

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

ORDINANCE NO. 324-2017

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CAPE
MAY, CHAPTER 81, ENTITLED POLICE DEPARTMENT, ARTICLE IV,
DIVISION OF CODE ENFORCEMENT**

MOTION:

SECOND:

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. Chapter 81 of the Code of the City of Cape May is hereby amended to add the following:

81-11 DIVISION OF CODE ENFORCEMENT, GENERAL

A. Establishment.

There is hereby established Division of Code Enforcement within the Police Department. The division's primary function shall be enforcement of the ordinances of the City of Cape May, including but not limited to animal control, property maintenance and zoning and planning. In executing that function the Division of Code Enforcement may call upon the sworn Police Department or other law enforcement officers for such assistance as is necessary.

B. Code Officers and Staff

All civilian code enforcement officers shall be appointed by the City Manager, with the advice of the Chief of Police. The Division of Code Enforcement shall be staffed with such further civilian code enforcement officers and civilian clerical staff as, from time to time, are appointed by the City Manager. Each Code Enforcement Officer appointed hereunder shall be considered a "code enforcement officer" as that term is used in Rule 7:2-2(a)(3) of the New Jersey Court Rules.

C. Line of Authority

All code enforcement officers and clerical staff of the Division of Code Enforcement shall report to the Chief of Police, or his/her designee. The Chief shall develop a Standard Operating Procedure outlining the respective duties and responsibilities of the Code Enforcement Officers and setting operational priorities.

D. Applicability of Police Department Ordinances

Except as otherwise specifically may be set forth in the ordinances of the City of Cape May, or by the laws of the State of New Jersey, all ordinances governing the Cape May Police Department also shall govern the Division of Code Enforcement. The Chief of Police, in his sole and absolute discretion, may exempt the Division of Code Enforcement from coverage of any or all portions of the Cape May Police Department rules and regulations (also known as the "Police Manual"). The Code Enforcement Official and the subordinate code enforcement officers and clerical staff of the Division of Code Enforcement shall not be deemed to be sworn members of the Police Department within the meaning of any provision of Title 40A, Chapter 14, of the Revised Statutes of New Jersey.

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 324-2017 was introduced at a regular meeting of the City Council of the City of Cape May, held on June 20, 2017 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 July 18, 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Introduction: June 20, 2017
First Publication: June 28, 2017
Second Reading & Adoption: July 18, 2017
Final Publication: July 26, 2017
Effective Date: August 15, 2017

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

ORDINANCE NO. 325-2017

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 301 BEACH
AVENUE, OCCUPIED BY GEORGE TSIARTSIONIS,
AND TO FURTHER MODIFY THE ORDINANCE TO REMOVE A DESIGNATED
SPACE ON WINDSOR AVENUE

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, GEORGE TSIARTSIONIS, the occupant of 301 Beach Avenue (second floor), has requested that the City Council designate a handicapped parking space in front of the residence; and

WHEREAS, the Tsiartsionis has presented proof that he 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 Tsiartsionis'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 301 Beach Avenue 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>
Perry Street	West	51' 2" north of the NW corner of Beach and Perry Street to a point 22' 6" north thereof.	GEORGE TSIARTSIONIS

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. Section 7-37.5 of the Revised General Ordinances of the City of Cape May is hereby amended to eliminate the designated restricted parking space on Windsor avenue assigned to Harvey Allen, as Mr. Allen has passed away and no longer resides at the property.

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

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.

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

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

ATTEST:

Patricia Harbora, City Clerk

BY: _____
Clarence F. Lear III, Mayor

NOTICE

Ordinance 325-2017 was introduced at a regular meeting of the City Council of the City of Cape May, held on June 20, 2017 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 July 18, 2017, 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

Introduction:	June 20, 2017
First Publication:	June 28, 2017
Second Reading & Adoption:	July 18, 2017
Final Publication:	July 26, 2017
Effective Date:	August 15, 2017

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

ORDINANCE NO. 326-2017

AN ORDINANCE ESTABLISHING A BUREAU OF FIRE
PREVENTION AND PROVIDING FOR LOCAL
ADMINISTRATION AND ENFORCEMENT OF THE
UNIFORM FIRE SAFETY CODE

MOTION:

SECOND:

WHEREAS, the Uniform Fire Safety Act (P.L. 1983, c. 383) establishes a system for the enforcement of minimum fire safety standards throughout New Jersey; and

WHEREAS, the Act authorizes municipalities to provide local enforcement and establish Local Enforcement Agencies for that purpose; and

WHEREAS, having carefully considered the matter, the Cape May City Council believes it is in the best interests of City residents to have the Uniform Fire Safety Act enforced locally to ensure consistent provision of services for the health, safety and welfare of residents, visitors and businesses.

