

APPENDIX

Resolution Creating the Plan Endorsement Citizens' Advisory Committee

**CITY OF CAPE MAY
COUNTY OF CAPE MAY**

**Resolution of the City of Cape May creating the
Plan Endorsement Citizens' Advisory Committee
Resolution No. 156-07-2010**

Motion: Wichterman Second: Swain

WHEREAS, the Mayor and Council of the City of Cape May desire to obtain Plan Endorsement from the State Planning Commission; and

WHEREAS, Plan Endorsement is a voluntary review process developed by the State Planning Commission to provide the technical assistance and coordination of the State for municipalities, counties, and regional agencies to meet the goals of the State Planning Act and State Development and Redevelopment Plan; and

WHEREAS, the State Planning Act recognizes that coordination of State action is necessary to help municipalities develop New Jersey's economy while protecting the natural, historic and recreational resources, providing adequate and diverse housing, and redeveloping our cities and older suburban areas;

WHEREAS, the purpose of the Plan Endorsement process is to increase the degree of consistency among municipal, county, regional and state agency plans with each other and with the State Plan and to facilitate the implementation of these plans with the primary focus on where and how development and redevelopment can be accommodated in accordance with the State Plan; and

WHEREAS, the State Planning Rules and Plan Endorsement Guidelines establish a comprehensive and coordinated planning process in order for a municipality to consider, and update as necessary, master plans, functional plans, development regulations and capital plans to be consistent with the State Plan and achieve plan endorsement; and

WHEREAS, through plan endorsement, master plans, functional plans, development regulations and capital plans should be coordinated and supportive of each other; and

WHEREAS, the State Planning Rules and Plan Endorsement Guidelines incorporate, and expand upon, the principles of the Municipal Land Use Law in order to help towns plan for a sustainable future; and

WHEREAS, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-27, the Mayor may appoint one or more persons as a citizens' advisory committee to assist or collaborate with the planning board in its duties, including adoption of, and amendment

to, the master plan to guide the use of lands within the municipality in a manner which protects the public health and safety and promotes the general welfare of the community; and

WHEREAS, the Plan Endorsement Guidelines and State Planning Rules require the appointment of a Plan Endorsement Advisory Committee to guide the municipality through the Plan Endorsement process; and

WHEREAS, the Plan Endorsement Advisory Committee shall consist of between 5 and 10 members, including one representative of the governing body, a Class IV member of the planning board; one representative of a local board, commission or committee who is not a member of the planning board; and two representatives of the public that do not hold a position, employment or office with the municipality.

NOW THEREFORE BE IT RESOLVED that the Mayor of the City of Cape May hereby approves and adopts the following:

City of Cape May establishes a Plan Endorsement Citizens' Advisory Committee consisting of between 5 and 10 members as follows:

William Murray, Councilmember
Meryl Nelson, Planning Board member
Arnold Pitman, Zoning Board member
Dennis Crowley, Citizen
Andy Fontaine, Citizen
Linda Steenrod, Citizen
Mary Rothwell, Zoning Officer

The members of the Citizens' Advisory Committee shall serve at the pleasure of the Mayor; and

The Citizens' Advisory Committee shall report findings and conclusions of its actions performed pursuant to the State Planning Rules and Plan Endorsement Guidelines, and make recommendations to the Planning Board on next steps, but shall have no power to vote or take other action required of the Planning Board; and

The Citizens' Advisory Committee shall also report to the Governing Body at least once on the status of plan endorsement; and

The Citizen Advisory Committee shall be entitled to call to its assistance any personnel of any municipal department or consultant thereto as it may require in order to perform its duties; and

The Citizens' Advisory Committee is established for the purpose of:

- Guiding the plan endorsement process for the municipality
- Increasing public awareness of, and participation in, the plan endorsement

process for the community


- Serving as the liaison with the state, county, regional agencies and local officials throughout the plan endorsement process
- Assisting the municipality in meeting the deadlines of plan endorsement
- Take the lead on completing the municipal self-assessment and submitting the required planning documents to the Office of Smart Growth
- Helping to facilitate community visioning as described in the Plan Endorsement Guidelines and community visioning standards
- Reporting the findings and conclusions of the self-assessment and community visioning to the local planning board for its review; and

Negotiating a draft Action Plan with the Office of Smart Growth, in collaboration with the planning board and governing body, to consist of actions that should be taken to adopt and/or update plans, ordinances and regulations in order to meet the plan endorsement requirements;

Facilitating completion of the Action Plan items in order to achieve endorsement by the State Planning Commission and enjoy the benefits available to the municipality as a result of the endorsed plan.

THEREFORE BE IT FURTHER RESOLVED that the Clerk of the City of Cape May shall transmit a copy of this resolution and the notice as required in the State Planning Rules to the State Planning Commission.

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 6, 2010.


Diane L. Weldon, RMC City Clerk

Roll Call	Ayes	Nays	Absent	Abstain
Fiocca	x			
Murray	x			
Swain	x			
Wichterman	x			
Mahaney	x			

APPENDIX

Meeting Agendas and Minutes

Cape May City
Plan Endorsement Committee
Monday, June 9, 2008

Present:

Dennis Crowley – Co Chair
Andy Fontaine
Bill Murray
Meryl Nelson – Co Chair
Arnold Pittman
Mary Rothwell

Absent:

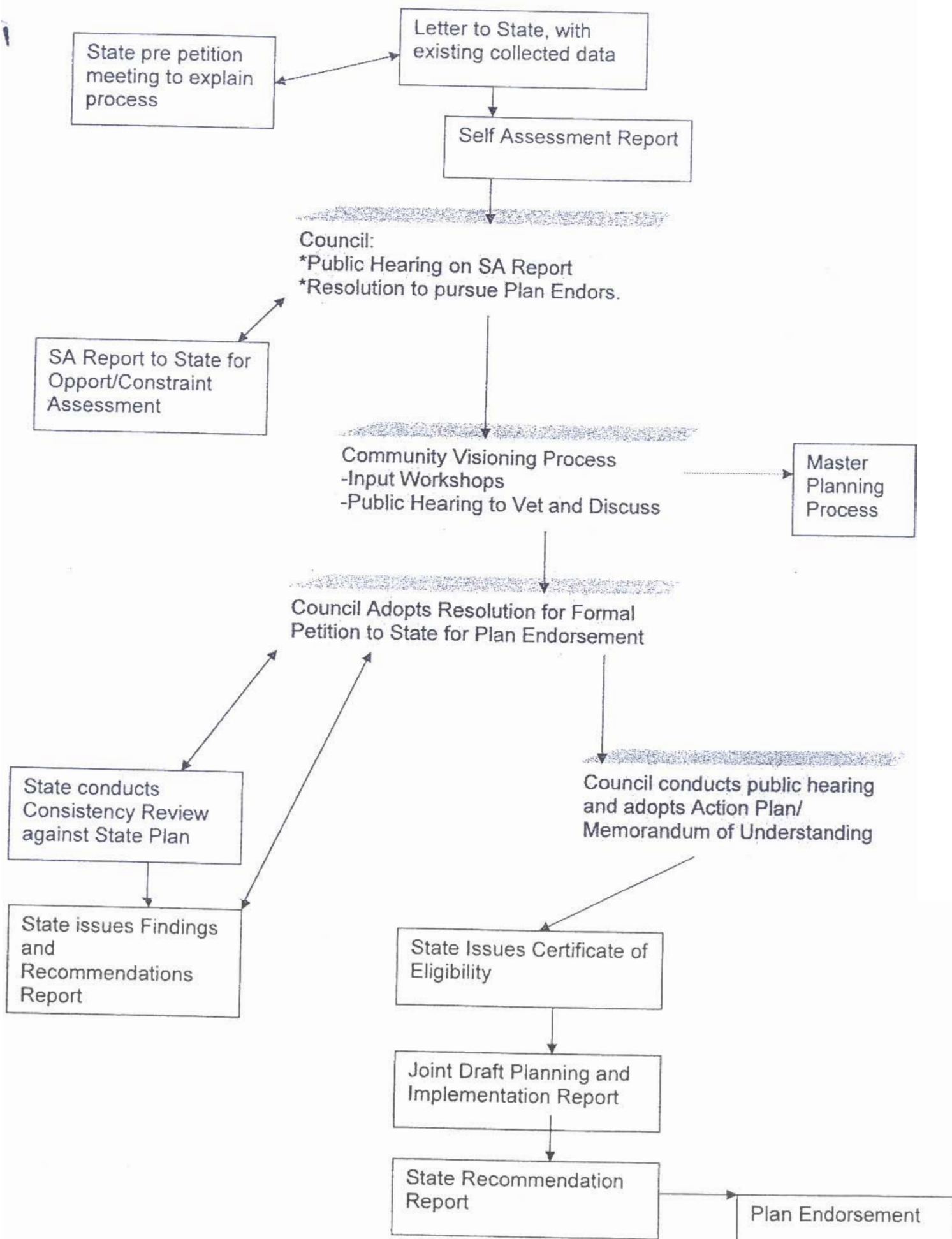
Linda Steenrod

This meeting is being held in compliance with the open meetings act and was properly noticed.

1. Dennis Crowley prepared and distributed a flow-chart of where the Committee currently is and where we need to go. (See attached.)
 - a. Step one, letter and documents to NJ Office of Smart Growth, was completed May 15, 2008.
2. The next step is the NJ Pre-Petition Meeting in Trenton.
 - a. Mary Rothwell reported that Alan Miller, NJ Office of Smart Growth, called and left a message that the City documentation was accepted and now the Pre-Petition meeting can be scheduled.
 - b. The meeting will happen in early July after the new Mayor and Councilmember are installed. The required participants from the City include the Mayor and Eric Gundrum, representative of Remington & Vernick.
 - c. Mr. Miller asked the City to address 3 issues.
 - i. Rehabilitation ordinance (not available)
 - ii. Redevelopment plan (not available)
 - iii. Environmental Commission report (already included)
 - d. Mr. Crowley and several other Committee members want to attend the meeting in Trenton and present pertinent questions to be answered by the Office of Smart Growth. It is essential to find out what the Office of Smart Growth wants and then satisfy it.
3. The Self Assessment Report is one of the key items to be created by the Committee. Dennis Crowley presented the four basic requirements of this report based on *Plan Endorsement Proposed Rule Revisions April 2008*.
 - a. Analysis of existing conditions.
 - b. Inventory of key characteristics.
 - c. Any relevant existing planning documents.
 - d. Findings and conclusions regarding consistency with the State Plan.

4. A long discussion followed about the task set us by Eric Gundrum. To establish the Committee's ideas of what to include in a report due to CAFRA by June 24, 2008.
 - a. Why is it being done? What should it include?
 - i. Dennis Crowley will call Eric Gundrum today and ask him to prepare a draft of the document that would be sent to CAFRA by next Monday's meeting. Then the members can review it.
5. Dennis Crowley asked all of the members to individually write down any questions that they would like to be answered in Trenton about the process we are involved in. He is also asking Eric Gundrum for a similar list.
6. A long discussion ensued about the need to have Eric Gundrum present at most if not all of the Committee meetings as none of us are professionals.
 - a. Mary Rothwell pointed out that the Planning Board had to make compromises on the amount of professional help there would be for this process as there was not enough money set aside to have professional help throughout the process. It was critical to begin the application process.
 - b. The Plan Endorsement Community Visioning Standards specifically state that:
 - i. At the request of a municipality, the Office of Smart Growth shall work with the Plan Endorsement Advisory Committee to help get the process started.
 - ii. The Plan Endorsement Advisory Committee shall engage a facilitator to guide the community through all public workshops and meetings. The facilitator should be a licensed planner or have experience with community visioning process and concepts.
7. The minutes from June 2, 2008 were approved.
 - a. Mary Rothwell made the motion, seconded by Bill Murray.
8. The meeting was adjourned at 4:35. The next meeting will be Monday, June 16, 2008, at 3:00 PM.

Submitted by: Meryl Simon Nelson, Recording Secretary, June 9, 2008



**Cape May City
Plan Endorsement Committee
Monday, June 16, 2008**

Present

Dennis Crawley, Co-Chair

Meryl Nelson, Co-Chair

Arnold Pitman

Mary Rothwell

and

Eric Gundrun

Absent

Andy Fontaine

Bill Murray

Linda Steenrod

This meeting is being held in compliance with the open meetings act and was properly noticed.

1. Eric Gundrun reported that this Committee has nothing to do until after the July meeting with the new Mayor and himself (and any Committee members who) go to the pre-Petition meeting with the Office of Smart Growth in July.
2. Eric Gundrun reported that the State is working on a new deadline for the municipal assessment and he expects that it will be some time in September instead of the planned June 24, 2008.
3. The report will include sections on current demographic information, recent zoning regulations, summary of Master Plan, status of COAH, Environmental issues and concerns. This report will be sent to the Office of Smart Growth and then they will forward it to Community Affairs, Transportation, CAFRA, Policy and Sustainability and any other relevant agencies. They will read and evaluate Cape May City's report and send their own assessments back to Office of Smart Growth.
4. At that time a planning implementation agreement will be negotiated between the Office of Smart Growth and Cape May City on how Cape May City can meet the State requirements for Center Designation Approval.
5. The majority of the meeting was devoted to Eric Gundrun's suggestions about modifying the Cape May City map from the previous 1998 Center Designation approval to include several other adjacent areas. (See attached map).

A. The Public Works land that houses administrative buildings, the water tower, the desal plant and recycling is not included as part of Cape May City on the

previous 1998 Center Designation map and should be included now. This must have been an oversight.

B. The Brodessor Tract should definitely be included within the City limits. That will let everyone know that the space is designated, or being designated, as Open Space and environmentally sensitive. That is it not considered vacant land available for development, not even for affordable housing.

C. The Coast Guard Base and Coast Guard Housing should also be included within the City limits. This will have to be worked out with Mayor and Council and the Coast Guard but there is precedence for doing this in New Jersey (Mansfield Township, Fort Dix, McGuire Air Force Base. (Eric will provide the documentation on this at a later date.) This will help with credits towards affordable housing within Cape May City.

D. Spicer Creek – The last time the boundaries were drawn for Center Designation, they followed the water's edge and did not reflect that half of the water way of Spicer Creek belongs to Cape May City and should be included within our City boundaries and then be labeled as environmentally sensitive acreage.

E. Schellenger's Island, the main entrance to Cape May City belongs to Lower Township. As the State encourages regional planning, this would be the perfect area to put regional planning to work. If our Mayor and Council can work out a deal with Lower Township Mayor and Council then Schellenger's Island could be jointly managed. We would have to pay increased costs for servicing and maintaining the Island but we could then work together to obtain grants to improve the access to Cape May City and possibly get the small bridge replaced. Resolutions would have to be signed by both governments and would not have to include any rate-ables in the agreements. Cape May City needs better traffic management and better access for vehicle traffic.

6. Dennis Crowley made the motion to approve the minutes of June 6, 2008. Mary Rothwell seconded it and they were approved unanimously.

7. The entire Plan Endorsement Committee is invited to the Planning Board meeting on Tuesday, June 24, 2008 at 7:00 PM. Eric Gundrun will also be in attendance.

8. The Public portion of the meeting was opened. No comments. It was closed.

The meeting adjourned at 4:10 PM and no new meeting dates are scheduled until after the Pre-Petition meeting in early July.

Submitted by: Meryl Simon Nelson, Recording Secretary, June 17, 2008

City of Cape May

National Historic Landmark

City Hall – 643 Washington Street

Cape May, New Jersey 08204-2397



www.capemaycity.org

City of Cape May Plan Endorsement Citizens' Advisory Committee Meeting Agenda Thursday, August 5, 2010, 10:00 AM

Opening: In compliance with the Open Public Meetings Act of 1975, adequate notice of this meeting has been provided. If any member has reason to believe this meeting is being held in violation of this Act, they should state so at this time.

Roll Call:

Business: Introduction to the Plan Endorsement Process
Plan Endorsement Assessment Report

Adjournment:

**Mary L. Rothwell
Zoning Officer
July 23, 2010**

**This meeting will be held in our City Hall Auditorium
643 Washington Street, Cape May, New Jersey**

**Cape May City
Plan Endorsement Committee
Thursday, August 5, 2010**

Present

Dennis Crowley, co-Chair, Citizen
Meryl Nelson – co-Chair, Planning Board Member
William Murray, Council Member
Arnold Pitman – Zoning Board Member
Linda Steenrod, Citizen
Andy Fontain, Citizen
Mary Rothwell, Zoning Officer

Also Present

Mayor Dr. Mahaney
Craig Hurless, Professional in Charge

Dennis Crowley chaired the meeting and Meryl Nelson took the minutes. The meeting is being held in compliance with the Open Meetings Act and was begun at 10:00 AM with roll call and Pledge of Allegiance. It is noted that the meeting was advertised in the Star and Wave of July 29, 2010.

Craig Hurless distributed the updated Municipal Plan Endorsement Guidelines and walked the members of the committee through the high points of the document.

- a. Step 1 – Pre-Petition, the City has already undertaken that step in August 2008.
- b. Step 2 – Resolution for the formation of the Plan Endorsement Committee. This was done in 2008 and again in July 2010.
- c. Step 3 – Municipal Self Assessment – Craig Hurless distributed copies of a sample Plan Endorsement Assessment Report that included all of the necessary components and the information that responded to each item that Craig gleaned from the Master Plan Update, COAH, Flood Plan, and other City documents.
 - i. This report that is in process will be the focus of the next two Plan Endorsement meetings. Committee members are requested to read the entire document and to write comments on each section about what they think should be included.

Craig Hurless distributed the essential documents that this committee needs to complete its mission along with informative maps and guidance about how to use this information in preparation for the following meetings.

The estimated timeline for the entire process is six to eight months.

Upcoming meeting dates are:

1. Thursday, August 26, 2010 at 10:00 am, City Hall
2. Thursday, September 9, 2010 at 10:00 am, City Hall
3. Thursday, October 5, 2010 with Council, City Hall

This very informative meeting adjourned at 12:00 PM.

Submitted by Meryl Simon Nelson, Recording Secretary, August 6, 2010

Construction & Zoning

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City of Cape May

National Historic Landmark

City Hall – 643 Washington Street
Cape May, New Jersey 08204-2397



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**City of Cape May
Plan Endorsement Citizens' Advisory Committee
Meeting Agenda
Thursday, August 26, 2010, 10:00 AM**

Opening: In compliance with the Open Public Meetings Act of 1975, adequate notice of this meeting has been provided. If any member has reason to believe this meeting is being held in violation of this Act, they should state so at this time.

Aug 10

Roll Call:

Business: Plan Endorsement Assessment Report Process

Adjournment:

**Mary L. Rothwell
Zoning Officer
August 17, 2010**

**This meeting will be held in our City Hall Auditorium
643 Washington Street, Cape May, New Jersey**

Cape May City
Plan Endorsement Committee
Thursday, August 26, 2010

Present

Dennis Crowley, co-Chair, Citizen
Meryl Nelson – co-Chair, Planning Board Member
William Murray, Council Member
Arnold Pitman – Zoning Board Member
Linda Steenrod, Citizen
Andy Fontain, Citizen
Mary Rothwell, Zoning Officer

Also Present

Mayor Dr. Mahaney
Craig Hurless, Professional in Charge

Dennis Crowley chaired the meeting and Meryl Nelson took the minutes. The meeting is being held in compliance with the Open Meetings Act and was begun at 10:00 am with roll call and Pledge of Allegiance. It is noted that the meeting was advertised in *the Star and Wave* of August 10, 2010.

Craig Hurless presented all of the members with an updated draft of the Plan Endorsement Report dated August 26, 2010. This version has been substantially fleshed out. This meeting is to go through the document page by page so the committee members can add their comments to this draft.

1. Page 49 – letters will be provided by Mayor Mahaney and the last item is covered in the MasterPlan Update 2009.
2. Intro section is OK.
3. Context section in OK.
4. Demographics will be finalized at the end. Basically using 2000 census data and 2010 census data will not be available for several years.
 - a. Trend is that Cape May City is continuing to lose year round residents and seasonal home ownership is rising.
5. Long discussion on Goals and Objectives of Plan Endorsement was undertaken.
 - a. Need to be sure to include that we are working closely with our neighboring communities particularly in the areas of traffic flow, recreation and shared services including schools.
6. COAH Projection – no changes.
7. Community Inventory
 - a. Wetlands – leave the language as is because nothing is totally resolved yet.
 - b. Parks – Craig Hurless will indicate all parks, green area , etc on mapping.

- i. Recreational space – the four blocks on Cape May Avenue are currently under-utilized by the community because of vocal complaints by the homeowners on that street.
- 8. Community Facilities –
 - a. Add senior care at Victorian Towers on page 36
 - b. Senior citizen swim to the list of activities at the bottom of page 37.
 - c. ADA improvements \$271,913. On page 40.
 - d. Add World War II observation tower to MAC activities.
- 9. Infrastructure
 - a. Add Mount Vernon from Broadway to the cove.
 - b. Add West Perry St.
- 10. Page 47 – add Business Improvement District.
- 11. Page 48 – Map changes will include areas of Brodesser property and Shelton College area (North Point).
- 12. Page 51 – there have been several small matching grants between the City and the Nature Center for various informative pamphlets.
- 13. Page 53 – add the Board of Education.
- 14. Page 60 - add Tourism Commission and Convention Hall Committee.
- 15. Page 61 – add conservation element from Master Plan Update 2009.
- 16. Page 64 – Modify elementary school issue.
- 17. Page 65 – add shuttle bus service and New Wave trolley service in transportation paragraph.
- 18. Within goal 5 add Access to Art.
- 19. Page 70 – Add Rhodeside and Harwell.
- 20. Page 71 – Add information about Cape May City, Cape May Point and West Cape May police and emergency agreements.
- 21. Page 73 – Cape May’s consistency with State Plan – Craig Hurless will prepare a narrative on this topic.
- 22. Page 74 – Craig Hurless reviewed these criteria with the committee.
- 23. Page 76 – Wish list – might add a Cultural District that would include the areas of Henry’s restaurant and the movie theater complex.

Committee members are to review all of the comments made and to note down any further comments. Craig Hurless will have an updated draft for us to review before our next meeting.

The meeting adjourned at 12:45PM. The next meeting is September 9, 2010 at 10AM.

Submitted by Meryl Simon Nelson, Recording Secretary, August 31, 2010

Construction & Zoning

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City of Cape May

National Historic Landmark

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City of Cape May Plan Endorsement Citizens' Advisory Committee Meeting Agenda Thursday, September 9, 2010, 10:00 AM

Opening: In compliance with the Open Public Meetings Act of 1975, adequate notice of this meeting has been provided. If any member has reason to believe this meeting is being held in violation of this Act, they should state so at this time.

Roll Call:

Business: Plan Endorsement Assessment Report Process

Adjournment:

**Mary L. Rothwell
Zoning Officer
September 2, 2010**

**This meeting will be held in our City Hall Auditorium
643 Washington Street, Cape May, New Jersey**

APPENDIX

City of Cape May Zoning Board of Adjustment and Planning Board
yearly reports 2003 – 2009

CITY OF CAPE MAY ZONING BOARD OF ADJUSTMENT REPORT 2003

Zoning District	Block/Lot	Applicant Property Address	Ordinance Section #	Project Description	Decision
R4	1121/1&2	LaBella 1100 –1102 Virginia	32-12.2 Building Height	Cupula	D
C2	1062/6&7	Avalon Coffee Beach & Gurney	32-62.3 Waiver of site plan	Outdoor Seating	D
RS	1065/1&2	Tenenbaum 119 Stockton Pl	32-13 Use	Use	A
R1/PW	1222/8	Cieckia 1732 Maryland Ave	32-9 Expansion of non- conforming use & structure	Construction of an addition on non-conforming use.	A
R3	1080/1	Center For Community Arts 729 Lafayette St	32-11 Use variance	Office use for non-religious purposes	A
R2	1128/17-19	Monaghan 1230 Washington St	32-10.1 Use variance	Construction of deck on non- conforming use.	A
R3	1089/22.02	Madison Ave	32-11.1 32-54.5a	Construction of deck on non- conforming use	A
R2	1149/16&17	Chickey 1316 Idaho Ave	32-10.1 Lot size, lot width & side yard variances	Expansion on undersize lot	A
R3	1061/40&41	Berczynski 651 Broad St	32-11.2 Lot size, lot width Variances	Construct new single family on undersize lot	A
R1	1108/62-64	1027 Virginia Ave	32-9.2 lot coverage variance	Construct an addition & patio	A
RS	1049/7	Sucher & Lyons 516 Carpenters Ln	Use, Lot size, lot width, building & side yard setback, off street parking, preliminary & final site plan	Conversion to retail sales	A

Zoning District	Block/Lot	Applicant Property Address	Ordinance Section #	Project Description	Decision 2003
R2	1132/19&20	Burrell 1218 Maryland Ave	Lot size, lot width, side yard setback variances	Expansion on undersize lot	A
RS	1078/2	Bray 720 Washington St	Appeal	Operation of restaurant	D
R2	1134/16	Gregory 1233 Idaho Ave	Lot size, lot width Variance	Expansion on undersize lot	A
Zoning District	Block/Lot	Property Address	Ordinance Section #	Project Description	Decision
R3	1061/42	Sliker 811 St John St	32-11.2 Rear yard setback	An addition which will not meet rear yard setback requirement	A
RS	1082/12	Adams 925 Stockton	32-13.2 Lot size, front yard setback	Expansion on undersize lot	A
R3	1091/16	Venner 821 Corgie St	32-11.2 Lot size, lot width, side yard, building setback line variance	Expansion on undersize lot	A
MU	1160/22	Chew 1531 Yacht Ave	32-29.3 Lot size variance	Construct s/f on undersize lot	A
C3	1130/4&5	Alonzo 1204 New Jersey	32-52.2 Lot size variance	Construct s/f on undersize lot	A
	1083/2 & 3	Dorman 902 Benton Ave		Revisions to prior approval	A
C2	1062/6&7	Avalon Coffee Beach & Gurney	Use	Remand – Outdoor seating	D

ZONING BOARD OF ADJUSTMENT DECISION REPORT 2004

Block/ Lot	Applicant Property Address	Zoning District	Ord. Section	Project Description	Decision
1148/ 25-07.01	McMullin 1321 New York Ave.	R2	32-10.2 Front Yd	Front Porch	A
1147/38	Chappell 1301 New Jersey Ave.	R2	32-10.2 Lot Size Front & Rear Yd Lot Cov.	Addition to Single family	A
1094/26	Giantini & LaCagnina 911 Queen St.	R3	32-11.2 Lot Size Per family Lot Width Side Yd	Addition to semi attached dwelling	A
1104/ 35-37	Hall 1037 Maryland Ave.	R2	32-10.2 Lot Size & Width	Addition to single Family dwelling	A
1089/3	Cape Island Properties 910 Columbia Ave.	R3	32-11.2 Lot Size & Width Front & Rear Yd	New single family dwelling	A
1087/16	Walther 917 McCullum Ave.	R3	32-11.2 Lot Size Side Yd	Addition to single family dwelling	A
1132/ 3-4	Kotzen 1202 Maryland Ave.	R2	32-10.2 Lot Size & Width	Construct Enclosed porch	A
1038/8	Adams 211 Perry St.	RS	32-13.2 Lot Coverage	Parking area	A
1064/ 11,12 & 16	Bedner 721 Beach Ave.	C2		Revision to site plan approval	A
1089/2	Hanson 906 Columbia Ave.	R3	32-11.2 Lot Size & Width	New single family dwelling	A

Block/ Lot	Applicant Property Address	Zoning District	Ord. Section	Project Description	Decision 2004
1014/19	O'Conner 21 Second Ave.	R2	32-10.2 Lot Size & Width Rear & Side Yd Lot Cov	Addition to single family dwelling	A
1113/15	Monaghan 1212 Union St.,	R2	32-10.2 Lot Size Front Yd	New Single Family Dwelling	A
1074/10	Reinhart 815 Sewell Ave.	RS	32-13.2 Lot Size & Width Rear Yd Lot Cov	Deck Expansion	A
1110/ 25-27	Ahrndt 1136 Washington St.	R2	32-10.2 Lot Size Side & Front Yd	Addition	A
1061/ 110	Scott 1281 Lafayette St. Hardship Var., C6 District	C6	32-27.3 Size Side & Front	Addition to single family dwelling	A
1160/ 29-33.01	Wetherill, 1528 Yacht Ave., Use & Hardship Var	MU Dist	32-29.1 Side Yd FAR Use	Renovations to Boat-House & Construction of new single family	A
1107/54	Cavanaugh 1013 Ohio Ave.	R1	32-9.1 Lot Size & Width Side Yd Lot Cov	Construct New single family dwelling	A
1017/15	111 First Ave. Condo Assoc 111 First Ave. Use Variance.	R-2	32-10.1&2 Use Area & Bulk	Construct second floor addition on a non-conforming use	D
1148/ 18&19	Bracegirdle 204 Pittsburgh Ave.	R2	32-10 1. Use Site Plan	Request five (5) unit multifamily	D

ZONING BOARD OF ADJUSTMENT DECISION REPORT 2005

Block/ Lot	APPLICANT	Zoning District	ORD. SECTION	Project Description	DECISION
1118/31	Rambo 1125-1127 Maryland	R2	32-10.1 Side Yd Lot Cov	Addition to semi Attached dwelling	D
1090/44	GL Realty 911-913 Columbia Ave.	R3	32-10.1 Use Var/Site Plan Rear Yd	Addition to multi- family dwelling	A
1095/14	Rhodes 1016 Stockton	RS	32-28.1 Lot Width	Construction of new single family dwelling	A
1223/9	Evans 1840 Maryland Ave	R1	32-9.1 Exp. of non- conforming use	Addition to semi- attached dwelling	A
1104/33 & 34	Cavalieri 1039 Maryland Ave	R2	32-54.5 Exp on non- conforming lot 32-10.2 Lot Cov	Addition to single family dwelling	A
1105/25	Gaiski 1051 Idaho Ave	R2	32-10.2 Lot Size & Width	Construction of new single family dwelling	A
1019/33	Young 101 S Broadway	R2	32-10.2 Lot size & Width Front Yd Setback	Major renovation/addition to single family dwelling	A
1107/ 1-11.01	Kahane Madison & Virginia	R1	32-9.1 & 2 Use Setbacks Lot Cov Site Plan	Construction multi-family 13 units	D
1083/20	Pray 921 Kearney Ave	R3	32-10 Side Yd	Construction of single family dwelling	A

Block/ Lot	Application	Zoning District	Ord. Section	Project Description	Decision 2005
1080/1	Center for the Community Arts, Inc 712 Lafayette St	R3	32-11.1 Use Site Plan with Variances	Subdivide from Church use and convert to office area.	A
1222/10	Galvin 1742 Maryland Ave.	R1	32-9.1 Use Exp of non- conforming use Lot size, width	Addition to semi- attached dwelling	A
1131/ 9.02 & 10	Stonitsch 1216 New York Ave.	R2	32-10.2 Lot Cov	Parking area & walkways	A
1136/19	Monarch 1243 Ohio Ave.,	R4	32-13.2 Lt Cov.	Addition/Renovation to single family dwelling	A
1061/70.01	Flickenger, 1147 Lafayette St., Hardship Var., Dist	R2	32-10.2 Ft. Setback Lot Cov.	Addition to single family dwelling	A
1074/7	Keller, S. 508 Jefferson St.	RS	32-11.2 Building Setback	Construction of porch	A
1062/6	Abdelsalam 711 Beach Ave.	C2	32-24.1 Parking Site Plan Waiver	Propose outdoor seating	A
1227/7	Horner, 1730 Maryland Ave., Use/Hardship Var.	R1	32-9.1 Use Exp of non- conforming use	Addition to semi- attached dwelling	A
1104/47 & 48	Miller 1019 Maryland Ave.	R2	32-10.2 Ft Yd.	Construction of new single family dwelling	A
1164/1&2	Cape May Realty 311 Pittsburgh Ave	R3	32-11.1 Use	Propose addition of owners quarters to a non-conforming real estate office	A

[illegible]

ZONING BOARD OF ADJUSTMENT DECISION REPORT 2006

Block/ Lot	Applicant	Zoning District	Ord. Section	Project Description	Decision
1092/19	Weiber 821 Washington St		Appeal	Appeal prior approval of Sowers Application	D
1081/25	Corp of Catholic Clergymen 901 Beach Ave.	RS	32-43.1 Lot Cov Side Yd Parking	Major renovations to a religious retreat	A
1102/31-33	Conwell 108 Philadelphia Ave.	R2	32-10.2 Lot size Building Setback	Construction of new single family dwelling	A
1087/10	Burgin 930 Wenonah Ave	R3A	525-16 2 Lot Size Building Setback	Reconstruction of single family dwelling	A
1064/20	Hughes 15 Stockton Ave	RS	525-19 2 Lot Size & Width Building & side yd setback	Reconstruction of new single family dwelling	A
1159/9 & 10	O'Donnell Properties 1310 Texas Ave.	R2	525-15A Use	Construct semi- detached dwelling	D
1143/4-6	Hummel 1310 & 1312 Massachusetts Ave.	R2	525-15A Use	Construct semi- detached dwelling	A
1223/3	Foulke 1810 Maryland Ave	R1	525-141. Use Lot Size & Width Building & side yd Lot cov	Addition to semi- attached dwelling	A
1079/5	Giancola & Deegler 721 Washington Street	C1	525-16B Lot size & rear yd setback	Addition to single family dwelling	A

