the City to adopt a resolution authorizing the use of competitive contracting in this instance.

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 Cape May City Council hereby authorizes the use of competitive contracting to solicit proposals for, and to procure, transportation services for tourists and visitors in the City.
3. The City’s qualified purchasing agent shall administer and supervise the process, including the preparation of requests for proposal documents (RFPs). In developing those RFP’s, the purchasing agent shall consider, inter alia, cost, experience, availability, ADA compliance, environmental impact and any other factors he believes are relevant; and shall set forth the methodology the City will use to evaluate and rank the proposals submitted.
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 March 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

cc: City Manager
City Clerk

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

RESOLUTION NO. 76-03-2019

**RESOLUTION CANCELING OUTSTANDING CHECKS
IN THE GENERAL ACCOUNT & BAIL ACCOUNT**

MOTION:

SECOND:

BE IT RESOLVED by the City Council of the City of Cape May, that the Chief Financial Officer be and is hereby authorized to void the attached list of checks, totaling \$43.00 as they have been listed as outstanding checks over one (1) year old. The attached list of checks was issued against the City of Cape May General Account and Bail Account at Sturdy Savings Bank:

- **SEE ATTACHED LIST OF CHECKS**

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 March 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

cc: Court Administrator
Chief Financial Officer

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

RESOLUTION NO. 77-03-2019

**RESOLUTION AUTHORIZING PURCHASE OF
ONE (1) LEACH 25 CU. YD. REAR LOADER BODY
UNDER SOURCEWELL CONTRACT NO. 112014-LEG (\$79,565.00)**

MOTION:

SECOND:

BE IT RESOLVED by the City Council of the City of Cape May that authorization is hereby given to purchase from GRANTURK EQUIPMENT CO. INC, one (1) Leach 25 cu. yd. STOCK 2R-III Rear Loader Body under Sourcewell ID #27937 Contract No. 1122014-LEG.

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 March 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
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 _____
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
_____ and shall be encumbered on same.

Neil Young, City Manager/CFO/Treasurer

cc: CFO
Finance/QPA
Public Works

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

RESOLUTION NO. 78-03-2019

**RESOLUTION AUTHORIZING PURCHASE OF
2019 PETERBILT 348 TANDEM AXLE CAB & CHASSIS
UNDER SOURCEWELL CONTRACT NO. 081713-PMC (\$109,718.00)**

MOTION:

SECOND:

BE IT RESOLVED by the City Council of the City of Cape May that authorization is hereby given to purchase from HUNTER TRUCK, a 2019 Peterbilt 348 Tandem axle cab & chassis under Sourcewell ID #27937 Contract No. 081716-PCM.

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 March 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
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 _____
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
_____ and shall be encumbered on same.

Neil Young, City Manager/CFO/Treasurer

cc: CFO
Finance/QPA
Public Works

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

RESOLUTION NO. 79-03-2019

RESOLUTION FOR THE REFUND OF OVERPAID 2019 PROPERTY TAXES

MOTION:

SECOND:

WHEREAS, the 1st quarter 2019 Property taxes were paid by Victorian Abstract Title Agency and paid by Wells Fargo; and

WHEREAS, the homeowner has requested a refund; and

WHEREAS, the Tax Collector of the City of Cape May has calculated the amount of the refund as listed below; and

WHEREAS, the specific property and amount of the overpaid taxes are listed below:

PROPERTY OWNER	ADDRESS	BLOCK LOT	AMOUNT
Leon & Petrese Tucker	1124 Lafayette St	1113-6	\$747.83

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, that it authorizes the appropriate officers and officials of the City of Cape May to refund the overpaid taxes as stated above.

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 March 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

cc: Tax Collector
CFO/Finance

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

RESOLUTION NO. 80-03-2019

**A RESOLUTION AUTHORIZING AN AUCTION RE-BID FOR
LEASE OF CITY-OWNED PROPERTY KNOWN AS
"BROADWAY PAVILION,"
100 BEACH AVENUE, CAPE MAY, NEW JERSEY**

MOTION:

SECOND:

WHEREAS, the City of Cape May currently owns property known as Broadway Pavilion, 100 Beach Avenue, Cape May, New Jersey, which it wishes to lease; and

WHEREAS, City Council had previously authorized the bidding of the lease for the Pavilion on February 19, 2019 via Resolution number 65-02-2019; and

WHEREAS, The City held a public auction for an award of a lease of the property at 11:00AM on March 13, 2019, at which time no bids were received; and

WHEREAS, City Council has determined that it is in the City's best interest to authorize re-bidding of the lease for the Pavilion, so that the City can hold a public auction for an award of a lease of the property, commencing May 1, 2019, and ending December 31, 2023.

