

# Cape May Star and Wave

157TH YEAR NO. 19 CAPE MAY, N.J. SERVING AMERICA'S NATIONAL HISTORIC LANDMARK CITY WEDNESDAY, May 11, 2011 50¢



**INSIDE**

**SPORTS**  
**CAPER TIGERS WIN WARRIOR CLASSIC, BI**

Lady Tigers play Ocean City tough, **B8**  
 Lou Rodia: Looking for fluke, **B3**

**CAPE MAY**  
 Community Events, **A4**

**TIDES**  
 May 2011  
 Eastern Standard Time

	High	Low		
	A.M.	P.M.	A.M.	P.M.
11	2:26	3:22	8:52	9:12
12	3:33	4:25	9:50	10:20
13	4:38	5:23	10:46	11:24
14	5:40	6:18	11:40	
15	6:38	7:11	12:24	12:32
16	7:34	8:02	1:20	1:24
17	8:27	8:52	2:14	2:14
18	9:19	9:41	3:06	3:05

Moon Phases  
 New Moon, May 3  
 First Quarter, May 11  
 Full Moon, May 17  
 Last Quarter, May 24  
 Apogee, May 2, 29  
 Perigee, May 17

## Lt. Gov. said state would maintain tourism dollars

By ERIC AVEDISSIAN  
 Cape May Star and Wave

CAPE MAY COURT HOUSE - Lt. Gov. Kim Guadagno told attendees at the 2011 Cape May County Tourism Conference the state will help small businesses slice through red tape and maintain tourism funds.

Guadagno, the keynote speaker for the May 4 event, told business leaders to keep a positive attitude and promote their resorts.

To foster a new era of cooperation between the private sector and government, Guadagno gave her cell phone number to those pres-

*'People are talking about something other than Snooki and they're talking about something other than The Sopranos.'*

-Lt. Gov. Kim Guadano

ent, and told them to call her with their business concerns.

"When you see a piece of red tape that you can just use your common sense and get around or eliminate or see a better way of doing it, I'm going to invite you to use that number,"

office, along with marketing, global business advocacy and planning.

She said with a unified front and better organization, promoting and marketing New Jersey's tourism attractions is easier.

"The idea is to cut red tape because New Jersey has a very bad reputation of being the hardest state in the country for doing business," Guadagno said.

Guadagno noted the state is suffering from 9.23 percent unemployment this year, but said 13,000 private sector jobs were created in New Jersey in April, a figure she said "wasn't enough" but

compared that to 5,000 private sector jobs created overall in 2010.

She said New Jersey lost 117,700 private sector jobs in 2009.

"Already we're doing better," Guadagno said. "Look at the numbers. We're turning it around.... Those numbers reflect people who now believe it's worth going out and looking for a job."

Guadagno said \$20 million was raised from the state's hotel/motel tax for the tourism industry this year. The funding includes \$16 million for culture, arts and his

Please see Dollars, page A2

## Cape May talking smoke-free beaches

By CAIN CHAMBERLIN  
 Cape May Star and Wave

CAPE MAY - In a continued effort to create smoke free beaches in Cape May by 2012, Deputy Mayor Jack Wichterman invited Executive Director Karen Blumenfield and Kim Burns of the Global Advisors of Smokefree Policy (GASP) organization to speak at the May 3 city council meeting.

GASP is a non-profit dedicated to serving and educating the public on tobacco-free public policies. The organization has played a role in making numerous beaches and boardwalks smoke-free, such as Belmar Township. According to Blumenfield, the entire boardwalk and most of the beach is currently tobacco free, but the municipality is pushing to make it 100 percent smoke-free this year. The two GASP members brought a copy of the Belmar ordinance, which Blumenfield said could be used as a guideline for Cape May's.

She said New York City will be making its recreational areas smoke free as of May 15, such as playgrounds, parks, beaches, boardwalks and even Times Square. Blumenfield said a perfect example of a tobacco free beach can be seen on Sunset Beach in Lower Township.

"Second hand smoke outside is just as harmful as it

is inside - especially to children and the elderly," Blumenfield said.

One of the questions Councilman William Murray brought up at a past meeting was how the smoke-free ordinance would be enforced. Blumenfield said Belmar uses its police force to enforce their laws, and a warning is handed out to individuals who disobey the law prior to a fine, which she believed to be between \$25 and \$150, based on the number of offenses.

Wichterman's original idea was to make every third beach in Cape May a smoking beach, so not all of smoking beach goers would have to walk far to have a cigarette. However, he said it would be hard for people to figure out when one beach stops and another begins, so he said the first "X amount" of feet on the beach could be smoking and the rest could be non-smoking. He said it was important to figure out what would be acceptable by hotel guests and Cape May visitors who smoke.

"We just don't want to make people walk six blocks to have a cigarette," he said.

Blumenfield said this would not be a good idea, because non-smokers would have to walk through the smoking area to get to the tobacco-less area.