[illegible]

City of Cape May Zoning Board of Adjustment Decision Report 2007

BLOCK/ LOT	APPLICANT	ADDRESS/ PROPOSAL	ZONING DIST.	Ordinance RELIEF SOUGHT	DEC
1019/7	CROMIE	266 GRANT ADDITION TO S/F	R2	SEC.#525-15 LOT SIZE LOT WIDTH LOT FRONTAGE LOT COVERAGE BUILDING SET BACK	A
1142/32	DADDINO	1213 VERMONT ADDITION TO S/F	R2	SEC.#525-15 LOT COVERAGE	A
1153/ 31&32	JOHNSON	1341C&D VIRGINIA QUAD CONVERSION	R4	SEC.#525-17 USE VARIANCE	A
1175/5	BROGAN	1525 NEW JERSEY ADDITION TO S/F	R1	525-14 LOT SIZE LOT WIDTH LOT FRONTAGE BUILDING SETBACK SIDE YARD	A
1014/15	O'HARA	304 BEACH ADDITION TO S/F	C3	525-72E VARIANCES PREVIOUSLY GRANTED	A
1090/1	JRE TWENTY- THREE LLC	802 CORGIE DEMOLITION & RECONSTRUCTIO N OF S/F	R3A	525-16 BUILDING SETBACK 525-72D EXP/ALT OF NON-CONFORMING STRUCTURE	A
1085/9	VOGEL	924 MCCULLUM DEMOLITION & RECONSTRUCTION OF S/F	R3A	525-16 LOT SIZE BUILDING SET BACK, LOT FRONTAGE & WIDTH	A

BLOCK/ LOT	APPLICANT	ADDRESS/ PROPOSAL	ZONING DIST.	VARIANCE RELIEF SOUGHT	DEC 2007
1221/9.04	WKR CONST.	1800 NEW YORK TRAILER PLACEMENT	R1/PW	SEC.#417-3 SITE PLAN WAIVER SEC.#525-5G USE	A
1012/2	MAHER	102 MT VERNON ENCLOSE PORCH	R2	SEC.#525-15 SIDE YARDS LOT FRONTAGE LOT WIDTH	A
1223/4	CASEY	1812 MARYLAND ADDITION TO SEMI- DETACHED	R1/PW	SEC.#525-14 EXP NON- CONFORMING USE LOT SIZE LOT WIDTH LOT FRONTAGE SIDE YARD SETBACK LOT COVERAGE	A
1022/ 7,8 & 34	PREET	232-234 WINDSOR RENOVATIONS TO FIVE UNIT MULTIFAMILY	R2	SEC.#525-15 USE VAR PRE. SITE PLAN LOT SIZE LOT WIDTH LOT FRONTAGE REAR YARD BUILDING SET BACK LOT COVERAGE FAR PARKING	A
1022/ 7,8 & 34	PREET	232-234 WINDSOR	R2	FINAL SITE PLAN	A
1117/16-18	BOUCHER	204 READING FRONT PORCH CORNER LOT	R2	SEC.#525-15 BUILDING SETBACK	A
1081/9	WEBB	910 STOCKTON ADDITION TO S/F	RS	SEC.#525-19 BUILDING SETBACK SIDE YARDS SEC.#525-54	A

BLOCK/ LOT	APPLICANT	ADDRESS/ PROPOSAL	ZONING DIST.	VARIANCE RELIEF SOUGHT	DEC 2007
1090/24&25	HALBRUNER	2 LIBERTY MAJOR RENOVATIONS TO TWO UNITS	R3	SEC.#525-72 NON- CONFORMING ON NON-CONFORMING LOT SEC.#525-16 LOT SIZE BUILDING SETBACK REAR SETBACK	A
1061/69.01	FIOCCA	1143 LAFAYETTE ADDITION TO S/F	R2	SEC.# 525-15 BUILDING SETBACK REAR YARD LOT SIZE	A
1119/21	HOROWITZ LEVINE	1107 IDAHO DEMOLITION/ RECONSTRUCTIO N OF S/F	R2	SEC.#525-15 LOT SIZE LOT WIDTH LOT FRONTAGE	A
1120/6	RUSSELL	1120 OHIO TWO UNITS ADDITION TO ONE UNIT	R2	SEC.#525-15 USE	A
1032/8&14	CCK EQUITIES	29 PERRY MAJOR RENOVATIONS TO COMMERICAL	R2	SEC.#525-15 USE SEC.#525-49 PARKING & SITE PLAN WAIVERS	A
1088/5	MANNING	946 SEWELL ADDITION TO S/F	R3A	SEC.#525-16 LOT SIZE LOT WIDTH LOT FRONTAGE SIDE YARDS SEC.#525-72 EXP OF NON CONFOMING ON NON CONFORMING LOT	A

BLOCK/ LOT	APPLICANT	ADDRESS/ PROPOSAL	ZONING DIST.	VARIANCE RELIEF SOUGHT	DEC 2007
1083/24	CONNERS	901 KEARNEY ADDITION TO S/F CORNER LOT	R3A	SEC.#525-16 USE FAR LOT SIZE BUILDING SETBACKS	A
1104/59&60	MAGEE	1001 MARYLAND ADDITION TO S/F CORNER LOT	R2	SEC.#525-72 NON-CONFORMING STRUCTURE ON NON- CONFORMING LOT SEC.#525-15 LOT SIZE LOT WIDTH BUILDING SETBACKS LOT COVERAGE	A
1148/25-27.01	MCMULLIN	1321 MARYLAND ADDITION TO S/F	R2	SEC.#525-72 NON-CONFORMING STRUCTURE ON NON- CONFORMING LOT	A
1096/17	PATTON	101 QUEEN DEMOLITION/ RECONSTRUCTIO N S/F	RS	SEC.#525-19 BUILDING SET BACK	A

ZONING BOARD OF ADJUSTMENT REPORT OF DECISIONS 2008

BLOCK/ LOT	APPLICANT	ADDRESS/ PROPOSAL	ZONING DIST.	VARIANCE RELIEF SOUGHT	DEC	RES.#
1088/12- 14	BEZAIRE	954 SEWELL DEMO OF S/F/D NEW S/F/D	R3A	525-16B LOT SIZE	A	1-24-2008:1
1066/1	MILLER, K	215 STOCKTON EXTERIOR MECHANICALS	RS	525-19B BUILDING SETBACK LINE	D	1-24-2008:2
1133/21 & 22	KEENAN	1227 MARYLAND DEMO OF S/F/D NEW S/F/D	R2	525-15B LOT SIZE LOT WIDTH LOT FRONTAGE	A	2-28-2008
1160/66- 68	CUTLER	1410 TEXAS DEMO OF S/F/D NEW S/F/D	R3	525-16B FLOOR AREA RATIO BUILDING SETBACK LINE	A	3-27-2008:1
1083/11 & 12	DEMO & BRADY	928 BENTON FRONT PORCH ADDITION	R3A	525-16B LOT SIZE BUILDING SETBACK LINE	A	3-27-2008:2
1022/18	COOPER	208 WINDSOR REAR DECKS FOR EGRESS	R2	525-15A & B NON-CONFORMING USE LOT SIZE LOT WIDTH FRONTAGE SIDE YARD LOT COVERAGE 525-72D NON-CONFORMING STRUCTURE ON A NON- CONFORMING LOT SITE PLAN WAIVER	A	3-27-2008:3
1120/1	VERGILIS	505 PHILADELPHIA ADDITION	R2	525-72E EXPANSION OF NON- CONFORMING STRUCTURE	A	3-27-2008:4

BLOCK/ LOT	APPLICANT	ADDRESS/ PROPOSAL	ZONING DIST.	VARIANCE RELIEF SOUGHT	DEC	RES.#
1151/20	SILFIES	1307 CAPE MAY ADDITION	R1	525-14B LOT SIZE LOT WIDTH FRONTAGE	A	3-27-2008:5
1128/61	BRUNO	1105 WEST DEMO OF S/F/D NEW S/F/D	R2	525-15B LOT SIZE BUILDING SETBACK LINE 525-61 POOL SETBACKS	A	3-27-2008:6
1053/13	PHINNEY	513 LAFAYETTE RELOCATE EXISTING HISTORIC STRUCTURE ONTO A COMMERICAL RESTAURANT AND TOURIST GUEST STRUCTURE FOR USE AS A MANAGERS QUARTERS.	C1	525-22A EXPANSION OF NON-CONFORMING USE RELIEF SITE PLAN WAIVERS USE VARIANCE	A	3-27-2008:7
1134/1	DEWATERS	1200 CAPE MAY NEW S/F/D	R1	525-14B REAR YARD LOT COVERAGE	A	9-25-2008
1012/9-16	CAPE JETTY	BEACH & SECOND DEMO HOTEL NEW HOTEL PROJECT IN COMMERICAL & RESIDENTIAL DISTRICTS	C2&R2	VARIOUS VARIANCE RELIEF SOUGHT FOR SITE PLAN USE VARIANCE PARKING	D	9-25-2008:1
1031/10	MCGINLEY	432 WEST PERRY EXPAND 1 OF 4 UNITS ON PROPERTY	R2	525-9 525-15A USE VARIANCE 525-71 EXPANSION OF NON- CONFORMING USE	D	9-25-2008:2

BLOCK/ LOT	APPLICANT	ADDRESS/ PROPOSAL	ZONING DIST.	VARIANCE RELIEF SOUGHT	DEC	RES.#
1119/14	RUSSELL	400 READING DEMO S/F/D NEW S/F/D	R2	525-15B LOT SIZE BUILDING SETBACK LINE REAR YARD	A	10-23-2008:1
1129/23	IPPOLITO	1253 WASHINGTON MAJOR RENOVATIONS TO A TWO (2) UNIT PROPERTY, CONVERTING TO A S/F/D	R2	525-15B LOT SIZE WIDTH FRONTAGE BUILDING SETBACK LOT COVERAGE FLOOR AREA RATIO	A	1023-2008:2
1062/6&7	RUSO	711 BEACH OUTDOOR SEATING FOR COMMERICAL USE	C2	525-23A USE VARIANCE SITE PLAN WAIVER	A	12-18-2008:1
1131/17& 18	HENDRICKS	106 TRENTON RENOVATIONS/ ADDITION	R2	525-15B LOT SIZE LOT WIDTH 525-52A FLOOR AREA RATIO 525-72D EXPANSION OF A NON-CONFORMING STRUCTURE ON A NON-CONFORMING LOT	A	12-18-2008:2
1065/1 3-17	ELWELL	105 & 115 STOCKTON PL APPROVAL SOUGHT FOR AN EXISTING PARKING LOT	RS	CERTIFICATE OF NON-CONFORMITY	A	12-18-2008:3

ZONING BOARD OF ADJUSTMENT REPORT OF DECISIONS 2009

BLOCK/ LOT	APPLICANT	ADDRESS/ PROPOSAL	ZONING DIST.	VARIANCE RELIEF SOUGHT	D E C	RES.#
1073/22	MILLER	807 BENTON AVE ADDITION TO S/F/D	RS	525-19B LOT WIDTH LOT FRONTAGE LOT COVERAGE PARKING	A	3-19-2009:1
1054/10	FULMER & GRANT	518 ELMIRA ST RELOCATE AN EXISTING HISTORIC S/F/D	R3	525-16B(1) LOT SIZE	A	3-19-2009:2
1061/58	DEBAUN	1001 LAFAYETTE ST PERMIT SECOND NON-CONFORMING USE ON PREMISES	R3	525-16A & 525-16B EXPANSION OF NON CONFORMING USE BUILDING SETBACK SIDE YARD LOT COVERAGE PARKING DESIGN WAIVERS	A	3-19-2009:3
1087/10	WENRICH	930 WENONAH AVE SWIMMING POOL	R3A	525-16B LOT SIZE 525-61A(2) POOL SETBACKS 525-72E ZONING REVIEW	A	3-19-2009:4
1110/19	HUTCHINSON	CAKE STREET NEW S/F/D	R2	525-15(1) LOT SIZE LOT WIDTH LOT FRONTAGE HABITABLE GROUND FLOOR MINIMUM AREA BUILDING SETBACK LINE	A	4-16-2009:1
1028/1.02	O'HARA	BEACH & PERRY ST OUTDOOR SEATING	C-2	525-23A OUTDOOR SEATING BUILDING SETBACK LOT COVERAGE 525-49C PARKING	A	4-16-2009:2
1092/32- 33	JONES LACOINTE FULLER	810-812 DALE PLACE REAR DECK	R3	525-71 EXPANSION OF NON- CONFORMING USE 525-72D NON-CONFORMING STRUCTURE ON NON- CONFORMING LOT 525-16B LOT SIZE & REAR YARD WAIVER OF SITE PLAN	A	7-16-2009:1

BLOCK/ LOT	APPLICANT	ADDRESS/ PROPOSAL	ZONING DIST.	VARIANCE RELIEF SOUGHT	D E C	RES. #
1023/1	HECTOR	213 BROADWAY RENOVATIONS/ ADDITION TO AN EXISTING S/F/D	R2	525-15B(1) LOT SIZE BUILDING SETBACK LOT WIDTH LOT FRONTAGE REAR YARD LOT COVERAGE 525-72D NON-CONFORMING STRUCTURE ON NON- CONFORMING LOT 525-72E ZONING REVIEW	A	7-16-2009:2
1131/17- 18	HENDRICKS	106 TRENTON AVE WINDOWS HPC APPEAL	R2	525-33 HISTORIC PRESERVATION DECISION OVERTURNED	G	7-16-2009:3
1014/6	CONWAY	28 FIRST AVENUE CONSTRUCTION OF NEW S/F/D	R2	525-15B(1) LOT SIZE LOT WIDTH FRONT YARD SETBACK	A	11-19-2009:1
1012/6	TAY-MOR LLC	1034 LAFAYETTE ST CONSTRUCTION OF NEW S/F/D	R2	525-15B(1) FRONT YARD SETBACK LOT SIZE	A	11-19-2009:2
1094/5	HAY	910 LAFAYETTE ST CONVERSION OF ACCESSORY STRUCTURE TO HABITABLE STRUCTURE	R3	525-16A USE VARIANCE 525-16B SIDE YARD REAR YARD MINIMUM HABITABLE FLOOR AREA 525-49C PARKING	A	12-17-2009:1

City of Cape May Planning Board Report of Decisions

Block/ Lot	Applicant	Address	Zoning District	Proposal	Decision 2003
1130/1-3	O'Donnell	15 Reading Ave.	C3	Minor Subdivision Total (2) lots	A
1094/12	Platzer	936 Lafayette St.	R3	Site Plan Six (6) units Multifamily	A
1186/1 1175/1	Andy North Point	New York Ave.	R1	Revised Subdivision Total (16) lots	A
1156/11-13	Elwell & Farrington	1012-1016 Pittsburgh Ave.	R4	Minor Subdivision Total (2) lots	A
1092/19	Sowers	825 Washington Street	R3	Site Plan Total (10) units	A

*need
2008*

**City of Cape May Planning Board
Report of Decisions**

Block/ Lot	Applicant	Address	Zoning District	Proposal	Decision 2004
1095/4&14	Rhodes	1016 Stockton Ave.	RS	Subdivision Total (2) lots	D
1072/7	Buck	819 Kearney Ave.	RS	Subdivision Total (2) lots	A
1061/99-106 125, 128, 136,140-141	Kocis	1263 Lafayette St.	C6	Subdivision Site Plan Total (28) Attached units Marina Clubhouse	A
1146/6-7 10-24	Adis Inc	1317 Beach Ave.	C3	Motel Expansion Addition of (86) rooms	A
1095/8-13	Montreal Inn	1025 Beach Ave.	C3	Waiver of site plan Improvements to motel No additional units	A
1174/4	Harvey	1506 New Jersey Ave.	RS	Site Plan Total (4) units	A

City of Cape May Planning Board

Report of Decisions

Block/ Lot	Applicant	Address	Zoning District	Proposal	Decision 2005
1160/58-59	Rosenfeld	1430 Texas Ave.	NC	Subdivision of two lots, 1 existing commercial use 1 two- family attached dwelling	D
1028/1	Congress Hall	251 Beach Ave.	C1	Site Plan Renovations to existing hotel/commercial Parking, pool, landscaping, etc.	A
1040/ 2.01 & 3	Swain's	305 Jackson St.	C5	Site Plan Improvements to existing hardware store	A
1080/33	WSJS LLC	Lafayette & Franklin Streets	R3	Conversion of church to three (3) residential units	A
1048/2	Grant	514 Hughes St.	RS	Minor Subdivision Easement with City	A
1061/ 82 & 83.01	Burdette Memorial Foundation	1207 Lafayette St.	R2	Subdivision Creating (2) lots	A
1060/32	Gilbert & Flynn	Lafayette & Elmira Sts.	C1	Subdivision & Site Plan Commercial/Retail Use	A
1148/18-22	Rumsey	204 Pittsburgh Ave.	R2	Subdivision Creating (2) lots	A
1061/ 97 & 98	Osprey Landing	1263 Lafayette St.	C6	Amended subdivision & site plan, creating (6) additional units	A

**City of Cape May Planning Board
Report of Decisions**

Block/ Lot	Applicant	Address	Zoning District	Proposal	Decision 2006
1057/22	Chibar Investments	609 Columbia Ave.	RS	Waiver of Site Plan Minor expansion to Tourist/Guest house	A
1176/1	Pella, LLC	New York & Maryland Aves.	R1PW	Subdivision Create (15) lots	A
1115/6-7 28-31	Philadelphia Beach Condo	1107 Beach Ave.	C3	Waiver of site plan Minor improvements to existing multi-family units	A
1118/33	Rohlfing	1115 Maryland Ave.	R2	Subdivision Create (2) lots	A
1104/23-26	Emmens	302 Philadelphia Ave.	R2	Subdivision Create (2) lots	A
1091/2	White/Clayton	808 Washington St.	RS	Conversion of guest house to three apartments	A
1053/14	Andriello	501 Lafayette St.	C1	Conversion of one of two dwelling units to office use	A
1075/8 & 9	Cornell University	815 & 817 Columbia Ave.	RS	Subdivision Creating semi-detached dwelling	A
1061/52	Jemel/SSJ	801 Lafayette St.	R3	Site Plan Creating (24) multi-family dwelling units	D

City of Cape May Planning Board Report of Decisions

Block/ Lot	Applicant	Address	Zoning District	Proposal	Decision 2007
1019/ 26 & 40	Cape Coachman Holdings	Beach Avenue	C3	Site Plan Construct (54) hotel & restaurant facility	A
1037/2	Kramer	325 Washington St.	C1	Site Plan Reconstruction of commercial building	A
1016/13	Broadway Beach	201-211 S Beach Avenue	C3	Site Plan Motel renovations creating (12) suites & (3) apartments	A
1030/1 & 17	DeGroff	201-209 Congress St.	RS	Subdivision Creating (2) Lots	A
1082/21	Bantry Bay	901 Stockton Ave.	RS	Construction of garage & parking	A
1146/6-7 10-24	Adis Inc.	1317 Beach Ave.	C3	Site Plan Addition to existing motel (27) units	D
1053/14	Andriello	501 Lafayette St.	C1	Amended Site Plan Conversion of one unit to office use	A

**CITY OF CAPE MAY PLANNING BOARD
REPORT OF DECISIONS 2009**

BLOCK/ LOT	APPLICANT	ADDRESS/ PROPOSAL	ZONING DIST.	RELIEF SOUGHT	D E C	RES.#
1162/6-7	FRANK INVESTMENTS	GURNEY & STOCKTON DEMOLITION OF EXISTING THEATER RENOVATIONS/NEW CONSTRUCTION CONSIST OF RETAIL RESTAURANT AND SIX (6) APARTMENTS	C2	417-1 SITE PLAN REVIEW DESIGN WAIVERS 525-23B(2) LOT COVERAGE BUILDING SETBACK 525-49 PARKING	A	1-27-2009:1
1115/1,2, 32-33	PALACE HOTEL AT CAPE MAY	1101 BEACH AVE RENOVATIONS TO AN EXISTING HOTEL	C3	417-1 FINAL SITE PLAN APPROVAL	A	2-10-2009
1081/17	931 BEACH AVE. LLC	931 BEACH AVE ADDITION & RENOVATIONS TO AN EXISTING TOURIST GUEST HOUSE	RS	417-1 FINAL SITE PLAN APPROVAL	A	2-10-2009:1
1061/84	SWAIN	1211 LAFAYETTE ST MINOR SUB-DIVISION NEW S/F/D	R2	525-15B BUILDING SETBACK FLAG LOT LOT FRONTAGE LOT WIDTH	A	4-28-2009
1012/9-12 15 & 16	CAPE JETTY LLC	BEACH & SECOND AVENUES MONOR SUBDIVISION NEW HOTEL WITH THIRTY-FIVE UNITS ON ONE LOT & NEW S/F/D ON ONE LOT	C-3 R-2	525-24B REAR YARD SETBACK 40:55D-35 BUILD ON A LOT NOT ABUTTING A STREET SITE PLAN MINOR SUBDIVISION WAIVERS OF SITE PLAN	D	7-14-2009:1
1146/6,7, 10-24	ADIS INC.	1317 BEACH AVE AMENDED SITE PLAN DEMOLISH EXISTING RESTAURANT & LAUNDRY STRUCTURES REBUILD RESTAURANT WITH 148 SEATS CONSTRUCT NEW LAUNDRY & MAINTENANCE STRUCTURE	C3	PRELIMINARY AMENDED 417-1 SITE PLAN 525-23B(1) BUILDING SETBACK BUILDING HEIGHT 525-49C NUMBER OF PARKING SPACES 525-49E PARKING WITHIN SETBACK SIDE YARK SETBACK	D	10-22-209:2

**CITY OF CAPE MAY PLANNING BOARD
REPORT OF DECISIONS 2009**

BLOCK/ LOT	APPLICANT	ADDRESS/ PROPOSAL	ZONING DIST.	RELIEF SOUGHT	D E C	RES.#
1159/6-8	BURESKI & ALLEVA	1306 TEXAS AVE MINOR SUBDIVISION TO CREATE TWO (2) NEW S/F/D	R2	MINOR SUBDIVISION 525-15B LOT FRONTAGE LOT WIDTH	D	9-22-2009:1
1012/3-4	JOHNSTON	405 S BEACH AVE PROPOSE PORCH REPLACEMENT	C-3	417-5 SITE PLAN 525-24B SIDE YARD SETBACK LOT COVERAGE 525-58D MINIMUM FIRST FLOOR ELEVATION	A	12-8-2009:1
1166/1&2	CAPE MAY EVANGELICAL CHURCH	509 PITTSBURGH ADDITION TO AN EXISTING CHURCH	R3	417-1 PRELIMINARY & FINAL SITE PLAN 525-14B BUILDING SETBACK	A	12-8-2009:2
1159/6-8	BURESKI & ALLEVA	1306 TEXAS AVE MINOR SUBDIVISION TO CREATE TWO (2) NEW S/F/D	R2	MINOR SUBDIVISION 525-15B LOT FRONTAGE LOT WIDTH	A	12-08-2009:3

APPENDIX
Recreation & Open Space Inventory

JEROME E.INDERWIES
Mayor

WILLIAM G. GAFFNEY
Council President

NIELS S. FAVRE
Councilmember

DR. EDWARD J. MAHANEY, JR.
Councilmember

JOHN W. WICHTERMAN
Councilmember

City of Cape May

National Historic Landmark
City Hall - 643 Washington Street
Cape May, New Jersey 08204-2397
(609) 884-9525 • Fax: (609) 884-8589
www.capemaycity.org



LUCIANO V. COREA, JR.
City Administrator

ELAINE L. WALLACE
City Clerk

June 23, 2003

Cecile Murphy
Green Acres Southern Team
Green Acres Program
New Jersey Department of Environmental Protection
P.O. Box 412
Trenton, New Jersey 08625-0412

Subject: Project # 0502-02-045
Project Name: Cape May Open Space
Cape May City, Cape May County

Dear Mrs. Murphy:

In response to your correspondence of June 4, 2003 regarding the above cited matter, this letter is to serve as further clarification and/or resolution of the discrepancies specifically noted in your letter. For convenience, the City's response is being provided in the same format as your June 4, 2003 letter.

Developed or Partially Developed Lands Held for Recreation and Conservation Purposes:

- Parcels 5 & 6 – Block 1110, Lot 12 has been purposely omitted because the tax records show that it has been owned by Eleanor M. Demarest since March 10, 1970. As such, it should have never appeared on the ROSI.
- Parcel 13 – Block 1000, Lot 27 has been purposely omitted, as it is owned by the State of New Jersey Bureau of Tidelands. Block 1000, Lots 28 – 29.01 and 34 were inadvertently omitted.
- Parcel 14 – Block 1221, Lots 1, 2, and 2.01 are all owned by the City of Cape May and should all be listed on the ROSI.

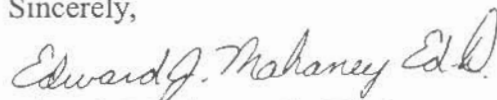
Mrs. Cecile Murphy
Green Acres Program
New Jersey Department of Environmental Protection
June 23, 2003
Page 2 of 2

Wholly Undeveloped Lands Held for Recreation and Conservation Purposes:

- Parcel B – Block 1184, Lot 3 should not be on the Wholly Undeveloped Lands list. This is the Fishermans' Memorial and, as such, has been minimally developed. Block 1206 should actually be Lots 1 and 1.01, which add up to the acreage listed.
- Parcel B – It appears that at one time Block 1217, Lot 1 was owned by the City of Cape May and was later sold to the Corinthian Yacht Club. At this time, the City only owns lot 1.01 and it should be on the ROSI.
- Parcels G & H, J & K – Parcels G & H have been consolidated into F. Parcels J & K are now listed as H.
- Parcel G – This was a typographical error and lots 2 and 3 are now a part of Parcel F

All of these corrections are reflected on the enclosed ROSI. Please feel free to contact me if you require additional information or clarification.

Sincerely,



Edward J. Mahaney, Jr., Ed.D.
Councilmember

Professional Office: 609-861-6005
24-hour Cell: 609-425-1774

cc: Mayor Jerome E. Inderwies
Jean Davis, Deputy City Clerk
Michael Jones, City Tax Assessor

**EXHIBIT 1 to DECLARATION
RECREATION AND OPEN SPACE INVENTORY**

A Local Unit which receives a loan or grant from the State of New Jersey, Office of Green Acres shall not dispose of, or divert to a use for other than recreation and conservation purposes, any lands (1) acquired or developed with Green Acres or Federal Land and Water Conservation Fund assistance or (2) held by the Local Unit for recreation and conservation purposes at the "time of receipt of Green Acres funds" (the restricted lands) N.J.S.A. 13:8A-47. The primary purposes of this recreation and open space inventory (ROSI) are to document all restricted lands and to provide notice of the restrictions to title searchers.

Instructions

All restricted lands must be described on the completed ROSI by their block and lot identification numbers as shown on the current, official tax map and specify whether or not each parcel is funded or unfunded parkland. The Local Unit shall submit a tax map current as of the date of Green Acres application showing each parcel of parkland listed on the ROSI, with the approximate boundaries of each such parcel clearly marked in colored ink. Staff knowledgeable of the Local Unit's land use regulations and the uses of its land holdings must complete this ROSI. If only a portion of a current tax lot is to be restricted, the phrase *part of* or *portion of* shall be used on the ROSI. Deletion or omission of lands listed on previously submitted ROSI's is prohibited without prior written approval of the Office of Green Acres (See N.J.A.C. 7:36-20.3).

The completed ROSI must be duly executed and certified by the Local Unit's Chief Executive Officer and planning board chairperson (or equivalent). The page number and the total number of pages in the completed ROSI must be entered at the top right corner of each page.

All pages, including this Page 1 and the following Page 2, of the ROSI must be submitted.

Special Notes

Lands held by school boards, parking authorities, housing authorities, and similar public agencies without primary recreation or conservation responsibilities should not be inventoried unless they are also held for recreation and conservation purposes by the Local Unit.

If lands held by the Local Unit for recreation and conservation purposes are omitted from this ROSI by mistake, inadvertence, or otherwise, such lands shall be subject to the same terms and conditions, covenants, and restrictions as they would be if they were included. This ROSI, as completed and duly executed, shall be incorporated into, and be a part of, both (1) the Green Acres Project Agreement and (2) the Declaration of Encumbrance.

Recommendations

The Local Unit's planning board, and other boards or commissions, are encouraged to participate in the preparation and review of this ROSI. When preparing the ROSI, the listed parcels of parkland should be confirmed by reference to the tax maps that are required to be submitted as part of the Green Acres application (See N.J.A.C. 7:36-6.4(a)3ii or 12.4(a)4ii).

The Local Unit's governing body and planning board should designate, with appropriate descriptive labels, all lands listed on this ROSI in any revision or update of the following master plan elements: recreation plan, conservation plan, and land use plan.

The Local Unit's governing body should officially and permanently dedicate all lands held for recreation and conservation purposes. However, failure to do so shall have no effect on the validity of the Declaration.

Rev. 1/29/99

**EXHIBIT 1 to DECLARATION
RECREATION AND OPEN SPACE INVENTORY**

Definitions

For the purposes of this ROSI, the following definitions shall apply whenever the quoted words, or a form of the word are used:

“Declaration” means the recordable, written instrument executed by the Local Unit which declares that all of the Local Unit’s funded and unfunded parklands are subject to Green Acres restrictions.

“Development” means any improvement or physical alteration designed to expand or enhance the use of parkland for recreation and conservation purposes.

“Funded parkland” means parkland that a Local Unit has acquired or that a Local Unit has developed with Green Acres funding.

“Held” means owned, leased, or otherwise controlled (by the Local Unit for recreation and conservation purposes).

“Lands” means real property, including improvements, rights-of-way, riparian and other rights, easements, privileges, and any other rights or interests in, relating to, or connected with real property.

“Local Unit” means a municipality or county, or other local political subdivision of this State, or any agency thereof whose primary purpose is to acquire, administer, protect, develop, and maintain lands for recreation and conservation purposes.

“Parkland” means land acquired, developed, and/or used for recreation and conservation purposes.

“Recreation and conservation purposes” means the use of lands for parks, natural areas, forests, camping, fishing, reservoirs, water reserves, wildlife preserves, hunting, boating, winter sports and similar uses for either public outdoor recreation or conservation of natural resources, or both, pursuant to the Green Acres Bond Acts. This term also includes the use of historic areas pursuant to P.L. 1974, c.102; P.L. 1978, c.118; P.L. 1983, c.354; P.L. 1987, c.265; P.L. 1989, c.183; P.L. 1992, c.88; and P.L. 1995, c.204; and the use of historic buildings and structures pursuant to P.L. 1992, c.88 and P.L. 1995, c.204; and the use of ecological and biological study areas pursuant to P.L. 1989, c.183; P.L. 1992, c.88; and P.L. 1995, c.204.

“ROSI” mean the listing of all parcels of land held by a Local Unit for recreation and conservation purposes at the time of receipt of Green Acres funds, including a description sufficient to identify each such parcel.

“Time of receipt of Green Acres funds” means at all times beginning on the date of the letter from the Department under N.J.A.C. 7:36-6.7 or 12.5 notifying the Local Unit of the amount of the Green Acres funding award and ending on the date of receipt of the first transmittal of Green Acres funds.

“Unfunded parkland” means parkland, other than funded parkland, that is held by the Local Unit for recreation and conservation purposes at the time of receipt of Green Acres funds.

Legislative References

N.J.S.A. 13:8A-1 et seq.; N.J.S.A. 13:8A-19 et seq.; N.J.S.A. 8:A-35 et seq. (as amended and supplemented); N.J.A.C. 7:36-1 et seq.; 16 U.S.C. 460 s.1 et seq.

EXHIBIT 1 to DECLARATION
RECREATION AND OPEN SPACE INVENTORY

Local Unit: City of Cape May County: Cape May

NOTE: All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) keyed to a current, legible, official map of the Local Unit and current tax map of Local Unit. The official map used for this ROSI is named City of Cape May Zoning Map and is dated July 15, 1991.

