

Taxpayers group backs combined facility

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in a flood zone and is centrally located for response time to calls.

Board member Dennis Crowley said there was no other place to locate a new public safety building and both departments support the current location of the firehouse.

Hendricks said the action that would generate a citizen-initiated binding voter referendum would be four votes for the bond ordinance.

"Should that bond ordinance gain the fourth vote, there is a total commitment to have a citizens-generated referendum whether you're for one building or against one building, to have the citizens make that decision they will need five people to sponsor the referendum initiative and they

will need 132 signatures within 20 days of passing the bond ordinance," she said.

A special election would be held for the referendum in June, Hendricks said.

Coulter said the \$15 million figure for a new building includes \$10.5 million for construction and \$4.5 million for soft costs.

He said some equipment currently in the fire station could be reused in the new facility such as bunks, furniture and the ventilation system for the trucks.

"It's time to figure out how it's possible to get this thing done," Crowley said.

"It's gone too long," Atherton said.

Coulter said a firm returned to the firehouse to conduct more mold and air-quality testing.

"That building needs probably \$250,000 to \$300,000 worth of work to make it compliant and livable, period," he said. "The roof, the ventilation, the HVAC, we have water intrusion underneath ... so my point is the longer this takes, how much money are we going to waste on that?"

The city has been holding off repairing the firehouse due to preparation work for a new facility by the Public Safety Building Advisory Committee, Coulter said.

He said the cost of a new roof on the firehouse is \$70,000, second floor HVAC system is \$30,000, which does not include fixing first-floor facades and gutters, the skin of the building and leaks.

Coulter said the mold-remediation professional asked if the city was will-

ing to house the firefighters in trailers outside the building if the mold persists. He asked how the streetscape would look with trailers on the property.

Crowley asked what would happen if the voting impasse on council never gets resolved.

"What are we going to do when the firehouse becomes unlivable and the police station keeps dripping and we don't have a bond issue and we don't have a new building?" he asked.

Board member Jack Wichterman, a former Cape May councilman, said it was discouraging what is taking place on council.

"You can't get two people to agree on anything and if you're going to have a 3-2 vote all the time, you're not going to have

anything done," he said.

Bill Murray said there needs to be a compromise on council to move forward with the project for the good of the city.

"We need a public safety building now," Taxpayers Association treasurer Peter Iurato said.

Marino said all of City Hall is experiencing window leaks due to a lack of flashing. He said the Police Benevolent Association recently filed a Public Employees' Occupational Safety and Health Act mold complaint regarding the building.

He said the Police Department would receive an inspection in April from the state Department of Corrections.

"I've already filed for an exemption for our jail cells," Marino said. "There's a good possibility because we don't have shovel in ground and we don't have a definitive definition of what we're doing for a new building that they will fail our jail cells this time around."

If the jail cells receive a failing grade, the Police Department would not be permitted to hold arrestees in the cells.

Marino said if the department cannot hold persons in the cells, officers would have to be brought in on overtime to sit with a prisoner chained to a bench.

Marino said that also would expose officers to more potential danger than holding a prisoner in a cell.

He said the potential situation would cost the department much construction.

"I think that's why we get so frustrated at the meetings when we have councilpersons that make a grand statement that no matter what, if it's a com-

binated structure, they're not going to vote for it, period," Marino said. "The one question that I've asked everyone is tell me another place to put the Police Department."

He said he appreciated the fact the Taxpayers Association saw the need for a new building and he hopes someone could get the project to the finish line.

"I just think you have two members of council that are opposed to this no matter what and I don't know how you change that," Marino said.

Crowley said the public safety building project was no closer to the finish line than it was six months ago.

Hendricks said both Coulter and Marino made compromises to complete a design for a functional state-of-the-art building.

"This isn't a political football, this isn't an emotional struggle, this is a necessity for us to get this done," she said.

Marino said a city-owned lot at Broad and Elmira streets is not a suitable location for a separate police station. He said the area is congested in summer and the lot where the building would be placed is currently used for both NJ Transit and tour buses.

Marino said the city would have to find another location to park buses if a police station were built on the property.

He said the size of lot would require at least a three-story structure in a neighborhood where no three-story buildings are located.

Police vehicles would not be able to exit onto Lafayette Street since buses enter the Welcome Center from that direction, Marino said.



