



## HOUSE OF THE WEEK

Page B1



## LEOPARD SPOTTED AT ZOO

Page B8



# Lear signs new settlement with city, retires Jan. 1

## City solicitor details police lieutenant's compensatory time violations

By JACK FICHTER  
Cape May Star and Wave

CAPE MAY — City Council met New Year's Eve to approve an amended settlement with Cape May Police Lt. Chuck Lear, who had been accused of abusing comp time privileges. Under the new agreement, Lear retired Jan. 1 with full and final settlement of all litigation between the city and Lear.

As far as the public was aware, Lear and City Council approved a settlement agreement Oct. 13, 2015, allowing him to retire July 1 in exchange for dismissal of compensatory time charges, with the city agreeing not

to proceed with disciplinary charges relating to the investigation into Lear's 2009 firearms qualification.

Last June, City Council passed a resolution directing City Manager Bruce MacLeod to issue disciplinary charges against Lear, noting he was the subject of complaints and an internal administrative investigation concerning allegations of accrual and use of compensatory time contrary to city personnel policy, the terms of his contract, a state statute and Cape May Police Department rules and regulations.

A disciplinary hearing began Oct. 13 overseen by retired Superior Court-

Appellate Division Judge Richard Williams. Before any proceedings were started, attorneys for both parties met behind closed doors for three hours.

During the noon hour, Williams announced an agreement had been reached, noting if the hearing had commenced, it would have lasted all week, possibly stretching into the following week. Seats were reserved in the courtroom for 18 witnesses.

City Solicitor Tony Monzo said the agreement was reached in large part based on the fact that Lear's supervisors, Capt. Robert Sheehan and retired police chief Diane Sorantino, authorized the practice of the use of flex or

comp time by Lear "even though they had no authority to do so."

After the agreement was struck in October, Lear refused to enter into a written agreement, causing the city to file a complaint in Superior Court on Dec. 22 seeking to enforce the settlement agreement, Monzo said. He said after the action was filed, Lear proposed a new settlement by which he would retire Jan. 1. Lear signed the settlement agreement Dec. 29, according to Mayor Edward Mahaney.

At council's Dec. 31 meeting, Monzo thanked special attorneys Todd Gelfand and John Eastlack and Williams for "assisting in resolving all the

outstanding issues that the city had with Lt. Lear following the Oct. 13 settlement."

"A period of over two months went by without an executed settlement agreement and there were indications that the settlement that was reached needed to be altered," he said.

Monzo said as a result, the city again engaged the services of Williams and Eastlack to attempt to negotiate a resolution that resulted in a complaint being filed to enforce the previously agreed upon settlement.

"That prompted an alternative pro-

See **Lear settlement**, Page A3

## YEAR IN REVIEW

### GOP takes over Lower, keeps cops at airport

Cape May Star and Wave

ERMA — The balance of power on Township Council shifted in 2015 to the Lower Township Regular Republican Organization when David Perry was seated as Ward Two councilman. Votes of council that once went 3-2 with three independents on council, shifted to 3-2 votes with three Republicans taking the lead.

Township residents living close to the bay were troubled by new ratings from FEMA placing their homes in V zones with potentially steep flood insurance costs.

Issues that caused rancor among council members were keeping the police department at the county airport with the Public Safety Building to be completely renovated by the county, and the MUA offering \$205,000 to hire four police officers.

Dogs were the frequent topic of council's discussions, including passage of an ordinance keeping them off township beaches from 11 a.m. to 4 p.m. and an ordinance prohibiting keeping dogs outside in extreme weather.

## January

**GOP leads Lower:** On Jan. 5, Republican incumbents Tom Conrad and Erik Simonsen received their oaths of office along with newcomer Dave Perry, the township's longtime fire official, changing the balance of power on Township Council from three independents to three Republicans. A 3-2 vote replaced Township Manager Mike Voll with James Ridgway, Lower Township's assistant superintendent of parks and recreation. Township Solicitor Ron Gelzun was replaced in a 3-2 vote by

See **Lower Twp.**, Page A5



Jack Fichter/CAPE MAY STAR AND WAVE

### Pessagno sworn in as deputy mayor in Cape May

Cape May City Clerk Louise Cummiskey, right, administers the oath of office to Councilwoman Bea Pessagno, who was selected to serve as deputy mayor for one year, on Jan. 1. With Pessagno are Peter Cole and Stephanie Pessagno. See Cape May City Council reorganization story on A4.

### Davis funeral services moved to Convention Hall

Cape May Star and Wave

CAPE MAY — Services for the Rev. Robert O. Davis have been moved to Cape May Convention Hall, where visitation is scheduled from 9 to 10:45 a.m. Saturday, Jan. 9.

The funeral ceremony will begin at 11 a.m. and interment will follow at Cold Spring Cemetery in Lower Township. Arrangements are by Spilker Funeral Home.

Davis, 90, who was pastor of Macedonia Baptist Church for 47 years, died Dec. 26 at Cape Regional Medical Cen-

ter. Services are scheduled for Saturday, Jan. 2. See full obituary in this edition.

In addition to serving as pastor of the church, Davis led the renowned Macedonia Baptist Church Choir that performed in other venues including Cape May Convention Hall and the Chalfonte Hotel on Sunday afternoons.

In 2009, Davis retired as pastor. Members of the community, family and friends celebrated the 100th anniversary of the church at an event that year, but mainly praised

Davis and his wife, Carolyn, for their tireless work.

At the time, Davis was praised by the mayors of Cape May and West Cape May, Freeholder Gerald Thornton and state Sen. Jeff Van Drew. He was presented a plaque for serving as pastor of the little church with a great big heart. In 2007, Davis was honored as one of four Cape May legends at a ceremony at the Chalfonte.

Davis and his wife taught in the Lower Township Elementary School District, giving them more opportunities

to mentor youth who are now adults and look back on those experiences as the greatest of their lives, Matthews said.

Cape May Mayor Edward Mahaney said Davis was a major contributor to the quality of life of Cape May and the surrounding area through his service as a spiritual leader, a community mentor and educational colleague in the school system.

"His efforts have always been to unite the community and to provide structure and guidance for our young people," Mahaney said.

## YEAR IN REVIEW

### Cape May ends 2015 of change, animosity

Cape May Star and Wave

CAPE MAY — The city experienced a year of change and upheaval in 2015, starting off with the swearing in of three new members of City Council — one of whom would last only two months.

Storms would not be the only things to batter the region, as a decision not to reappoint the police chief due to an investigation into the department's use of comp time would gain national media coverage. The city would spend thousands of dollars on legal bills, ultimately losing a fight to have a county Prosecutor's Office monitor removed from the police department, and the mayor would face a recall over the issue.

New relationships were forged. In May, the city and county were designated a Coast Guard Community, holding three days of activities highlighting the relationship between the Coast Guard and community.

Longtime disputes were settled, including a battle over wineries holding special events being decided in favor of the wineries. City Council approved a \$350,000 settlement agreement with West Cape May for 121 million gallons of water Cape May sold to the borough from its desalination plant from 2003 to 2009 but did not deliver due to faulty master meters.

Old friends would pass on. On Feb. 28, Dot Burton, famous for cooking fried chicken at the Chalfonte Hotel, passed away at the age of 88. Former Cape May Point Mayor Carl Schupp passed away Aug. 1.

And there were some new beginnings, as plans for the Lafayette Street Park and up-

See **Cape May**, Page A2

## LUCKY BONES BACKWATER GRILLE

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