Developed and Partially Developed Lands Held for Recreation and Conservation Purposes

(*If necessary, use the first page following & after Page 4 for additional developed and partially developed lands)

<u>Key</u>	<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>	<u>Funded/Unfunded</u>
1.	City of Cape May	Rotary Park	1045	1-6	0.49	
2.	City of Cape May	Colonial House Park	1059	9	0.24	
3.	City of Cape May	Lafayette St. Playground	1061	51	1.05	
4.	City of Cape May	Harry Lozour Park	1108	1 & 2	0.06	
5.	City of Cape May	Physick Estate Park	1110	8, 14	8.05	
6.	City of Cape May	Wm. Moore Tennis Club	1110	9-11, & 13	3.69	
7.	City of Cape May	Massachusetts Ave. Mini Park	1127	1-2	0.17	
8.	City of Cape May	Penn. & Mich. Mini Park	1114	Adjoins 1	0.10	
9.	City of Cape May	Indiana & Missouri Mini Park	b/t 1125 & 1126		0.10	
10.	City of Cape May	Open Space Median of Cape May Avenue b/t Madison and Pittsburgh Avenues			6.63	
11.	City of Cape May	Fisherman's Memorial	1184	3	0.31	
12.	City of Cape May	Delaware Avenue	1194	1-12	1.89	
13.	City of Cape May	Beachfront	1000	1-26, 28-29.01, 30-35, 37, 38.01 42-49, 51-53.01 56-60, 63.01-65	936.85	
14.	City of Cape May	Beachfront	1221	1	6.54	
15.	City of Cape May	Beachfront	1196	1	2.07	
16.	City of Cape May	Beachfront	1219	1-3	2.34	
17.	City of Cape May	Beachfront	1220	1	4.13	
18.						

Subtotal of Acres on this page 974.41

Total Acres of developed and partially developed lands from all pages of this ROSI... 974.41

EXHIBIT I to DECLARATION
RECREATION AND OPEN SPACE INVENTORY

Local Unit: City of Cape May County: Cape May

NOTE: All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) keyed to a current, legible, official map of the Local Unit and current tax map of Local Unit. The official map used for this ROSI is named City of Cape May Zoning Map and is dated July 15, 1991.

Wholly Undeveloped Lands Held for Recreation and Conservation Purposes

(*If necessary, use the second page following & after Page 4 for additional wholly undeveloped lands)

Key	Municipal Location	Name	Block	Lot	Acres	Funded/Unfunded
A.	City of Cape May	Harborview Park	1173	1	1.27	
B.	City of Cape May	The Cape May Nature Center	1184	1, 1.01, 3	4.34	
			1195	1, 1.01	3.99	
			1206	1	3.99	
C.	City of Cape May		1001	1	0.01	
D.	City of Cape May		1002	1-7	0.7	
E.	City of Cape May		1003	1-21	1.4	
F.	City of Cape May		1004	1-25	3.56	
G.	City of Cape May		1005	1	0.10	
H.	City of Cape May		1006	1-7, 9-27	3.54	
I.	City of Cape May		1217	1.01	0.33	
J.						
K.						

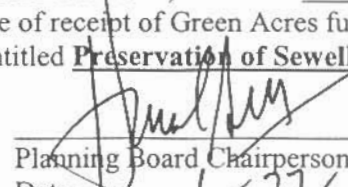
Subtotal of Acres on this page 22.92

Total Acres of wholly undeveloped lands from all pages of this ROSI..... 41.00

CERTIFICATION: I HEREBY CERTIFY that this Exhibit 1 to Declaration, comprising 5 total pages, is a complete and accurate listing of all lands held by the Local Unit, as of this 19th day of May, 2003, for recreation and conservation purposes during the time of receipt of Green Acres funding. This ROSI is being submitted to Green Acres as part of the project entitled Preservation of Sewell Point Tract.


 Chief Executive Officer of Local Unit

Date: 6/27/03


 Planning Board Chairperson (or equivalent)

Date: 6-27-2003

This Certification is to be signed only on this page, Page 4, of EXHIBIT 1 to DECLARATION.

EXHIBIT 1 to DECLARATION
RECREATION AND OPEN SPACE INVENTORY
 (Continued)

Wholly Undeveloped Lands Held for Recreation and Conservation
Purposes
 (* Alphabetical Key)

<u>*Key</u>	<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>	<u>Funded/Unfunded</u>
L.	City of Cape May		1007	1-9	1.51	
M.	City of Cape May		1008	1-22	3.26	
N.	City of Cape May		1009	1-18	3.52	
O.	City of Cape May		1010	1-22	3.53	
P.	City of Cape May		1011	1-10	1.80	
Q.	City of Cape May		1012	1, 18-22	0.89	
R.	City of Cape May		1013	1, 2-7, 13-21	2.11	
S.	City of Cape May		1015	1	1.4	

Subtotal of Acres on this page..... 18.08



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Open Space Database

Facility Name: If followed by - DIV = parcel was entirely diverted; if followed by - P/DIV = parcel was partially diverted; and if followed by - COMP = parcel was a compensation piece for previous diversion.

Interest: ET/FE - Entire Taking/Fee Simple; PT/FE - Partial Taking/Fee Simple; LEASE - Leased Land; ET/CR - Entire Taking/Conservation Restriction; PT/CR - Partial Taking/Conservation Restriction

Type: M - Municipal; C - County; N - Non Profit

Funded?: Y - Park received Green Acres funding; N - Park did not receive Green Acres funding; L: funded under the Federal Land and Water Conservation Fund only

County: CAPE MAY

Municipality: CAPE MAY CITY

Block	Lot	Facility Name	Interest	Type	Funded?	Last Updated
1000	1	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N	
1000	10	BEACH FRONT	ET/FE	M	N	
1000	11	BEACH FRONT	ET/FE	M	N	
1000	12	BEACH FRONT	ET/FE	M	N	
1000	13	BEACH FRONT	ET/FE	M	N	
1000	14	BEACH FRONT	ET/FE	M	N	
1000	15	BEACH FRONT	ET/FE	M	N	
1000	16	BEACH FRONT	ET/FE	M	N	
1000	17	BEACH FRONT	ET/FE	M	N	
1000	18	BEACH FRONT	ET/FE	M	N	
1000	19	BEACH FRONT	ET/FE	M	N	
1000	2	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N	
1000	20	BEACH FRONT	ET/FE	M	N	
1000	21	BEACH FRONT	ET/FE	M	N	
1000	22	BEACH FRONT	ET/FE	M	N	
1000	23	BEACH FRONT	ET/FE	M	N	
1000	24	BEACH FRONT	ET/FE	M	N	
1000	25	BEACH FRONT	ET/FE	M	N	
1000	26	BEACH FRONT	ET/FE	M	N	
1000	27	BEACH FRONT	ET/FE	M	N	
1000	28	BEACH FRONT	ET/FE	M	N	
1000	29.01	BEACH FRONT	ET/FE	M	N	
1000	3	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N	
1000	30	BEACH FRONT	ET/FE	M	N	
1000	31	BEACH FRONT	ET/FE	M	N	
1000	32	BEACH FRONT	ET/FE	M	N	
1000	33	BEACH FRONT	ET/FE	M	N	
1000	34	BEACH FRONT	ET/FE	M	N	
1000	35	BEACH FRONT	ET/FE	M	N	
1000	37	BEACH FRONT	ET/FE	M	N	
1000	4	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N	
1000	43	BEACH FRONT	ET/FE	M	N	
1000	44	BEACH FRONT	ET/FE	M	N	
1000	48	BEACH FRONT	ET/FE	M	N	
1000	49	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N	
1000	5	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N	
1000	50	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N	

1000	51	BEACH FRONT	ET/FE	M	N
1000	52	BEACH FRONT	ET/FE	M	N
1000	53.01	BEACH FRONT	ET/FE	M	N
1000	57	BEACH FRONT	ET/FE	M	N
1000	58	BEACH FRONT	ET/FE	M	N
1000	59	BEACH FRONT	ET/FE	M	N
1000	6	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N
1000	63	BEACH FRONT	ET/FE	M	N
1000	64	BEACH FRONT	ET/FE	M	N
1000	65	BEACH FRONT	ET/FE	M	N
1000	7	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N
1000	8	BEACH FRONT	ET/FE	M	N
1000	9	BEACH FRONT	ET/FE	M	N
1000	NONE	OPEN SPACE MEDIAN STRIP	ET/FE	M	N
1026	NONE	INDIANA & MISSOURI MINI PARK	ET/FE	M	N
104.A	52	PHYSICK ESTATE	ET/FE	M	Y
104.A	52.E	PHYSICK ESTATE	ET/FE	M	Y
104.A	52.J	PHYSICK ESTATE	ET/FE	M	Y
104.A	52.K	PHYSICK ESTATE	ET/FE	M	Y
1045	1	ROTARY PARK	ET/FE	M	N
1045	2	ROTARY PARK	ET/FE	M	N
1045	3	ROTARY PARK	ET/FE	M	N
1045	4	ROTARY PARK	ET/FE	M	N
1045	5	ROTARY PARK	ET/FE	M	N
1045	6	ROTARY PARK	ET/FE	M	N
1059	9	COLONIAL HOUSE PARK	ET/FE	M	N
1061	51	LAFAYETTE STREET PLAYGROU	ET/FE	M	Y
1100	NONE	MEDIAN STRIP CAPE MAY AVE	ET/FE	M	N
1108	1	HARRY LOZOUR PARK	ET/FE	M	N
1108	2	HARRY LOZOUR PARK	ET/FE	M	N
1110	10	WM. MOORE TENNIS CENTER	ET/FE	M	Y
1110	11	WM. MOORE TENNIS CENTER	ET/FE	M	Y
1110	12	PHYSICK ESTATE PARK	ET/FE	M	Y
1110	13	WM. MOORE TENNIS CENTER	ET/FE	M	Y
1110	14	PHYSICK ESTATE PARK	ET/FE	M	Y
1110	8	PHYSICK ESTATE PARK	ET/FE	M	Y
1110	9	WM. MOORE TENNIS CENTER	ET/FE	M	Y
1114	1	PENNSYLVANIA & MICHIGAN M	PT/FE	M	N
1125	NONE	INDIANA & MISSOURI MINI PARK	ET/FE	M	N
1127	1	MASS AVE MINI PARK	ET/FE	M	N
1127	2	MASS AVE MINI PARK	ET/FE	M	N
1173	1	HARBORFRONT TRACT	ET/FE	M	Y
1184	1	HARBORFRONT TRACT	ET/FE	M	Y
1184	3	FISHERMAN'S MEMORIAL	ET/FE	M	N
1194	1	HARBORFRONT TRACT	ET/FE	M	Y
1194	10	HARBORFRONT TRACT	ET/FE	M	Y
1194	11	HARBORFRONT TRACT	ET/FE	M	Y
1194	12	HARBORFRONT TRACT	ET/FE	M	Y
1194	2	HARBORFRONT TRACT	ET/FE	M	Y
1194	3	HARBORFRONT TRACT	ET/FE	M	Y
1194	4	HARBORFRONT TRACT	ET/FE	M	Y
1194	5	HARBORFRONT TRACT	ET/FE	M	Y
1194	6	HARBORFRONT TRACT	ET/FE	M	Y
1194	7	HARBORFRONT TRACT	ET/FE	M	Y
1194	8	HARBORFRONT TRACT	ET/FE	M	Y
1194	9	HARBORFRONT TRACT	ET/FE	M	Y
1195	1	HARBORFRONT TRACT	ET/FE	M	Y
1200	NONE	OPEN SPACE MEDIAN STRIP	ET/FE	M	N
1206	1	HARBORFRONT TRACT	ET/FE	M	Y
1217	1	HARBORFRONT TRACT	ET/FE	M	Y
1221	2	BEACH FRONT	ET/FE	M	N

The above information is the Recreation and Open Space Inventory (ROSI) on file with Green Acres. Please note that Green Acres relies on the accuracy of the information provided to us by the Local Unit(s) in maintaining the accuracy of our database. Since it is the responsibility of the Local Unit(s) to ensure compliance with Green Acres rules, it is strongly recommended that you confirm this information with the Local Unit(s).

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Department of Environmental Protection

P. O. Box 402

Trenton, NJ 08625-0402

APPENDIX

COAH Affordable Housing Compliance Report
September 25, 2009



**State of New Jersey
Council on Affordable Housing**

101 SOUTH BROAD STREET
PO BOX 813
TRENTON NJ 08625-0813

(609) 292-3000
(609) 633-6056 (FAX)

JON S. CORZINE
Governor

CHARLES A. RICHMAN
Acting Commissioner

LUCY VANDENBERG
Executive Director

September 25, 2009

VIA FAX/EMAIL ONLY

The Honorable Edward J. Mahaney Jr
Cape May City
643 Washington St
Cape May, NJ 08204

Dear Mayor Mahaney:

Congratulations! We are pleased to enclose a Council on Affordable Housing (COAH) Compliance Report recommending approval of your municipality's petition for third round substantive certification.

Please be advised that there will be a 14-day comment period on the COAH Compliance Report and on the attached COAH Mediation Report, during which time comments will be accepted at the COAH office. Comments must be received by 12:00 Noon on October 9, 2009. COAH expects to approve your petition at its October 14, 2009 meeting. We welcome you to attend the meeting to receive your grant of substantive certification.

If you have any questions or need further information, please call Tom Stanuikynas, COAH planner, at (609) 984-4584. We look forward to working with you to implement your third round growth share plan.

If you would like to be contacted via email regarding the future information/correspondence for Cape May City, please provide COAH with your email address.

Sincerely,

A handwritten signature in black ink that reads "Lucy L. Vandenberg". The signature is written in a cursive style with a large, stylized 'L' and 'V'.

Lucy Vandenberg, PP, AICP
Executive Director

cc: Attached Service List (via email ONLY, if provided)
Sean Thompson, COAH manager of planning
Kathy McGlinchy, COAH monitor
Tom Stanuikynas, COAH planner
Dennis Funaro, COAH supervisor

The Honorable Edward J. Mahaney, Jr
Mayor
City of Cape May
643 Washington St
Cape May, New Jersey 08204-2397

Anthony P. Monzo, Esq.
Monzo & Catanese
211 S Main St
Ste 104
Cape May Court House, New Jersey 08410

Diane L. Weldon
Municipal Clerk
City of Cape May
643 Washington St
Cape May, New Jersey 08204-2397

Bruce A. MacLeod
City Manager
City of Cape May
643 Washington St
Cape May, New Jersey 08204-2397

James Penn
CFO
City of Cape May
643 Washington St
Cape May, New Jersey 08204

William Bezaire
Planning Board Chair
City of Cape May
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Dept. Director
Cape May County Planning Board
4 Moore Rd
Cape May Court House, New Jersey 08210

Cape May County Planning Board
4 Moore Rd
DN309, Court House
Cape May, New Jersey 08210

Kevin D. Walsh, Esq.
Fair Share Housing Center
510 Park Blvd
Cherry Hill, New Jersey 08002



**Council on Affordable Housing
Compliance Report
September 25, 2009**



Municipality: *Cape May City*
County: *Cape May County*

COAH Region: *6*
SDRP Planning Area: *5*
Special Resource Area: *CAFRA*

Housing Element and Fair Share Plan Adopted: *December 9, 2008*
Petition for 3rd Round Substantive Certification: *December 29, 2008*
Completeness Determination: *February 17, 2009*
Date of Publication: *February 20, 2009*

Objections Received: *Yes, 1) Fair Share Housing Center*
Mediation Settlement: *September 5, 2009*

Petition Includes:

VLA: *Yes*
GPA: *No*
Waiver: *No*

Date of Site Visit: *May 8, 2009*

History of Approvals:

	COAH	JOC	N/A
First Round:			x
Second Round:	<i>7/9/1997</i>		
Extended Certification:	<i>4/13/2005</i>		

Plan Preparer: *Craig Hurless, P.P., Polistina & Associates, LLC*

Municipal Housing Liaison: *Diane Weldon, City Clerk*

Recommendation: *Grant Substantive Certification*

SUMMARY OF FAIR SHARE OBLIGATION

Rehabilitation Share	8
Prior Round Realistic Development Potential (RDP) (Unmet Need of 58)	0
Proposed Growth Share Obligation	6

ACTUAL GROWTH and GROWTH SHARE through September 30, 2008¹

Res Units (#)	Actual Res Growth Share	Jobs (#)	Actual Non-Res Growth Share	Actual TOTAL Growth Share
71	14.2 units	119	7.4 units	22 units

COMPLIANCE PLAN SUMMARY

Obligation	Credit/ Mechanism Type	# Units Completed	# Units Proposed	TOTAL
Rehabilitation: 8 units				
Program(s)	Municipal Program		8	8
Rehabilitation Subtotal				8
NEW CONSTRUCTION:				
Prior Round: 0-unit RDP²				
Credits	N/A	-		-
Proposed Mechanisms	N/A		-	-
Prior Round Subtotal				0
Growth Share: 6 units				
Proposed Mechanisms	Inclusionary Zoning		7	7
	Market to Affordable Program		10	10
	Accessory Apartments		10	10
Growth Share Subtotal				27

¹ This growth share number does not take into account allowable exclusions permitted under N.J.A.C. 5:97-2.5; therefore, the actual growth share may vary.

² Realistic development potential (RDP) of 0 units plus unmet need of 58 units equals prior round obligation of 58 units.

I. HOUSING ELEMENT

Pursuant to N.J.S.A. 40:55D-28(b), the Housing Element is a required section of the Municipal Master Plan. The Housing Element must be designed to achieve the goal of access to affordable housing to meet existing and future housing needs, with special attention given to low- and moderate-income households. The housing needs analysis must include demographic information on existing and projected housing stock and employment characteristics, a quantification of low- and moderate-income housing need, and a consideration of the lands within the municipality that are most appropriate to accommodate such housing. Cape May City's Housing Element includes sufficient information regarding housing stock, demographic and employment characteristics and population trends pursuant to N.J.S.A. 52:27D-310.

Under N.J.A.C. 5:97-2.1(b), the Housing Element must also set forth the municipality's fair share obligation, which is the sum of the rehabilitation share, the prior round obligation, and the growth share.

A. Rehabilitation Share

The rehabilitation share is the number of existing housing units within a municipality as of April 1, 2000, that are both deficient and occupied by households of low or moderate income. As indicated in Appendix B of N.J.A.C. 5:97, Cape May City has a rehabilitation share of eight units.

B. Prior Round Obligation

The prior round obligation is the cumulative 1987-1999 new construction obligation provided in Appendix C of N.J.A.C. 5:97. Cape May City has a prior round obligation of 58 units. However, Cape May City received a vacant land adjustment with its first round substantive certification, establishing a realistic development potential (RDP) of 0 and an unmet need of 58 units.

C. Projected Growth Share

The projected growth share is initially calculated based on household (residential) and employment (non-residential) growth projections for 2004 through 2018. Pursuant to Appendix

F of N.J.A.C. 5:97, Cape May has a residential growth projection of 16 units and a non-residential growth projection of 51 jobs. Therefore, Cape May's total projected growth share for the period 1999-2018 is 6 affordable units consisting of a 3-unit projected residential growth share and a 3-unit projected non-residential growth share.³

SUMMARY OF FAIR SHARE OBLIGATION

Rehabilitation Share	8
Prior Round Realistic Development Potential (RDP) (Unmet Need of 58)	0
Projected Growth Share Obligation	6

II. FAIR SHARE PLAN

A Fair Share Plan, as required under N.J.A.C. 5:97-3.1, describes the completed or proposed mechanisms and funding sources, if applicable, that will be utilized to specifically address a municipality's rehabilitation share, prior round obligation, and growth share obligation and includes the draft ordinances necessary to implement that plan. Affordable housing must be provided in direct proportion to the growth share obligation generated by the actual growth.

Cape May's Fair Share Plan, and the supporting documentation incorporated by reference therein, address the requirements of N.J.A.C. 5:97-3.1 as follows:

A. Plan to Address Rehabilitation Share

Rehabilitation Share Credits

Cape May City is not requesting any credits for units rehabilitated subsequent to April 1, 2000.

Proposed Rehabilitation Program

³ Pursuant to N.J.A.C. 5:97-2.2(d), Cape May's residential projection of 16 units is divided by 5 to yield 3 affordable units and the nonresidential projection of 51 jobs is divided by 16 to yield 3 units.

Municipal Rehabilitation Program

Cape May is proposing a municipal-wide rehabilitation program to address its eight-unit rehabilitation share. Cape May's draft spending plan allocates \$80,000 in development fees toward a rehabilitation program, which equates to an average of \$10,000 per unit in hard costs. Cape May's rehabilitation program complies with the requirements of N.J.A.C. 5:97-6.2, which includes providing more than half the funds for rehabilitation by the mid-point of substantive certification. As part of its September 2, 2009 response to COAH's Report Requesting Additional Information (RRAI), the City provided a draft Operating Manual and Affirmative Marketing Plan. The City anticipates that the existing 84 low-income rental units operated under the Cape May Housing Authority (CMHA) will need roof repairs, which are eligible under this program. In addition, the program is available to qualified owner-occupied or renter-occupied units. Cape May is in the process of selecting an experienced Administrative Agent to administer this program and will enter into contract within 45 days of certification. [8 rehabilitated units]

Proposed Rehabilitation Program	
Rehabilitation Program	# Units
Municipal Rehabilitation Program	8
TOTAL	8

B. Plan to Address Prior Round Obligation

Prior Round Realistic Development Potential (RDP) Credits

Cape May City has a 0-unit prior round RDP and as such, does not have any credits toward its RDP.

Prior Round Unmet Need Credits

As described within Cape May's September 2, 2009 response to COAH's Request for Additional Information, the City plans to address the 58-unit unmet need through the following mechanisms, which were not part of the City's initial petition:

Inclusionary Overlay Zone

Cape May will address a portion of its prior round unmet need through an inclusionary zone that will overlay six areas of potential development. This overlay zone supplements the city-wide inclusionary zone the City has already proposed to address its growth share obligation (see below). To meet the unmet need from the prior round, the City proposes a higher density incentive in which developers of residential housing may construct affordable housing at a higher set-aside than proposed in the city-wide overlay zone. In these six designated areas (see chart below), the developer will have the option of building affordable units at a 25% set-aside for a density bonus of 50% for any residential development regardless of the minimum number of units. The program is available to projects with a minimum area of 2 acres of land.

The six areas total approximately 53 acres and may yield between 24 and 129 affordable units, based on economic and environmental constraints. Three areas are in the downtown service/light industrial zone, one is located in East Cape May, one is along Lafayette Street and one is an existing multifamily development along Heritage Lane. The lots are a mix of privately and publicly owned land and are a mix of vacant, underutilized and developed properties. The City describes the first and second sites listed below as more likely to be developed than the next four sites. Zoning will be adopted within 45 days of substantive certification. **[24 zoned units]**

Site Number	Total Acres	Developable Acres	Min # of Aff. Units*	Max # of Aff. Units*	Zoning District(s)	Density units/acre
1	2.3	1.67	4.35	10.88	C5	6.96 – 17.4
2	8.5	2.5	6.52	16.31	C5 and R3	6.96 – 17.4
3	5.5	5.0	13.1	32.6	C5	6.96 – 17.4
4	4.0	4.0	0	7.1	R1-PW	4.65
5	26	7.7	0	16.7	R2-PW	5.81
6	7.0	7.0	0	45.67	C3	17.4

* Range in yield of affordable units is based on difference between single-family and multi-family unit densities.

East Cape May – Sewell Tract

Cape May has submitted a signed settlement agreement between the City, the New Jersey Department of Environmental Protection (NJDEP) and East Cape May Associates dated July 1, 2009 (Attachment 1) that will result in the construction of 14 affordable housing units. The 96-

acre property, known as the Sewell Point Tract, is the last large piece of vacant land in the City and is located in the eastern portion of Cape May, adjacent to the United States Coast Guard Facility. During the 1980's East Cape May Associates received approvals to construct 366 market-rate units on this tract; however, the NJDEP did not grant approvals under the Coastal Area Facilities Review Act (CAFRA). Litigation ensued and in 2003 mediation commenced between the parties. As a result, a Settlement Agreement was reached in 2009, which permits East Cape May Associates to build 71 single-family market-rate units in the least environmental constrained portion of the Tract. The remaining land (approximately 78 acres) will be preserved as open space and the developer agrees to construct seven duplexes that will accommodate 14 affordable family units. Cape May City will adopt a zoning ordinance on or before September 30, 2009 changing the zoning to permit single-family residential lots and required 14 affordable units on-site and will cooperate with East Cape May Associates in its efforts to obtain all necessary approvals. The construction of affordable units will be consistent with the City's city-wide inclusionary zoning ordinance described below. **[14 zoned units]**

Prior Round Obligation Parameters

Cape May had a prior round RDP of 0 and therefore the prior round parameters do not apply. Also, the City has not proposed to meet its unmet need with any age-restricted housing.

C. Plan to Address Projected Growth Share

Proposed Affordable Housing Mechanisms

Cape May has a projected growth share obligation of six units. Cape May proposes the following mechanisms to address its projected growth share obligation:

Inclusionary Zoning

The City proposes a city-wide inclusionary zoning ordinance to address seven units of its growth share obligation. The ordinance would apply for any residential development consisting of five or more new market rate dwelling units that received preliminary or final approval after the effective date of this ordinance. The City provides a chart of anticipated development that may result in the production of affordable units. The City anticipates the following: one affordable unit in its R1, R1A single family zone with a density of 4.65 units per acre; one

affordable unit in its R2 single family zone with a density of 5.81 units per acre; one affordable unit in its R3 zone with an average base density of 11.18 units per acre; and four units in its C2 Apartment over Commercial zone with an average base density of 29.04 units per acre. These units are in addition to any units that result from the unmet need overlay zone.

The proposed zoning meets the presumptive minimum density of four units per acre for a Planning Area 5 with sewer service in accordance with N.J.A.C. 5:97- 6.4(b)2iii. In addition, the proposed zoning ordinance provides residential development in any of the residential zoning districts in Cape May City, which results in the construction of five or more new market-rate dwelling units be permitted a presumptive density increase of 40% over the permitted density in the existing zoning with a presumptive maximum affordable housing set-aside of 20% of the total number of units in the development. In addition, the ordinance provides a payment in lieu of \$45,715 for each market-rate unit to be developed. The zoning ordinance must be adopted within 45 days of substantive certification. The City is served by public water and sewer. [7 zoned units]

Market to Affordable Program

Cape May City proposes a 10-unit Market to Affordable Program to address a portion of its growth share obligation. The City states that it will provide a minimum of \$25,000 per unit to subsidize each moderate income unit and a \$30,000 per unit to subsidize each low income unit with additional subsidy depending on market prices and rent within the municipality. The City intends to fund the program through its development fee ordinance and has also provided a draft resolution of intent to bond in the event of a funding shortfall, which must be approved within 45 days of substantive certification. The City's spending plan provides for \$481,017 for the Market to Affordable Program. *Market to affordable units are permitted in all zones of the City and will include rental units.* COAH staff notes from its site visit on May 8, 2009 that many retail establishments in the commercial district are multi-story and the upper stories could be viable candidates and could be considered for the Market to Affordable Program. The City provided a multiple listing service (MLS) showing 13 multi-family properties for-sale valued at under \$1 million and four condominiums on the market for under \$300,000.

Deed restrictions for market to affordable units will be for a period of no less than 30 years. The City has provided a draft Operating Manual and a draft Affirmative Marketing Plan

consistent with UHAC which will be finalized within 45 days of substantive certification. Cape May is in the process of selecting a qualified Administrative Agent to administer the program and will enter into contract within 45 days of certification. **[10 market to affordable units]**

Accessory Apartment Program

The City of Cape May proposes a 10-unit accessory apartment program to address its remaining projected growth share obligation. The City will provide a minimum of \$20,000 per unit to subsidize the creation of each moderate-income accessory apartment and \$25,000 per unit to subsidize each low-income accessory apartment. The City intends to fund the program through development fees and has allocated \$420,000 in its spending plan toward accessory apartments. The City has also provided a draft resolution of intent to bond in the event of a funding shortfall, which must be approved within 45 days of substantive certification. During a site visit on May 8, 2009, COAH staff observed properties with detached garages that may be converted to accessory apartments. The City has provided a draft Operating Manual Affirmative Marketing Plan consistent with COAH and UHAC requirements. Cape May is in the process of selecting a qualified Administered Agent to administer the program. Finalized documentation will be submitted to COAH within 45 days of certification. **[10 accessory apartments]**

Growth Share Parameters

Cape May City proposes to address the applicable Growth Share parameters as follows:

Growth Share Rental Obligation:⁴ 2 Units

Development/Project Name	Type of Affordable Unit	# Units
Accessory Apartment Program	Accessory	10
TOTAL		10

⁴ Projected Growth Share Rental Obligation: $.25(\text{Projected Growth Share})$ or $.25(6) = 1.5$ units N.J.A.C. 5:97-3.10(b)3

Growth Share Family Rental Requirement⁵ : 1 Unit

Development/Project Name	Type of Affordable Unit	# Units
Accessory Apartment Program	Accessory	10
TOTAL		10

Growth Share Minimum Family Requirement⁶ : 3 Units

Development/Project Name	Type of Affordable Unit	# Units
Market to Affordable Program	Market to Affordable	10
Accessory Apartment Program	Accessory	10
Inclusionary Zoning	For-Sale	7
TOTAL		27

Very Low Income Minimum Requirement⁷ : 1 Unit

Development/Project Name	Type of Affordable Unit	# Units
Accessory Apartments	Accessory	2
TOTAL		2

Age-Restricted Maximum⁸ : 1 Unit

Development/Project Name	Type of Affordable Unit	# Units
N/A		-
TOTAL		0

Bonus Maximum⁹ : 1 Bonus

Development/Project Name	Type of Bonus	# Bonuses
N/A		-
TOTAL		0

⁵ Projected Growth Share Family Rental Requirement: .5(Projected Growth Share Rental Requirement) or .5(1.5)= .75 units N.J.A.C. 5:97-3.4(b)

⁶ Projected Growth Share Family Requirement: .5(Units Addressing the Growth Share Obligation) or .5(6)= 3 units N.J.A.C. 5:97-3.9

⁷ Growth Share Very Low Income Requirement: .13(Projected Growth Share Obligation) or .13(6)= .78 units pursuant to P.L.2008, c.46

⁸ Projected Growth Share Age Restricted Maximum: .25(Projected Growth Share) or .25(6)= 1.5 units N.J.A.C. 5:97-3.10(c)2

⁹ Projected Bonus Maximum: .25(Projected Growth Share) or .25(6)= 1.5 units N.J.A.C. 5:97-3.20

Actual Growth Share Obligation

The actual growth share obligation will be based on permanent certificates of occupancy issued within the municipality for market-rate residential units and newly constructed or expanded non-residential developments in accordance with Appendix D of N.J.A.C. 5:97. At plan evaluation review pursuant to N.J.A.C. 5:96-10, COAH will compare the actual growth share obligation with the actual number of affordable units constructed.

The New Jersey Department of Community Affairs (NJ DCA) *Construction Reporter* indicates that between January 1, 2004 and September 2008, Cape May City has issued certificates of occupancy for 71 housing units and also for the nonresidential square footage equivalent of 119 jobs, yielding an actual growth share obligation through September 30, 2008, of 22 affordable units.

D. Summary of Plan to Address Fair Share Obligation

REHABILITATION SHARE SUMMARY

Rehabilitation Share: 8 Units

Program Name	# Units
Municipal Rehabilitation Program	8
TOTAL	8

PRIOR ROUND SUMMARY

Prior Round Obligation: 0-Unit RDP

	Name of Mechanism	# Units/Bedrooms	Bonus Type	# Bonuses	Total Units/Bedrooms + Bonuses
Post-1986 Credits	N/A	-	-	-	-
Proposed Mechanisms	N/A	-	-	-	-
TOTAL					0

GROWTH SHARE SUMMARY
Projected Growth Share Obligation: 6 Units

	Name of Mechanism	# Units/ Bedrooms	Bonus Type	# Bonuses	Total Units/Bedrooms + Bonuses
Proposed Mechanisms	Inclusionary Zoning	7	-	-	7
	Market to Affordable	10	-	-	10
	Accessory Apartments	10	-	-	10
Subtotal		27		-	27
TOTAL					27

III. SUMMARY OF MEDIATION

A. Objection

COAH received one objection to Cape May City's Third Round Housing Element and Fair Share Plan, from Kevin D. Walsh, Esq. representing the Fair Share Housing Center (FSHC). The objection was summarized in COAH's June 2, 2009 Pre-Mediation Report Requesting Additional Information.

B. Mediation

Mediation commenced on July 27, 2009 and concluded on August 26, 2009. This mediation ended with Fair Share Housing Center withdrawing its objection based on the City's plan to 1) submit additional information for its Rehabilitation Program, 2) add two additional mechanisms to address its unmet need and 3) address its very low-income obligation. Cape May memorialized its commitment in its September 2, 2009 response to COAH's Report Requesting Additional Information. The results of the mediation are included in a Mediation Report dated September 23, 2009. A copy of the Mediation Report is attached as Attachment 2.