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

1. City Council hereby approves a lease of the Pavilion by public auction pursuant to the terms and conditions set forth in the Bid Information Packet attached as Exhibit A and incorporated in this resolution.

2. Pursuant to N.J.S.A. 40:61-1(g), N.J.S.A. 40:61-36 and N.J.S.A. 40A:12-1 et seq., City Council authorizes the lease of the Pavilion to the highest responsible bidder at a public auction to be conducted at the City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, beginning at 11 a.m. on April 10, 2019, subject to the required newspaper advertisements and in compliance with the Bid Information Packet.

4. The term of the lease shall be from May 1, 2019 through December 31, 2023. The minimum bid for the first year of the term shall be \$25,000.

5. The City Manager and all other appropriate City officials are authorized and directed to take all actions necessary to effectuate the terms and conditions of this resolution.

6. 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 March 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. 81-03-2019

RESOLUTION AWARDING A CONTRACT FOR PROFESSIONAL ENVIRONMENTAL INVESTIGATION SERVICES AT LAFAYETTE STREET PARK

WHEREAS, the City of Cape May performed a preliminary assessment identifying certain potential environmental concerns on City property known as Lafayette Street Park, a/k/a Block 1061, Lot 54, encompassing 23.63 acres; and

WHEREAS, the City intends to develop the site and surrounding area as the “Lafayette Street Park Open Space Recreation Area,” and has solicited and obtained tentative approval for Green Acres funds from the New Jersey Department of Environmental Protection to acquire some of the land necessary to the project; and

WHEREAS, the preliminary assessment identified six specific “Areas of Concern” that must be further investigated as a condition of finalizing the Green Acres funding from the NJDEP; and

WHEREAS, the engineering firm of Mott Macdonald, LLC, has submitted a proposal, dated March 13, 2019, to perform the required investigation of those Areas of Concern, which investigation will include both a Soil Investigation component and services provided by a Licensed Site Remediation Professional as a result of that Soil Investigation; and

WHEREAS, Mott Macdonald proposes to provide those services on a time and materials basis, in accordance with its 2019 rate schedule, with an estimated cost of \$19,300 for the Soil Investigation and an estimated cost of \$1,400 for the LSRP services, for a total estimated cost of \$20,250; 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 environmental investigation services to Mott Macdonald in accordance with the terms contained in its March 13, 2019, 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 environmental investigation services in connection with identified Areas of Concern at the Lafayette Street Park site, on a time and materials basis in accordance with its 2019 rate schedule, with a total estimated cost of \$20,250, and in full conformity with its proposal letter dated March 19, 2019.

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).

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 March 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
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 _____
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
_____ and shall be encumbered on same.

Neil Young, City Manager/CFO/Treasurer

cc: CFO
Mott MacDonald, LLC
File

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

RESOLUTION NO. 82-03-2019

RESOLUTION FOR THE APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NATIONAL ENDOWMENT FOR THE HUMANITIES INFRASTRUCTURE AND CAPACITY BUILDING CHALLENGE GRANTS

Motion:

Second:

WHEREAS, the National Endowment for the Humanities (NEH) is accepting applications for the Infrastructure and Capacity Building Challenge Grant; and

WHEREAS, the goal of this program is to seeks to strengthen the institutional base of the humanities in the United States through matching grants to libraries, museums, archives, colleges and universities, historic sites, scholarly associations, and other cultural institutions for efforts that build institutional capacity or infrastructure for long-term sustainability; and

WHEREAS, challenge grants may also support the purchase of equipment and software; the design, purchase, construction, restoration, or renovation of facilities needed for humanities activities; and collections sharing;

WHEREAS, this program is to available to public agencies, 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 NEH – Infrastructure and Capacity Building Challenge Grant 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 National Endowment for the Humanities and for James M Rutala of Rutala Associates 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 March 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

cc: City Manager
James M. Rutala, PP, AICP, MBA

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

RESOLUTION NO. 83-03-2019

**RESOLUTION AUTHORIZING THE CITY OF CAPE MAY TO AWARD A
CONTRACT FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE
PROPOSED NEW PUBLIC SAFETY FACILITY – USA ARCHITECTS**

MOTION:

SECOND:

WHEREAS, the City of Cape May is currently contemplating construction of a new Public Safety Facility for the City of Cape May; and