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:

Article I General Provisions

Section 1. **Local Enforcement.** Pursuant to Section 11 of the Uniform Fire Safety Act, the New Jersey Uniform Fire Code shall be locally enforced in the City of Cape May.

Section 2. **Agency Designation.** The Local Enforcing Agency (LEA) shall be the Bureau of Fire Prevention, hereby established. Enforcement shall be undertaken by the local Fire Official, who shall be appointed by, and shall be answerable to, the City Manager.

Section 3. **Duties.** The local Fire Official shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the City, other than owner-occupied one- and two-family dwellings used exclusively for dwelling purposes or operated by the Federal Government, Interstate Agencies or the State, and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Safety Code.

Section 4. **Life Hazard Uses.** The LEA shall carry out the periodic inspection of life hazard uses required by the Uniform Fire Safety Code on behalf of the Commissioner of the New Jersey Department of Community Affairs.

Section 5. **Term; Inspectors.** The Fire Official shall be appointed by the City Manager for an indefinite term. The Fire Official shall be certified by the State Bureau of Fire Safety. The Fire Official shall recommend appointment of inspectors to the City Manager, as may be necessary. Inspectors shall be under the supervision and control of the Fire Official.

Section 6. **Removal.** The Fire Official, Inspectors, and other LEA employees shall be subject to removal by the City Manager for inefficiency or misconduct.

Section 7. **Board of Appeals.** Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by an order of the LEA shall have to right of appeal to the Construction Board of Appeals of Cape May County.

Article II Sale & Rental Properties; Non-Hazard Life Uses; Fees

Section 1. Sale and Rental Properties.

A. For the year 2018, all properties shall be inspected upon the sale of property and rental properties upon the change of tenant for yearly rentals no later than May 15 with necessary adjustments made for the May 1 deadline for mercantile licenses. All rental properties shall be registered with and inspected by the Bureau of Fire Prevention prior to tenant occupancy. Beginning January 2019, all properties shall be inspected upon the sale of property and rental properties upon the change of tenant for yearly rentals and prior to April 15 for seasonal rentals. The season rental period shall be from April 15 through September 30 of any given year. There shall be a penalty of not less than \$250 and not more than \$1200 for any rental property occupied but not registered and inspected as required.

B. For the sale of property or rental property inspections, the fee shall be one hundred ten (\$110) dollars. This fee shall include only the sale of property or rental property inspection application received in the Fire Bureau office more than ten (10) working days from the settlement or tenant occupancy date. For all sale of property or rental property inspection applications received in the Fire Bureau office within less than ten (10) business days to settlement or tenant occupancy, the fee shall be two hundred twenty (\$220) dollars.

C. Certificates of smoke detector and carbon monoxide compliance, issued by the Bureau of Fire Prevention, are not transferrable.

Section 2. Non-life-hazard Uses.

A. In addition to the registration required by the Uniform Fire Code, the following non-life-hazard uses shall register with the Bureau of Fire Prevention. These uses shall be inspected once per year and shall pay an annual fee as set forth below:

Sale	\$110.
(if not within 10 days)	\$220.
Rental (up to 2 sleeping areas)	\$110.
(each additional sleeping area \$10 per)	
Reinspection (On third inspection)	\$ 50.
Retail Stores-per Square foot	
0-1,000	\$95.
1,001 – 2,000	\$105.
2,001-3,000	\$110.
3,001-4,000	\$120.
4,001-5,000	\$125.
5,001-6,000	\$135.
6,001-7,000	\$140.
7,001-7,500	\$155.
7,501-8,000	\$185.
8,001-9,000	\$210.
9,001-9,500	\$230.
9,501-10,000	\$260.
10,001-11,000	\$290.
11,001-12,000	\$295.
Each additional 1,000sqft	\$15.
Eating and Drinking establishment	\$100.
Hotels and Motels (100 rooms or less)	
Up to six units	\$125.
Seven to 11 units	\$150.
Twelve to 30 units	\$225.
More than 30 units	\$295.
Type 1 - Tent/Vendor	\$60.
Type 2 – Welding/Cutting/Industrial	\$160.
Type 3	\$310.
Type 4	\$460.
Amusement, Entertainment, recreation	\$160.

B. Uses not classified above that are subject to the Uniform Fire Code will be classified as retail stores.

C. Uses required to register with the state as life-hazard uses shall not be required to register under this section.

D. In the discretion of the Fire Official, vacant buildings will be charged and inspected according to the previous use of the building.

E. All residential uses — other than one- and two-family, non-owner-occupied uses — shall be inspected in the common areas only.

Article III. Permits & Certificates; Smoke Detectors & Fire Extinguishers; Enforcement; Violations & Penalties

Section 1. Permits and certificate of fire code status.

