

Cape May Star and Wave



158TH YEAR NO. 30 CAPE MAY, N.J. SERVING AMERICA'S NATIONAL HISTORIC LANDMARK CITY WEDNESDAY, July 25, 2012 50¢



Marissa Rohner/Cape May Star and Wave

Cabanas Cape May Beach Bash

Above, the annual beach volleyball tournament organized by Great American Volleyball was delayed a week, but the volleys and hits were worth the wait. **More photos and complete results are on page A10.**

Monzo: Convention Hall opened with certificates

By CAIN CHAMBERLIN
Cape May Star and Wave

CAPE MAY – City Solicitor Tony Monzo said the new Convention Hall did not open in May without a Certificate of Occupancy, as rumors suggested.

At the July 17 regular city council meeting, Vermont Avenue resident Shane Meier asked council during public comment if Convention Hall was in fact operating without the required Certificate of Occupancy (CO). Monzo said the city was given a temporary

on the city's liability issues or insurance issues and was ultimately a seamless paperwork issue that would not affect the city. He said when the construction official inspected the building, however, the paper certificate was not printed.

Monzo noted nothing had changed from the time the first temporary certificate was issued with regard to public safety or fire protection.

"Everything was satisfied," he said. As for financial news concerning Convention Hall, City Manager Bruce MacLeod said the



Cape May Convention Hall

certificate when the hall initially opened after the construction official and fire official deemed the building safe.

He noted the only items left to be dealt with before an official occupancy permit was issued were minor items that would not impact public safety or the facility itself.

"The temporary C.O. was issued and the building code and construction official then issued a second one, and apparently when the third one was issued, there was a gap of time from the time he made an administrative decision to issue it, after his inspection, to when the paperwork actually got filled out and the document was actually prepared," Monzo said.

Monzo said it had "no impact whatsoever"

city received bids from various financial houses on its sale of bond anticipation notes on a gross of \$22.7 million. Of that amount, \$15.4 million was for general capital projects, \$5.4 million was dedicated to water/sewer utility projects and the remaining \$1.8 million dealt with beach capital projects.

MacLeod said the winning bidder offered a 1.5 percent interest rate and granted the city a premium payment of \$246,330. He said the net result figuring in the premium gives an interest rate of .417 percent.

Mayor Ed Mahaney said within the \$15.4 million of general capital debt, a significant amount was applicable to the construction of

Please see Certificates, page A2

LT public defender arrested

By CHRISTOPHER SOUTH
Cape May Star and Wave

ERMA – A municipal prosecutor hired by Lower Township just two months prior was led from the Municipal Court in handcuffs, July 19, charged in a real estate scheme that involved suspects in five states.

Seth A. Fuscellaro, 39, was hired by the township to fill an unexpected vacancy, Township Manager Mike Voll said in a press release.

Voll said Fuscellaro was one of two candidates being considered for the vacancy as the township's public defender, and had they known of

the federal investigation they would have chosen another candidate.

"The township is extremely disappointed that the federal investigation was not disclosed at the time he applied for the position, which likely would have led the township to considering another choice," Voll said.

Fuscellaro was arrested after a lengthy investigation involving both federal and local law enforcement agencies. The investigation centered on alleged misrepresentation of buyers to lending institutions, whereby the properties were sold at inflated prices. The so-called

"straw buyers" were allegedly paid a fee for part of the transaction, which involved the use of fraudulent documents and allegedly harmed the lending institutions.

Fuscellaro, who held a real estate license, was working as an attorney in the law firm of DeWeese, Stagliano and Fuscellaro. No one else in the law firm was implicated or is alleged to have knowledge of the bogus real estate transactions.

According to information released by the U.S. Attorney's Office – District of New Jersey – 11 individuals

Please see Arrest, page A2



Photo courtesy of US Coast Guard

Above, firefighters extinguish the flames that engulfed the fishing vessel My Girl at Atlantic Cape Fisheries. An investigation of how the fire began is still underway.