WHEREAS, by Resolution No. 182-07-2018, the Cape May City Council authorized the issuance of a Request for Qualifications/Proposals for Professional Architectural and Engineering Services for the new Public Safety Facility; and

WHEREAS, the City has received, reviewed and ranked those proposals in accordance with the protocol set forth in that Request; and

WHEREAS, the City Council, having carefully considered the matter, and having obtained and considered the advice of the Public Safety Building Advisory Committee, has determined that the proposal submitted by **USA Architects**, 100 W. Oxford Street, Philadelphia, PA 19122, best suits the needs and requirements of the City; and

WHEREAS, the USA's proposal, submitted on September 7, 2018, separates the project into phases, each consisting of a set percentage of the contract, with the first two phases being Programming/Concept Design (10%) and Schematic Design (10%); and

WHEREAS, the City Council has further determined that, as permitted by project specifications and for fiscal reasons, at this time to award only the first two phases of the project to USA Architects, for a lump sum amount of \$142,847.60, representing 20% of the total proposed contract amount, in accordance with the proposal submitted by USA Architects on September 7, 2018,

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 the first two phases of the professional Architectural and Engineering Services for the proposed Cape May Public Safety Facility to USA Architects, in accordance with the proposal submitted by USA Architects on September 7, 2018.

3. Those two phases will consist of Programming/Concept Design and Schematic Design, each consisting of 10% of the project proposal, for a lump sum contract amount of \$142,847.60, which is 20% of the proposed lump sum contract amount.

4. A copy of USA Architects' September 18, 2018, proposal is attached to this Resolution and incorporated herein.

5. The appropriate city officials are hereby authorized to execute all documents required to consummate this contract award.

6. The City Chief Financial Officer has certified the availability of adequate funds to pay this contract.

7. This contract is awarded as a professional services contract, without public bidding, pursuant to N.J.S.A. 40A:11-5(1)(a)(i).

8. 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 March 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
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 _____
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 _____ and shall be encumbered on same.

Neil Young, City Manager/CFO/Treasurer

cc: CFO
USA Architects
Project File

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

RESOLUTION NO. 84-03-2019

TRANSFER OF APPROPRIATIONS – 2018 BUDGET

MOTION:

SECOND:

WHEREAS, N.J.S.A. 40A:4-59 permits transfers between appropriation reserves during the first three (3) months of the fiscal year; and

WHEREAS, claims have been received that relate to services rendered in 2018 for which inadequate 2018 appropriation reserves exist to pay said claims.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cape May, County of Cape May, New Jersey (not less than two-thirds of the full membership concurring) that transfers between appropriation reserves be and are hereby authorized as follows:

FROM: Workers Compensation Insurance \$ 5,000.00

TO: Planning Board – Other Expenses \$ 5,000.00

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 March 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

cc: Council Table
Chief Financial Officer

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

RESOLUTION NO 85-03-2019

**RESOLUTION APPROVING AN EMERGENCY
TEMPORARY BUDGET APPROPRIATION**

MOTION:

SECOND:

WHEREAS, the City of Cape May adopted the 2019 Temporary Budget on January 1, 2019; and

WHEREAS, 26.25% of the total appropriations in the 2018 Budget was the sum of \$4,277,294.94 for the Current Fund; \$1,454,838.00 for the Water and Sewer Utility Fund, \$580,118.43 for the Beach Utility Fund and \$326,812.50 for the Tourism Utility Fund; and

WHEREAS, City Council has not yet adopted their 2019 budget and will therefore need to extend the amounts in the 2019 Temporary Budget; and

WHEREAS, N.J.S.A. 40A:4-20 allows for temporary emergency appropriations to satisfy expenditures prior to the adoption of the annual municipal budget, and requires that such temporary emergency appropriations be provided for in full in the adopted budget, and that the total amount of 2019 temporary emergency appropriations should be **\$7,000,000.00** for the Current Fund, **\$3,000,000.00** for the Water and Sewer Utility Fund, **\$1,000,000.00** for the Beach Utility Fund and **\$500,000.00** for the Tourism Utility Fund

NOW, THEREFORE, BE IT RESOLVED that in accordance with N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made for the Current Fund, the Water and Sewer Utility Fund, the Beach Utility Fund and the Tourism Utility Fund as stated above, and
2. That said emergency temporary appropriations shall be provided in full in the 2019 budget.
3. That one certified copy of this resolution shall be filed with the Director of Local Government Services.

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 March 19, 2019.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Hendricks				
Meier				
Mullock				
Sheehan				
Lear				

cc: CFO
DLGS (certified)