



**WORKSESSION/REGULAR MEETING  
OF CITY COUNCIL OF THE CITY OF CAPE MAY, NJ  
Tuesday, May 21, 2019 6:00 P.M.**

The Regular Meeting of City Council of the City of Cape May was called to order by Cape May City Mayor, Clarence F. Lear, III at 6:00 P.M. Tuesday, May 21, 2019 in the Cape May City Hall Auditorium. The Pledge of Allegiance was recited.

Patricia Harbora, City Clerk announced that under the Open Public Meetings Law, notice of this meeting was sent to the Cape May Star and Wave and The Press of Atlantic City and a copy of the agenda was delivered to each Member of Council and was posted on the City Hall Bulletin Board.

Present: Deputy Mayor Patricia Gray Hendricks  
Mayor Clarence F. Lear, III  
Councilmember Shaine P. Meier  
Councilmember Mullock  
Councilmember Sheehan

Also Present: City Solicitor Frank Corrado  
City Manager Neil Young  
City Clerk Patricia Harbora  
Assistant Clerk Michael Doran

**Minutes do not reflect the actual order in which the events occurred.**

**AGENDA ADDITION/DELETION OF LATE AGENDA ITEMS TO BE CONSIDERED FOR ACTION**

**ORDINANCES FOR INTRODUCTION:**

378-2019 An Ordinance to Update the Uniform Salary and Classification Plan for the Department of Personnel Positions in the City of Cape May

**Motion: Hendricks Second: Meier**

**Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes**

**REGULAR MEETING BUSINESS:**

**PUBLIC PORTION FOR RESOLUTION:**

Warren Coupland, 737 Washington Street- Chairperson of Cape May Historic Preservation Commission, Mr. Coupland talks about his concerns with the Master Plan Reexamination process and the notifications as to the meeting dates and times for discussions. Mr. Coupland suggests a subcommittee to deal with homes that are being renovated and not following HPC guidelines and asks if a staff member of the construction office could be used to check on restoration projects of historic homes. Mr. Coupland read a letter on this matter and is available in the Clerk Office. Mr. Coupland does not support adopting Resolution 125-05-2019.

Bill Bezaire, 1314 Massachusetts Ave. – Chairman of the Planning Board, Mr. Bezaire clarifies the times and dates of the Planning Board meetings and the opportunities for individuals and organizations to offer comments. Also, Mr. Bezaire advises that the meetings are livestreamed on the City website to view. Mr. Bezaire explains the purpose of the Master Plan Advisory Committee and the members involved.

Charlotte Todd, 1308 Cape May Ave. – Master Plan Committee Member, Ms. Todd expresses her excitement about the democratic process. Ms. Todd thanks the one hundred and fifty (150) volunteers who helped Council understand future opportunities.

Harry Belangy, 1230 Cape May Ave. - Mr. Belangy takes a minute to talk about committees in general. Mr. Belangy talks about the master plan and his involvement with two Master Plans and as a Planning Board member and advises what a wonderful document. Mr. Belangy feels that the use of committees in connection with the Master Plan is an excellent plan.

Linda Steenrod, 1011 Washington Street, Ms. Steenrod advises that the Master Plan is just a plan and not a law. Linda Steenrod expresses her viewpoint and supports Resolution 130-05-2019. Ms. Steenrod asks City Council to participate in eliminating the use of plastic bags.

Mayor Lear welcomes Mr. Rausch back from his winter vacation.

Jules Rausch, 1010 New York Ave., Mr. Rausch advises that when City Council appoints committee members that it should be done with the primary use of improving a historic destination in Cape May.

Bill Seeger, Vermont Ave., Mr. Seeger asks questions about the bond resolution, three areas of general improvement, water and sewer and beach utility.

City Manager Neil Young explains to Mr. Seeger the time period of the debt and the period of repayment of that debt.

