

21-2023

Emily Dillon

From: Concerned citizen <opra+request-39689-5d87b3be@requests.opramachine.com>
Sent: Friday, January 27, 2023 9:32 AM
To: Erin C. Burke
Subject: OPRA request - Arches

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Dear Cape May City,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

Please provide a copy of the resolution for the City of Cape May that approved the installation of the arches on the Promenade.

Yours faithfully,
Concerned Citizen

Please deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-39689-5d87b3be@requests.opramachine.com

Is cityclerk@capemaycity.com the wrong address for OPRA requests to Cape May City? If so, please contact us using this form:

https://opramachine.com/change_request/new?body=cape_may_city

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View this OPRA request & responses online:

<https://opramachine.com/request/arches>

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

RECEIVED

JAN 27 2023

CITY CLERK
CITY OF CAPE MAY

date satisfied: 1/27/23

Emily Dillon

CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

RESOLUTION NO. 297-12-2022

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF CAPE MAY AND THE FUND FOR CAPE MAY FOR SIX (6) PROMENADE ARCHES

WHEREAS, the City of Cape May has for many years viewed the promenade in the area between Gurney and Decatur in need of restoration and improvement; and

WHEREAS, in 2019, the City received a preliminary cost estimate for expansion of the promenade in the amount of \$367,230.00; and

WHEREAS, in early 2021, the City renewed its efforts to improve the promenade with the development of a new plan by the City Engineer Vincent Orlando, P.E.; and

WHEREAS, the City sought a jurisdictional determination from the New Jersey Department of Environmental Protection (NJDEP) and on September 14, 2021 received a response from the NJDEP indicating no Waterfront Development permit was required since activities are not proposed at or below the mean high water line, no CAFRA permit was required because the resurfacing of existing impervious area is not considered development under the regulations, and no Coastal Wetlands permit was required because there are no mapped coastal wetlands on the site; and

WHEREAS, the City put the project out to bid and on January 18, 2022 pursuant to Resolution 49-01-2022 the City of Cape May awarded a contract to Ricky Slade Construction, Inc., in the amount of \$103,900.00 for the repaving and expansion of the Promenade extending from Gurney Street and Decatur Street (EDA #CM-108). The 2022 award amount was less than 1/3 of the original estimated cost. In connection with these proposed improvements, the City planned to improve and incorporate better lighting to promote public access and safety; and

WHEREAS, beginning around the time of the early 1900s, the City of Cape May had a boardwalk which incorporated a series of arches providing ornamentation and lighting:



(Reference Photograph from 1910: 110 Block of Beach Avenue at Reading Avenue looking eastward)

WHEREAS, based on historical resources available to the City, there were approximately 40-45 arches along the boardwalk in the early 1900s; and

WHEREAS, the City of Cape May is a National Historic Landmark with a local historic preservation district and a national historic landmark district and the City's period of significance extends up to 1940; and

WHEREAS, as an alternate to current lighting arrangements in connection with recent promenade improvements, Councilperson Lorraine Baldwin and John Boecker, R.A., a licensed architect and a member of the City's Historic Preservation Commission, coordinated on a review of the history of the arches existing at the turn of the century and developing a concept to include arches with site appropriate lighting within the promenade widening project. Mr. Boecker proposed to undertake this project at no cost to the City; and

WHEREAS, on April 5, 2022 at a regular meeting of City Council, Mr. Boecker presented the historical background, analysis, and proposed design of six (6) arches to be included on the promenade from Gurney Street to Decatur Street. Mr. Boecker detailed the structural analysis which would include structural foundations and steel reinforcement to withstand strong wind forces and included an analysis of replacement lighting to include "dark sky" fixtures to avoid light pollution. Mr. Boecker discussed the proposal to add underground conduit as part of the planned promenade improvements which would lay the foundation for installation of new lighting and replace existing pole lighting. Mr. Boecker indicated brackets could be added to the arches for flags to be attached and flown similar to the existing poles to preserve current ornamentation; and

WHEREAS, based on the outcome of the public presentation, the City continued to proceed with evaluation of planning for the arches project; and

WHEREAS, pursuant to Resolution No. 197-07-2022, the City Council unanimously approved a change order to the contract for promenade widening which provided for excavation and installation of the underground conduit; and

WHEREAS, the Fund for Cape May (the Fund) is a 501(c)(3) non-profit organization dedicated to beautification, preservation, and promoting active citizenship in the City of Cape May. The Fund has actively partnered with the City and contributed to previous projects including the Rotary Park and Soldiers and Sailors Park projects; and

WHEREAS, the Fund approached the City with an interest in the arches project and proposed to undertake the entire cost of designing, assembling, constructing, and installing the arches on the area of the promenade expansion, with the City laying the foundation for their installation; and

WHEREAS, City Council having reviewed the matter, desires to affirm the plan for installation of six (6) arches within the area of the promenade widening improvements between

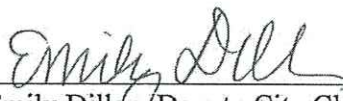
Gurney Street and Decatur Street and based on the financial commitment from the Fund toward this project; and

WHEREAS, the City and the Fund for Cape May desire to memorialize an Agreement to confirm the parties respective responsibilities and financial commitments to this project; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Cape May, County of Cape May, State of New Jersey, that:

1. The Recital paragraphs are incorporated as if fully set forth.
2. City Council hereby affirms and authorizes the plan to proceed with the installation of six (6) arches with site appropriate lighting between the area of Gurney Street and Decatur Street.
3. The City of Cape May authorizes an Agreement with the Fund for Cape May in connection with the arches project pursuant to the terms and conditions set forth in EXHIBIT A attached hereto and incorporated herein by reference.
4. The Mayor and all other appropriate City Officials are hereby authorized and directed to take all action and execute all documents required to give effect to this Resolution.
5. Pursuant to Resolution No. 197-07-2022 (the change order to the promenade widening contract to include conduit) and the December 6, 2022 City Council authorization of payment for the arch footings, the City and its Chief Financial Officer have certified to the availability of funds for the City's obligations toward this project.
6. This Resolution shall take effect immediately upon passage, according to law.

I, Emily Dillon, Deputy City Clerk of the City of Cape May, County of Cape May, State of New Jersey, do hereby certify the foregoing is a correct and true original Resolution adopted by the City Council of the City of Cape May at a meeting held on December 20, 2022.


Emily Dillon, Deputy City Clerk

Roll Call	Ayes	Nays	Absent	Abstain	Motion	Second
Baldwin	X					X
Meier			X			
Sheehan		X				
Yeager	X				X	
Mullock	X					

Cc: City Manager
Fund for Cape May