

# Many closed sessions unnecessary, Bezaire says

By JACK FICHTER  
Cape May Star and Wave

man Chris Bezaire voted against City Council going into closed session April 20 and questioned an or-

inance requesting hiring reports from the city manager.

He said he feels council has had a lot of extra closed sessions that were not needed over the past couple of years.

"In addition to that, there's been some differences of opinion as far as why we have closed sessions and what the process is under the Faulkner Act, which is what we have as a form of government," Bezaire said. "In my opinion, the issues that were discussed in closed session could have been handled individually prior to closed session."

Council discussed contract negotiations with its labor union in the closed session. He said his understanding under the Faulkner Act is Cape May has a city manager who is the chief executive officer or administrative official and its council's duty to oversee that executive officer and make final approvals, recommendations or denials for anything the city manager brings to council.

"In our form of government under the Faulkner Act, my understanding is that we allow the city man-

ager to do his job when it comes to personnel, when it comes to day-to-day operations, when it comes to any policies, in this case along with labor counsel. It is the city manager's job then to present those labor agreements to City Council at which point in time that if we don't approve of them or we have changes or there are issues, we need to discuss at length in closed session, we do so," Bezaire said.

City solicitor Chris Gillin-Schwartz said under the Faulkner Act there would always be tension between council positions and city manager positions. He said the executive decisions are delegated to the city manager, which frees council to "focus on the macro issues as opposed to micro issues."

Gillin-Schwartz said council can request reports on personnel from the manager. A duty of the city manager is to negotiate contracts for the municipality subject to the approval of council, he said.

Dialogue between council and the city manager is important, Gillin-Schwartz.

"This is a unique form of government and there

is a councilperson that suggested to me that we have Faulkner Act training, which I think is a great idea," he said, noting it could be held annually.

"Getting everybody acquainted with the boundaries and the limitations is important," he said.

Gillin-Schwartz said he believes it is important for council to focus on the big issues and rely on the city manager to deal with the micro issues.

"I would certainly be all for the Faulkner training, specifically with having newer members on council that haven't necessarily dealt with those issues," Bezaire said.

Council introduced an ordinance amending the city code governing the duties and responsibilities of the city manager. Deputy Mayor Stacy Sheehan said she introduced the ordinance so that council is aware when a new city position is created.

Bezaire reiterated Cape May has a city manager to run day-to-day operations and is in charge of personnel decisions. For positions and salaries, council has an annual city budget that outlines any new hires, he said.

It's a "slippery slope" having council approve every single personnel decision because Cape May's form of government specifies that is the job of the city manager, Bezaire said.

Gillin-Schwartz said the ordinance was not meant to micromanage every personnel decision. The ordinance states vacancies are left to the discretion of the city manager.

If there is a need to increase the head count of employees, it should be a dialog between the city manager and council, he said.

"This does simply ask the City Manager to report to council with a new position," Mayor Zack Mullock said. "I spoke to the City Manager in regard to this and he is happy to do that."

Councilman Shaine Meier said he wasn't interested in the head count such as all the summer employees hired.

"I think this is going into micromanagement of the city manager and I'm not voting for this."

Bezaire voted to introduce the ordinance following clarification from the city solicitor.

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VILLAS — A rainy winter and spring have elevated the water table, contributing to flooding on Cloverdale, Evergreen and Spruce avenues, according to Township Manager Mike Laffey.

On April 19, he told Township Council that engineers provided a proposal to complete a preliminary analysis of the flood-

prone areas to determine the existing conditions, the source of flooding and possible storm sewer connections.

Laffey said the investigation would include a topographical survey, inventory of the existing storm sewer systems and coordination with Cape May County regarding Bayshore Road.

"Last week Cape May County Road Department had a crew track the entire system on Bayshore Road," he said. "It was determined there was a root blockage in our line on Bayshore Road just north of Cloverdale Avenue."

He said the root blockage was cleared and it is hoped it will ease flooding on Cloverdale Avenue.

Deputy Mayor David Perry said the county was in the process of correcting flooding problems on several roads having just

completed a project on Breakwater Road near Mickel's Run. He said the county was working on Townbank Road at St. John of God Church.

In other business, Laffey said he and Recreation Department staff met with the Delaware River and Bay Authority administration and the new concessionaire at the North Cape May ferry terminal. He said the new concessionaire agreed to partner with the Recreation Department to host a summer concert series on Wednesday evenings.

"We're all hoping that the restrictions will be lifted in order to accommodate more spectators with the summer moving closer," Laffey said.

The Recreation Department has chosen the bands and is securing contracts with the acts, he said.

Council approved moving the annual Escape the

Cape Triathlon from June 6 to Aug. 29.

A resolution was approved by council consenting to Lower Township Municipal Utilities Authority issuing \$8.5 million in bonds to finance sewer system capital improvements.

Perry said Lower Township will present a fireworks display on July 3. Council approved a \$51,000 contract with Pyrotecnico for presentation of the fireworks.

The launching barge for the fireworks will be relocated this year from off Lincoln Boulevard beach to approximately a half mile in the bay off Emerson Avenue.

"It should give all our residents along the bayfront a much better look at the display," Perry said.

He said the township wanted more residents to be able to go to the bayfront in Villas, Cape May Beach and North Cape May to enjoy the fireworks.

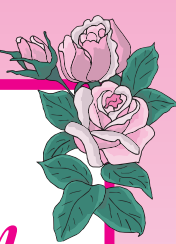
Laffey said on April 9, Cub Scout Pack 87, led by Tiffany Hand, participated in a Clean Communities project on the southern portion of the Cape May County Bike Path and portions of Sandman Boulevard.

"The Cub Scouts were joined by other volunteers from the staff of Remington Vernick Engineering," Laffey said.

The Cub Scout pack earned \$500 from a Clean Communities Grant for their efforts, he said. Laffey invited other non-profit groups interested in community clean ups to contact Linda Thomas in the Public Works Department by calling (609) 884-0898.

Laffey said volunteers collected old tires and about 25 bags of trash going all the way to the railroad bridge.

## Lower addressing street flooding



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