Please see Smoke, page A3



Cain Chamberlin/Cape May Star and Wave

## Mr. LCMR crowned

Colby Halbruner, center above, was crowned Mr. LCMR at Lower Cape May Regional High School, May 5, in the annual pageant held in the school's auditorium. See more photos on page A10.

## Cape May budget adopted

By CAIN CHAMBERLIN  
 Cape May Star and Wave

CAPE MAY - City council adopted the 2011 budget last Tuesday, which includes a six-tenths of a cent tax rate increase, a reduction from the two cents originally proposed by City Manager Bruce MacLeod.

The budget was introduced on April 20 with a one-cent increase, but according to MacLeod there were 11 items changed since then to bring it down to .06 cents.

"We've taken several steps to get to this point," City Auditor Leon Costello said at

last week's meeting.

The most recent changes to the budget were a \$20,000 reduction in legal expenses and a reduction in the Length of Service Awards Program (LOSAP) payment. This pension-like program designated for volunteer public safety services is aimed mainly at the Cape May firemen. According to Mayor Edward Mahaney, the decrease will not affect the amount given to volunteer firemen, just the amount of firemen who receive it.

"There is always more money in that budget item than needed," Mahaney said

before a previous meeting. "It will not be hurting anything."

The only increase in the budget was for a Beach Utility line item.

Councilman William Murray and Councilwoman Terry Swain were originally pushing for a zero-cent tax increase in the budget, but after many meetings between council, they all were able to agree upon the six-tenths of a cent.

Even though there is a slight tax increase, Murray was content with the result.

"It was a good deliberative

Please see Budget, page A3

## BTF to file injunction to stop theater demolition

CAPE MAY - The Beach Theatre Foundation, Inc. announced today that it expected shortly to file suit in the New Jersey State Superior Court to nullify a litigation settlement reached last week between the City of Cape May and Frank Investments, Inc., allowing demolition of the town's last movie venue, the Beach Theatre.

In a motion to be made for a preliminary injunction, the BTF will claim the settlement was defectively adopted by the City Council and further was illegal because the demolition permit being recognized by the City already had expired under New Jersey's 2008 Permit Extension Act.

The BTF said it was necessary to intervene in the mat-

ter to preserve the integrity of the hearing process already underway in the local Zoning Board of Adjustment so that any demolition would occur only as permitted for Historic District property. In its suit, the BTF maintains the Council shirked responsibility to defend the lawsuit, despite having good defenses against it.

Beach Theatre Foundation President, Steve Jackson, commented, "We believe the settlement resolution passed last week by the City Council was both disgraceful and invalid. It was a back room political deal, violating open and transparent government, and illegally honored an invalid demolition permit. The Council's imprudent surrender struck a grievous blow against the cause of preserva-

tion in Cape May, setting back a movement for which Cape May has been famous for 40 years.

The action disregards two respected City bodies, our Historic Preservation Commission and Planning Board. Both have been urging designation of the Beach Theatre as a historic site for over a year and threaten loss of the City's National Historic Landmark status, which is now on watch status by the National Park Service. To begin with, the Franks' lawsuit was improperly commenced, as they already were conducting a ZBA proceeding, had not exhausted administrative remedies with the City, and had no business being in court. Even so, the

Please see File, page A2

## WCM reconsidering wind turbines

By CAIN CHAMBERLIN  
 Cape May Star and Wave

WEST CAPE MAY - The Board of Commissioners discussed the possibility of amending a borough ordinance to make wind energy more attainable for residents after Mayor Pamela Kaithern and Deputy Mayor Peter Burke attended a Planning Board meeting on the evening of Tuesday, April 26.

Green Utility System (GUS) Power Inc., handed out pamphlets at that board meeting showing blue prints and photos of their vertical axis wind turbines, which are claimed to be silent and safe.

"In operation you cannot

hear the sound of the blades going around above ambient noise levels," GUS Power Inc. President Jim Woods says in the document. "We do not have standardized noise level data for GUS Vertical Axis Wind Generators, however, our turbines are operated in residential neighborhoods, on commercial buildings, including our own and we are unaware of any negative noise comments or reports."

According to Kaithern, these wind turbines are installed on the structure's roof and only stand around nine feet tall. They can also be installed on a pole mount or mounted on the side of a building. However, they conflict with a current bor-

ough ordinance (421-09).

This ordinance establishes regulations for small wind and solar energy systems and states that wind turbines shall not be permitted for rooftop installation. Regarding noise levels, the ordinance says the energy system shall not exceed 42 dBA (decibels) at a common property line or 30 dBA to the closest occupied structure, whichever is most restrictive. According to GUS literature, the turbines should not exceed those limits.

The ordinance also says the design of wind or solar energy systems shall use materials, colors, textures,

Please see Wind, page A2



## wine bar

\$1 Oysters till 7pm • Flights of Wine • Dinner • Small Plate Menu

WASHINGTON INN & wine bar open Wednesday thru Sunday  
 Dinner Served from 5pm

801 WASHINGTON STREET • 609-884-5697 • WWW.WASHINGTONINN.COM