IV. FAIR SHARE DOCUMENT REVIEW

A. Development Fee Ordinance

Cape May submitted a proposed development fee ordinance for COAH's review and approval with its third round petition. The development fee ordinance was approved on March 17, 2009.

B. Third Round Spending Plan

A third round spending plan was submitted by Cape May City with the City's third round petition for COAH's review and approval. The spending plan will be reviewed by COAH in a separate report.

C. Affordable Housing Ordinance/Affordable Housing Administration

Cape May submitted a draft affordable housing ordinance with its third round petition that comports with the requirements of the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et seq., which was amended on December 20, 2004. The draft proposed ordinance also includes the compliance with barrier free sub code of the State Uniform Construction Code Act (N.J.S.A. 52:27D-119 et seq.) and the accessibility requirements of N.J.S.A. 52:27D-123.15. The draft ordinance must be adopted within 45 days of COAH's grant of substantive certification and submitted to COAH immediately upon adoption.

Cape May City has provided an ordinance establishing the position of a municipal housing liaison and a resolution appointing Diane Weldon as municipal housing liaison.

Cape May is responsible for the continued re-sale and re-rental of existing affordable units and the initial sale and rental of newly constructed affordable units within Cape May and must identify an experienced administrative entity for that purpose within 45 days of substantive certification. Pursuant to N.J.A.C. 5:80-26.14(b), Cape May has submitted a draft written operating manual for administering affordable units within the City, for both its Accessory Apartment and Market to Affordable Programs, which must be finalized within 45 days of substantive certification.

D. Affirmative Marketing Plan

Cape May submitted an affirmative marketing plan that comports with the requirements of the UHAC and ensures the units in Cape May's 1987-2018 Fair Share Plan and all future affordable housing units will be affirmatively marketed to the region upon initial sale/rental and re-sale/re-rental. Once approved by COAH, the affirmative marketing plan must be adopted by resolution by Cape May within 45 days of COAH's grant of substantive certification and submitted to COAH.

V. MONITORING

Cape May must comply with COAH monitoring requirements as set forth in N.J.A.C. 5:96-11, including reporting the municipality's actual growth pursuant to N.J.A.C. 5:97-2.5. As indicated above, credits for built units will be validated and verified by COAH staff during monitoring prior to the first biennial plan evaluation. It should be noted that credits for affordable housing programs and/or affordable units must be in compliance with N.J.A.C. 5:97-4. If the units are determined not to be eligible for credit, COAH will notify Cape May in writing and the City may be directed to amend its certified plan to address the shortfall.

Pursuant to N.J.A.C. 5:96-10.1, COAH will conduct biennial plan evaluations upon substantive certification of Cape May's Housing Element and Fair Share Plan. The purpose of the plan evaluation is to verify that the construction or provision of affordable housing has been in proportion to the actual residential growth and employment growth in the municipality and to determine that the mechanisms addressing the projected growth share obligation continue to present a realistic opportunity for the creation of affordable housing. If upon any biennial review the difference between the number of affordable units constructed or provided in Cape May and the number of units required pursuant to N.J.A.C. 5:97-2.5 results in a pro-rated production shortage of 10 percent or greater or the mechanisms addressing the projected growth share obligation no longer present a realistic opportunity for the creation of affordable housing, the Council may direct the municipality to amend its plan to address the shortfall.

VI. RECOMMENDATION

Mediation has been concluded with an endorsed settlement between the two parties. COAH staff recommends that the mediation report, Attachment 2, be accepted and that Cape May is granted third round substantive certification. Cape May must adopt all necessary implementing ordinances (including a contract with an administrative agent, a finalized operating manual and affirmative market plan, a zoning ordinance for its inclusionary zone and an affordable housing ordinance) within 45 days of the grant of substantive certification and submit certified copies of the adopted ordinances to COAH within seven days of the adoption.

ATTACHMENT 1

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

RESOLUTION NO. 155-07-2009

**RESOLUTION TO APPROVE SETTLEMENT AGREEMENT IN MATTER
OF EAST CAPE MAY ASSOCIATES, INC. V. NEW JERSEY DEPARTMENT
OF ENVIRONMENTAL PROTECTION REGARDING PROPERTY
KNOWN AS SEWELL POINT TRACT**

MOTION: Kurkowski

SECOND: Swain

WHEREAS, East Cape May Associates, Inc. ("East Cape May") is the owner of a certain tract of land consisting of approximately 96 acres east of Pittsburgh Avenue, more commonly known as the "Sewell Point Tract";

WHEREAS, during the 1980's, East Cape May received approvals to build 366 single family residential units within the Sewell Point Tract and the City of Cape May was obligated, based upon an agreement that was executed several years prior thereto and upheld in court as being valid and enforceable, to make various infrastructure improvements including, without limitation, installing streets as well as running water and sewer lines and other related infrastructure improvements within the proposed development;

WHEREAS, East Cape May was unable to obtain a permit for the development from the Land Use Regulation Program of the New Jersey Department of Environmental Protection ("NJDEP") under the Coastal Area Facilities Review Act ("CAFRA") and, as a result, litigation ensued between East Cape May and NJDEP;

WHEREAS, the American Littoral Society ("ALS") participated in the litigation in an effort to support the NJDEP in its decision not to allow the development as planned;

WHEREAS, after many years of litigation and through a long, protracted mediation process that commenced in 2003, the City along with the litigants have been attempting to limit development to the least environmentally sensitive areas and to preserve a majority of the Sewell Point Tract as open space in perpetuity;

WHEREAS, the City has been requested to utilize its share of New Jersey Green Acres Funds to be matched by a grant from the Cape May County Open Space Fund, to contribute toward a global settlement in exchange for being relieved of all obligations for infrastructure improvements, as referenced above, as well as receiving joint ownership rights with NJDEP to the preserved land (consisting of approximately 78 acres) and with the authorization to select a conservation group to manage such preserve for passive recreation activities;

WHEREAS, the City has also been requested to contribute land owned by the City adjacent to the Sewell Point Tract so that the more sensitive areas would be left undisturbed, which will result in the development of 71 single family homes within the Sewell Point Tract;

WHEREAS, East Cape May has also agreed to utilize some of its land adjacent to the Sewell Point Tract along with a portion of the City's land to develop 14 affordable housing units to augment the 71 market rate units, subject to various conditions which are more fully set forth in the proposed Settlement Agreement which include, without limitation, mitigation requirements and a permit from the Army Corps of Engineers;

WHEREAS, the Cape May Mayor and City Council have been consulted and have participated throughout the mediation process and have expressed concerns which have been duly considered and included in the proposed Settlement Agreement for the preservation of a majority of the Sewell Point Tract as well as to address the City's infrastructure cost obligations and potential affordable housing obligations under COAH; and

WHEREAS, the City has also been able to reserve, as part of City land, two single family market rate lots that can be used for future land development opportunities to benefit the City in exchange for creating open space and recreational areas in other parts of the City.

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. That the Settlement Agreement, in the form and content attached hereto as EXHIBIT A and by this reference made a part hereof, is hereby approved, subject to meeting all of the conditions contained therein.
2. That the Mayor and Clerk are hereby authorized and directed to execute the Settlement Agreement on behalf of the City of Cape May, and the City Manager and all other appropriate City officials are authorized and directed to take all actions as may be necessary to effectuate all of the terms and conditions set forth therein.
3. That the Settlement Agreement shall be forwarded to the Cape May City Planning Board for consideration of zoning changes that would enable the development to occur as contemplated in the Settlement Agreement and provide to the Cape May City Council a resolution to indicate whether such proposed changes are consistent with the City's Master Plan.

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 1, 2009.


Diane L. Weldon, City Clerk

Exhibit A
SETTLEMENT AGREEMENT

THIS AGREEMENT ("Agreement") is made and executed this 1st day of July, 2009 by and Between the City of Cape May ("Cape May"), East Cape May Associates, a Florida limited Partnership ("ECM"), and the New Jersey Department of Environmental Protection, an agency of the State of New Jersey ("NJDEP").

Background

ECM is the owner of certain real estate situated the City of Cape May, consisting of approximately 100 acres (the "Property"). The Property is the subject of certain litigation between ECM and NJDEP, which is pending in the Superior Court of New Jersey, Cape May County, Law Division (the "Court"), as Docket No. CPM-L-1217-92 (the "Action").

ECM and NJDEP, together with the American Littoral Society ("ALS") and Cape May wishing to avoid the need for litigation and desiring to facilitate settlement of the Action, entered into a Mediation Agreement in Principle dated October 3, 2008 (the "Original Mediation Agreement"), as amended by Amendment to Mediation Agreement in Principle dated December 31, 2008 (the "Amendment to Mediation Agreement", and together with the Original Mediation Agreement, sometimes collectively referred to herein as the "Mediation Agreement").

In order to supplement the Mediation Agreement and in order to clarify certain issues arising thereunder, which involve the City of Cape May, the parties are desirous of setting forth their respective agreements pursuant to the terms and conditions of this Settlement Agreement (the "Settlement"). All of the terms and conditions of the settlement agreed to between the parties are set forth below and in the Mediation Agreement.

NOW, THEREFORE, in order to effectuate the foregoing, and intending to be legally bound hereby, the parties hereto agree as follows:

1. At Closing (as defined in the Mediation Agreement, and subject to satisfaction of the conditions precedent) Cape May shall convey Block 1163, Lot 7 to ECM; and ECM may thereafter develop on Block 1163, Lots 7 and 8, twelve (12) lots, each to be approximately 75' wide x 125' long, as set forth on Exhibit "A".

2. At Closing (subject to satisfaction of the conditions precedent) Cape May shall convey Block 1167, Lot 2 to ECM; and ECM shall thereafter develop on Block 1167, Lots 2, 1.01 and 1.02 in the R-3 zone up to seven (7) lots for seven (7) side-by-side duplex buildings (14 duplex units), which shall be restricted for sale only (and not for rent) as low and moderate income dwelling units (the "Affordable Housing") based upon the conceptual plan, as set forth on Exhibit "B", which also includes two (2) market rate lots for single family detached dwelling units that the City shall have the right to retain, develop and/or convey in its governmental discretion (the "City's Market Rate Lots"). Cape May's conveyance of Lot 7, Block 1163 and of Lot 2, Block 1167 along with its own development of the two dwelling units on Lot 2, Block 1167 are all intended to address the constitutional obligation to provide affordable housing at the least possible cost. The NJDEP shall issue all necessary permits for the City's Market Rate Lots including a CAFRA Permit and Wetlands Permit consistent with NJDEP rules. On or before Closing, Cape May shall place Block 1168, Lot 2 on the Green Acres Open Space Inventory

Closing, Cape May shall place Block 1168, Lot 2 on the Green Acres Open Space Inventory (ROSI). Cape May shall vacate Ohio and Virginia Avenues from Pittsburgh Avenue to Block 1167, Lot 3, ECM can and will create a new street with all Affordable Housing units fronting on the new street. The Affordable Housing will be built on the lots referenced in this section. The property to be conveyed at Closing from Cape May to ECM described in sections 1 and 2 of this Agreement shall hereinafter be collectively referred to as the "Cape May Property". After Closing (and subject to satisfaction of the conditions precedent), the obligations of ECM to develop the affordable housing units under this section shall be deemed a contractual obligation and shall therefor continue notwithstanding any revisions and/or judicial decisions which invalidate or otherwise alter the third round requirements which have been advanced by the New Jersey Council on Affordable Housing under the Fair Housing Act, N.J.S.A. 52:27D-301 et seq.

3. At Closing (and subject to satisfaction of the conditions precedent) ECM shall deliver to Cape May a release ("Release"), which Release shall release any and all claims that ECM has against Cape May as well as any obligations that Cape May has to provide water, sewer and storm water mains, road base, curbs, sidewalks, finish roads and any other on-site or off-tract infrastructure improvements that may be required by Cape May pursuant to any and all agreements previously executed by Cape May with ECM or its predecessors in title to the Property and all judgments entered in connection with the litigation of any such agreements including, without limitation, that certain Agreement between Cape May and Cape May Greene, Inc. dated August 15, 1969 and assigned to ECM. However, Cape May shall be obligated to provide ECM with adequate water and sewer capacity for the Project.

4. At Closing, Cape May will contribute the sum of \$4,400,000.00 toward NJDEP's payment requirement set forth in Paragraph 4 of the Original Mediation Agreement, which amount Cape May intends to obtain through a \$2,200,000.00 grant from the Green Acres Program within NJDEP (the "Green Acres Grant") and a \$2,000,000 grant from the County of Cape May Open Space Fund and Cape May will provide an additional \$200,000.00 from its general funds (the "Cape May Funds").

5. This Agreement is contingent upon the following conditions precedent being met, which can be waived by ECM:

- a. Subject to the Mediation Agreement and the background discussion, ECM being able to obtain any and all approvals necessary to develop a seventy-one (71) market rate single-family residential lots having dimensions of approximately 75' by 125' and seven (7) affordable duplex lots each of which shall be developed with semidetached dwelling units for a total of fourteen dwelling units (the "Project"), from Cape May, Cape May County, NJDEP and the US Army Corp. of Engineers;
- b. Conveyance of the Cape May Property to ECM;
- c. ECM's entry into a comprehensive settlement agreement with the NJDEP; and
- d. Cape May's adoption of a zoning ordinance on or before September 30, 2009, changing the zoning of Block 1199, Block 1200, Block 1210, Lot 1, Block 1211 and Cape May Avenue between Wilmington and Buffalo Avenues, from RC (PW) to R-1 (PW) and permitting single family residential lots with approximate

dimensions of 75'X 125' and lot areas of 9,375 square feet. Because of the irregular shape of the Property to be developed, certain lots will be less than 75' wide and some lots will have less than 9,375 square feet. A proposed plan is attached hereto as Exhibit "A". The zone regulations should allow reduced frontage, lot area and other bulk requirements as a result of clustering.

- e. Cape May's passage and adoption of necessary vacation ordinances to vacate portions of Cape May Avenue, Chicago Avenue, Idaho Avenue, Wilmington Avenue, Maryland Avenue, Virginia Avenue, Ohio Avenue and any other streets necessary for the development of the Project.
- f. This Agreement is contingent upon the receipt by Cape May of the Green Acres Grant in accordance with Paragraph 4, hereinabove, and upon NJDEP's approval of the dwelling units described in paragraph 2 without any mitigation plan or costs that are unacceptable to ECM or to Cape May in each one's sole discretion.

6. ECM has the right to apply for all necessary Project approvals for the Cape May Property and Cape May will cooperate with ECM in its efforts to obtain such approvals.

7. At Closing, and after satisfaction of the conditions precedent, ECM will deliver the Release to Cape May. Cape May will convey to ECM the property identified in paragraph 2 of this Agreement. Cape May will pay the agreed-upon \$4,400,000.00 to ECM as provided in the Mediation Agreement.

8. The Cape May Property shall be conveyed by Bargain and Sale Deed with marketable title and free and clear of all mortgages, liens, judgments and restrictions.

9. Subject to the NJDEP's right under the Mediation Agreement to accept conservation restrictions in lieu of a fee conveyance, ECM shall convey the remainder of the Property in fee simple and NJDEP and the City of Cape May shall jointly acquire the remainder of the Property estimated to be approximately 78 acres, none of which may be developed or disturbed except as set forth via the procedures in this paragraph 9. The Property shall be managed by a conservation group, such as the Nature Conservancy, selected by Cape May in consultation with ALS and subject to the consent of the NJDEP which shall not be unreasonably withheld. In the event that Cape May and/or NJDEP determine to install passive recreation within the undeveloped portion of the Property that is to be preserved, Cape May and the NJDEP Division of Parks and Forestry shall apply to the NJDEP Division of Land Use Regulation and to the US Army Corps of Engineers, as applicable, for the requisite permit(s), based upon plans that are mutually developed by Cape May and NJDEP Parks and Forestry, in consultation with ECM and ALS. Said plans shall not interfere with the use and occupancy of the residents and owners of the Project. Subject to the requisite approvals, the passive recreation may include, without limitation, observation areas, walkways, trails and informational signs. Should NJDEP decide not to acquire the remainder of the Property in a fee conveyance, Cape May shall have the option to do so subject to all of the conservations restrictions and the other terms and conditions of the Mediation Agreement and this Agreement.

10. Cape May agrees to facilitate and encourage the approval of ECM's project.

11. In the event ECM is unable to obtain the contemplated agreement with the

NJDEP or any necessary Project permit or approval is denied, or if any other condition precedent is not met, ECM may terminate this Agreement and all conditions shall be null and void and no previously existing right will be released or extinguished.

12. All notices, requests, demands and other communications required or permitted under this Agreement shall be in writing and, unless otherwise provided for herein, shall be deemed to have been duly given and received only upon delivery, or refusal of delivery by the intended recipient, when sent either (a) by courier service such as Federal Express or by other messenger, or (b) by the United States mails, registered or certified mail, postage prepaid, return receipt requested, addressed as set forth below:

If to City of Cape May: Dr. Edward J. Mahaney, Jr.
Mayor, City of Cape May
643 Washington Street
Cape May, NJ 08204-2397
Fax: 609-884-8589

With a copy to: Anthony P. Monzo, Esq.
MONZO CATANESE
Schoolhouse Office Park
211 South Main St., Suite 104
Cape May Court House, NJ 08210
Fax: 609-463-4606

If to ECM: Phillip B. Robinson
Centre de ski Mont Blanc
1006, Route 117
Saint-Faustin-Lac-Carre
Quebec, J0T 1J3
CANADA
Fax: (819) 688-6112

Thomas F. Brodesser, Jr.
462 Seashore Road
Cape May, NJ 08204
Fax: 886-0289

With a copy to:

Jack Plackter, Esq.
Fox Rothschild LLP
1301 Atlantic Avenue, Suite 400
Atlantic City, NJ 08401
Fax: 609-348-6834

Frederick W. Schmidt, Jr., Esq.
106 North Main Street
P.O. Box 120, Unit D
Cape May Court House, NJ 08210-0120
Fax: 609-465-4061

If to NJDEP:

Scott Brubaker, Assistant Commissioner for
Land Use Management
Amy Cradic, Assistant Commissioner for
Natural & Historic Resources
State of New Jersey
Department of Environmental Protection
401 East State Street
P.O. Box 402
Trenton, NJ 08625

With a copy to:

Rachel Horowitz, Assistant Section Chief
Lewin J. Weyl, Deputy Attorney General
Environmental Permitting Section, Division
of Law, Department of Law & Public Safety
State of New Jersey,
Richard J. Hughes Justice Complex
PO Box 093
Trenton, NJ 08625
Fax: 609-984-9315

If to ALS:

Timothy Dillingham, Executive Director
American Littoral Society
18 Hartshorne Drive, 2nd Floor
Sandy Hook, NJ 07732

With a copy to:

Andrew J. Provence, Esq.
Ansell Zaro Grimm & Aaron
60 Park Place, Suite 1114
Newark, NJ 07102

Any party may change the address to which communications or copies are to be sent by giving notice of such change in conformity with the provisions of this Section 12 for the giving of notice.

13. The parties agree to work together cooperatively to implement this Agreement.

14. The rights and obligations of the parties set forth in this Agreement shall survive the execution of this Agreement by the parties.

15. The parties agree to execute such further documents and agreements as may be necessary or appropriate to effectuate the purposes of this Agreement.

16. The section headings in this Agreement are for convenience only and shall not affect its interpretation. This Agreement may not be modified or amended orally, but only by written agreement executed by each of the parties hereto.


17. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This Agreement may be executed by facsimile copy. The parties agree to exchange original executed copies of this Agreement promptly following the execution and exchange of facsimile copies.

18. This Agreement is to be construed in accordance with the laws of the State of New Jersey.

IN WITNESS WHEREOF, the parties have executed this Settlement Agreement as of the day and year indicated above.

CITY OF CAPE MAY

ATTEST:


Diane L. Weldon, City Clerk

Dated: July 1, 2009


Dr. Edward J. Mahoney, Jr. Mayor

EAST CAPE MAY ASSOCIATES, a Florida
Limited Partnership

By: _____
Phillip B. Robinson, General Partner

By: 
Thomas F. Brodesser, Jr., General Partner

Dated: July 1, 2009

(signatures continued on following page)

14. The rights and obligations of the parties set forth in this Agreement shall survive the execution of this Agreement by the parties.

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IN WITNESS WHEREOF, the parties have executed this Settlement Agreement as of the day and year indicated above.

CITY OF CAPE MAY

ATTEST:

Diane L. Weldon, City Clerk

Dr. Edward J. Mahaney, Jr. Mayor

Dated: _____

EAST CAPE MAY ASSOCIATES, a Florida
Limited Partnership

By: 
Phillip B. Robinson, General Partner

By: _____
Thomas F. Brodesser, Jr., General Partner

Dated: _____

(signatures continued on following page)

Handwritten initials: JBR

(signatures continued from previous page)

NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION, an agency of
the State of New Jersey

ATTEST:

Robin Madden

BY: Amy Cradic

Name: Amy Cradic
Title: Assistant Commissioner for Natural
& Historic Resources

BY: _____

Name: Scott Brubaker
Title: Assistant Commissioner for Land
Use Management

Dated: _____

(signatures continued from previous page)

NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION, an agency of
the State of New Jersey

ATTEST:

Helen A. Owens

Helen A. Owens
Notary Public

State of New Jersey

My Commission Expires Jan. 24, 2014

Dated: June 24, 2009

BY: _____

Name: Amy Cradic

Title: Assistant Commissioner for Natural
& Historic Resources

BY: _____

Scott Brubaker 6/24/09

Name: Scott Brubaker

Title: Assistant Commissioner for Land
Use Management

EXHIBIT "A"

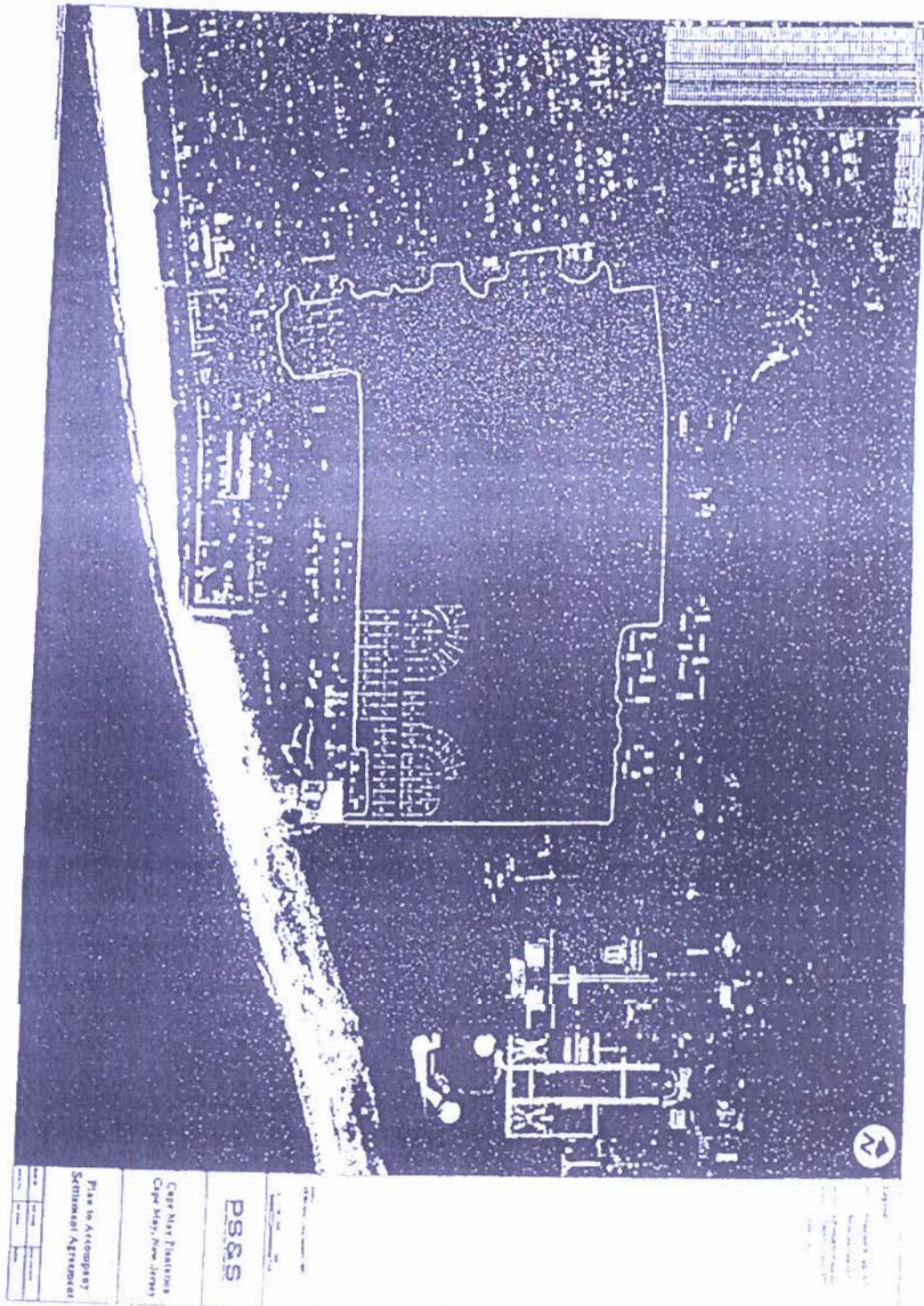


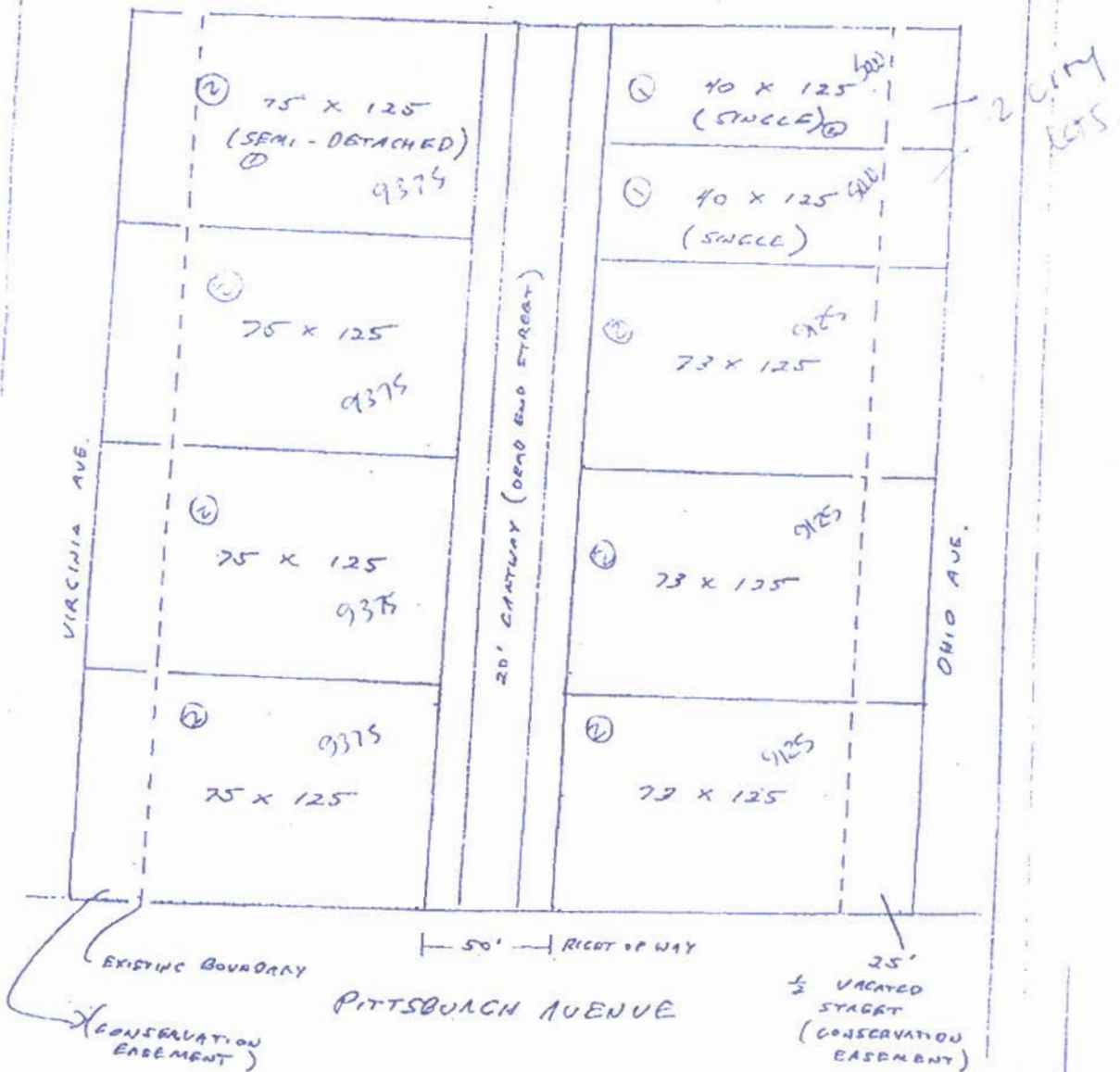
EXHIBIT "B"

SKETCH B

OPTION
2

① REQUIRES VARIANCE
(80 X 125 REQUIRED)

② REQUIRES VARIANCE
(50 X 125 REQUIRED)



ATTACHMENT 2

MEDIATION REPORT
City of Cape May/Cape May County
By William P. Malloy
COAH Mediator
September 25, 2009

The City of Cape May ("Cape May") petitioned the Council on Affordable Housing ("COAH" or "the Council") for substantive certification of its third round housing element and fair share plan.

There was one objector to the plan: The Fair Share Housing Center ("FSHC"), which filed an objection dated April 6, 2009.

On June 2, 2009, COAH issued a pre-mediation report requesting additional information ("RRAI"), which indicated that Cape May should supply the requested information within sixty days. Subsequently, Cape May requested an extension of an additional thirty days, which made its response to the RRAI due on September 2, 2009.

While Cape May was preparing its response to the RRAI, mediation of FSHC's objections began on July 27, 2009, in a session attended by representatives of Cape May and FSHC. Attending for Cape May were Anthony Monzo, Esq., Craig Hurless, P.P., Dr. Edward J. Mahaney, Jr., Mayor of the City of Cape May and Bruce A. MacLeod, City Manager. Attending for FSHC were Kevin D. Walsh, Esq. and Adam M. Gordon, Esq. At the close of this mediation session, the parties indicated that they wanted to continue discussions pending Cape May's submission of its response to COAH's RRAI. Initially, a second mediation session was proposed for the end of September. However, a telephone mediation session involving the same parties was held on August 26, 2009. This session resulted in a proposed settlement of the objections. After further discussions between the parties, a settlement was reached. Cape May's September 2, 2009 response to COAH's RRAI incorporates that settlement, which FSHC accepted and endorsed by letter dated September 5, 2009.

Background

Cape May has a prior round realistic development potential ("RDP") of zero units, plus an unmet need of 58 units for its second round. For its third round, Cape May has a rehabilitation share of eight units, a net proposed growth-share obligation of six units and an actual growth share obligation through September 30, 2008, of 22 units of affordable housing. Cape May proposed to address its growth share obligation with a city-wide inclusionary zoning ordinance which would result in seven units of affordable housing; a ten-unit Market to Affordable Program and a ten-unit Accessory Apartment Program. According to the pre-mediation report, Cape May did not propose a rehabilitation program to address its eight-unit rehabilitation share, although its draft spending plan indicated funding for a rehabilitation program. With regard to prior round unmet need credits, the report stated that Cape May's rehabilitation of 84 units of rental housing was used to address unmet need in the prior round, but that no new mechanisms were proposed for the third round.

In its June 2nd pre-mediation report, COAH stated that Cape May needed to provide an analysis of potential opportunities to address its prior round unmet need. COAH suggested several strategies to capture unmet need, such as a market to affordable program, a municipally sponsored project and zoning for apartments above commercial establishments in the retail district. In the pre-mediation report COAH also stated that Cape May should provide a draft inclusionary zoning ordinance consistent with COAH's regulations and a strategy to address two very low income units. COAH stated that Cape May needed to establish a rehabilitation program consistent with its rules and provide documentation of funding for the program, a rehabilitation manual and a designated administrative agent to administer the program. COAH noted that Cape May intended to provide two very low income units, but did not specify a strategy to do so, which it must do. COAH also requested an adopted resolution of intent to bond, an operating manual for the proposed Accessory Apartment Program and other information.

Objections

The Fair Share Housing Center:

In its April 6, 2009 letter of objection, FSHC enumerated four objections: 1) that units built before 1980 by the Cape May Housing Authority could not be credited to Cape May's unmet need; 2) that Cape May did not propose ways to meet its 58-unit prior round unmet need and that innovative approaches to meeting that need should be considered; 3) that the inclusionary zoning proposed to meet seven units of affordable housing should include specific sites and that the City should provide additional information to show how the proposed overlay zoning creates a realistic opportunity for affordable housing; and 4) that Cape May should provide specific strategies for satisfying the City's very low income obligation and that half of that obligation should be family units.