A. The application fees for the permits listed in N.J.A.C. 5:70-2.9(c) are as provided therein.

B. The cost for the issuance of a certificate of fire code status shall be \$25.

Section 2. Smoke detectors and fire extinguishers.

A. The Bureau of Fire Prevention shall, upon the sale of a property and occupancy of a rental property including one- and two- family dwellings, conduct a fire inspection prior to settlement and/or occupancy for the purpose of:

a. Establishing that the occupancy has not been changed unless the structure has been upgraded to the new use as required under the New Jersey Administrative Code 5:23-2: 6 (b), change of use group;

b. Ensuring that the property is in compliance with the New Jersey Uniform Fire Code N.J.A.C. He 5:70 - 4.19 and other fire safety requirements;

c. Ensuring that the required fire extinguisher is properly located within the property and is maintained as per National Fire Prevention Association Standard No.10;

d. Ensuring that any fossil-fuel heat source is inspected and certified safe by a professional prior to the Fire Prevention Bureau inspection;

e. Ensuring that hood protection is being provided under combustible cabinets that are installed directly over cooking appliances.

B. Whenever it becomes necessary for the Bureau of Fire Prevention to perform a re-inspection of a sale property or a rental property for a violation two or more times, there shall be an additional re-inspection fee of \$50.00 per re-inspection commencing with the third re-inspection and each subsequent re-inspection.

C. The owner of any structure requesting issuance of a certificate of smoke detector and carbon monoxide alarm compliance (CSDCMAC) pursuant to the provisions of N.J.A.C. 5:70-2.3 shall pay an inspection fee in accordance with the schedule of fees that is set forth in N.J.A.C. 5:70-2.9(d) prior to the issuance of a CSDCMAC.

Section 3. **Enforcement; violations and penalties.**

A. Enforcement and violations and penalties shall be managed in conformity with the Uniform Fire Safety Act, the Uniform Fire Code and all other laws of the State of New Jersey.

Article IV Key Boxes, Compliance, Violations & Penalties

Section 1. Key box requirements are referenced in the City Code §130-10.

Section 2. **Time for compliance.**

A. All existing structures for which a certificate of occupancy has been issued shall be brought into compliance by the structure owner within six months of the effective date of this article and, thereafter, shall remain at all times in compliance with this article.

B. All structures that have not been issued a certificate of occupancy shall be brought into compliance with this article by the structure owner as a condition for issuance of a certificate of occupancy and, upon issuance of a certificate of occupancy, shall remain in compliance with this article at all times.

Section 3. **Violations and penalties.**

A. **Notice of violation.** No structure owner shall be charged with a violation of this article unless written notice of a violation personally is delivered to the structure owner or is sent by regular first class mail and simultaneously by certified mail, return-receipt requested, to the structure owner at the structure owner's address as it appears on the tax records of the City of Cape May and the structure owner then is afforded 10 calendar days (weekends and legal holidays included) from the date of the personal delivery of the notice of violation to the structure owner or from the date of the mailing of the notice of violation to the structure owner, as the case may be, to bring the subject structure into compliance.

B. **Penalties.** Any structure owner who violates any of the provisions of this article, upon conviction thereof, shall be subject to a fine of up to \$1,250 plus costs and/or 90 days in the county jail for each offense or violation. Each day that a violation continues after the ten-calendar-day notification period expires shall constitute a separate offense.

Article V Severability; Repealer; Effective Date

Section 1. **Severability.** 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 2. **Repealer.** All ordinances inconsistent with this Ordinance are hereby repealed.

Section 3. **Effective Date.** 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 326-2017 was introduced at a regular meeting of the City Council of the City of Cape May, held on June 20, 2017 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 July 18, 2017, 6:00 P.M. at which time a Public Hearing will be held.

Patricia Harbora, City Clerk

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Effective Date:	August 15, 2017

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

RESOLUTION NO. 168-07-2017

RESOLUTION OF THE CITY OF CAPE MAY AUTHORIZING CHANGE ORDER NUMBERS 1, 2, 3 & 4 TO THE CONTRACT WITH W. J. GROSS, INC. FOR THE CAPE MAY POOL AND LOCKER ROOM, POOL, FILTRATION AND LOCKER ROOM RENOVATION

MOTION:

SECOND:

WHEREAS, the City of Cape May is currently under contract with W. J. Gross, Inc. for the Cape May Pool and Locker Room Project; and

WHEREAS, it is requested by the City to authorize Change Order No.s 1, 2, 3 & 4 to reflect the following listed below:

The City of Cape May to authorize W. J. Gross, Inc to provide underground electric conduit relocation, Duct penetration revisions, pool filter connections and the installation of a drip pan.

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

1. The Mayor is authorized to execute and sign Change Order No.s 1, 2, 3 & 4 to the contract with W. J. Gross, Inc in the amount of \$24,238.27 more than the original contract amount of \$1,659,000.00 for an amended contract price of \$1,683,238.27.

