

Attorney: Mahaney advised client to seek other counsel

By JACK FICHTER
Cape May Star and Wave

CAPE MAY — During public comment at an Oct. 21 City Council meeting, local attorney Dan Kurkowski accused Mayor Edward Mahaney of telling a potential client not to hire him and instead referred the person with a personal-injury suit to an attorney in Wildwood.

Kurkowski said he never represented Mahaney as a

lawyer. He said as mayor, Mahaney represents the people of Cape May as “the main voice of the people” and in the top position of influence.

“Personal feelings toward me and my political stances must be ignored,” Kurkowski said.

He said the client had been to his office multiple times. Kurkowski said the mayor referred his client to a lawyer in Wildwood that practiced criminal law, not civil law.

According to documents

obtained from Kurkowski, Emil Krastev was hit over the head with a bottle at Carney’s in Cape May by another patron. When Krastev went to City Hall to speak with the investigating police officer, he encountered the mayor, Kurkowski said.

Krastev certified that Mahaney told him not to use Kurkowski and that he would put him in touch with the Wildwood lawyer. He also certified the mayor advised him to sue

Carney’s.

At the council meeting, Kurkowski stated the mayor had “taken food off my table and taken money out of my child’s college account.”

Mahaney said he received a tort claim notice regarding the issue.

“I would suggest that you file the suit,” the mayor said. “I will defend myself, I will not use city money and you will find that none of this is true at all.”

Kurkowski said the mayor told Krastev, in City Hall, not to use his services and to use a Wildwood attorney.

“I told him in City Hall?” Mahaney asked.

“These sorts of actions are flat out unlawful interferences and official misconduct by statute,” Kurkowski said.

He said Cape May was not a monarchy and Mahaney wasn’t a king, nor was Cape May a fascist society with a dictator. “You don’t decide who gets

what and what business goes to what person,” Kurkowski said.

He said we live in a capitalistic society based on competition.

Kurkowski said Krastev is not from America and in his homeland, it is commonplace to go the mayor for advice.

“He took your advice and fired me,” Kurkowski said of Mahaney. “How does that make you feel?”

Mahaney repeated that Kurkowski should file the suit.

Lower Twp. Council debate to be re-aired on Channel 9

VILLAS — If you missed candidates night, you can still catch the debate from the candidates running for a seat on Lower Township Council on Channel 9, the local Public Education Government Access channel (PEG).

The League of Women Voters of Cape May moderated the event and accepted written questions from the audience for the candidates. The debate was divided into three segments, with 30 minutes devoted to each of the

township’s three wards.

The following names are on Lower Township’s municipal election ballot:

Ward 1: Vote for one, four years, full term
Republican: Thomas Conrad

Direct nomination: Johnnie R. Walker
Direct nomination: Joseph J. Will

Ward 2: Vote for one, four years, full term
Republican: David Perry
Direct nomination: James P. Neville

Ward 3: Vote for one, four years, full term
Republican: Erik Simonsen

Direction nomination: Glenn Douglass

Following are the times at which the debate is scheduled to be aired:

1 p.m. and 8 p.m. Friday, Oct. 31
8 a.m., 1 p.m. and 8 p.m. Saturday, Nov. 1
8 a.m., 1 p.m. and 8 p.m. Sunday, Nov. 2
8 a.m., 1 p.m. and 8 p.m. Monday, Nov. 3

Lease land

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Tony Monzo.

Fineberg said the city incorporated into the lease agreement changes suggested by school board members. He said the school district has control over playground equipment on the property.

A minor pedestrian entrance in the concept plan for the park will be relocated to provide for the safety and security of students at the school, Fineberg said.

Kustra said she would have preferred to see information on a grant the city may receive to construct the park.

LeMunyon expressed con-

cerns about maintaining a 35-acre park. He said not a single person has told him they were looking forward to the park opening.

Mayor Edward Mahaney said the public would have input on the final plan and the school board would have final approval for improvements on its property.

Board Vice President Joseph McKenna said the plan would create good public use of the property.

“One of the things that I would like to ask is there be good communication assuming that this project goes forward,” said board member Deborah Smith, “that there be commu-

nication with the district and the city at every step, so that we know what’s happening, that we’re involved, there are no surprises.”

Julia Dougherty, a landscape architect student at Temple University in 2011, created a conceptual design plan for the park with the assistance of two professors. The design showed trails to Cape Island Creek and a restroom/storage building with a grass roof that will offer a place to sit to view the baseball field.

The concept plan also calls for a soccer field, bocce courts and paths with areas planted with vegetation attractive to butterflies and birds.

Rejection

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were to withdraw and become a sending district or send its children to a different school district.

Beck advised voters to also vote “no” on that issue. He said council was taking every opportunity to speak out on the issue and make sure voters understand how important it is not only for their “personal pocket-books,” but also for the future of education on the Lower Cape.