Mediation

Mediation between Cape May and FSHC took place in Trenton on July 27, 2009. Initially, Cape May noted that it intended to comply with the requirements listed in COAH's pre-mediation report, so that, for example, it intended to specifically address its very low income obligation, two units, in a manner that would resolve FSHC's objection regarding those units. Further, Cape May indicated that its submission to COAH would address FSHC's objections with regard to the proposed overlay zone. Therefore, discussion almost immediately centered on methods by which Cape May could propose to address its 58-unit unmet need from the second round vacant land adjustment. FSHC emphasized the importance to its clients, who are low and moderate income housing-eligible individuals, of addressing this need.

The City noted that it will use 14 affordable housing units, which resulted from a Settlement Agreement between Cape May, the New Jersey Department of Environmental Protection and East Cape May Associates to address a portion of its unmet need. In addition, Cape May suggested the possibility of enhancing its proposed overlay zone as a strategy for further addressing its 58-unit unmet need. It was suggested that a residential overlay zone with an affordable housing set-aside might be proposed for a C-5 district within the City. These proposals would need further study by the City and discussions between the parties. Therefore, it was decided to continue the mediation to a later date.

The mediator initiated a mediation by conference call on August 26 after it became clear that a face-to-face meeting in early September would not be possible. During this call, it was clear that the parties were very close to resolving their differences, and that within a few days, a draft ordinance could be prepared for discussion, reflecting the City's proposals to meet its unmet need. Further, these proposals, if agreed to by FSHC, could then be incorporated into the City's response to COAH's pre-mediation report, which was due on September 2.

Thereafter, in a series of email exchanges, Cape May and FSHC reached agreement with regard to an affordable housing density incentive ordinance. This proposed ordinance, which is attached, is proposed as an amendment to Cape May's § 59.43 Inclusionary Zoning Ordinance. It provides that for purposes of addressing unmet need from Round 2, a higher density incentive for developers of residential housing shall be permitted for any residential development with a total lot area equal to or greater than two acres. In lieu of the City's standard set-aside requirement of 20 % and density bonus of 40 %, as set forth in C. (1), a residential developer with a lot area equal to or greater than two acres shall have the option of selecting a set-aside requirement of 25 % and a density bonus of 50 % for any residential development, regardless of the number of units. Also, the Affordable Housing Density Incentive permits residential units in a C-5 District only under its provisions. An analysis of the potential impact of the proposed ordinance is included.

FSHC's objections to the City of Cape May's fair share plan have all been resolved in Cape May's response to COAH's pre mediation report. In addition to the affordable housing density incentive described above, Cape May indicated in its submission that it would address its very low income housing obligation of two units in its accessory apartment program, including a very low income family unit. This addressed FSHC's objection concerning Cape May's very low housing obligation. Also, Cape May was not seeking credit for pre-1980 Housing Authority units.

By letter to this mediator dated September 5, 2009, attached, FSHC stated that it accepted and endorsed the settlement achieved during this mediation, which was incorporated into the City of Cape May's September 2, 2009 response to COAH's pre-mediation report.

Mediation Outcome

This mediation successfully resolved FSHC's objections to Cape May's Housing Element and Fair Share Plan. COAH staff has evaluated the City of Cape May's response to its pre-mediation RRAI and as noted in the Compliance Report with the attached settlement agreement, COAH staff has made a recommendation that Cape May City should be granted substantive certification.



APPENDIX

Endorsement letters from Cape May County Planning Department, New Jersey Audobon Society, Cape May City School District, Cape May Planning Board, City Director of Civic Affairs and Environmental Commission of the City of Cape May supporting the City's NJDEP Green Acres application for the Lafayette Street Open Space project have been provided in the appendix demonstrating the City's coordinated planning effort.

HEROME E. Inderwies
Mayor

WILLIAM G. GAFFNEY
Council President

NIELS S. FAVRE
Councilmember

DR. EDWARD J. MAHANEY, JR.
Councilmember

JOHN W. WICHTERMAN
Councilmember

City of Cape May

National Historic Landmark
City Hall - 643 Washington Street
Cape May, New Jersey 08204-2397
(609) 884-9525 • Fax: (609) 884-8589
www.capemaycity.org



LUCIANO V. COREA, JR.
City Administrator

ELAINE L. WALLACE
City Clerk

June 23, 2003

Cecile Murphy
Green Acres Southern Team
Green Acres Program
New Jersey Department of Environmental Protection
P.O. Box 412
Trenton, New Jersey 08625-0412

Subject: Project # 0502-02-045
Project Name: Cape May Open Space
Cape May City, Cape May County

Dear Mrs. Murphy:

In response to your correspondence of June 4, 2003 regarding the above cited matter, this letter is to serve as further clarification and/or resolution of the discrepancies specifically noted in your letter. For convenience, the City's response is being provided in the same format as your June 4, 2003 letter.

Developed or Partially Developed Lands Held for Recreation and Conservation Purposes:

- Parcels 5 & 6 – Block 1110, Lot 12 has been purposely omitted because the tax records show that it has been owned by Elcanor M. Demarest since March 10, 1970. As such, it should have never appeared on the ROSI.
- Parcel 13 – Block 1000, Lot 27 has been purposely omitted, as it is owned by the State of New Jersey Bureau of Tidelands. Block 1000, Lots 28 – 29.01 and 34 were inadvertently omitted.
- Parcel 14 – Block 1221, Lots 1, 2, and 2.01 are all owned by the City of Cape May and should all be listed on the ROSI.

Mrs. Cecile Murphy
Green Acres Program
New Jersey Department of Environmental Protection
June 23, 2003
Page 2 of 2

Wholly Undeveloped Lands Held for Recreation and Conservation Purposes:

- Parcel B – Block 1184, Lot 3 should not be on the Wholly Undeveloped Lands list. This is the Fishermans' Memorial and, as such, has been minimally developed. Block 1206 should actually be Lots 1 and 1.01, which add up to the acreage listed.
- Parcel B – It appears that at one time Block 1217, Lot 1 was owned by the City of Cape May and was later sold to the Corinthian Yacht Club. At this time, the City only owns lot 1.01 and it should be on the ROSI.
- Parcels G & H, J & K – Parcels G & H have been consolidated into F. Parcels J & K are now listed as H.
- Parcel G – This was a typographical error and lots 2 and 3 are now a part of Parcel F

All of these corrections are reflected on the enclosed ROSI. Please feel free to contact me if you require additional information or clarification.

Sincerely,



Edward J. Mahaney, Jr., Ed.D.

Councilmember

Professional Office: 609-861-6005

24-hour Cell: 609-425-1774

cc: Mayor Jerome E. Inderwics
Jean Davis, Deputy City Clerk
Michael Jones, City Tax Assessor

EXHIBIT 1 to DECLARATION
RECREATION AND OPEN SPACE INVENTORY

A Local Unit which receives a loan or grant from the State of New Jersey, Office of Green Acres shall not dispose of, or divert to a use for other than recreation and conservation purposes, any lands (1) acquired or developed with Green Acres or Federal Land and Water Conservation Fund assistance or (2) held by the Local Unit for recreation and conservation purposes at the "time of receipt of Green Acres funds" (the restricted lands) N.J.S.A. 13:8A-47. The primary purposes of this recreation and open space inventory (ROSI) are to document all restricted lands and to provide notice of the restrictions to title searchers.

Instructions

All restricted lands must be described on the completed ROSI by their block and lot identification numbers as shown on the current, official tax map and specify whether or not each parcel is funded or unfunded parkland. The Local Unit shall submit a tax map current as of the date of Green Acres application showing each parcel of parkland listed on the ROSI, with the approximate boundaries of each such parcel clearly marked in colored ink. Staff knowledgeable of the Local Unit's land use regulations and the uses of its land holdings must complete this ROSI. If only a portion of a current tax lot is to be restricted, the phrase *part of* or *portion of* shall be used on the ROSI. Deletion or omission of lands listed on previously submitted ROSI's is prohibited without prior written approval of the Office of Green Acres (See N.J.A.C. 7:36-20.3).

The completed ROSI must be duly executed and certified by the Local Unit's Chief Executive Officer and planning board chairperson (or equivalent). The page number and the total number of pages in the completed ROSI must be entered at the top right corner of each page.

All pages, including this Page 1 and the following Page 2, of the ROSI must be submitted.

Special Notes

Lands held by school boards, parking authorities, housing authorities, and similar public agencies without primary recreation or conservation responsibilities should not be inventoried unless they are also held for recreation and conservation purposes by the Local Unit.

If lands held by the Local Unit for recreation and conservation purposes are omitted from this ROSI by mistake, inadvertence, or otherwise, such lands shall be subject to the same terms and conditions, covenants, and restrictions as they would be if they were included. This ROSI, as completed and duly executed, shall be incorporated into, and be a part of, both (1) the Green Acres Project Agreement and (2) the Declaration of Encumbrance.

Recommendations

The Local Unit's planning board, and other boards or commissions, are encouraged to participate in the preparation and review of this ROSI. When preparing the ROSI, the listed parcels of parkland should be confirmed by reference to the tax maps that are required to be submitted as part of the Green Acres application (See N.J.A.C. 7:36-6.4(a)3ii or 12.4(a)4ii).

The Local Unit's governing body and planning board should designate, with appropriate descriptive labels, all lands listed on this ROSI in any revision or update of the following master plan elements: recreation plan, conservation plan, and land use plan.

The Local Unit's governing body should officially and permanently dedicate all lands held for recreation and conservation purposes. However, failure to do so shall have no effect on the validity of the Declaration.

Rev. 1/29/99

EXHIBIT 1 to DECLARATION
RECREATION AND OPEN SPACE INVENTORY

Definitions

For the purposes of this ROSI, the following definitions shall apply whenever the quoted words, or a form of the word are used:

“Declaration” means the recordable, written instrument executed by the Local Unit which declares that all of the Local Unit’s funded and unfunded parklands are subject to Green Acres restrictions.

“Development” means any improvement or physical alteration designed to expand or enhance the use of parkland for recreation and conservation purposes.

“Funded parkland” means parkland that a Local Unit has acquired or that a Local Unit has developed with Green Acres funding.

“Held” means owned, leased, or otherwise controlled (by the Local Unit for recreation and conservation purposes).

“Lands” means real property, including improvements, rights-of-way, riparian and other rights, easements, privileges, and any other rights or interests in, relating to, or connected with real property.

“Local Unit” means a municipality or county, or other local political subdivision of this State, or any agency thereof whose primary purpose is to acquire, administer, protect, develop, and maintain lands for recreation and conservation purposes.

“Parkland” means land acquired, developed, and/or used for recreation and conservation purposes.

“Recreation and conservation purposes” means the use of lands for parks, natural areas, forests, camping, fishing, reservoirs, water reserves, wildlife preserves, hunting, boating, winter sports and similar uses for either public outdoor recreation or conservation of natural resources, or both, pursuant to the Green Acres Bond Acts. This term also includes the use of historic areas pursuant to P.L. 1974, c.102; P.L. 1978, c.118; P.L. 1983, c.354; P.L. 1987, c.265; P.L. 1989, c.183; P.L. 1992, c.88; and P.L. 1995, c.204; and the use of historic buildings and structures pursuant to P.L. 1992, c.88 and P.L. 1995, c.204; and the use of ecological and biological study areas pursuant to P.L. 1989, c.183; P.L. 1992, c.88; and P.L. 1995, c.204.

“ROSI” mean the listing of all parcels of land held by a Local Unit for recreation and conservation purposes at the time of receipt of Green Acres funds, including a description sufficient to identify each such parcel.

“Time of receipt of Green Acres funds” means at all times beginning on the date of the letter from the Department under N.J.A.C. 7:36-6.7 or 12.5 notifying the Local Unit of the amount of the Green Acres funding award and ending on the date of receipt of the first transmittal of Green Acres funds.

“Unfunded parkland” means parkland, other than funded parkland, that is held by the Local Unit for recreation and conservation purposes at the time of receipt of Green Acres funds.

Legislative References

N.J.S.A. 13:8A-1 et seq.; N.J.S.A. 13:8A-19 et seq.; N.J.S.A. 8:A-35 et seq. (as amended and supplemented); N.J.A.C. 7:36-1 et seq.; 16 U.S.C. 460 s.1 et seq.

EXHIBIT 1 to DECLARATION
RECREATION AND OPEN SPACE INVENTORY

Local Unit: City of Cape May County: Cape May

NOTE: All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) keyed to a current, legible, official map of the Local Unit and current tax map of Local Unit. The official map used for this ROSI is named City of Cape May Zoning Map and is dated July 15, 1991.

Developed and Partially Developed Lands Held for Recreation and Conservation Purposes

(*If necessary, use the first page following & after Page 4 for additional developed and partially developed lands)

Key	Municipal Location	Name	Block	Lot	Acres	Funded/Unfunded
1.	City of Cape May	Rotary Park	1045	1-6	0.49	
2.	City of Cape May	Colonial House Park	1059	9	0.24	
3.	City of Cape May	Lafayette St. Playground	1061	51	1.05	
4.	City of Cape May	Harry Lozour Park	1108	1 & 2	0.06	
5.	City of Cape May	Physick Estate Park	1110	8, 14	8.05	
6.	City of Cape May	Wm. Moore Tennis Club	1110	9-11, & 13	3.69	
7.	City of Cape May	Massachusetts Ave. Mini Park	1127	1-2	0.17	
8.	City of Cape May	Penn. & Mich. Mini Park	1114	Adjoins 1	0.10	
9.	City of Cape May	Indiana & Missouri Mini Park	b/t 1125 & 1126		0.10	
10.	City of Cape May	Open Space Median of Cape May Avenue b/t Madison and Pittsburgh Avenues			6.63	
11.	City of Cape May	Fisherman's Memorial	1184	3	0.31	
12.	City of Cape May	Delaware Avenue	1194	1-12	1.89	
13.	City of Cape May	Beachfront	1000	1-26, 28-29.01, 30-35, 37, 38.01 42-49, 51-53.01 56-60, 63.01-65	936.85	
14.	City of Cape May	Beachfront	1221	1	6.54	
15.	City of Cape May	Beachfront	1196	1	2.07	
16.	City of Cape May	Beachfront	1219	1-3	2.34	
17.	City of Cape May	Beachfront	1220	1	4.13	
18.						

Subtotal of Acres on this page **974.41**

Total Acres of developed and partially developed lands from all pages of this ROSI... **974.41**

**EXHIBIT 1 to DECLARATION
RECREATION AND OPEN SPACE INVENTORY**

Local Unit: City of Cape May County: Cape May

NOTE: All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) keyed to a current, legible, official map of the Local Unit and current tax map of Local Unit. The official map used for this ROSI is named City of Cape May Zoning Map and is dated July 15, 1991.

Wholly Undeveloped Lands Held for Recreation and Conservation Purposes

(*If necessary, use the second page following & after Page 4 for additional wholly undeveloped lands)

Key	Municipal Location	Name	Block	Lot	Acres	Funded/Unfunded
A.	City of Cape May	Harborview Park	1173	1	1.27	
B.	City of Cape May	The Cape May Nature Center	1184	1, 1.01, 3	4.34	
			1195	1, 1.01	3.99	
			1206	1	3.99	
C.	City of Cape May		1001	1	0.01	
D.	City of Cape May		1002	1-7	0.7	
E.	City of Cape May		1003	1-21	1.4	
F.	City of Cape May		1004	1-25	3.56	
G.	City of Cape May		1005	1	0.10	
H.	City of Cape May		1006	1-7, 9-27	3.54	
I.	City of Cape May		1217	1.01	0.33	
J.						
K.						

Subtotal of Acres on this page 22.92

Total Acres of wholly undeveloped lands from all pages of this ROSI 41.00

CERTIFICATION: I HEREBY CERTIFY that this Exhibit 1 to Declaration, comprising 5 total pages, is a complete and accurate listing of all lands held by the Local Unit, as of this 19th day of May, 2003, for recreation and conservation purposes during the time of receipt of Green Acres funding. This ROSI is being submitted to Green Acres as part of the project entitled Preservation of Sewell Point Tract.

Chief Executive Officer of Local Unit
Date: 6/27/03

Planning Board Chairperson (or equivalent)
Date: 6-27-2003

This Certification is to be signed only on this page, Page 4, of EXHIBIT 1 to DECLARATION.

EXHIBIT 1 to DECLARATION
RECREATION AND OPEN SPACE INVENTORY
(Continued)

Wholly Undeveloped Lands Held for Recreation and Conservation
Purposes
(* Alphabetical Key)

<u>*Key</u>	<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>	<u>Funded/Unfunded</u>
L.	City of Cape May		1007	1-9	1.51	
M.	City of Cape May		1008	1-22	3.26	
N.	City of Cape May		1009	1-18	3.52	
O.	City of Cape May		1010	1-22	3.53	
P.	City of Cape May		1011	1-10	1.80	
Q.	City of Cape May		1012	1, 18-22	0.89	
R.	City of Cape May		1013	1, 2-7, 13-21	2.11	
S.	City of Cape May		1015	1	1.4	

Subtotal of Acres on this page..... 18.08



Green Acres Program

[njdep home](#) | [ga home](#) | [green acres links](#)

Open Space Database

Facility Name: If followed by - DIV = parcel was entirely diverted; if followed by - P/DIV = parcel was partially diverted; and if followed by - COMP = parcel was a compensation piece for previous diversion.

Interest: ET/FE - Entire Taking/Fee Simple; PT/FE - Partial Taking/Fee Simple; LEASE - Leased Land; ET/CR - Entire Taking/Conservation Restriction; PT/CR - Partial Taking/Conservation Restriction

Type: M - Municipal; C - County; N - Non Profit

Funded?: Y - Park received Green Acres funding; N - Park did not receive Green Acres funding; L: funded under the Federal Land and Water Conservation Fund only

County: CAPE MAY

Municipality: CAPE MAY CITY

Block	Lot	Facility Name	Interest	Type	Funded?	Last Updated
1000	1	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N	
1000	10	BEACH FRONT	ET/FE	M	N	
1000	11	BEACH FRONT	ET/FE	M	N	
1000	12	BEACH FRONT	ET/FE	M	N	
1000	13	BEACH FRONT	ET/FE	M	N	
1000	14	BEACH FRONT	ET/FE	M	N	
1000	15	BEACH FRONT	ET/FE	M	N	
1000	16	BEACH FRONT	ET/FE	M	N	
1000	17	BEACH FRONT	ET/FE	M	N	
1000	18	BEACH FRONT	ET/FE	M	N	
1000	19	BEACH FRONT	ET/FE	M	N	
1000	2	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N	
1000	20	BEACH FRONT	ET/FE	M	N	
1000	21	BEACH FRONT	ET/FE	M	N	
1000	22	BEACH FRONT	ET/FE	M	N	
1000	23	BEACH FRONT	ET/FE	M	N	
1000	24	BEACH FRONT	ET/FE	M	N	
1000	25	BEACH FRONT	ET/FE	M	N	
1000	26	BEACH FRONT	ET/FE	M	N	
1000	27	BEACH FRONT	ET/FE	M	N	
1000	28	BEACH FRONT	ET/FE	M	N	
1000	29.01	BEACH FRONT	ET/FE	M	N	
1000	3	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N	
1000	30	BEACH FRONT	ET/FE	M	N	
1000	31	BEACH FRONT	ET/FE	M	N	
1000	32	BEACH FRONT	ET/FE	M	N	
1000	33	BEACH FRONT	ET/FE	M	N	
1000	34	BEACH FRONT	ET/FE	M	N	
1000	35	BEACH FRONT	ET/FE	M	N	
1000	37	BEACH FRONT	ET/FE	M	N	
1000	4	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N	
1000	43	BEACH FRONT	ET/FE	M	N	
1000	44	BEACH FRONT	ET/FE	M	N	
1000	48	BEACH FRONT	ET/FE	M	N	
1000	49	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N	
1000	5	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N	
1000	50	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N	

1000	51	BEACH FRONT	ET/FE	M	N
1000	52	BEACH FRONT	ET/FE	M	N
1000	53.01	BEACH FRONT	ET/FE	M	N
1000	57	BEACH FRONT	ET/FE	M	N
1000	58	BEACH FRONT	ET/FE	M	N
1000	59	BEACH FRONT	ET/FE	M	N
1000	6	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N
1000	63	BEACH FRONT	ET/FE	M	N
1000	64	BEACH FRONT	ET/FE	M	N
1000	65	BEACH FRONT	ET/FE	M	N
1000	7	BEACH FRONT TOTAL FOR CIT	ET/FE	M	N
1000	8	BEACH FRONT	ET/FE	M	N
1000	9	BEACH FRONT	ET/FE	M	N
1000	NONE	OPEN SPACE MEDIAN STRIP	ET/FE	M	N
1026	NONE	INDIANA & MISSOURI MINI PARK	ET/FE	M	N
104.A	52	PHYSICK ESTATE	ET/FE	M	N
104.A	52.E	PHYSICK ESTATE	ET/FE	M	Y
104.A	52.J	PHYSICK ESTATE	ET/FE	M	Y
104.A	52.K	PHYSICK ESTATE	ET/FE	M	Y
1045	1	ROTARY PARK	ET/FE	M	Y
1045	2	ROTARY PARK	ET/FE	M	N
1045	3	ROTARY PARK	ET/FE	M	N
1045	4	ROTARY PARK	ET/FE	M	N
1045	5	ROTARY PARK	ET/FE	M	N
1045	6	ROTARY PARK	ET/FE	M	N
1059	9	COLONIAL HOUSE PARK	ET/FE	M	N
1061	51	LAFAYETTE STREET PLAYGROU	ET/FE	M	N
1100	NONE	MEDIAN STRIP CAPE MAY AVE	ET/FE	M	Y
1108	1	HARRY LOZOUR PARK	ET/FE	M	N
1108	2	HARRY LOZOUR PARK	ET/FE	M	N
1110	10	WM. MOORE TENNIS CENTER	ET/FE	M	N
1110	11	WM. MOORE TENNIS CENTER	ET/FE	M	Y
1110	12	PHYSICK ESTATE PARK	ET/FE	M	Y
1110	13	WM. MOORE TENNIS CENTER	ET/FE	M	Y
1110	14	PHYSICK ESTATE PARK	ET/FE	M	Y
1110	8	PHYSICK ESTATE PARK	ET/FE	M	Y
1110	9	WM. MOORE TENNIS CENTER	ET/FE	M	Y
1114	1	PENNSYLVANIA & MICHIGAN M	PT/FE	M	N
1125	NONE	INDIANA & MISSOURI MINI PARK	ET/FE	M	N
1127	1	MASS AVE MINI PARK	ET/FE	M	N
1127	2	MASS AVE MINI PARK	ET/FE	M	N
1173	1	HARBORFRONT TRACT	ET/FE	M	N
1184	1	HARBORFRONT TRACT	ET/FE	M	Y
1184	3	FISHERMAN'S MEMORIAL	ET/FE	M	Y
1194	1	HARBORFRONT TRACT	ET/FE	M	N
1194	10	HARBORFRONT TRACT	ET/FE	M	Y
1194	11	HARBORFRONT TRACT	ET/FE	M	Y
1194	12	HARBORFRONT TRACT	ET/FE	M	Y
1194	2	HARBORFRONT TRACT	ET/FE	M	Y
1194	3	HARBORFRONT TRACT	ET/FE	M	Y
1194	4	HARBORFRONT TRACT	ET/FE	M	Y
1194	5	HARBORFRONT TRACT	ET/FE	M	Y
1194	6	HARBORFRONT TRACT	ET/FE	M	Y
1194	7	HARBORFRONT TRACT	ET/FE	M	Y
1194	8	HARBORFRONT TRACT	ET/FE	M	Y
1194	9	HARBORFRONT TRACT	ET/FE	M	Y
1195	1	HARBORFRONT TRACT	ET/FE	M	Y
1200	NONE	OPEN SPACE MEDIAN STRIP	ET/FE	M	Y
1206	1	HARBORFRONT TRACT	ET/FE	M	N
1217	1	HARBORFRONT TRACT	ET/FE	M	Y
1221	2	BEACH FRONT	ET/FE	M	Y
			ET/FE	M	N

The above information is the Recreation and Open Space Inventory (ROSI) on file with Green Acres. Please note that Green Acres relies on the accuracy of the information provided to us by the Local Unit(s) in maintaining the accuracy of our database. Since it is the responsibility of the Local Unit(s) to ensure compliance with Green Acres rules, it is strongly recommended that you confirm this information with the Local Unit(s).

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Department of Environmental Protection
P. O. Box 402
Trenton, NJ 08625-0402

CAPE MAY COUNTY PLANNING DEPARTMENT

Leonard C. Desiderio
Freeholder

Leslie L. Gimeno, PP, AICP
Planning Director

4 Moore Road
Cape May Court House, N.J. 08210-1601
(609) 465-1080 □ Fax: 465-1418
planningbd@co.cape-may.nj.us



Established 1953

Mayor Edward J. Mahaney, Jr.
City of Cape May
643 Washington Street
Cape May, New Jersey 08204

July 22, 2010

Dear Mayor Mahaney,

Thank you for the opportunity to review the City's proposal to seek Green Acres funding to facilitate the development of Lafayette Street Park. I am familiar with the area and believe that the establishment of a community park will be a fine compliment to the surrounding land uses, which include the Elementary School, other public lands, and residential neighborhoods.

As you are aware, the Cape May County Planning Board provides guidance on regional issues via the Cape May County Comprehensive Plan. This document addresses topics that reach across municipal borders, such as Economic Development, Open Space, Conservation/Recreation, and Tourism. It is evident from the project summary that the development of Lafayette Street Park would be complimentary to the goals and objectives set forth for these issues in the County Comprehensive Plan. The Park is well-sited near existing public lands, is easily accessible from residential areas, and has the necessary infrastructure in place to support its development and long-term maintenance. Additionally, its location within walking distance of the City's commercial district is a strong indication that it will be an integral part of complimenting residents' and visitors' experiences in the City.

The Comprehensive Plan recognizes the importance of preserving open space and recreation lands, stating that "these resource areas not only add stability to the County's seasonal economy, but also enhance the resort character of our area." (CMC Comprehensive Plan, p. 21). Support for this concept was turned into action on November 9, 1989 when the voters of Cape May County approved the Cape May County Open Space Trust Fund so that County government could become an active participant in this endeavor. As discussed in the "Cape May County Open Space and Recreation Plan" (12/05; amended 7/07) the County focuses on preserving larger tracts of land, and recognizes the key role of municipalities in obtaining and managing lands with "smaller more intensive uses, such as baseball fields and playgrounds which are usually situated within walking distance of the neighborhoods they serve" (p. 5). Therefore, the City's Lafayette Park initiative is recognized as a key local component in the regional effort to provide a wide variety of open space and recreation opportunities in Cape May County.

In short, the City's Lafayette Park proposal is directly complimentary to the efforts of federal, state, county, and local governments' efforts to preserve lands for use as active public open space in Cape May County. As such, I hope that the Green Acres Program looks favorably upon the City's application and that the City obtains the funding to facilitate this much-needed public resource. Please do not hesitate to contact me if I can be of any further assistance in this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie L. Gimeno". The signature is fluid and cursive, with a large initial "L" and "G".

Leslie L. Gimeno, PP, AICP
Planning Director

Cc: Michael Zumpino, Triad Associates
Bruce MacLeod, City Manager

DR. EDWARD J. MAHANEY, JR.

Mayor

JACK WICHTERMAN

Deputy Mayor

DEANNA FIOCCA

Councilmember

WILLIAM H. MURRAY

Councilmember

TERRI L. SWAIN

Councilmember

City of Cape May

National Historic Landmark

City Hall – 643 Washington Street

Cape May, New Jersey 08204-2397

(609) 884-9525 * Fax: (609) 884-8589

www.capemaycity.org



BRUCE MACLEOD

City Manager

DIANE L. WELDON

City Clerk

The Honorable Dr. Edward J. Mahaney, Jr.
Mayor, Cape May City
643 Washington Street
Cape May, New Jersey 08204

July 27, 2010

**RE: Lafayette Street Open Space Project
Green Acres Acquisition Application Letter of Support**

Dear Mayor Mahaney:

Please accept this letter of support on behalf of the Cape May City Planning Board, as it relates to the City's Green Acres Acquisition Application for the Lafayette Street Open Space Project. The acquisition of parcels along Lafayette Street and St. John Place will create a unique opportunity to craft an aesthetically pleasing, comprehensive recreation complex that has an array of active and passive recreational opportunities for year-round residents, as well as for our vast seasonal population. It is with full confidence that this project demonstrates consistency with the City's Master Plan, as well as the New Jersey State Development & Redevelopment Plan (State Plan).

As you know, the City's goals regarding recreation and open space seeks to "preserve and enhance the City's open space system and upgrade recreational land use to protect Cape May's environmental resources and meet the needs of residents and visitors" (Cape May City Master Plan, March 2003, page 21). Beyond the City's beaches, the City's recreational assets are limited. In fact, the largest single tract of City-owned recreational land is approximately 9.5 acres, which is less than 1 percent of the City's total area.

In March 2009, the City's Master Plan Reexamination identified a new recreation and open space objective to "acquire lands and consolidate ownership of the areas bordered by St. John Street, Lafayette and the Cape May Elementary School to facilitate an upgrade in active recreation" (Cape May City Master Plan Reexamination, March 2009, page 31). Wise-Anderson Park, which is currently 1.05 acres and located on Lafayette Street, is the only other City-owned outdoor recreational facility.

Acquisition of the 1.7 acres of land surrounding Wise-Anderson Park would expand the park to nearly 3 acres and provide a contiguous tract of open space to the adjacent pristine wetlands that straddle Cape Island Creek.

As noted in the City's Master Plan, this project will accomplish a variety of goals and statewide policies consistent with the State Plan, particularly *Goal 2 – Conserve the State's Natural Resources & Systems*. In addition, the City's Master Plan is also consistent with *Statewide Policy 12 – Open Land and Natural Systems* and *Statewide Policy 16 – Coastal Resources*. Moreover, the City, which was designated a Town Center by the State Planning Commission in 1999, is currently seeking to reestablish its Town Center designation through the Plan Endorsement process, as the Center expired in 2008.

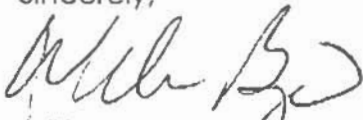
More specifically, the project seeks to achieve consistency with the State Plan's policies by preserving and restoring the functional integrity of natural systems, including large tracts of natural land, to protect biological diversity (*Statewide Policy 12 – Open Land and Natural Systems*). This is incredibly important as Cape May City is an integral part of the Atlantic Flyway, where millions of birds migrate each fall to the southern reaches of Cape May County.

Among New Jersey's many important and irreplaceable natural resources, those of the coast are unique. The estuaries, bays and beaches make up a natural system that provides residents and visitors with opportunities for recreation and tourism. This project avails itself to those opportunities by protecting vital ecological areas to prevent significant adverse long-term impacts to the natural and scenic functions of the City's sensitive, coastal resources.

In conclusion, the Lafayette Street Open Space Project is internally consistent with the City's Master Plan, specifically with our land use element, our conservation plan element and our recreation and open space goals and objectives.

The Cape May City Planning Board fully supports the City's actions to apply for the Green Acres Acquisition funding for the Lafayette Street Open Space Project. Should you have any questions or concerns, please feel free to contact me. Thank you.

Sincerely,



William Bezaire, Chairman
Cape May City Planning Board

Environmental Commission
City of Cape May
643 Washington Street
Cape May, NJ 08204

July 23, 2010

Mayor Edward J Mahaney, Jr.
Cape May City
643 Washington Street
Cape May, NJ 08204-2397

Re: Green Acres Acquisition Application – Lafayette Street Park

Dear Mayor Mahaney,

The Environmental Commission of the City of Cape May has as its mission: " To provide and advise the Governing Body and all Boards of the City with recommendations for locally based protection of the land, water, air, marshes, wildlife, and moreover, endorsing alternative energy projects, controlling density, abating pollution, and advocating re-cycling wherever possible."

Upon reading this statement I am certain you would agree there is a direct correlation between the objectives of the Environmental Commission and the plans that the City has set for the Lafayette Street Park project.

Available land for open space is a diminishing resource. In Cape May's case, it is virtually non-existent due the extraordinary development pressures that exist on the island. Accordingly, every effort must be made to acquire the financial resources needed to assemble land for open space and/or recreation so as to lessen the burden on taxpayers and at the same time leverage other public resources.

The City's proposal for pursue Green Acres funding to acquire land which will help to assemble the remaining privately owned parcels is important because it completes the land package needed to properly develop the Lafayette Street Park into the recreational resource that is critically needed for Cape May City and County residents and the hundreds of thousands of visitors to the island. In addition to the opportunity to expand the open space inventory and develop a comprehensive recreation program at the park, we also view this initiative as an opportunity protect the sensitive wetlands environment that is a part of the park by restricting private sector development encroachment, particularly on the properties which are the subject of the Green Acres application. In addition, we view this initiative as an excellent opportunity to make more accessible the beautiful forest and wetlands areas that are part of the park for enjoyment of visitors to the area and environmental enrichment opportunities.