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 July 18, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

cc: Chief Financial Officer
Mott MacDonald Engineers
Project File

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

RESOLUTION NO. 169-07-2017

**APPOINTMENT TO PLANNING BOARD
OF THE CITY OF CAPE MAY**

MOTION:

SECOND:

BE IT RESOLVED by the City Council of the City of Cape May, that the following appointment be made:

Planning Board Member – Class IV

John Macciocchi

Term to expire 12/31/2018 (replacing Dr. Gerald France who resigned)

Planning Board Member – Alternate I

Dr. Scott Maslow

Term to expire 12/31/2018

Planning Board Member – Alternate II

Linda A. Wolf

Term to expire 12/31/2017

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 July 18, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

cc: All Appointees
Zoning Board Secretary
Boards & Commissions Book

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

RESOLUTION NO. 170-07-2017

AUTHORIZING PURCHASE OF
2017 JOHN DEERE 6130M TRACTOR
UNDER NJPA CONTRACT NO. 021815-DAC (\$98,148.40)

MOTION:

SECOND:

BE IT RESOLVED by the City Council of the City of Cape May that authorization is hereby given to purchase from CENTRAL JERSEY EQUIPMENT, HAMMONTON NJ, a 2017 John Deere Tractor Model 6130M under NJPA Contract No. 021815-DAC.

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 July 18, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furin				
Hendricks				
Meier				
Pessagno				
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/Treasure

cc: CFO
Finance/QPA
Public Works

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

RESOLUTION NO. 171-07-2017

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.

 X (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

_____ (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

_____ (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 July 18, 2017, that an Executive Session closed to the public shall be held on this date beginning at 11:00 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 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 July 18, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

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

RESOLUTION NO. 172-07-2017

**AUTHORIZING PURCHASE OF
2017 BARBER SURF RAKE MODEL 600HD
UNDER STATE CONTRACT NO. 86414 (\$55,142.64)**

MOTION:

SECOND:

BE IT RESOLVED by the City Council of the City of Cape May that authorization is hereby given to purchase from H. BARBER & SONS, INC., NAUGATUCK, CT, a 2017 Barber Surf Rake Model 600HD under State Contract No. 86414.

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 July 18, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furin				
Hendricks				
Meier				
Pessagno				
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/Treasure

cc: CFO
Finance/QPA
Public Works
Beach Patrol

CITY OF CAPE MAY

RESOLUTION NO. 173-07-2017

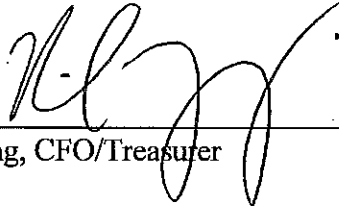
RESOLUTION FOR THE PAYMENT OF BILLS

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 July 14, 2017 for the amount of: \$923,545.78

Current Fund Appropriations	\$ 685,563.40
Water/Sewer Utility Operating Fund	\$ 26,742.73
Tourism Utility Fund	\$ 92,416.51
General Capital Improvements	\$ 25,631.59
Water/Sewer Capital Improvements	\$ 22,029.18
Escrow Special Account	\$ 28,422.25
Trust Fund	\$ 18.00
Grant Fund	\$ 12,560.00
Beach Utility Fund Appropriations	\$ 28,722.22
Beach Utility Capital Improvements	\$ 1,439.90
	<u>\$ 923,545.78</u>



Neil Young, CFO/Treasurer

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
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 July 18, 2017.

Patricia Harbora, City Clerk

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

RESOLUTION NO. 174-07-2017

**RESOLUTION ALTERING THE TIME OF THE AUGUST 1, 2017 COUNCIL
WORK SESSION FROM 6 P.M. TO 1 P.M.**

MOTION:

SECOND:

WHEREAS, the Cape May City Council previously scheduled, and advertised, a Council work session meeting to take place at 6 p.m. on August 1, 2017; and

WHEREAS, circumstances now require that this work session be re-scheduled to 1 p.m. on August 1, 2017,

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

1. The averments of the preamble are incorporated by reference.
2. The City Council work session formerly scheduled for 6 p.m. on August 1, 2017, is hereby rescheduled to 1 p.m. on August 1, 2017.
3. The City Clerk is directed to post and advertise this change in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 *et seq.*
4. This Resolution shall take effect immediately, according to law.

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 July 18, 2017.

Patricia Harbora, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Furlin				
Hendricks				
Meier				
Pessagno				
Lear				

cc: All Departments
City Attorney
City Engineer
City Hall Bulletin Board
Cape May City Housing Authority
Cape May Co. Library/Cape May City Branch
Cape May Star and Wave
The Press of Atlantic City
Cape May County Herald
Cape May County Gazette