**RESOLUTION:**

123-05-2019 Reduction of Performance Guarantee for Pella, LLC. c/o Velvento Holdings, LLC.  
1151 New York Avenue, Cape May, NJ 08204 Block 1176, Lot 1

**Motion: Hendricks Second: Meier**

**Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes**

124-05-2019 Resolution Supporting National Beach Safety Week in the City of Cape May

**Motion: Hendricks Second: Meier**

**Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes**

125-05-2019 Resolution Re-Appointing and Continuing the Responsibilities of the Master Plan Advisory Committee

**Motion: Hendricks Second: Meier**

**Hendricks: Yes Meier: Yes Mullock: No Sheehan: No Lear: Yes**

126-05-2019 Resolution Determining the Form and Other Details of \$15,165,000 General Obligation Bonds, Series 2019 Consisting Of \$10,155,000 General Improvement Bonds, \$4,250,000 Water/Sewer Utility Bonds And \$760,000 Beach Utility Bonds of the City of Cape May, in the County of Cape May, New Jersey and Providing for their Sale

**Motion: Hendricks Second: Meier**

**Hendricks: Yes Meier: Yes Mullock: Yes Sheehan: Yes Lear: Yes**

127-05-2019 Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the City of Cape May, in the County of Cape May, New Jersey into a Single Issue of Bonds Aggregating \$10,155,000 in Principal Amount

**Motion: Hendricks Second: Meier**

**Hendricks:** Yes **Meier:** Yes **Mullock:** Yes **Sheehan:** Yes **Lear:** Yes

128-05-2019 Resolution Providing for the Combination of Certain Issues of Water/Sewer Utility Bonds of the City of Cape May, in the County of Cape May, New Jersey into a Single issue of Bonds Aggregating \$4,250,000 in Principal Amount

**Motion: Hendricks Second: Meier**

**Hendricks:** Yes **Meier:** Yes **Mullock:** Yes **Sheehan:** Yes **Lear:** Yes

129-05-2019 Resolution Providing for the Combination of Certain Issues of Beach Utility Bonds of the City of Cape May, in the County of Cape May, New Jersey into a Single Issue of Bonds Aggregating \$760,000 in Principal Amount

**Motion: Hendricks Second: Meier**

**Hendricks:** Yes **Meier:** Yes **Mullock:** Yes **Sheehan:** Yes **Lear:** Yes

130-05-2019 Resolution to Encourage use of Reusable, Cloth Type Shopping Bags as opposed to Single use Plastic Bags

**Motion: Hendricks Second: Meier**

**Hendricks:** Yes **Meier:** Yes **Mullock:** Yes **Sheehan:** Yes **Lear:** Yes

131-05-2019 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 – Broadway Pavilion

**Motion: Hendricks Second: Meier**

**Hendricks:** Yes **Meier:** Yes **Mullock:** Yes **Sheehan:** Yes **Lear:** Yes

132-05-2019 Resolution Regarding Appointments to the Cape May Zoning Board of Adjustment

**Motion: Hendricks Second: Meier**

**Hendricks:** Yes **Meier:** Yes **Mullock:** Yes **Sheehan:** Yes **Lear:** Yes

133-05-2019 Cape May City Payment of Bills

**Motion: Hendricks Second: Meier**

**Hendricks:** Yes **Meier:** Yes **Mullock:** Yes **Sheehan:** Yes **Lear:** Yes

### **MOTION**

Councilmember Sheehan moves to live stream or video the Public Safety Building Advisory Committee Meeting and the Master Plan Advisory Committee Meeting

**Second:** Mullock

City Manager Young explains that the City IT employee will not always be available to livestream the meetings.

Deputy Manager Inderwies advises that livestreaming the many committees will overlap and will be hard to livestream each meeting. Mr. Inderwies suggested video taping instead of livestreaming could make it easier for review.

### **MOTION**

Deputy Mayor Hendricks moves to table Councilmember Sheehan's motion to live stream or video the Public Safety Building Advisory Committee Meeting and the Master Plan Advisory Committee Meeting

**Second: Meier**

**Hendricks:** Yes **Meier:** No **Mullock:** No **Sheehan:** No **Lear:** Yes

## **MOTION**

Council then takes up Councilmember Sheehan's motion to livestream or video the Public Safety Building Advisory Committee Meeting and the Master Plan Advisory Committee Meeting, as seconded by Councilmember Mullock.