In this regard, the conceptual plans that have been developed by for the Lafayette Street Park clearly respect the environmental sensitivities that exist on the property and do so in a manner that creates controlled linkages/access points and also protects the environmentally sensitive areas.

The Cape May Environmental Commission commends the City of Cape May for its efforts to pursue Green Acres funding. We also wish to assert that this acquisition project and the future development plans that have been conceptually presented for the site are entirely consistent with the goals and objectives set forth by the Environmental Commission for the City of Cape May.

Respectfully submitted,

A handwritten signature in cursive script that reads "Charlotte Todd".

Charlotte Todd, Chairperson



New Jersey Audubon

Nature Center of Cape May

1600 Delaware Avenue, Cape May, NJ 08204

Phone: (609)898-8848 Fax: (609)898-8512 web: www.njaudubon.org/centers/nccm

Mayor Edward J Mahaney, Jr.
Cape May City
643 Washington Street
Cape May, NJ 08204-2397

July 24, 2010

Re: Green Acres Acquisition Application – Lafayette Street Park

Dear Mayor Mahaney,

New Jersey Audubon's Nature Center of Cape May is excited about the City's plan to apply for Green Acres funding to acquire property for the Lafayette Street Park. We are familiar with a conceptual plan that has been developed for the City of Cape May for the Lafayette Street Park. This type of plan for the Park will enable our Nature Center staff to introduce residents and visitors to the wonderful environmental enrichment opportunities that exist in the wetlands area through the existing trails. In this regard, the Nature Center anticipates working in conjunction with the City and the School District to expand the trail system it helped re-establish several years ago, improve the existing habitat, introduce environmental educational programs and install informational kiosks along the trail as well.

As you are aware, the Lafayette Street Park is in need of considerable improvements and upgrades. Rather than simply making some minor modifications to the existing facilities, it is clearly a far better strategy to be able to redesign and create the kind of comprehensive facilities proposed in the plan that presents opportunities for complementary linkages between the various active recreation uses and the more passive environmental enrichment opportunities that the tidal wetlands at the rear of the property affords.

It is clear that the acquisition of the remaining privately owned properties will be the true catalyst for development of a park, recreation and environmental enrichment campus, the latter of which we are keenly interested in supporting for residents and the hundreds of thousands of visitors to the island as well as Cape May County's residents.

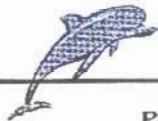
I would like to close by reminding you and the readers of this letter that the City of Cape May has a proven track record of success with Green Acres funded projects. I sit here at my desk writing this from the location of one such success story. Sixteen years ago the State assisted the City in the preservation of the southern shoreline of Cape May Harbor from the threat of an oversized marina development. Today the site flourishes with an awarding winning environmental education facility which positively impacts thousands of schoolchildren and their families each year.

Thank you again for the opportunity to submit this letter of support and endorsement of the City's strategy for land assembly and the long term goals for development of the Lafayette Street Park. We look forward to a partnership with the State, City and School District as this project moves ahead.

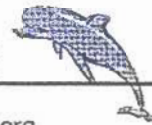
Respectfully submitted,

Gretchen L Whitman

Gretchen L. Whitman
Sanctuary Director
New Jersey Audubon
Nature Center of Cape May



Cape May City School District



921 Lafayette Street ~ Cape May, New Jersey 08204
Phone (609)884-8485 ~ Fax (609) 884-7037 ~ Web www.capemaycityschool.org

Victoria Zelenak
Superintendent

John Thomas
Business Administrator / Board Secretary

July 23, 2010

Mayor Edward J. Mahaney, Jr.
Cape May City
643 Washington Street
Cape May, NJ 08204-2397

Re: Green Acres Acquisition Application – Lafayette Street Park

Dear Mayor Mahaney,

I am writing to extend my support for the City of Cape May's application for Green Acres funding for the Lafayette Street Park. I am enthusiastic about the potential that exists for the future development of the Lafayette Street Park which will be greatly facilitated by the acquisition of certain privately owned properties, which when combined with land to be deeded to the City from JCP & L, will provide a continuous linkage between City and School owned recreation both active and passive and the extraordinary opportunities for environmental enrichment in the wetlands which extend to Cape Island Creek.

This project is entirely consistent with the School District's overall plans for improvement of our recreation facilities and enhancement of opportunities for environmental enrichment through continued development of the trails that will extend into the wetlands area. The acquisition of the remaining privately owned properties and the anticipated donation of the JCP&L properties upon completion of the Brownfields remediation will facilitate opportunities for the School District and City to continue to work together to expand our active and passive recreation programs to accommodate needs of both adults and children alike. We envision this project as it is built-out bringing parents, guardians, family and friends and their children together to enjoy a facility whose uses will be complementary and comprehensive.

I applaud the efforts of the City to pursue the Green Acres funding to complete the assemblage of land needed to develop the Lafayette Street Park to its fullest potential. Furthermore, the City is to be commended for the creative design considerations that can influence the future development of a comprehensive park and recreation area with environmental opportunities for our residents and the hundreds of thousands of visitors who come to Cape May every year.

If I can be of any further assistance or provide additional commentary for Green Acres, please feel free to contact me.

Sincerely,

John Thomas
School Business Administrator /
Board Secretary

DR. EDWARD J. MAHANEY, JR.

Mayor

JACK WICHTERMAN

Deputy Mayor

DEANNA FIOCCA

Councilmember

WILLIAM H. MURRAY

Councilmember

TERRI L. SWAIN

Councilmember

City of Cape May

National Historic Landmark

City Hall – 643 Washington Street

Cape May, New Jersey 08204-2397

(609) 884-9525 * Fax: (609) 884-8589

www.capemaycity.org



BRUCE A. MACLEOD

City Manager

DIANE L. WELDON

City Clerk

July 27, 2010

Mayor Edward J Mahaney, Jr.

Cape May City

643 Washington Street

Cape May, NJ 08204-2397

Re: Green Acres Acquisition Application – Lafayette Street Park

Dear Mayor Mahaney:

I am pleased to present this letter of support for the City's application for Green Acres acquisition funding for the Lafayette Street Park. I also wish to confirm that this project is consistent with the recreation goals for the City with particular reference to the future plans for the Lafayette Street Park as have been set forth in conceptual format by Temple University and embraced by the City as a result of numerous town meetings and community participation in the planning process.

In my capacity of Director of Civic Affairs, I am also responsible for overseeing recreation programs and activities and the recreational facilities that exist in the City of Cape May. In this regard, it is important to note that the Lafayette Street Park which combines City and School owned properties, represents the largest single tract of land available for active recreational purposes as well as passive opportunities. While the City of Cape May boasts of a beautiful expanse of beaches, many of our residents and the visitors to the City find a need for recreational opportunities of the nature that the Lafayette Street Park can provide.

My concern mirrors the City's concern that every effort must be made to acquire the four properties that remain in private ownership and which constitute a threat to the City's ability to assemble a complete tract of land that could accommodate a full build-out that is sensitive to the environment, to proper spacing and complementary use/design considerations as are contained in the conceptual plan for Lafayette Street.

There is virtually no land available in the City of Cape May on the scale of the Lafayette Street Park that could be developed for recreational purposes. Moreover, the properties which are the subject of the Green Acres Acquisition Application represent a serious threat to our ability to carry out a comprehensive park and recreation plan because of their strategic location and potential extraordinary value as a higher more dense use whether residential or commercial. Every effort must be made to take advantage of the resources that are available through the Green Acres Program so as to wrest control of these properties for public use for all time, for recreational purposes.

It is important to note that not only is there little or no land available for new public recreation uses; there are also limited opportunities for new development in Cape May. Hence, the properties that are the subject of this Green Acres Acquisition Application become more critical in that their development potential and value as a private sector initiative will continue to pose a serious threat to the Park's development potential.

Lafayette Street Park takes on added significance in that it is centrally located within the City, within walking distance of the most densely populated areas of the City and is accessible by public transportation, bicycling and the trolley system that is currently in place in the City. It is truly a community park and recreation complex that has considerably more potential to serve the recreational, open space, environmental and passive recreation needs of our residents than it currently does. We have a unique opportunity to expand our open space inventory and as a result have Lafayette Street Park as the centerpiece of Cape May's open space preservation program and comprehensive recreation center.

Sincerely,

A handwritten signature in cursive script that reads "Terrence Brown (S)".

Terrence Brown
Director of Civic Affairs

r:\clients\cape may city, nj\green acres 2010\letters of support\suggested letter from terrance brown.doc

APPENDIX
City of Cape May 2010 Municipal Data Sheet
(Budget)

2010 MUNICIPAL DATA SHEET

(MUST ACCOMPANY 2010 BUDGET)

Final copy
CAP

MUNICIPALITY: _____ CITY OF CAPE MAY _____ COUNTY: _____ CAPE MAY _____

Dr. Edward J. Mahaney, Jr. Mayor's Name	June 30, 2012 Term Expires
--	-------------------------------

Municipal Officials	
Diane L. Weldon Municipal Clerk	7/1/2003 Date of Orig. Appt. 1231 Cert. No.
Bruce A. MacLeod Tax Collector	180 Cert. No.
James Penn Chief Financial Officer	N-0513 Cert. No.
Leon P. Costello, CPA Registered Municipal Accountant	393 Lic. No.
Anthony P. Monzo Municipal Attorney	
Bruce MacLeod - City Manager	

Governing Body Members	Term Expires
Niels S. Favre - Deputy Mayor	6/30/2010
Terri L. Swain	6/30/2012
Linda A. Steenrod	6/30/2010
David C. Kurkowski	6/30/2010

Official Mailing Address of Municipality

CITY HALL
643 Washington Street
Cape May, NJ 08204

Fax #: 609-884-9581

Please attach this to your 2010 Budget and Mail to:

Director, Division of Local Government Services
Department of Community Affairs
P.O. Box 803
Trenton NJ 08625

Division Use Only
Municode: _____
Public Hearing Date: _____

Sheet A

April 21, 2010

Adoption

City of Cape May

2010
MUNICIPAL BUDGET

Municipal Budget of the _____ CITY _____ of _____ CAPE MAY _____, County of _____ CAPE MAY _____ for the Fiscal Year 2010.

It is hereby certified that the Budget and Capital Budget annexed hereto and hereby made a part hereof is a true copy of the Budget and Capital Budget approved by resolution of the Governing Body on the

16TH _____ day of _____ MARCH _____, 2010
and that public advertisement will be made in accordance with the provisions of N.J.S. 40A:4-6 and N.J.A.C. 5:30-4.4(d).

Certified by me, this _____ 16TH _____ day of _____ MARCH _____, 2010

It is hereby certified that the approved Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof, and the total of anticipated revenues equals the total of appropriations.

Certified by me, this _____ 16TH _____ day of _____ MARCH _____, 2010
Leon P. Costello, CPA
Registered Municipal Accountant
Ocean City, NJ 08226
Address
1535 Haven Avenue
Address
609-399-6333
Phone Number

It is hereby certified that the approved Budget annexed hereto and hereby made a part is an exact copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof, the total of anticipated revenues equals the total of appropriations and the budget is in full compliance with the Local Budget Law, N.J.S. 40A:4-1 et seq.

Certified by me, this _____ 16TH _____ day of _____ MARCH _____, 2010
James J. Penn
Chief Financial Officer

DO NOT USE THESE SPACES

CERTIFICATION OF ADOPTED BUDGET

(Do not advertise this Certification form)
It is hereby certified that the amounts to be raised by taxation for local purposes has been compared with the approved Budget previously certified by me and any changes required as a condition to such approval have been made. The adopted budget is certified with respect to the foregoing only.

STATE OF NEW JERSEY
Department of Community Affairs
Director of the Division of Local Government Services
Dated: _____, 2010 By: _____

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the Approved Budget made part hereof complies with the requirements of law, and approval is given pursuant to N.J.S. 40A:4-79.

STATE OF NEW JERSEY
Department of Community Affairs
Director of the Division of Local Government Services
Dated: _____, 2010 By: _____

Sheet 1

April 21, 2010

Adoption

City of Cape May

COMMENTS OR CHANGES REQUIRED AS A CONDITION OF CERTIFICATION OF DIRECTOR OF LOCAL GOVERNMENT SERVICES

The changes or comments which follow must be considered in connection with further action on this budget.

CITY _____ of _____ CAPE MAY _____, County of _____ CAPE MAY _____

Sheet 1a

April 21, 2010

Adoption

City of Cape May

MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the _____ of _____ CITY _____ of _____ CAPE MAY _____, County of _____ CAPE MAY _____ for the Fiscal Year 2010

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2010:

Be it Further Resolved, that said Budget be published in the _____ CAPE MAY STAR AND WAVE _____

in the issue of _____ 8TH APRIL _____, 2010

The Governing Body of the _____ CITY _____ of _____ CAPE MAY _____ does hereby approve the following as the Budget for the year 2010:

RECORDED VOTE

(Insert last name)

Ayes	MAHANEY	Nays	Abstained
	FAVRE		
	SWAIN		
	KURKOWSKI		
Absent	STEENROD		

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 _____ 16TH _____, 2010.

A Hearing on the Budget and Tax Resolution will be held at _____ CITY HALL _____, on _____ APRIL _____ 21ST _____, 2010 at _____ 7:00 _____ o'clock (A-M-) (P.M.) at which time and place objections to said Budget and Tax Resolution for the year 2010 may be presented by taxpayers or other interested persons.

EXPLANATORY STATEMENT

SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET

				YEAR 2010
General Appropriations For: (Reference to item and sheet number should be omitted in advertised budget)				
1. Appropriations within "CAPS" -				XXXXXXXXXXXX
(a) Municipal Purposes {(Item H-1, Sheet 19)(N.J.S. 40A:4-45.2)}				XXXXXXXXXXXX
2. Appropriations excluded from "CAPS" -				XXXXXXXXXXXX
(a) Municipal Purposes {(Item H-2, Sheet 28)(N.J.S. 40A:4-53.3 as amended)}				3,471,771.37
(b) Local District School Purposes in Municipal Budget (Item K, Sheet 29)				-
Total General Appropriations excluded from "CAPS" (Item O, Sheet 29)				14,270,879.77
3. Reserve for Uncollected Taxes (Item M, Sheet 29) Based on Estimate				858,362.18
		Percent of Tax Collections		
		Building Aid Allowance	2010 - \$	
		for Schools-State Aid	2009 - \$	
4. Total General Appropriations (Item 9, Sheet 29)				15,129,241.95
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11) (i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)				7,392,047.14
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget (as follows)				XXXXXXXXXXXX
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes (Item 6(a), Sheet 11)				7,737,194.81
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)				-

Sheet 3

April 21, 2010

Adoption

City of Cape May

EXPLANATORY STATEMENT - (Continued)

SUMMARY OF 2009 APPROPRIATIONS EXPENDED AND CANCELED

	General Budget	Water Utility	Water & Sewer Utility	Beach Utility
Budget Appropriations - Adopted Budget	14,932,366.75		6,403,054.19	1,956,583.92
Budget Appropriations Added by N.J.S. 40A:4-87	54,371.39			
Emergency Appropriations	-		-	
Total Appropriations	14,986,738.14	-	6,403,054.19	1,956,583.92
Expenditures:				
Paid or Charged (Including Reserve for Uncollected Taxes)	14,166,518.38		6,013,694.59	1,835,422.30
Reserved	818,402.61		241,063.56	107,165.67
Unexpended Balances Canceled	1,817.15		158,611.47	13,995.95
Total Expenditures and Unexpended Balances Canceled	14,986,738.14	-	6,413,369.62	1,956,583.92
Overexpenditures *	-	-	10,315.43	-

Explanations of Appropriations for
"Other Expenses"

The amounts appropriated under the title of "Other
Expenses are for operating costs other than "Salaries &
Wages". Some of the items included in " Other Expenses" are:

Materials, supplies and non-bondable equipment;
Repairs and maintenance of buildings, equipment, roads, etc.;

Contractual services for garbage and trash removal,
fire hydrant service, aid to volunteer fire companies, etc.;

Printing and advertising, utility services, insurance and
many other items essential to the services rendered by
municipal government.

*See Budget Appropriation Items so marked to the right of column "Expended 2009 Reserved."

Sheet 3a

April 21, 2010

Adoption

City of Cape May

EXPLANATORY STATEMENT - (Continued)
BUDGET MESSAGE

<u>CAP CALCULATION</u>		<u>CAP CALCULATION</u>	
Total General Appropriations for 2009	14,932,366.75	Allowable Operating Appropriations before	
Cap Base Adjustment:		Additional Exceptions per (N.J.S.A. 40A:4-45.3)	10,930,037.28
Subtotal	<u>14,932,366.75</u>		
Exceptions Less:		Additions:	
Total Other Operations	30,000.00	New Construction (Assessor Certification)	28,424.32
Total Uniform Construction Code		2008 Cap Bank	15,002.13
Total Interlocal Service Agreement	646,976.00	2009 Cap Bank	300,489.76
Total Additional Appropriations		<i>New Construction 8,882,600 @ .320</i>	
Total Capital Improvements	242,000.00	Total Additions	<u>343,916.21</u>
Total Debt Service	1,898,800.00	Maximum Appropriations within "CAPS" Sheet 19 @ 2.5%	<u>11,273,953.49</u>
Transferred to Board of Education			
Type I School Debt	28,885.85	Additional Increase to COLA rate:	3.5%
Total Public & Private Programs		Amount of Increase allowable:	1.0%
Judgements			
Total Deferred Charges	605,000.00		
Cash Deficit	817,253.90		
Reserve for Uncollected Taxes	<u>4,268,915.75</u>		
Total Exceptions			
	10,663,451.00		
Amount on Which CAP is Applied	<u>266,586.28</u>		
2.5% CAP		Maximum Appropriations within "CAPS" Sheet 19 @ 3.5%	<u>11,380,588.00</u>
Allowable Operating Appropriations before			
Additional Exceptions per (N.J.S.A. 40A:4-45.3)	10,930,037.28		

NOTE:

Sheet 3b

MANDATORY MINIMUM BUDGET MESSAGE MUST INCLUDE A SUMMARY OF:

1. HOW THE "CAP" WAS CALCULATED. (Explain in words what the "CAPS" mean and show the figures.)
2. A SUMMARY BY FUNCTION OF THE APPROPRIATIONS THAT ARE SPREAD AMONG MORE THAN ONE OFFICIAL LINE ITEM
(e.g. if Police S & W appears in the regular section and also under "Operation Excluded from "CAPS" section, combine the figures for purposes of citizen understanding.)

April 21, 2010

Adoption

City of Cape May

BUDGET MESSAGE

Analysis of Compensated Absence Liability

Organization/Individuals Eligible for Benefits	Gross Days of Accumulated Absence	Value of Compensated Absence	Legal basis for benefit (check applicable items)			
			Approved Labor Agreement	Local Ordinance	Individual Employment Agreements	
U. A. W. - Blue Collar	1249.25	112,870.30	x			
U. A. W. - White Collar	1621.63	136,909.77	x			
U. A. W. - Middle Management	530.5	54,523.12	x			
U. A. W. - Upper Management	799.25	74,952.00	x			
I. A. F. F. - Fire Department	1698.47	270,611.14	x			
P. B. A. - Police Department	2569.38	487,842.62	x			
Non-Union (all others)	2872.54	270,822.42		x	x	
Totals	11,341	\$ 1,408,531.37				
Total Funds Reserved as of end of 2009:		\$ 175,626.90				
Total Funds Appropriated in 2010:		\$ 20,000.00				

Sheet 3c

BUDGET MESSAGE

City of Cape May

BUDGET MESSAGE

NEW JERSEY 4% CAP LAW

P.L. 2008, c. 62, effective April 3, 2008, imposes a 4% CAP on the Tax Levy of your Municipality, with certain exception and exclusions. In addition to the all of the exceptions and exclusions the Local Finance Board may approve waivers for certain extraordinary costs identified by the Statute. The voters may also approve increases above the 4% CAP with a vote of at least 60%.

LEVY CAP CALCULATION**LEVY CAP CALCULATION**

Prior Year Amount to be Raised by Taxation

Less: One Year Waivers

Less: Prior Year Capital Improvement Fund and

Down Payments

Less: Prior Year Deferred Charges to Future

Taxation Unfunded

Changes in Service Provider (+/-)

Net Prior Year Tax Levy for Local Purpose Tax for CAP

Calculation

Plus 4% CAP Increase

Plus: Prior Year Extraordinary Aid Award

ADJUSTED TAX LEVY PRIOR TO EXCLUSIONS

7,158,426.29

-

(20,000.00)

(510,000.00)

-

6,628,426.29

265,137.05

6,893,563.34

6,893,563.34

ADJUSTED TAX LEVY PRIOR TO EXCLUSIONS

Exclusions:

Change in Debt Service and existing Leases

Offsets to State formula aid loss

Allowable Pension increases

Allowable increase in Reserve for Uncoll Taxes

Allowable increase in Health Care costs

Recycling Tax appropriation

Capital Improvement Fund and/or Down

Payment on Improvements

Deferred Charge to Future Taxation Unfunded

Add Total Exclusions

Less Cancelled or Unexpended Waivers

Less Cancelled or Unexpended Exclusions

Less Prior Year Extraordinary Aid Award (after EA is awarded)

ADJUSTED TAX LEVY

Additions:

New Ratables - Increase for new construction

Prior Year's Local Purpose Tax Rate(per\$100)

New Ratable Adjustment to Levy

LFB Approved Statewide Blanket Waiver

Amounts approved by Referendum

Waivers application amount

MAXIMUM ALLOWABLE AMOUNT TO BE RAISED BY TAXATION**AMOUNT TO BE RAISED BY TAXATION - BUDGET SHEET 11****OVER OR (UNDER) 4% LEVY CAP**

(must be equal or under for Introduction)

817,860.12

1,817.15

7,709,606.31

8,882,600

0.320

28,424.32

-

-

-

7,738,030.63

7,737,194.81

(835.82)

CURRENT FUND - ANTICIPATED REVENUES - (Continued)

CURRENT FUND ANTICIPATED REVENUES (Continued)					
GENERAL REVENUES		FCOA	Anticipated		Realized in Cash in 2009
			2010	2009	
3. Miscellaneous Revenues - Section A: Local Revenues (continued)					
<u>Hotel Room Tax</u>		08-105	1,000,000.00	1,000,000.00	1,064,987.00
<u>Lease and Rent Contracts</u>		08-105	330,000.00	480,000.00	550,898.44
<u>T.V. Cable Receipts</u>		08-105	37,000.00	37,000.00	37,198.55
<u>Victorian Towers- In Lieu of Taxes</u>		08-105	180,000.00	175,000.00	195,185.65
<u>Emergency Medical Services</u>		08-105	285,000.00	275,000.00	299,262.23
Total Section A: Local Revenue		08-001	3,616,000.00	3,719,300.00	4,030,838.78

Sheet 4a

CURRENT FUND - ANTICIPATED REVENUES - (Continued)

GENERAL REVENUES

3. Miscellaneous Revenues - Section B: State Aid Without Offsetting Appropriations

		Anticipated		Realized in
		2010	2009	Cash in 2009
GENERAL REVENUES				
cellaneous Revenues - Section B: State Aid Without Offsetting Appropriations				
Legislative Initiative Municipal Block Grant	09-201			
Extraordinary Aid	09-204			
Consolidated Municipal Property Tax Relief Aid	09-200			
Energy Receipts Tax (P.L. 1997, Chapters 162 & 167)	09-202	337,632.00	432,584.00	432,584.00
Supplemental Energy Receipts Tax	09-203			
Depreciation Adjustment	09-205			
Homeland Security	09-208			
Garden State Trust	09-207	1,159.37	1,415.24	1,415.24
Total Section B: State Aid Without Offsetting Appropriations	09-001	338,791.37	433,999.24	433,999.24

CURRENT FUND - ANTICIPATED REVENUES - (Continued)

GENERAL REVENUES

	FCOA	Anticipated		Realized in Cash in 2009
		2010	2009	
GENERAL REVENUES				
3. Miscellaneous Revenues - Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations (N.J.S. 40A:4-36 and N.J.A.C. 5:23-4.17)				
	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Uniform Construction Code Fees	08-160	222,000.00	265,000.00	222,092.28
Special Item of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services: Additional Dedicated Uniform Construction Code Fees Offset with Appropriations (N.J.S. 40A:4-45.3h and N.J.A.C. 5:23-4.17)	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Uniform Construction Code Fees	08-160	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Total Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations	08-002	222,000.00	265,000.00	222,092.28

GENERAL REVENUES

3. Miscellaneous Revenues - Section D: Special Items of General Revenue Anticipated

With Prior Written Consent of the Director of Local Government Services - Interlocal

Municipal Service Agreements Offset With Appropriations:

Sheet 7

CURRENT FUND - ANTICIPATED REVENUES - (Continued)

GENERAL REVENUES

	FCOA	Anticipated		Realized in Cash in 2009
		2010	2009	
GENERAL REVENUES				
3. Miscellaneous Revenues - Section E: Special Items of General Revenue Anticipated With Prior Written Consent of the Director of Local Government Services - Additional Revenues Offset with Appropriations (N.J.S. 40A:4-45.3h):	xxxxxxx	xxxxxxxxxxxxx	xxxxxxxxxxxxx	xxxxxxxxxxxxx
Total Section E: Special Item of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Additional Revenues	xxxxxxx	xxxxxxxxxxxxx	xxxxxxxxxxxxx	xxxxxxxxxxxxx
	08-003	-	-	-

CURRENT FUND - ANTICIPATED REVENUES - (Continued)

3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:	FCOA	Anticipated		Realized in Cash in 2009
		2010	2009	
GENERAL REVENUES				
Public Health Priority Funding - 1987	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
N.J. Transportation Trust Fund Authority Act	10-785			
Recycling Tonnage Grant	10-865			
Drunk Driving Enforcement Fund	10-701		14,441.62	14,441.62
Clean Communities Program	10-745	4,510.83		
Alcohol Education and Rehabilitation Fund	10-770		26,582.92	26,582.92
Municipal Alliance on Alcoholism and Drug Abuse	10-702	974.60		
Safe and Secure Communities Program - P.L. 1994, Chapter 220	10-703			
Neighborhood Preservation - Balanced Housing	10-704			
Handicapped Recreation Opportunities Grant	10-705			
Small Cities Grant	10-706			
	10-707			
Bureau of Housing Inspection				
Body Armor Grant	10-731		5,726.00	5,726.00
Smart Future Program	10-716		2,238.45	2,238.45
NJLPS COPS in Shops	10-739			
NJLPS Enforcing Underage Drinking Laws	10-741	1,024.84		
Election Assistance to Individuals with Disabilities	10-744	6,469.50		
	10-743		19,268.25	19,268.25

Sheet 9

CURRENT FUND - ANTICIPATED REVENUES - (Continued)

GENERAL REVENUES

	FCOA	Anticipated		Realized in Cash in 2009
		2010	2009	
GENERAL REVENUES				
3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations (Continued):	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Total Section F: Special Item of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
	10-001	12,979.77	68,257.24	68,257.24

Sheet 9a

April 21, 2010

Adoption

City of Cape May

CURRENT FUND - ANTICIPATED REVENUES - (Continued)

GENERAL REVENUES

3. Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated

With Prior Written Consent of Director of Local Government Services - Other Special

Items:

[illegible]

CURRENT FUND - ANTICIPATED REVENUES - (Continued)

	FCOA	Anticipated		Realized in Cash in 2009
		2010	2009	
GENERAL REVENUES				
3. Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services - Other Special Items:	xxxxxxx	xxxxxxxxxxxxx	xxxxxxxxxxxxx	xxxxxxxxxxxxx
Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items	xxxxxxx 08-004	xxxxxxxxxxxxx 258,694.00	xxxxxxxxxxxxx 588,130.37	xxxxxxxxxxxxx 588,131.37

Sheet 10a

CURRENT FUND - ANTICIPATED REVENUES - (Continued)

GENERAL REVENUES		FCOA	Anticipated		Realized in
			2010	2009	Cash in 2009
Summary of Revenues					
1. Surplus Anticipated (Sheet 4, #1)		XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
		08-101	2,050,000.00	2,000,000.00	2,000,000.00
2. Surplus Anticipated with Prior Written Consent of Director of Local Government Services (Sheet 4, #2)		08-102	-	-	-
3. Miscellaneous Revenues:		XXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
Total Section A: Local Revenues		08-001	3,616,000.00	3,719,300.00	4,030,838.78
Total Section B: State Aid Without Offsetting Appropriations		09-001	338,791.37	433,999.24	433,999.24
Total Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations		08-002	222,000.00	265,000.00	222,092.28
Total Section D: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Interlocal Municipal Service Agreements		11-001	634,082.00	615,613.00	615,650.71
Total Section E: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Additional Revenues		08-003	-	-	-
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues		10-001	12,979.77	68,257.24	68,257.24
Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items		08-004	258,694.00	588,130.37	588,131.37
Total Miscellaneous Revenues		13-099	5,082,547.14	5,690,299.85	5,958,969.62
4. Receipts from Delinquent Taxes		15-499	259,500.00	138,012.00	237,077.08
5. Subtotal General Revenues (Items 1, 2, 3 and 4)		13-199	7,392,047.14	7,828,311.85	8,196,046.70
6. Amount to be Raised by Taxes for Support of Municipal Budget:		XXXXX			
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes		07-190	7,737,194.81	7,158,426.29	XXXXXXX
b) Addition to Local District School Tax		07-191	-		XXXXXXXXXX
Total Amount to be Raised by Taxes for Support of Municipal Budget		07-199	7,737,194.81	7,158,426.29	7,738,515.51
7. Total General Revenues		13-299	15,129,241.95	14,986,738.14	15,934,562.21

Sheet 11

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
GENERAL GOVERNMENT FUNCTIONS:							
General Administration	20-100						
Salaries and Wages	20-100-1	130,850.00	125,825.00		133,325.00	124,473.36	8,851.64
Other Expenses	20-100-2	122,000.00	94,000.00		104,000.00	99,590.79	4,409.21
Mayor and Council	20-110						
Salaries and Wages	20-110-1	45,500.00	48,500.00		48,500.00	42,674.90	5,825.10
Other Expenses	20-110-2	3,725.00	3,775.00		3,775.00	2,743.85	1,031.15
City Clerk	20-120						
Salaries and Wages	20-120-1	155,000.00	189,000.00		159,000.00	141,052.00	17,948.00
Other Expenses	20-120-2	38,475.00	21,540.00		21,540.00	15,925.91	5,614.09
Financial Administration	20-130						
Salaries and Wages	20-130-1	149,200.00	150,000.00		120,000.00	96,016.01	23,983.99
Other Expenses	20-130-2	10,600.00	11,000.00		11,000.00	9,241.98	1,758.02
Audit Services	20-135						
Other Expenses	20-135-2	27,000.00	26,000.00		26,000.00	25,650.00	350.00

Sheet 12

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS		Appropriated					Expended 2009	
(A) Operations - within "CAPS" - (continued)	FCOA	for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved	
GENERAL GOVERNMENT FUNCTIONS - (cont.):								
Assessment of Taxes	20-150							
Salaries and Wages	20-150-1	93,000.00	90,000.00		90,000.00	89,434.56	565.44	
Other Expenses	20-150-2	16,095.00	17,875.00		17,875.00	12,810.71	5,064.29	
Collection of Taxes	20-145							
Salaries and Wages	20-145-1	106,000.00	102,150.00		102,150.00	86,962.87	15,187.13	
Other Expenses	20-145-2	5,910.00	8,970.00		8,970.00	5,392.93	3,577.07	
Legal Services	20-155							
Salaries and Wages	20-155-1	-	-		-		-	
Other Expenses:								
Special Litigation	20-155-2		-		-		-	
Miscellaneous Other Expenses	20-155-2	180,000.00	140,000.00		205,000.00	163,689.55	41,310.45	
Engineering & Planning Services	20-165							
Other Expenses	20-165-2	18,000.00	20,000.00		20,000.00	3,357.50	16,642.50	

Sheet 13

April 21, 2010

Adoption

City of Cape May

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
(A) Operations - within "CAPS" - (continued)							
GENERAL GOVERNMENT FUNCTIONS- (cont.):							
Economic Development	20-170						
Other Expenses	20-170-2	15,000.00	15,000.00		15,000.00	15,000.00	-
Emergency Medical Services- Collection	20-130						
Contractual Expenses	20-130-2	17,500.00	18,000.00		18,000.00	13,120.59	4,879.41
INSURANCE:							
Surety Bonds	23-210-2	-	2,500.00		-	-	-
General Liability	23-210-2	129,000.00	141,000.00		141,000.00	116,002.02	24,997.98
Workers Compensation Insurance	23-215-2	305,000.00	265,000.00		265,000.00	229,436.75	35,563.25
Employee Group Health	23-220-2	1,456,000.00	1,400,000.00		1,400,000.00	1,249,786.55	150,213.45
LAND USE ADMINISTRATION							
Planning Board	21-180						
Salaries and Wages	21-180-1	5,000.00	5,000.00		5,000.00	3,420.00	1,580.00
Other Expenses	21-180-2	14,700.00	15,700.00		18,700.00	17,354.16	1,345.84