Fire damages fishing vessel

By CAIN CHAMBERLIN
Cape May Star and Wave

LOWER TOWNSHIP – Firefighters from Coast Guard Training Center Cape May's Fire Department were the first to arrive at a fire aboard a commercial fishing vessel Wednesday, July 18, at Atlantic Cape Fisheries on Ocean Drive.

The firefighters received the call from dispatch at 11:57 p.m. and responded to the scene of the fire at 12:08 a.m. Coast Guard Asst. Fire Chief Ryan Geraghty said the roughly 80-foot fishing vessel, My Girl, was already engulfed in flames when he and his crew arrived on-

scene.

The crew extinguished the 20-foot blaze on the main deck spraying more than 1,250 gallons of water on the flames in less than five minutes. Geraghty said the Erma Volunteer Fire Company arrived just moments before the tank was empty with another fire engine and tanker truck. Erma provided water to the Coast Guard fire engine crew as the primary fire attack.

"This response demonstrates not only our commitment to the safety of our community – it shows how well we can work with our partner agencies in the community," Geraghty said. "We're not

going to sit here and claim the fame for it. We couldn't have done anything if Erma hadn't shown up with a water supply."

Geraghty said after all the water was used to extinguish the fire, the vessel began to tilt and incline heavily, so Coast Guard crews devised a plan to keep it from sinking, which prevented a potential pollution hazard and made salvage efforts less dangerous. A small boat crew from Coast Guard Station Cape May and a fireboat from Town Bank arrived and provided dewatering pumps to Coast Guard firefighters.

Please see Fire, page A2

Citizens petition to change WCM body

Committee calls for adding commissioners, cutting salaries

By CAIN CHAMBERLIN
Cape May Star and Wave

WEST CAPE MAY – A committee of borough residents is petitioning to have two questions placed on the November ballot; the first asking citizens if they want a larger Board of Commissioners, and the second asking if they feel the commissioners should receive lower salaries.

The petition committee, made up of John Rowley, James Labrusciano, Sharyn Mead, Barbara Wilde and Chris Shriver, have together collected enough signatures for a legal petition. The Walsh Act requires 10 percent of the voters who voted in the last general election. Rowley said on Monday, June 23, they had collected over 80 signatures and planned to hand in the

petition to the borough clerk within the following two days.

Rowley said if the petition is certified by the municipal clerk and the county prior to the Aug. 28 deadline, the questions would be put on the November ballot.

"If it's not put on this November ballot, it will have to be put on the November 2013 ballot," he said.

The West Cape May Board of Commissioners consists of three members and operates under the Walsh Act. Rowley said there are certain provisions under the Walsh Act that allow the board to increase from three to five members, which is what the petitioners want to see.

"I don't think there's enough diversity at the table," Rowley said. "I think that if we can expand it to five, other voices

will have an opportunity to be heard."

He said in the last non-partisan election, the three present commissioners "ran on the same ticket, so to speak" and were elected. He said he believes if the number of commissioners is increased to five, there will be a lesser chance of board members forming a "clique," allowing diversity on the panel.

Rowley said he started looking into the matter in the fall and concluded that South Jersey had a "professional class of career politicians," which led to him thinking maybe it was time for a change. He said under the Walsh Act, there is no limit on the number of terms one can serve so he began asking

Please see Change, page A3

Correction

CAPE MAY – In the July 18, 2012 edition, the Cape May Star and Wave published an article about an individual named Mark R. LeMunyon, 24, of Cape May, facing charges of sexual assault. The newspaper erroneously used an internet photo that was not of the Mark R. LeMunyon facing charges, pictured at right. The photo that was erroneously used was of a person with a similar name, but of a different age, who resides in another state, and has no connection to the Cape May case. The photo accompanying this correction is of the actual person charged in the case. The photo is courtesy of the Cape May County Correctional Center. The newspaper apologizes for the error.



Mark R. LeMunyon

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