**Hendricks:** No **Meier:** No **Mullock:** Yes **Sheehan:** Yes **Lear:** No

## **REPORTS:**

Fire Department Monthly Incident Report for the month of April 2019

Cape May City Overtime Report for the months of March and April 2019

**Motion:** **Hendricks** **Second:** **Meier**

**Hendricks:** Yes **Meier:** Yes **Mullock:** Yes **Sheehan:** Yes **Lear:** Yes

## **DISCUSSION**

### **Prohibited Smoking on Cape May City Beaches**

Council Member Sheehan advises that the State of New Jersey has banned smoking on all beaches.

City Solicitor, Frank Corrado clarifies for Council the state law on smoking on beaches in the State of New Jersey.

Councilmember Sheehan expresses concern about a smoking area on Cape May beaches and asks Mr. Corrado for clarification.

Mr. Corrado informs council that the State of New Jersey allows up to no more than 15 percent of the beach to be designated as a smoking section. Mr. Corrado recommends appropriate no smoking signs along the beachfront although such signs are not mandated by the State of New Jersey.

Mayor and Council have a discussion on the States ban for prohibited smoking on the beaches and agreed to take a "wait and see" approach this summer to see if there is any demand for a smoking section along Cape May City's beaches.

## **NEW BUSINESS:**

A) City Attorney - None

B) City Manager-None

C) City Clerk – Ms. Harbora announces that the City of Cape May American Legion and VFW will conduct a Memorial Day Ceremony on Monday, May 27, 2019, 11A.M. in Convention Hall. City Clerk wishes everyone a "Happy and Safe Memorial Day".

D) Councilmembers –

Councilmember Mullock wishes everyone a Happy Memorial Day.

Councilmember Sheehan states her disappointment with Council that livestreaming all committees was not voted to pass and feels livestream shows transparency.

Deputy Mayor Hendricks informs the public that about 30,000 copies of the Cape Island bicycle route map were distributed throughout the city and the routes are color coded.

Councilmember Meier- None

Mayor Lear- None

**PUBLIC PORTION:** Those wishing to publicly comment shall come forward, give their name and address and speak into the microphone.

Lenore McCann, 133 New Jersey Avenue, Villas- Supports resolution 130-05-2019 encouraging the use of reusable cloth type shopping bags as opposed to single use plastic bags. Ms. McCann suggest shortening the jetty due to the currents.

Ms. McCann suggests removing the gardens on the street in front of Convention Hall to add more parking spaces. Ms. McCann comments that the 23 posters that are hanging in the City Hall auditorium be relocated to a more public building that is more accessible for visitors when City Hall is closed. Ms. McCann ask where all the equipment and memorabilia will be put during the construction of the public safety building.

Jules Rausch, 1010 New York Ave. - Mr. Rausch talks about a central dispatch being created in Lower Township and wanted to know the progress with the City of Cape May. Mr. Rausch informs Council of a meeting on May 29<sup>th</sup>, 2019 at Atlantic Cape Community College and encourages Council to attend the meeting to learn more about central dispatch. Mr. Rausch questions the salary ordinance.

City Manager Young explains the process of the City salary ordinance and advises that the ordinance needs to be updated each year.

Roger Furland, 627 Hughes Street, Cape May, Municipal Buildings and Property Committee member. Advises Council the importance of the of the Cape May City historic landmark destination and preserving HPC. Mr. Furland mentions an article in the Philadelphia Inquirer that Cape May is being monitored by the Park Service and must continue following HPC standards. Mr. Furland talks about the Franklin Street School and says the building would be an ideal place for a senior center. Mr. Furland gives a cost estimate of moving the library over to Franklin Street School as opposed to a community/senior center. Finally, Mr. Furland supports resolution 130-05-2019 encouraging the use of reusable cloth type shopping bags as opposed to single use plastic bags.

Jim Moffat, Sewell Ave., Cape May, Mr. Moffat asks City Council which City projects are most important to complete and affordable to the City. Mr. Moffat would like to have a financial report of the projects.