Sheet 14

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS

(A) Operations - within "CAPS" - (continued)

	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
Zoning Board of Adjustment	21-185						
Salaries and Wages	21-185-1	5,000.00	5,000.00		4,000.00	1,800.00	2,200.00
Other Expenses	21-185-2	11,750.00	13,450.00		10,450.00	9,871.52	578.48
PUBLIC SAFETY:							
Fire	25-265						
Salaries and Wages	25-265-1	1,194,000.00	1,171,000.00		1,186,000.00	1,176,819.30	9,180.70
Other Expenses	25-265-2	42,500.00	43,500.00		45,500.00	44,454.46	1,045.54
Aid to Volunteer Fire Company	25-255						
Other Expenses	25-255-2	25,000.00	25,000.00		25,000.00	25,000.00	-
Police	25-240						
Salaries and Wages	25-240-1	2,023,418.00	1,962,395.00		1,947,395.00	1,885,851.18	61,543.82
Other Expenses	25-240-2	113,160.00	114,685.00		114,685.00	109,296.96	5,388.04

Sheet 15

April 21, 2010

Adoption

City of Cape May

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
(A) Operations - within "CAPS" - (continued)							
PUBLIC SAFETY (cont.):							
Emergency Management Services	25-252						
Salaries and Wages	25-252-1	5,750.00	5,750.00		5,750.00	5,000.07	749.93
Other Expenses	25-252-2	4,285.00	4,485.00		4,485.00	3,759.87	725.13
Parking and Traffic Maintenance	25-241						
Salaries and Wages	25-241-1	96,500.00	96,500.00		89,000.00	82,924.98	6,075.02
Other Expenses	25-241-2	52,300.00	49,500.00		52,000.00	48,578.91	3,421.09
Public Safety	22-240						
Salaries and Wages	22-240-1	5,000.00	5,000.00		-	-	-
Other Expenses	22-240-2	1,000.00	1,000.00		1,000.00	1,000.00	-
Municipal Court	43-490						
Salaries and Wages	43-490-1	160,500.00	153,106.00		153,106.00	144,498.77	8,607.23
Other Expenses	43-490-2	25,620.00	28,050.00		28,050.00	17,220.59	10,829.41
Public Defender (P.L. 1997, C.256)	43-495						
Other Expenses	43-495-2	8,300.00	8,300.00		8,300.00	7,500.00	800.00

Sheet 15a

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS		Appropriated					Expended 2009	
(A) Operations - within "CAPS" - (continued)		FCOA	for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
PUBLIC WORKS FUNCTION:								
Road Repairs and Maintenance		26-290						
Salaries and Wages		26-290-1	462,500.00	445,000.00		455,000.00	425,395.77	29,604.23
Other Expenses		26-290-2	183,425.00	185,925.00		185,925.00	183,387.04	2,537.96
Sanitary Landfill Contractual		26-305						
Other Expenses		26-305-2	25,500.00	28,000.00		28,000.00	22,203.33	5,796.67
Recycling		26-305						
Salaries and Wages		26-305-1	37,000.00	35,000.00		35,000.00	32,775.03	2,224.97
Other Expenses		26-305-2	302,135.00	326,825.00		311,825.00	265,568.45	46,256.55
Public Buildings and Grounds		26-310						
Salaries and Wages		26-310-1	564,000.00	575,500.00		585,500.00	543,669.69	41,830.31
Other Expenses		26-310-2	309,050.00	315,350.00		315,350.00	309,314.25	6,035.75
Shade Tree Commission		26-310						
Salaries and Wages		26-310-1	1,800.00	1,800.00		1,800.00	900.00	900.00
Other Expenses		26-310-2	30,950.00	34,500.00		34,500.00	17,284.47	17,215.53

Sheet 15b

April 21, 2010

Adoption

City of Cape May

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
(A) Operations - within "CAPS" - (continued)							
Property Maintenance Enforcement	26-311						
Other Expenses	26-311-2	2,500.00	2,500.00		2,500.00		2,500.00
HEALTH AND HUMAN SERVICES:							
Board of Health	27-330						
Other Expenses	27-330-2	50.00	50.00		50.00	-	50.00
Administration of Public Assistance	27-345						
Other Expenses	27-345-2	100.00	100.00		100.00	-	100.00
Services of Visiting Nurse	27-330						
Other Expenses	27-330-2	50.00	50.00		50.00	-	50.00
Code Enforcement	22-200						
Salaries and Wages	22-200-1				-		-
Other Expenses	22-200-2				-		-

Sheet 15c

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
(A) Operations - within "CAPS" - (continued)							
Environmental Commission (N.J.S.A. 40:56 A-1)	27-335						
Salaries and Wages	27-335-1	1,800.00	1,800.00		1,800.00	810.00	990.00
Other Expenses	27-335-2	5,450.00	5,450.00		5,450.00	5,017.00	433.00
PARKS AND RECREATION FUNCTIONS:							
Civic Affairs	28-370						
Salaries and Wages	28-370-1	87,500.00	92,500.00		82,500.00	68,160.30	14,339.70
Other Expenses	28-370-2	51,800.00	57,200.00		52,200.00	39,099.51	13,100.49
Historic Preservation Commission							
(Ch. 516, P.L. 1985, N.J.S.A. 40:55D-107)	20-175						
Salaries and Wages	20-175-1	11,000.00	10,000.00		11,000.00	10,565.56	434.44
Other Expenses	20-175-2	20,600.00	20,450.00		20,450.00	8,757.03	11,692.97
Grants Coordinator	20-132						
Other Expenses	20-132-2	25,000.00	29,000.00		29,000.00	600.00	28,400.00

Sheet 15d

April 21, 2010

Adoption

City of Cape May

CURRENT FUND - APPROPRIATIONS

[illegible]

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS		Appropriated						Expended 2009	
(A) Operations - within "CAPS" - (continued)	FCOA	for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved		
UNCLASSIFIED:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX		
Celebration of Public Events, Anniversary or									
Holiday	30-420-2	25,000.00	36,000.00		36,000.00	35,951.38	48.62		
UTILITY EXPENSES AND BULK PURCHASES:									
General Office Operations	31-451	107,100.00	112,000.00		112,000.00	99,992.69	12,007.31		
Street Lighting	31-345-2	113,000.00	115,000.00		115,000.00	104,167.20	10,832.80		
Gas Lighting	31-345-2	23,000.00	23,000.00		23,000.00	19,689.01	3,310.99		
Gas Lighting - Parts	31-345-2	14,000.00	14,000.00		15,500.00	15,498.88	1.12		
Total Operations (Item 8(A)) within "CAPS"	34-199	9,568,658.00	9,438,941.00	-	\$,442,441.00	8,686,041.47	756,399.53		
B. Contingent	35-470	1,000.00	1,000.00	XXXXXXXXXX	1,000.00	-	1,000.00		
Total Operations Including Contingent - within "CAPS"	34-201	9,569,658.00	9,439,941.00	-	\$,443,441.00	8,686,041.47	757,399.53		
Detail:									
Salaries & Wages	34-201-1	5,669,818.00	5,626,826.00	-	\$,571,826.00	5,300,921.89	270,904.11		
Other Expenses (Including Contingent)	34-201-2	3,899,840.00	3,813,115.00	-	\$,871,615.00	3,385,119.58	486,495.42		

Sheet 17

8. GENERAL APPROPRIATIONS

[illegible]

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
(E) Deferred Charges and Statutory Expenditures - Municipal within "CAPS" - (continued)	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
(2) STATUTORY EXPENDITURES:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Contribution to:							
Public Employees' Retirement System	36-471	290,329.52	279,163.00		279,163.00	271,163.00	8,000.00
Social Security System (O.A.S.I.)	36-472	285,000.00	310,000.00		304,000.00	265,996.92	38,003.08
Consolidated Police & Fireman's Pension Fund	36-474	-	-		-		-
Police and Firemen's Retirement System of NJ	36-475	618,120.88	594,347.00		594,347.00	594,347.00	-
Unemployment Compensation Insurance (N.J.S.A. 43:21-3 et seq.)	23-225	14,000.00	13,000.00		15,500.00	15,500.00	-
Lifeguard Pension	36-471				-		-
Reserve for Retirement Trust	36-479	20,000.00	25,000.00		25,000.00	25,000.00	-
Defined Contribution Retirement Program(DCRP)	36-477	2,000.00	2,000.00		2,000.00	2,000.00	-
Total Deferred Charges and Statutory Expenditures - Municipal within "CAPS"	34-209	1,229,450.40	1,223,510.00	-	1,220,010.00	1,174,006.92	46,003.08
(G) Cash Deficit of Preceding Year	46-855						
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	34-299	10,799,108.40	10,663,451.00	-	10,663,451.00	9,860,048.39	803,402.61

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April 21, 2010

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City of Cape May

8. GENERAL APPROPRIATIONS

Sheet 20

8. GENERAL APPROPRIATIONS

Sheet 20a

City of Cape May

8. GENERAL APPROPRIATIONS

[illegible]

Sheet 21

8. GENERAL APPROPRIATIONS

Sheet 22

CURRENT FUND - APPROPRIATIONS

[illegible]

Sheet 23

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS		CURRENT FUND - APPROPRIATIONS					
(A) Operations - Excluded from "CAPS"	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
Public and Private Programs Offset by Revenues							
Smart Future Program	41-739				-	-	-
Body Armor Grant	41-716		2,238.45		2,238.45	2,238.45	-
Recycling Tonnage Grant	41-701		14,441.62		14,441.62	14,441.62	-
Drunk Driving Enforcement Fund	41-745	4,510.83			-	-	-
Clean Communities Program	41-770		26,582.92		26,582.92	26,582.92	-
Alcohol Education and Rehabilitation Fund	41-702	974.60			-	-	-
Bureau of Housing Inspection	41-731		5,726.00		5,726.00	5,726.00	-
Election Assistance to Individuals with Disabilities	41-743		19,268.25		19,268.25	19,268.25	-
NJLPS Enforcing Underage Drinking Laws	41-744	6,469.50			-	-	-
NJ Highway Safety - Click It or Ticket	41-734				-	-	-
CMCMUA Recycling Program	41-737				-	-	-
Small Cities Grant	41-707				-	-	-
NJLPS COPS in Shops	41-741	1,024.84			-	-	-

Sheet 24

CURRENT FUND - APPROPRIATIONS

[illegible]

Sheet 24a

8. GENERAL APPROPRIATIONS

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City of Cape May

CURRENT FUND - APPROPRIATIONS

[illegible]

8. GENERAL APPROPRIATIONS

Sheet 26a

City of Cape May

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
(D) Municipal Debt Service - Excluded from "CAPS"							
Payment of Bond Principal	45-920	1,322,740.00	1,195,000.00		1,195,000.00	1,194,271.62	XXXXXXXXXX
Payment of Bond Anticipation Notes and Capital Notes	45-925		-		-		XXXXXXXXXX
Interest on Bonds	45-930	476,645.00	479,100.00		479,100.00	478,497.51	XXXXXXXXXX
Interest on Notes	45-935	28,000.00	52,500.00		52,500.00	52,500.00	XXXXXXXXXX
Green Trust Loan Program:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Loan Repayments for Principal and Interest	45-940	149,200.00	149,200.00		149,200.00	149,166.45	XXXXXXXXXX
NJEIT Loans & Bonds	45-940						XXXXXXXXXX
Series 2001A							XXXXXXXXXX
Principal	45-940	5,460.00	5,540.00		5,540.00	5,540.00	XXXXXXXXXX
Interest	45-940	2,230.00	2,360.00		2,360.00	2,360.00	XXXXXXXXXX
Series 2001B							XXXXXXXXXX
Principal	45-940	10,725.00	10,850.00		10,850.00	10,850.00	XXXXXXXXXX
Interest	45-940	4,000.00	4,250.00		4,250.00	3,797.27	XXXXXXXXXX
Capital Lease Obligations Approved Prior To 7/1/2009							XXXXXXXXXX
Principal	45-941						XXXXXXXXXX
Interest	45-941						XXXXXXXXXX
Capital Lease Obligations Approved After 7/1/2009							XXXXXXXXXX
Principal	45-941						XXXXXXXXXX
Interest	45-941						XXXXXXXXXX
Total Municipal Debt Service Excluded from "CAPS"	45-999	1,999,000.00	1,898,800.00	-	1,898,800.00	1,896,982.85	XXXXXXXXXX

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CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS

(E) Deferred Charges - Municipal - Excluded from "CAPS"	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
(1) DEFERRED CHARGES:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Emergency Authorizations	46-870			XXXXXXXXXX	-		XXXXXXXXXX
Special Emergency Authorization - 5 Years (N.J.S. 40A:4-55)	46-875	95,000.00	95,000.00	XXXXXXXXXX	95,000.00	95,000.00	XXXXXXXXXX
Special Emergency Authorization - 3 Years (N.J.S. 40A:4-55.1 & 40A:4-55.13)	46-871			XXXXXXXXXX			XXXXXXXXXX
				XXXXXXXXXX			XXXXXXXXXX
Unfunded Ordinances	46-877		510,000.00	XXXXXXXXXX	510,000.00	510,000.00	XXXXXXXXXX
				XXXXXXXXXX			XXXXXXXXXX
				XXXXXXXXXX			XXXXXXXXXX
				XXXXXXXXXX			XXXXXXXXXX
				XXXXXXXXXX			XXXXXXXXXX
				XXXXXXXXXX			XXXXXXXXXX
Total Deferred Charges - Municipal - Excluded from "CAPS"	46-999	95,000.00	605,000.00	XXXXXXXXXX	605,000.00	605,000.00	XXXXXXXXXX
(F) Judgments (N.J.S.A. 40A:4-45.3cc)	37-480	50,000.00					
(N) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3)	29-405			XXXXXXXXXX			XXXXXXXXXX
				XXXXXXXXXX			XXXXXXXXXX
(G) With Prior Consent of Local Finance Board: Cash Deficit of Preceding Year	46-885			XXXXXXXXXX			XXXXXXXXXX
				XXXXXXXXXX			XXXXXXXXXX
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	34-309	3,471,771.37	3,506,033.24	-	3,506,033.24	3,489,216.09	15,000.00

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City of Cape May

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
For Local District School Purposes - Excluded from "CAPS"	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
(I) Type 1 District School Debt Service	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Payment of Bond Principal	48-920				-		XXXXXXXXXX
Payment of Bond Anticipation Notes	48-925				-		XXXXXXXXXX
Interest on Bonds	48-930						XXXXXXXXXX
Interest on Notes	48-935						XXXXXXXXXX
							XXXXXXXXXX
							XXXXXXXXXX
							XXXXXXXXXX
Total of Type 1 District School Debt Service - Excluded from "CAPS"	48-999	-	-	-	-	-	XXXXXXXXXX
Deferred Charges and Statutory Expenditures - Local							
(J) School - Excluded from "CAPS"	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Emergency Authorizations - Schools	29-406			XXXXXXXXXX			XXXXXXXXXX
Capital Project for Land, Building or Equipment N.J.S. 18A:22-20	29-407						XXXXXXXXXX
Total Deferred Charges and Statutory Expenditures - Local School - Excluded from "CAPS"	29-409	-	-	-	-	-	XXXXXXXXXX
Total Municipal Appropriations for Local District School Purposes (K) (Items (I) and (J)) - Excluded from "CAPS"	29-410	-	-	-	-	-	XXXXXXXXXX
(O) Total General Appropriations - Excluded from "CAPS"	34-399	3,471,771.37	3,506,033.24	-	3,506,033.24	3,489,216.09	15,000.00
(L) Subtotal General Appropriations (Items (H-1) and (O))	34-400	14,270,879.77	14,169,484.24	-	14,169,484.24	13,349,264.48	818,402.61
(M) Reserve for Uncollected Taxes	50-899	858,362.18	817,253.90	XXXXXXXXXX	817,253.90	817,253.90	XXXXXXXXXX
9. Total General Appropriations	34-499	15,129,241.95	14,986,738.14	-	14,986,738.14	14,166,518.38	818,402.61

Sheet 29

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS		Appropriated				Expended 2009	
Summary of Appropriations	FCOA	for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
(A) Operations: (a & b) Within "CAPS - Including Contingent	34-299	10,799,108.40	10,663,451.00	-	10,663,451.00	9,860,048.39	803,402.61
	XXXXXX						
(a) Operations - Excluded from "CAPS"	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Other Operations	34-300	171,406.60	30,000.00	-	30,000.00	30,000.00	-
Uniform Construction Code	22-999	-	-	-	-	-	-
Interlocal Municipal Service Agreements	42-999	666,385.00	646,976.00	-	646,976.00	646,976.00	-
Additional Appropriations Offset by Revenues	34-303	-	-	-	-	-	-
Public & Private Programs Offset by Revenues	40-999	27,979.77	83,257.24	-	83,257.24	68,257.24	15,000.00
Total Operations Excluded from "CAPS"	34-305	865,771.37	760,233.24	-	760,233.24	745,233.24	15,000.00
(C) Capital Improvements	44-999	462,000.00	242,000.00	-	242,000.00	242,000.00	-
(D) Municipal Debt Service	45-999	1,999,000.00	1,898,800.00	-	1,898,800.00	1,896,982.85	XXXXXXXXXX
(E) Deferred Charges - Excluded from "CAPS"	46-999	95,000.00	605,000.00	XXXXXXXXXX	605,000.00	605,000.00	XXXXXXXXXX
(F) Judgments	37-480	50,000.00	-	-	-	-	-
(G) Cash Deficit - With Prior Consent of LFB	46-885	-	-	XXXXXXXXXX	-	-	XXXXXXXXXX
(K) Local District School Purposes	29-410	-	-	-	-	-	XXXXXXXXXX
(N) Transferred to Board of Education	29-405	-	-	XXXXXXXXXX	-	-	XXXXXXXXXX
(M) Reserve for Uncollected Taxes	50-899	858,362.18	817,253.90	XXXXXXXXXX	817,253.90	817,253.90	XXXXXXXXXX
Total General Appropriations	34-499	15,129,241.95	14,986,738.14	-	14,986,738.14	14,166,518.38	818,402.61

Sheet 30

April 21, 2010

Adoption

City of Cape May

DEDICATED WATER UTILITY BUDGET

10. DEDICATED REVENUES FROM WATER UTILITY	FCOA	Anticipated		Realized in Cash in 2009
		2010	2009	
Operating Surplus Anticipated	08-501			
Operating Surplus Anticipated with Prior Written Consent of Director of Local Government Services	08-502			
Total Operating Surplus Anticipated	08-500	-	-	-
Rents	08-503			
Fire Hydrant Service	08-504			
Miscellaneous	08-505			
Special Items of General Revenues Anticipated with Prior Written Consent of Director of Local Government Services	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Deficit (General Budget)	08-549			
Total Water Utility Revenues	08-599	-	-	-

*** Note:** Use pages 31, 32 and 33 for water utility only.

All other utilities use sheets 34, 35 and 36.

DEDICATED WATER UTILITY BUDGET - (continued)

* Note: Use sheet 32 for Water Utility only.

11. APPROPRIATIONS FOR WATER UTILITY	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
Operating:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Salaries & Wages	55-501						
Other Expenses	55-502						
Capital Improvements:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Down Payments on Improvements	55-510						
Capital Improvement Fund	55-511			XXXXXXXXXX			
Capital Outlay	55-512						
Debt Service:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Payment on Bond Principal	55-520						XXXXXXXXXX
Payment on Bond Anticipation Notes & Capital Notes	55-521						XXXXXXXXXX
Interest on Bonds	55-522						XXXXXXXXXX
Interest on Notes	55-523						XXXXXXXXXX
							XXXXXXXXXX

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City of Cape May

DEDICATED WATER UTILITY BUDGET - (continued)

* Note: Use sheet 33 for Water Utility only.

11. APPROPRIATIONS FOR WATER UTILITY	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
Deferred Charges and Statutory Expenditures:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
DEFERRED CHARGES:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Emergency Authorizations	55-530			XXXXXXXXXX			
				XXXXXXXXXX			
				XXXXXXXXXX			
				XXXXXXXXXX			
STATUTORY EXPENDITURES:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Contribution To:							
Public Employee's Retirement System	55-540						
Social Security System (O.A.S.I.)	55-541						
Unemployment Compensation Insurance (N.J.S.A. 43:21-3 et Seq.)	55-542						
Judgements	55-531						
Deficit in Operations in Prior Years	55-532			XXXXXXXXXX			XXXXXXXXXX
Surplus (General Budget)	55-545			XXXXXXXXXX			XXXXXXXXXX
TOTAL WATER UTILITY APPROPRIATIONS	55-599	-	-	-	-	-	-

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April 21, 2010

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City of Cape May

DEDICATED WATER & SEWER UTILITY BUDGET

10. DEDICATED REVENUES FROM WATER & SEWER UTILITY	FCOA	Anticipated		Realized in Cash in 2009
		2010	2009	
Operating Surplus Anticipated	08-501	265,506.43	360,803.91	360,803.91
Operating Surplus Anticipated with Prior Written Consent of Director of Local Government Services	08-502			
Total Operating Surplus Anticipated	08-500	265,506.43	360,803.91	360,803.91
Rents - Water & Sewer	08-505	5,590,000.00	5,605,000.00	5,598,885.46
Miscellaneous Receipts	08-511	93,250.00	140,000.00	93,802.93
Special Items of General Revenues Anticipated with Prior Written Consent of Director of Local Government Services	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Utility Capital Surplus	08-515			
Reserve to Pay Bonds and Notes	08-522		297,250.28	297,250.28
Rents - Water & Sewer rate Increase	08-505	282,000.00		
Deficit (General Budget)	08-549			
	08-599	6,230,756.43	6,403,054.19	6,350,742.58
Total Water & Sewer Utility Revenues				

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April 21, 2010

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City of Cape May

Use a separate set of sheets for each separate Utility.

DEDICATED WATER & SEWER UTILITY BUDGET - (continued)

11. APPROPRIATIONS FOR WATER & SEWER UTILITY	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
Operating:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Salaries & Wages	55-501	934,750.00	925,000.00		925,000.00	852,774.01	72,225.99
Other Expenses	55-502	3,726,520.00	3,641,245.00		3,641,245.00	3,337,588.07	163,656.93
Capital Improvements:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Down Payments on Improvements	55-510						
Capital Improvement Fund	55-511	20,000.00	10,000.00	XXXXXXXXXX	10,000.00	10,000.00	-
Capital Outlay	55-512	-	-		-	-	-
Current Fund Share of Roads	55-512	50,000.00	50,000.00		50,000.00	50,000.00	-
Debt Service:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Payment on Bond Principal	55-520	730,500.00	697,500.00		697,500.00	697,130.74	XXXXXXXXXX
Payment on Bond Anticipation Notes & Capital Notes	55-521	16,500.00	-		-		XXXXXXXXXX
Interest on Bonds	55-522	278,671.00	279,200.00		279,200.00	289,515.43	XXXXXXXXXX
Interest on Notes	55-523	33,500.00	64,800.00		64,800.00	50,109.00	XXXXXXXXXX
USDA Rural Development & NJEIT Bonds	55-524	343,000.00	311,600.00		311,600.00	308,048.79	XXXXXXXXXX

Sheet 35

DEDICATED WATER & SEWER UTILITY BUDGET - (continued)

11. APPROPRIATIONS FOR WATER & SEWER UTILITY	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
Deferred Charges and Statutory Expenditures:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
DEFERRED CHARGES:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Emergency Authorizations	55-530			XXXXXXXXXX	-		-
				XXXXXXXXXX			
Expenditure Without an Appropriation	55-531			XXXXXXXXXX	-		-
Overexpenditure of an Appropriation	55-532	10,315.43	38,034.19	XXXXXXXXXX	38,034.19	38,034.19	-
Unfunded Ordinances	55-533		300,000.00	XXXXXXXXXX	300,000.00	300,000.00	-
				XXXXXXXXXX			
STATUTORY EXPENDITURES:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Contribution To:							
Public Employees' Retirement System	55-540	9,000.00	8,000.00		8,000.00	8,000.00	-
Social Security System (O.A.S.I.)	55-541	72,000.00	71,675.00		71,675.00	66,494.36	5,180.64
Unemployment Compensation Insurance (N.J.S.A. 43:21-3 et. Seq.)	55-542	3,000.00	3,000.00		3,000.00	3,000.00	-
Retirement Trust	55-542	3,000.00	3,000.00		3,000.00	3,000.00	-
Judgments	55-531						
Deficits in Operations in Prior Years	55-532			XXXXXXXXXX			XXXXXXXXXX
Surplus (General Budget)	55-545			XXXXXXXXXX			XXXXXXXXXX
TOTAL WATER & SEWER UTILITY APPROPRIATIONS	55-599	6,230,756.43	6,403,054.19	-	6,403,054.19	6,013,694.59	241,063.56

Sheet 36

April 21, 2010

Adoption

City of Cape May

DEDICATED BEACH UTILITY BUDGET

10. DEDICATED REVENUES FROM BEACH UTILITY	FCOA	Anticipated		Realized in Cash in 2009
		2010	2009	
Operating Surplus Anticipated	08-501	315,139.00	229,907.92	229,907.92
Operating Surplus Anticipated with Prior Written Consent of Director of Local Government Services	08-502			
Total Operating Surplus Anticipated	08-500	315,139.00	229,907.92	229,907.92
User Fees	08-503	1,799,500.00	1,706,676.00	1,915,616.70
Miscellaneous Receipts	08-505	9,500.00	20,000.00	15,700.47
Special Items of General Revenues Anticipated with Prior Written Consent of Director of Local Government Services	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Deficit (General Budget)	08-549			
Total Beach Utility Revenues	08-599	2,124,139.00	1,956,583.92	2,161,225.09

Sheet 34 - Beach

Use a separate set of sheets for each separate Utility.

DEDICATED BEACH UTILITY BUDGET - (continued)

11. APPROPRIATIONS FOR BEACH UTILITY	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
Operating Direct Costs:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Beach Front (Lifeguards)	28-380						
Salaries and Wages	28-380-1	695,100.00	655,000.00		655,000.00	626,651.59	28,348.41
Other Expenses	28-380-2	127,850.00	89,900.00		89,900.00	87,982.53	1,917.47
Beach Tag Program	28-380						
Salaries and Wages	28-380-1	285,000.00	265,000.00		253,000.00	232,267.21	20,732.79
Other Expenses	28-380-2	72,100.00	84,900.00		84,900.00	70,442.30	14,457.70
Insurance	23-210						
Liability Insurance	23-210-2	12,000.00	12,000.00		12,000.00	11,550.00	450.00
Workers Compensation	23-210-2	15,000.00	15,000.00		15,000.00	15,000.00	-
Employee Group Insurance	23-220-2	8,500.00	8,100.00		8,100.00	8,026.50	73.50
Audit Services	20-135						
Other Expenses	20-135-1	4,000.00	4,000.00		4,000.00	4,000.00	-
Tax Collector	20-145						
Salaries and Wages	20-145-1	3,000.00					

Sheet 35 - Beach

April 21, 2010

Adoption

City of Cape May

DEDICATED BEACH UTILITY BUDGET - (continued)

11. APPROPRIATIONS FOR BEACH UTILITY	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
Operating Direct Costs:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Police	25-240						
Salaries and Wages	25-240-1	70,192.00	67,492.00		67,492.00	67,492.00	-
Fire	25-265						
Salaries and Wages	25-265-1	35,096.00	33,746.00		33,746.00	33,746.00	-
Legal	20-155						
Other Expenses	20-155-2	10,000.00	10,000.00		10,000.00	5,476.17	4,523.83
Road Repairs & Maintenance	26-290						
Salaries and Wages	26-290-1	140,383.00	134,984.00		134,984.00	134,984.00	-
Other Expenses	26-290-2	71,050.00	71,050.00		71,050.00	57,192.79	13,857.21
Public Buildings & Grounds	26-310						
Salaries and Wages	26-310-1	38,606.00	37,121.00		37,121.00	37,121.00	-
Other Expenses	26-310-2	136,700.00	124,100.00		136,100.00	128,361.57	7,738.43
General Administration	20-100						
Salaries and Wages	20-100-1	4,094.00	3,937.00		3,937.00	3,937.00	-
Financial Administration	20-130						
Salaries and Wages	20-130-1	8,773.00	8,436.00		8,436.00	8,436.00	-

Sheet 35(a) - Beach

DEDICATED BEACH UTILITY BUDGET - (continued)

11. APPROPRIATIONS FOR BEACH UTILITY	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
Operating:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Recycling	26-305						
Other Expenses	26-305-2	9,500.00	9,500.00		9,500.00	9,500.00	-
Current Fund Reimbursement:	45-920						
Existing Debt Service	45-920	18,695.00	18,760.00		18,760.00	18,760.00	-
Capital Improvements:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Down Payments on Improvements	55-510						
Capital Improvement Fund	55-511	100,000.00	50,000.00	XXXXXXXXXX	50,000.00	50,000.00	-
Capital Outlay	55-512						
Current Fund Share of Roads	55-512						
Debt Service:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Payment on Bond Principal	55-520				-		XXXXXXXXXX
Payment on Bond Anticipation Notes & Capital Notes	55-521	100,000.00	70,000.00		70,000.00	70,000.00	XXXXXXXXXX
Interest on Bonds	55-522				-		XXXXXXXXXX
Interest on Notes	55-523	25,000.00	53,500.00		53,500.00	39,504.05	XXXXXXXXXX

Sheet 35(b) - Beach

DEDICATED BEACH UTILITY BUDGET - (continued)

11. APPROPRIATIONS FOR BEACH UTILITY	FCOA	Appropriated				Expended 2009	
		for 2010	for 2009	for 2009 By Emergency Appropriation	Total for 2009 As Modified By All Transfers	Paid or Charged	Reserved
Deferred Charges and Statutory Expenditures:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
DEFERRED CHARGES:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Emergency Authorizations	55-530			XXXXXXXXXX			
				XXXXXXXXXX			
Expenditure Without an Appropriation	55-531			XXXXXXXXXX			
Overexpenditure of an Appropriation	55-532		11,057.92	XXXXXXXXXX	11,057.92	11,057.92	
				XXXXXXXXXX			
STATUTORY EXPENDITURES:	XXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
Contribution To:							
Public Employees' Retirement System	55-540						
Social Security System (O.A.S.I.)	55-541	98,500.00	95,000.00		95,000.00	79,933.67	15,066.33
Unemployment Compensation Insurance (N.J.S.A. 43:21-3 et Seq.)	55-542	10,000.00	4,000.00		4,000.00	4,000.00	
Lifeguard Pension	36-471	25,000.00	20,000.00		20,000.00	20,000.00	
Judgments	55-531						
Deficits in Operations in Prior Years	55-532			XXXXXXXXXX			XXXXXXXXXX
Surplus (General Budget)	55-545			XXXXXXXXXX			XXXXXXXXXX
TOTAL BEACH UTILITY APPROPRIATIONS	55-599	2,124,139.00	1,956,583.92	-	1,956,583.92	1,835,422.30	107,165.67

Sheet 36 - Beach

DEDICATED ASSESSMENT BUDGET

14. DEDICATED REVENUES FROM	FCOA	Anticipated		Realized in
		2010	2009	Cash in 2009
Assessment Cash	51-101			
Deficit (General Budget)	51-885			
Total Assessment Revenues	51-899			
15. APPROPRIATIONS FOR ASSESSMENT DEBT		Appropriated		Expended 2009
		2010	2009	Paid or Charged
Payment of Bond Principal	51-920			
Payment of Bond Anticipation Notes	51-925			
Total Assessment Appropriations	51-999			

DEDICATED WATER UTILITY ASSESSMENT BUDGET

14. DEDICATED REVENUES FROM	FCOA	Anticipated		Realized in
		2010	2009	Cash in 2009
Assessment Cash	52-101			
Deficit (Water Utility Budget)	52-885			
Total Water Utility Assessment Revenues	52-899			
15. APPROPRIATIONS FOR ASSESSMENT DEBT		Appropriated		Expended 2009
		2010	2009	Paid or Charged
Payment of Bond Principal	52-920			
Payment of Bond Anticipation Notes	52-925			
Total Water Utility Assessment Appropriations	52-999			

Sheet 37

14. DEDICATED REVENUES FROM	FCOA	Anticipated		Realized in
		2010	2009	
Assessment Cash	53-101			
Deficit (Utility Budget)	53-885			
Total Utility Assessment Revenues	53-899			
15. APPROPRIATIONS FOR ASSESSMENT DEBT				
Payment of Bond Principal	53-920			
Payment of Bond Anticipation Notes	53-925			
Total Utility Assessment Appropriations	53-999			

Dedication by Rider - (N.J.S. 40A: 4-39) "The dedicated revenues anticipated during the year 2010 from Animal Control, State or Federal Aid for Maintenance of Libraries, Bequest, Escheat; Construction Code Fees Due Hackensak Meadowlands Development Commission; Outside Employment of Off-Duty Municipal Police Officers; Unemployment Compensation Insurance; Reimbursement of Sale of Gasoline to State Automobiles; State Training Fees - Uniform Construction Code Act; Older Americans Act - Program Contributions; Municipal Alliance on Alcoholism and Drug Abuse - Program Income:

Section 8 Housing Program; Neighborhood Preservation Program;

Federal Grants Under Housing and Community Development Act of 1974; Recreation Commission NJSA 40:12-8; Retirement and Terminal Leave NJSA 40A:4-39; DARE; Tourist Development Comm.