“Our beef is not with the residents of Cape May, it’s with the officials who have pushed this thing, Cape May City Council,” Beck said.

He encouraged all residents to turn out and vote “no” on the question.

“We really have to push that December vote, it’s going to be tough” Councilman Tom Conrad said. “People are not

used to voting in December. We have to get as many people out as possible to vote ‘no’ for that.”

During public comment, Villas resident Janet Pitts said she frequently asked Cape May Deputy Mayor Jack Wichterman to give one example of a regional school district that had its funding formula changed in the state. She said other than the Manchester Regional High School District, which was a racial segregation issue, no formulas have been changed.

“There is no example of any change in the school funding through the Appellate Division. In fact it is a legislative issue and not to be dealt with through the courts,” Pitts said.

Beck said the Lower Township Taxpayers Association raised funds to purchase signs and print information sheets.

Pitts said changing the funding formula from one based on

property values to one based on student enrollment would increase taxes for the average Lower Township property owner by \$427 per year. Cape May taxpayers would see their average tax bill decrease by \$1,200, she said.

Pitts said the funding formula was very confusing. She said the tax rate tended to be higher for Lower Township residents.

“If you take a \$500,000 house in Cape May versus one in Lower Township, given our rate for the regional school, we would pay much more than the same house in Cape May,” she said. “This is turning us into the Hatfields and McCoy’s, and they’re our neighbors.”

“I don’t think the main population of Cape May is for this. I think they want to be good neighbors, and in my heart, I think it’s just a vocal few,” continued Pitts.

Cape May room tax revenue rises

CAPE MAY — Room tax receipts from motel/hotels and bed and breakfast inns totaled \$342,074 for the month of August, up from \$320,044 in 2013, an increase of 6.8 percent.

Room tax receipts are reported by the

state on a two-month delay.

Year-to-date totals on room taxes ending in August was \$1,090,329, up from \$1,012,446 in 2013, an increase of \$77,883 or 7.7 percent, according to City Manager Bruce MacLeod.

Wichterman

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legislative at the state level.”

He said he wrote a letter on behalf of council to state Sen. Jeff Van Drew about two months ago asking him to pursue the issue in Trenton. When the funding formula for regional schools changed to one based on property value in 1975, the Legislature did not touch the formula for determining how many members constituents of a regional school district may have on a school board, Wichterman said.

Van Drew stated he spoke with Lower Township Mayor Mike Beck and there was no interest in changing the number of school board members from Cape May, according to Wichterman.

He said Cape May was doing nothing to hurt the students of the regional school.

“Whatever we do, it is not going to affect that school one iota,” he said.

Wichterman said if the funding formula were changed, the regional school board would not have to reduce programs in the school.

“All it does is revise the formula as to who’s going to pay what portion of it,” he said.

Cape May currently pays 35 percent of costs for the regional school district, Lower Township pays 58 percent and West Cape May pays 7 percent, Wichterman said.

“When we get into the courts on this, they will make the decision as to whether or not we have a good case and they agree the funding formula can be revised,” he said.

Wichterman said the idea of the teacher layoffs if the funding formula were changed was “nonsense.”

“They don’t have to do a darn thing,” Wichterman said. “They can run their school exactly as it’s being run right now, it just means that the apportionment of the taxes will be revised that Cape May City might not be possibly paying 35 percent of the cost to put 5 percent of the children in the school.”

He said the regional school board would still put together a yearly budget to provide a thorough and efficient education.

Lower Cape May Regional Superintendent Christopher Kobik told the Star and Wave the district has already been hurt by Cape May’s actions. The school district has been unable to renew debt service

for the past year, he said.

“We retired some \$280,000 or so in debt last year that we were unable to renew and as a result have had to take money out of our general budget in order to make piecemeal and patchwork repairs for things that really require bond-funded projects, capital improvement and repair projects,” he said.

Kobik said the school district is working on a self-funded, bonded energy savings program that will replace light fixtures, heating elements and a boiler.

“Where it has affected us negatively is we have been told by bond counsel now we need to wait to move forward with the project until after the votes happen because this has the potential to negatively affect our ratings and the interest rates we’d be able to get on that self-funded project,” he said.

Kobik said as enumerated in the county executive superintendent’s report, changing the formula would have a negative impact. Kobik said the idea that the majority of the tax burden would be placed on one of the entities of the regional school district has the potential to place undue scrutiny on every nickel and dime that would be spent by the district in the light of trying to provide an appropriate education for students.

Wichterman said he expected the Nov. 4 ballot question to fail.

“If I lived over in Lower Township, obviously I would not vote either to increase my taxes, but if I lived in Cape May, which I do, of course I’m going to vote to reduce my taxes,” Wichterman said.

The Taxpayers Association of Cape May will hold a round table discussion of the Dec. 9 special election ballot question of Cape May leaving the regional school district from 1 to 3 p.m. Nov. 21 at Convention Hall.

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