Mayor Lear advises that most project funding is Small Cities grant money.

Mr. Young, City Manager/CFO replies that City Council receives a list of projects needed to be completed each year and Council decides on the most important projects.

Mr. Young states that all the City financial information for the past five to six years is located on the Cape May City website.

Councilmember Mullock asks Mr. Young for an update on present projects and grants.

**CLOSED SESSION**

Time- 8:18pm

**OPEN SESSION**

**Motion:** Meier      **Second:** Sheehan  
Time- 8:25

**ACTION TAKEN**

**AGENDA ADDITION**

**134-05-2019** Resolution Authorizing Settlement of Dispute Between City of Cape May and Joseph Cunningham

**Motion: Hendricks    Second: Meier**  
**Hendricks: Yes    Meier: Yes    Mullock: Yes    Sheehan: Yes    Lear: Yes**


**ADOPT RESOLUTION**

**134-05-2019** Resolution Authorizing Settlement of Dispute Between City of Cape May and Joseph Cunningham

**Motion: Hendricks    Second: Meier**  
**Hendricks: Yes    Meier: Yes    Mullock: Yes    Sheehan: Yes    Lear: Yes**

**ADJOURNMENT**

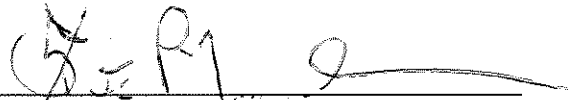
Motion made by Councilmember Meier, seconded by Deputy Mayor Hendricks, to adjourn. The meeting adjourned at 8:35 P.M.



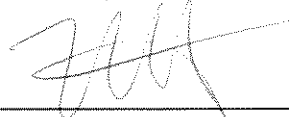
Clarence F. Lear III, Mayor



Patricia Gray Hendricks, Deputy Mayor



Shaine P. Meier, Councilmember



Zachary Mullock, Councilmember



Stacy D. Sheehan, Councilmember



Patricia Harbora, City Clerk

**CLOSED SESSION MEETING OF  
CITY COUNCIL OF THE CITY OF CAPE MAY, NJ  
Tuesday, May 21, 2019, 8:25 P.M.**

Those present at the closed session of Tuesday, May 21, 2019, were as follows:

Present: Deputy Mayor Patricia Gray Hendricks  
Mayor Clarence F. Lear, III  
Councilmember Shaine P. Meier  
Councilmember Mullock  
Councilmember Sheehan

Also Present: City Solicitor Frank Corrado  
City Manager Neil Young  
Deputy City Manager Jerry Inderwies, Jr.  
City Clerk Patricia Harbora  
Clerk Assistant, Michael Dorn

**CLOSED SESSION**

**City of Cape May and Joseph Cunningham Legal Dispute**

City Solicitor, Frank Corrado updates Council on the dispute resulted in a lawsuit between the City of Cape May involving the lease agreement of City property known as the Broadway Pavilion located at 100 Beach Avenue, Cape May, NJ. Mr. Corrado presents a draft agreement and resolution.

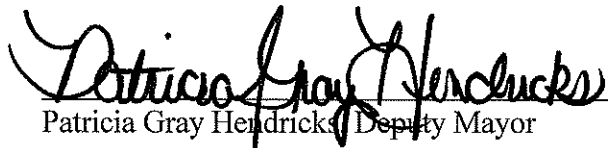
Cape May City Council has a discussion and feels the best interest of the City is to accept the negotiated settlement. This will resolve the dispute, avoids the cost of litigation and argument and will remove the potential for further lawsuits.

City Council and Manager agrees to settle the dispute and add a resolution to this matter on today's Agenda.

**Motion is made by Councilmember Meier, seconded by Councilmember Sheehan, to adjourn the closed session at 8:30 P.M.**



Clarence F. Lear III, Mayor



Patricia Gray Hendricks, Deputy Mayor




Shaine P. Meier, Councilmember



Zachary Mullock, Councilmember



Stacy D. Sheehan, Councilmember



Patricia Harbora, City Clerk