UCC Code Enforcement Fee 3rd Party NJSA 52:27C-119; Donations NJSA 40A:5-29 Nicoll Revocable Trust; Maintenance of Fishermen's Memorial Donations

are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement."

(Insert additional appropriate titles in space above when applicable, if resolution for rider has been approved by the Director)

Sheet 38

April 21, 2010

Adoption

City of Cape May

APPENDIX TO BUDGET STATEMENT

CURRENT FUND BALANCE SHEET - DECEMBER 31, 2009

ASSETS		
Cash and Investments	1110100	4,697,443.57
Due from State of N.J. (c. 20, P.L. 1961)	1111000	
Federal and State Grants Receivable	1110200	393,154.89
Receivables with Offsetting Reserves:	XXXXXX	
Taxes Receivable	1110300	310,641.82
Tax Title Lien Receivable	1110400	17,084.23
Property Acquired by Tax Title Lien Liquidation	1110500	83,316.00
Other Receivables	1110600	794,399.10
Deferred Charges Required to be in 2010 Budget	1110700	95,000.00
Deferred Charges Required to be in Budgets Subsequent to 2010	1110800	285,000.00
Total Assets	1110900	6,676,039.61

LIABILITIES, RESERVES AND SURPLUS

*Cash Liabilities	2110100	3,248,133.01
Reserves for Receivables	2110200	427,202.27
Surplus	2110300	3,000,704.33
Total Liabilities, Reserves and Surplus		6,676,039.61

School Tax Levy Unpaid	2220100	3,147,027.96
Less: School Tax Deferred	2220200	3,147,032.26
*Balance Included in Above "Cash Liabilities"	2220300	(4.30)

(Important: This appendix must be included in advertisement of Budget.)

COMPARATIVE STATEMENT OF CURRENT FUND OPERATIONS AND CHANGE IN CURRENT SURPLUS

	YEAR 2009	YEAR 2008
Surplus Balance, January 1st	2310100	3,265,065.46
CURRENT REVENUE ON A CASH BASIS:		
Current Taxes: (%Percentage Collected 2009 99%, 2008 99%)	2310200	18,818,942.48
Delinquent Taxes	2310300	237,077.08
Other Revenues and Additions to Income	2310400	6,842,446.30
Total Funds	2310500	29,163,531.32
EXPENDITURES AND TAX REQUIREMENTS:		
Municipal Appropriations	2310600	14,167,667.09
School Taxes (Including Local and Regional)	2310700	6,381,672.17
County Taxes (Including Added Tax Amounts)	2310800	5,603,616.36
Special District Taxes	2310900	-
Other Expenditures and Deductions from Income	2311000	9,871.37
Total Expenditures and Tax Requirements	2311100	26,162,826.99
Less: Expenditures to be Raised by Future Taxes	2311200	-
Total Adjusted Expenditures and Tax Requirements	2311300	26,162,826.99
Surplus Balance - December 31st	2311400	3,000,704.33

*Nearest even percentage may be used

Proposed Use of Current Fund Surplus in 2010 Budget

Surplus Balance December 31, 2009	2311500	3,000,704.33
Current Surplus Anticipated in 2010 Budget	2311600	2,050,000.00
Surplus Balance Remaining	2311700	950,704.33

Sheet 39

April 21, 2010

Adoption

City of Cape May

CAPITAL BUDGET AND CAPITAL IMPROVEMENT PROGRAM

This section is included with the Annual Budget pursuant to N.J.A.C. 5:30-4. It does not in itself confer any authorization to raise or expend funds. Rather it is a document used as part of the local unit's planning and management program. Specific authorization to expend funds for purposes described in this section must be granted elsewhere, by a separate bond ordinance, by inclusion of a line item in the Capital Improvement Section of this budget, by an ordinance taking the money from the Capital Improvement Fund, or other lawful means.

CAPITAL BUDGET

- A plan for all capital expenditures for the current fiscal year.
If no Capital Budget is included, check the reason why:

☐ Total capital expenditures this year do not exceed \$25,000, including appropriations for Capital Improvement Fund, Capital Line items and Down Payments on Improvements.

☐ No bond ordinances are planned this year.

CAPITAL IMPROVEMENT PROGRAM

- A multi-year list of planned capital projects, including the current year.
Check appropriate box for number of years covered, including current year:

☒ 3 years. (Population under 10,000)

☐ 6 years. (Over 10,000 and all county governments)

☐ ____ years. (Exceeding minimum time period)

☐ Check if municipality is under 10,000, has not expended more than \$25,000 annually for capital purposes in immediately previous three years, and is not adopting CIP

NARRATIVE FOR CAPITAL IMPROVEMENT PROGRAM

--

Sheet 40a

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April 21, 2010

Adoption

City of Cape May

CAPITAL BUDGET (Current Year Action)

2010

Local Unit CITY OF CAPE MAY

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SERVICES FOR CURRENT YEAR - 2010					6 TO BE FUNDED IN FUTURE YEARS
				5a 2010 Budget Appropriations	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
Road Improvements	1	800,000.00			40,000.00			760,000.00	
Purchase of Public Safety Equip.	2	152,500.00			7,625.00			144,875.00	
Improvements to Buildings & Grounds	3	1,000,000.00			13,050.00			247,950.00	739,000.00
Purchase of DPW Vehicles	4	156,500.00			925.00			17,575.00	138,000.00
Improvements for Alternative Energy	5	500,000.00							500,000.00
Purchase of New Telephone System	6	50,000.00			2,500.00			47,500.00	
Purchase of Equipment all Depts.	7	38,000.00			1,900.00			36,100.00	
Purchase of Trash Truck	8	180,000.00			9,000.00			171,000.00	
Improvements to Utility System	9	4,600,000.00						950,000.00	3,650,000.00
Improve to Utility System Bldgs	10	100,000.00							100,000.00
Automated Meter Reader Sys	11	500,000.00						50,000.00	450,000.00
Beach Utility Improvements	12	475,500.00						208,500.00	267,000.00
TOTAL - ALL PROJECTS		8,552,500.00		-	75,000.00	-	-	2,633,500.00	5,844,000.00

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Sheet 40b

April 21, 2010

Adoption

City of Cape May

3 YEAR CAPITAL PROGRAM - 2010 to 2012
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS

Local Unit CITY OF CAPE MAY

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 Estimated Completion Time	FUNDING AMOUNTS PER BUDGET YEAR					
				5a 2010	5b 2011	5c 2012	5d 2013	5e 2014	5f 2015
Road Improvements	1	800,000.00		800,000.00					
Purchase of Public Safety Equip.	2	152,500.00		152,500.00					
Improvements to Buildings & Grounds	3	1,000,000.00		261,000.00	739,000.00				
Purchase of DPW Vehicles	4	156,500.00		18,500.00	138,000.00				
Improvements for Alternative Energy	5	500,000.00		-	500,000.00				
Purchase of New Telephone System	6	50,000.00		50,000.00					
Purchase of Equipment all Depts.	7	38,000.00		38,000.00					
Purchase of Trash Truck	8	180,000.00		180,000.00					
Improvements to Utility System	9	4,600,000.00		950,000.00	1,000,000.00	2,650,000.00			
Improve to Utility System Buldgs	10	100,000.00				100,000.00			
Automated Meter Reader Sys	11	500,000.00		50,000.00		450,000.00			
Beach Utility Improvements	12	475,500.00			208,500.00	267,000.00			
TOTAL - ALL PROJECTS		8,552,500.00	-	2,500,000.00	2,585,500.00	3,467,000.00	-	-	-

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Sheet 40c

April 21, 2010

Adoption

City of Cape May

3 YEAR CAPITAL PROGRAM - 2010 to 2012

SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Local Unit CITY OF CAPE MAY

1 Project Title	2 Estimated Total Costs	BUDGET APPROPRIATIONS		4 Capital Improvement Fund	5 Capital Surplus	6 Grants - in - Aid and Other Funds	BONDS AND NOTES			
		3a Current Year 2010	3b Future Years				7a General	7b Self Liquidating	7c Assessment	7d School
Road Improvements	800,000.00			40,000.00			760,000.00			
Purchase of Public Safety Equip.	152,500.00			7,625.00			144,875.00			
Improv to Buildings & Grounds	1,000,000.00			50,000.00			950,000.00			
Purchase of DPW Vehicles	156,500.00			7,825.00			148,675.00			
Improvements for Alternative Energy	500,000.00			25,000.00			475,000.00			
Purchase of New Telephone System	50,000.00			2,500.00			47,500.00			
Purchase of Equipment all Depts.	38,000.00			1,900.00			36,100.00			
Purchase of Trash Truck	180,000.00			9,000.00			171,000.00			
Improvements to Utility System	4,600,000.00							4,600,000.00		
Improve to Utility System Buldgs	100,000.00							100,000.00		
Automated Meter Reader Sys	500,000.00							500,000.00		
Beach Utility Improvements	475,500.00							475,500.00		
TOTAL - ALL PROJECTS	8,552,500.00	-	-	143,850.00	-	-	2,733,150.00	5,675,500.00	-	-

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Sheet 40d

April 21, 2010

Adoption

City of Cape May

SECTION 2 - UPON ADOPTION FOR YEAR 2010

(Only to be Included in the Budget as Finally Adopted)

RESOLUTION

Be it Resolved by the CAPE MAY CITY COUNCIL of the County of CAPE MAY that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 7,737,194.81 (item 2 below) for municipal purposes, and
 (b) \$ - (item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
 (c) \$ - (item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
 (d) \$ - (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

RECORDED VOTE

(Insert last name)

Ayes

Kuczkowski
Swein
Mahoney

Nays

Sternrod

Abstained

Absent

Favre

SUMMARY OF REVENUES

1. General Revenues					
Surplus Anticipated		08-100	\$	2,050,000.00	
Miscellaneous Revenues Anticipated		13-099	\$	5,082,547.14	
Receipts from Delinquent Taxes		15-499	\$	259,500.00	
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)		07-190	\$	7,737,194.81	
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:					
Item 6, Sheet 42		07-195	\$	-	
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		07-191	\$	-	
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY					
4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:					
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		07-191			
Total Revenues		13-299	\$	15,129,241.95	

Sheet 41

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:				
Within "CAPS"		XXXXXX	XXXXXX	XXXXXXXXXXXXXX
(a & b) Operations Including Contingent		XXXXXX		XXXXXXXXXXXXXX
(e) Deferred Charges and Statutory Expenditures - Municipal		34-201	\$	9,569,658.00
(g) Cash Deficit		34-209	\$	1,229,450.40
Excluded from "CAPS"		46-885	\$	-
(a) Operations - Total Operations Excluded from "CAPS"		XXXXXX	XXXXXX	XXXXXXXXXXXXXX
(c) Capital Improvements		34-305	\$	865,771.37
(d) Municipal Debt Service		44-999	\$	462,000.00
(e) Deferred Charges - Municipal		45-999	\$	1,999,000.00
(f) Judgments		46-999	\$	95,000.00
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)		37-480	\$	50,000.00
(g) Cash Deficit		29-405	\$	-
(k) For Local District School Purposes		46-885	\$	-
(m) Reserve for Uncollected Taxes		29-410	\$	-
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S. 40A:4-13)		50-899	\$	858,362.18
Total Appropriations		07-195	\$	
		34-499	\$	15,129,241.95

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 21st day of April, 2010. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2010 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 21st day of April, 2010, Diana L. Wilton, Clerk
Signature

DEDICATED REVENUES FROM TRUST FUND	FCOA	Anticipated		Realized in Cash in 2009	APPROPRIATIONS	FCOA	Appropriated		Expended 2009	
		2010	2009				for 2010	for 2009	Paid or Charged	Reserved
Amount to be Raised By Taxation	54-190				Development of Lands for Recreation and Conservation:		xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx
					Salaries & Wages	54-385-1				-
Interest Income	54-113				Other Expenses	54-385-2				
					Maintenance of Lands for Recreation and Conservation:		xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx
Reserve Funds:					Salaries & Wages	54-375-1				
					Other Expenses	54-372-2				
					Historic Preservation:		xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx
					Salaries & Wages	54-176-1				
					Other Expenses	54-176-2				
					Acquisition of Lands for Recreation and Conservation	54-915-2				
					Acquisition of Farmland	54-916-2				
Total Trust Fund Revenues:	54-299	-	-	-	Down Payments on Improvements	54-902-2				
Summary of Program										
Year Referendum Passed/Implemented:					Debt Service:		xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx
Rate Assessed:					Payment of Bond Principal	54-920-2				xxxxxxxxxx
Total Tax Collected to date:		\$			Payment of Bond Anticipation Notes and Capital Notes	54-925-2				xxxxxxxxxx
Total Expended to date:		\$			Interest on Bonds	54-930-2				xxxxxxxxxx
Total Acreage Preserved to date:			(Acres)		Interest on Notes	54-935-2				xxxxxxxxxx
Recreation land preserved in 2009:			(Acres)		Reserve for Future Use	54-950-2				
Farmland preserved in 2009:			(Acres)		Total Trust Fund Appropriations:	54-499				

Sheet 43

April 21, 2010

Adoption

City of Cape May

Annual List of Change Orders Approved
Pursuant to N.J.A.C. 5:30-11

Contracting Unit: CITY OF CAPE MAY

Year Ending: December 31, 2009

The following is a complete list of all change orders which caused the originally awarded contract price to be exceeded by more than 20 percent. For regulatory details please consult N.J.A.C. 5:30-11.1 et seq. Please identify each change order by name of the project.

1.

2.

3.

4.

For each change order listed above, submit with introduced budget a copy of the governing body resolution authorizing the change order and an Affidavit of Publication for the newspaper notice required by N.J.A.C. 5:30-11.9(d). (Affidavit must include a copy of the newspaper notice.)

If you have not had a change order exceeding the 20 percent threshold for the year indicated above, please check here ☐ and certify below.

4-21-2010

Date

Deanna L. Wilkerson

Clerk of the Governing Body

Sheet 44

April 21, 2010

Adoption

City of Cape May

APPENDIX

Maps

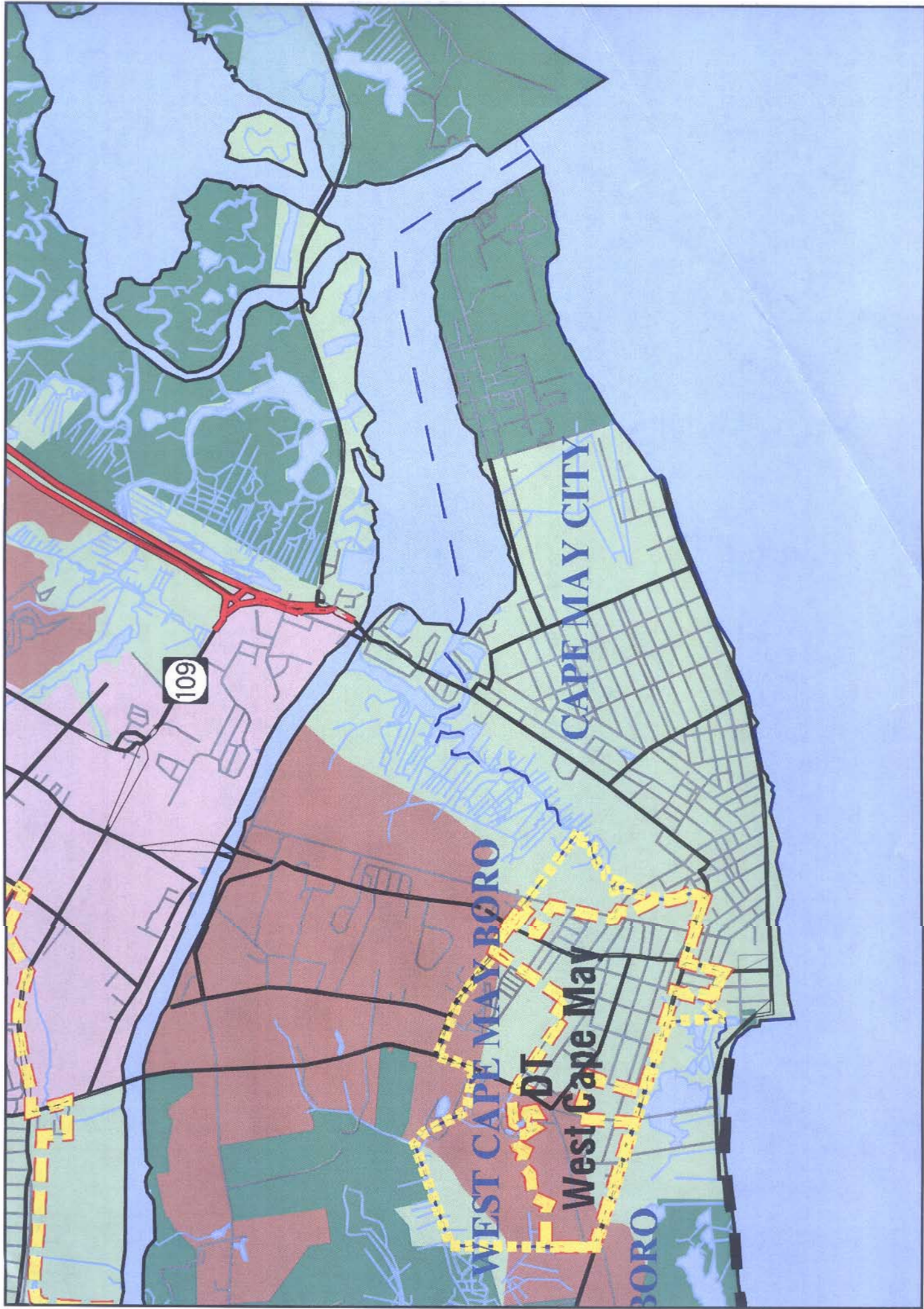
Policy Map of the New Jersey State Development And Redevelopment Plan CAPE MAY COUNTY

- Centers**
- U.C. - Urban Center
 - D.R. - Designated Regional Center
 - P.R. - Proposed Regional Center
 - D.T. - Designated Town
 - P.T. - Proposed Town
 - D.V. - Designated Village
 - P.V. - Proposed Village
 - D.H. - Designated Hamlet
 - P.H. - Proposed Hamlet
 - Urban Complex
 - Endorsed Plans
 - Center Boundaries
 - Nodes
- Planning Areas**
- Metropolitan Planning Area
 - Suburban Planning Area
 - Fringe Planning Area
 - Rural Planning Area
 - Rural/Ems. Sensitive Planning Area
 - Ems. Sensitive Planning Area
 - Ems. Sens./Barrier Is. Planning Area
 - Parks and Natural Areas
 - Hackensack Meadows
 - Military Installations
 - Water
 - Critical Environmental Site
 - Historic & Cultural Site
 - Pinelands Management Area
 - Pinelands Boundary
 - Regional Growth Area
 - Town
 - Village
 - Rural Development Area
 - Agricultural Production Area
 - Special Agricultural Area
 - Forest & Preservation Area
 - Military & Federal
- Boundaries**
- Municipal Boundary
 - County Boundary
 - Interstate & Toll Roads
 - State & County Roads
 - CAJRA Boundary
 - Commuter Rail & Stations

N
Way to grow.



The State Plan is not itself a regulation, but a statement of State policy that has been adopted by the State Planning Commission, pursuant to statute, to guide State, regional, and local agencies in the exercise of their statutory authority.



N. J. Prelim. Plan: Update DELTA MAP-Cross-Acc. III CAPE MAY COUNTY

U.C. - Urban Center
D.R. - Designated Regional Center
D.V. - Designated Village
D.H. - Designated Hamlet
Urban Complex
Induced Plan
Center Boundaries
Nodes

Preliminary Changes
Planning Area Change
Potential Critical Env. Site
Deleted Critical Env. Site
Maintained Critical Env. Site
Previous Planning Area Number
Category One Stream

Wastewater Plans & PWS
Unsewered PWS
Unsewered PWS
Sewered PWS
Sewered PWS
Sewered PWS
Sewered PWS
Sewered PWS

Planning Area
Metropolitan Planning Area (1)
Suburban Planning Area (2)
Rural Planning Area (3)
Rural Planning Area (4)
Rural Planning Area (5)
Rural Planning Area (6)
Rural Planning Area (7)
Rural Planning Area (8)
Rural Planning Area (9)
Rural Planning Area (10)
Rural Planning Area (11)
Rural Planning Area (12)

Maintained Critical Env. Site
Historic & Cultural Site
Parkslands Management Areas
Parkslands Boundary
Regional Growth Area
Town
Village
Rural Development Area
Agricultural Production Area
Special Agricultural Area
Forest & Preservation Area
Military & Federal

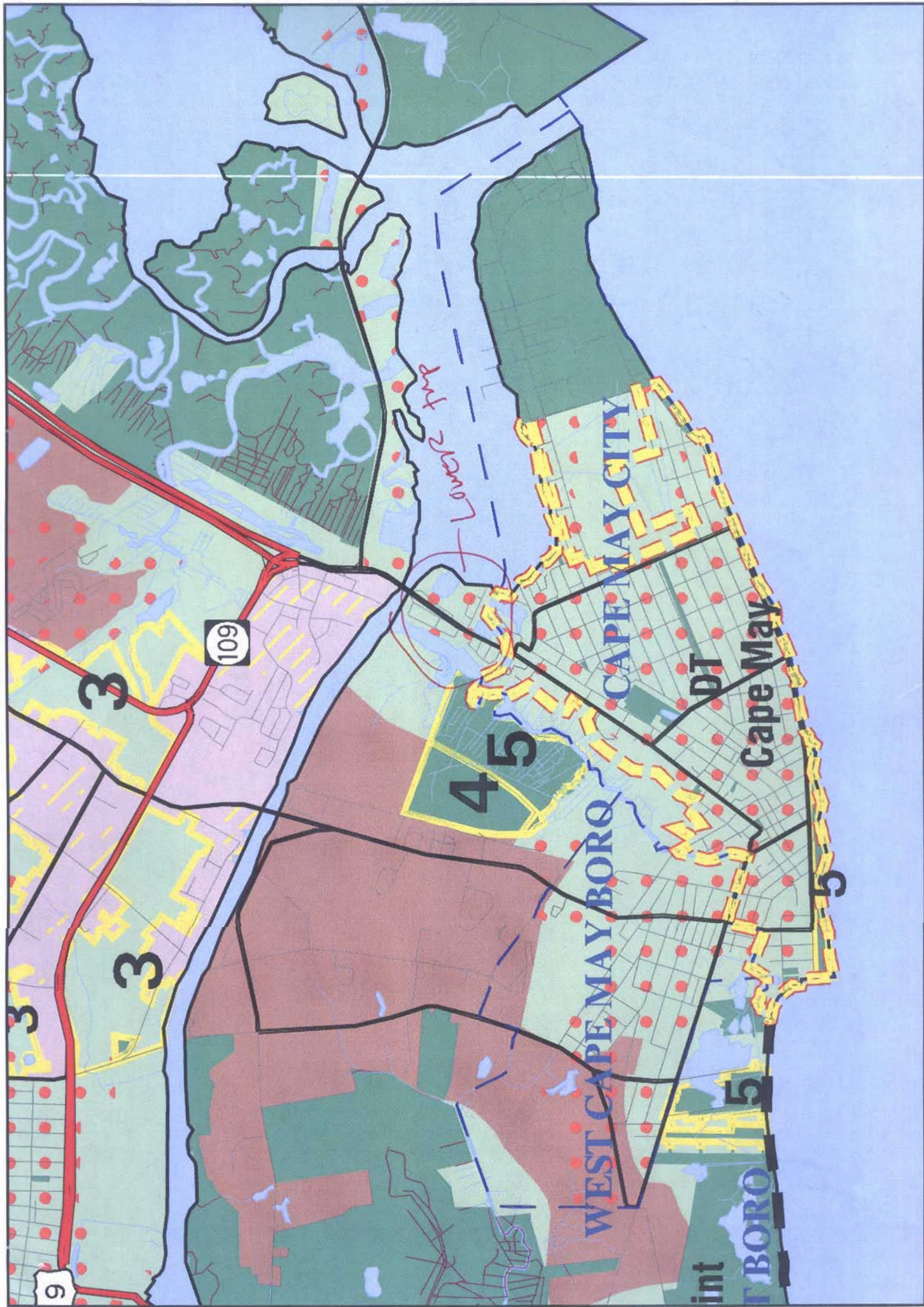
Municipal Boundary
County Boundary
Primary Highway - Limited Access
Primary Road
Secondary Road
CAIRIA Boundary
Commuter Rail & Stations

Scale
0 1 2 3 4 5 6 7 8 9 10 miles

Source: N.J. Office of Smart Growth
NDIP-February 28, 2007-S. Karp Cartography

Legend
U.C. - Urban Center
D.R. - Designated Regional Center
D.V. - Designated Village
D.H. - Designated Hamlet
Urban Complex
Induced Plan
Center Boundaries
Nodes
Preliminary Changes
Planning Area Change
Potential Critical Env. Site
Deleted Critical Env. Site
Maintained Critical Env. Site
Previous Planning Area Number
Category One Stream
Wastewater Plans & PWS
Unsewered PWS
Unsewered PWS
Sewered PWS
Sewered PWS
Sewered PWS
Sewered PWS
Sewered PWS
Planning Area
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Military & Federal
Municipal Boundary
County Boundary
Primary Highway - Limited Access
Primary Road
Secondary Road
CAIRIA Boundary
Commuter Rail & Stations

Scale
0 1 2 3 4 5 6 7 8 9 10 miles



DRAFT FINAL POLICY MAP

New Jersey

State Development and Redevelopment Plan

The State Plan is not itself a regulation but a statement of State policy that has been adopted by the State Planning Commission pursuant to statute to guide State, regional and local agencies in the exercise of their statutory authority.

NEW JERSEY STATE
PLANNING COMMISSION

May 29, 2009

Map prepared by the New Jersey Office of Smart Growth. Map was developed in part using digital data from the New Jersey Department of Environmental Protection, New Jersey Department of Transportation, New Jersey Pinelands Commission and Geographic Data Technology, Inc., New Jersey State Plane Coordinate System, North American Datum 1983 (NAD83).

Planning

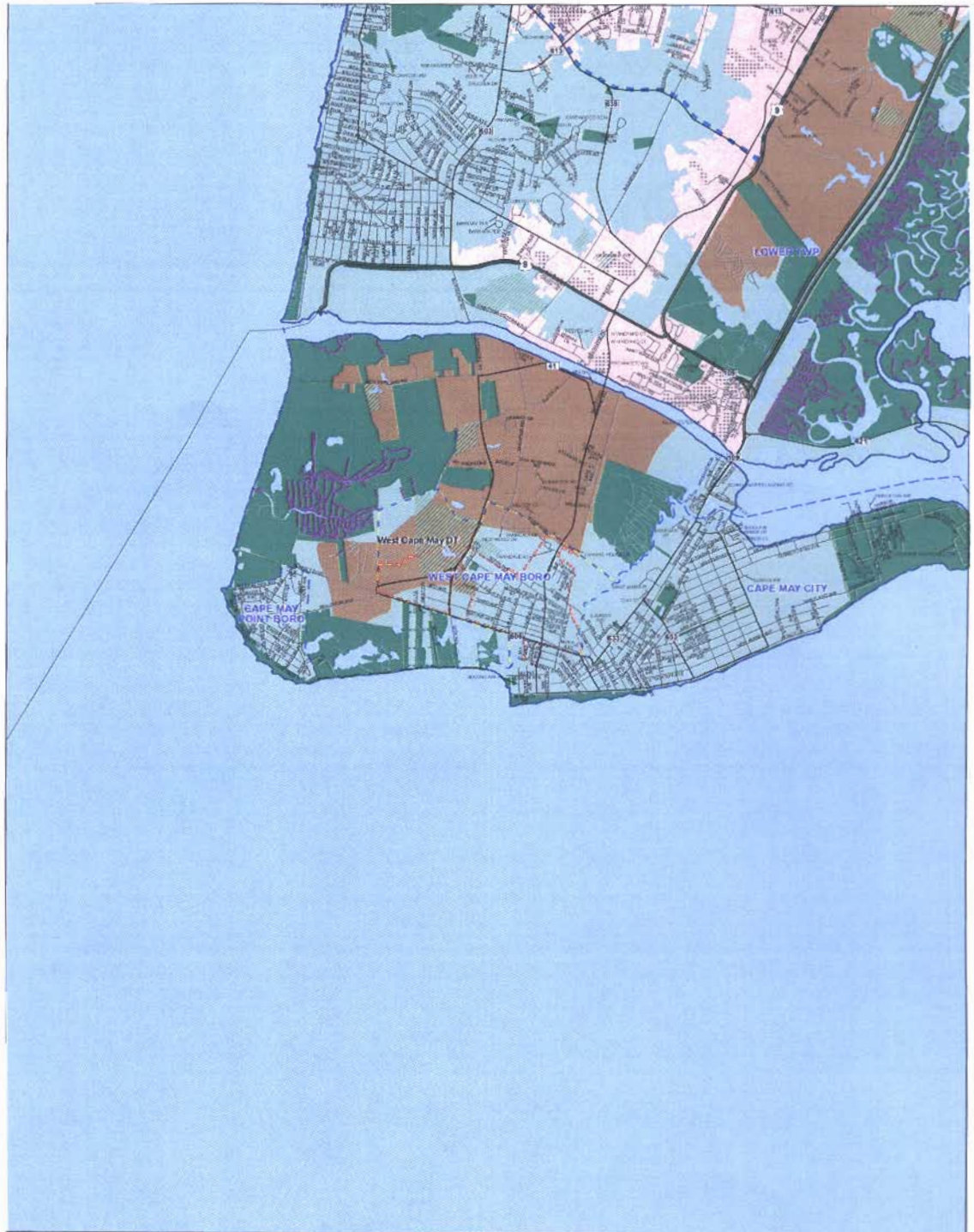
- UC Urban Center
- DR Designated Regional Center
- DT Designated Town Center
- DV Designated Village Center
- DH Designated Hamlet
- Urban Complex
- Metropolitan Planning Area
- Suburban Planning Area
- Fringe Planning Area
- Rural Planning Area
- Rural/Env. Sensitive Planning Area
- Env. Sensitive Planning Area
- Env. Sens./Barrier Isl. Planning Area
- Parks & Natural Areas
- Hackensack Meadowlands
- Water
- Military Installations
- Node
- Core
- Endorsed Plan
- Center
- Critical Environmental Site
- Historic & Cultural Site
- NUDEP Category 1 Stream
- SADC Preserved Farm

Highlands

- Highlands Planning Area
- Highlands Preservation Area
- Protection Zone
- Conservation Zone
- Existing Community Zone
- Existing Community Constrained Sub-Zone
- Conservation Constrained Sub-Zone
- Lake Community Sub-Zone
- Wildlife Management Sub-Zone

Pinelands

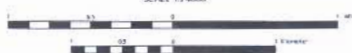
- Pinelands Boundary
- Pinelands Regional Growth Area
- Pinelands Town
- Pinelands Village
- Pinelands Rural Development Area
- Pinelands Agricultural Production Area
- Pinelands Special Agricultural Area
- Pinelands Forest & Preservation Area
- Pinelands Military & Federal



Roads, Rails and Boundaries

- Municipal Boundary
- County Boundary
- CAFRA Boundary
- Interstate/Major Highway
- State/US Highway
- County/Major Road
- Atlantic City Line & Station
- Main & Bergen Line & Station
- Montclair-Boonton Line & Station
- Morris & Essex Line & Station
- North Jersey Coast Line & Station
- Northeast Corridor Line & Station
- Pascack Valley Line & Station
- Raritan Valley Line & Station
- Light Rail Line & Station
- PATCO/PATH Line & Station

SCALE 1:24000



This is a draft final map created to accompany the Draft Final State Development and Redevelopment Plan published by the Department of Community Affairs, Office of Smart Growth. All designations shown on this map are subject to change based on negotiation with municipal officials, county officials, state officials and the public during the Cross Acceptance process.

CM - Contaminated Sites 1



CM - Contaminated Sites 2