USA Architects

Town hall meeting on safety building

A town hall meeting on the topic of construction of a new public safety building is scheduled for 6 p.m. Wednesday, March 11, at Cape May Convention Hall. USA Architects will make a presentation. Councilwoman Stacy Sheehan will present her own concepts for separate police and fire stations.

Group supports city donation to Concerned Citizens

By JACK FICHTER
Cape May Star and Wave

CAPE MAY — The board of directors of the Taxpayers Association of Cape May voted unanimously in support of the city giving Concerned Citizens for Sewell Tract Preservation \$85,000 to continue its litigation to prevent development of the site that is largely wetlands.

At a March 6 meeting, board member Bill Murray, an attorney and former city councilman, said Concerned Citizens is an intervenor on the plaintiff's side, meaning the group has the same interest in the lawsuit as

East Cape May Associates (ECMA).

He noted Concerned Citizens has spent more than \$400,000 on litigation and is asking the city for \$85,000 to continue the litigation to the June trial date. Murray said Concerned Citizens hired a lawyer that formerly worked for the Department of Environmental Protection (DEP) and has done a tremendous amount of work.

A new judge reopened discovery for the case and set a trial date for June, Murray said.

At a Feb. 4 City Council meeting, Councilman Zack

Mullock and Councilwoman Stacy Sheehan voted against the request, while Mayor Chuck Lear and Councilman Shaine Meier voted for the resolution. Deputy Mayor Patricia Hendricks abstained from the vote, resulting in a deadlock.

ECMA sued the DEP when it denied ECMA development rights on the grounds the property was mostly wetlands.

At a February council meeting, city solicitor Frank Corrado said Concerned Citizens argued in court that the DEP's regulations essentially condemn that property and have essen-

tially taken it away from ECMA and that ECMA is entitled to fair compensation for the property.

Corrado said the DEP was trying to avoid that and the courts have essentially ruled that absent of some kind of adequate amelioration offer by the DEP, the property has been taken.

The DEP made an amelioration offer to allow East Cape May Associates to develop 20 to 25 acres of the Sewell Tract, much of which is believed to be wetlands, he said.

Concerned Citizens claims the DEP's 2014 amelioration authorization

would cause irreversible losses to freshwater wetlands and coastal resources that provide essential habitat and flood storage, according to Corrado.

ECMA and Concerned Citizens both have asserted in the lawsuit the DEP's amelioration offer is insufficient and invalid and does not comply with the DEP's own regulations and does not provide ECMA with an adequate economic return on its investment even though it allows some development of the Sewell Tract.

Corrado said at this point in the litigation, East Cape May Associates and Concerned Citizens share a common objective.

The only issue before the court when it goes to trial is whether the DEP's amelioration offer is adequate or valid. Currently, Concerned Citizens and ECMA said the answer to the question is no and they are both arguing that to the court.

Murray said if the amelioration offer is found to be void, no development would take place on the Sewell Tract. He said ECMA contends its property is worth more than \$100 million; the DEP disagrees.

"Concerned Citizens and ECMA have a combined interest in negating the amelioration offer," he said. "So does the city of Cape May."

On a suggestion of the city intervening to become another plaintiff, Murray said the judge would probably not allow it and the city could find itself with huge legal expenses to develop the case itself.

"Don't we want to put our best foot forward even though we're not a party? Don't we want to help the plaintiff whose issue coincides with our city issues? Don't we want to help them win the case?" Murray asked.

Board member Peter Iurato said investing \$85,000 makes more sense than spending \$10 million for installing infrastructure at Sewell Point should development be permitted.

Crowley said the city needs a strategy to save the Sewell Tract after the case is settled. He suggested the city assemble a package of funding to purchase the tract. The city's master plan recommends the city purchase the tract in conjunction with environmental groups.

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TIDES : March 11-18, 2020

DATE	HIGH		LOW	
	A.M.	P.M.	A.M.	P.M.
11	10:03	10:31	3:38	4:07
12	10:52	11:22	4:31	4:54
13	11:43		5:26	5:44
14	12:15	12:38	6:25	6:37
15	1:13	1:40	7:27	7:36
16	2:17	2:49	8:34	8:40
17	3:25	4:02	9:42	9:47
18	4:32	5:10	10:47	10:51

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