

Cape May Star and Wave

157TH YEAR NO. 21 CAPE MAY, N.J. SERVING AMERICA'S NATIONAL HISTORIC LANDMARK CITY WEDNESDAY, May 25, 2011 50¢



INSIDE



SPORTS

Boys Lacrosse
tops Vineland, **B1**

Lady Tigers LAX
wins big, **B1**

Lou Rodia: Sometimes
you catch fish... **B7**

CAPE MAY

Community Events, **A4**

TIDES
May 2011
Eastern Standard Time

	High	Low
	A.M.	P.M.
25	2:51	3:38
26	3:46	4:29
27	4:39	5:17
28	5:30	6:00
29	6:17	6:42
30	7:02	7:22
31	7:45	8:00

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

MEMORIAL DAY



CAPE MAY – Cape May's Memorial Day Service is at the Columbia Avenue Monument, at 9 a.m. on Monday, May 30. Participants will include local veteran's organizations, the U.S. Coast Guard Training Center and the U.S. Coast Guard Auxiliary. Please attend to honor our veterans of the United States Armed Forces.

Then at noon, U.S. Coast Guard Auxiliary Flotilla 08-02 of Cape May will conduct their annual Memorial Day Commemorative Ceremony on the beach at Gurney Street. The Public is invited.

Cape May to pay \$10k for contractor parking

By CAIN CHAMBERLIN
Cape May Star and Wave

CAPE MAY – Cape May City Council approved an agreement between the city, Ogren Construction and the Cape Island Baptist Church, which will allow Ogren workers to park their personal vehicles at the church while working on-site at the new Convention Hall.

According to City Manager Bruce MacLeod, this agreement will last until Memorial Day of 2012 when the Convention Hall is scheduled for completion.

Councilman William Murray was the only member

'Keep in mind, if you are a party to an agreement in our country, anybody can get sued.'

– Councilman Bill Murray

to oppose the agreement in the 3-1 vote because he felt the residents of Cape May should not be paying the \$10,000 it will cost for these vehicles to park there. Councilwoman Deanna Fiocca was absent from the meeting.

"It says right in the bid

specs that the city will provide parking for contractors," Mayor Edward Mahaney replied. "This agreement honors that commitment."

According to Mahaney, the city received three different bids from nearby facilities willing to offer parking spaces for Ogren contractors

and subcontractors. He said the Cape Island Baptist Church had 38 spots available, which was "more than sufficient." Mahaney said if the city had given the responsibility of finding a parking area to the contractors, and covered the payment of the bill, it would have cost even more.

"This is the most economically viable way to go," he said.

Mahaney said the vehicles would have decals letting police know who they belong to. He said if they are found parking near the job site in any area other than the church, they would be towed.

Mahaney said the contractors will try to park as close to the job site as possible, which could cause a problem in the summer months considering the construction is taking place on the beach where tourists go. He said this agreement will put them all in one location, instead of on the street and other areas where visitors park.

"I agree with everything the mayor is saying, but my problem is the city paying \$10,000 for this," Murray said.

MacLeod made it clear this agreement and payment falls in the \$10.5 million bond ordi-

Please see **Parking**, page A2

City solicitor says BTF needs court's OK to intervene in settlement

By CAIN CHAMBERLIN
Cape May Star and Wave

CAPE MAY – A closed session for Cape May City Council was held following the public meeting last Tuesday, to discuss the injunction filed by the Beach Theatre Foundation, intended to nullify the litigation settlement between the City of Cape May and Frank Investments, Inc.

According to City Solicitor Tony Monzo, the Beach Theatre will need permission from the court to intervene and become a party to the litigation. Monzo said he hopes the hearing will begin within the next 30 days, which will most likely take place in Atlantic City. Monzo said Judge Valerie Armstrong would hear the case.

The Beach Theatre Foundation filed the suit after city council agreed to extend

Frank Investments demolition permit if they were willing to withdraw their appeal to the Zoning Board. The BTF claims the settlement was defectively adopted by council and was illegal considering the demolition permit being recognized had already expired under the state's 2008 Permit Extension Act.

BTF President Steve Jackson said the actions taken by council disregarded the Historic Preservation Commission as well as the Planning Board, which both urged the theater be designated as a historic site because its demolition could threaten the city's National Historic Landmark status.

"We were shocked at how the council could have ignored the overwhelming record compiled in the ZBA hearings and input to the

Please see **BTF**, page A2



Christopher South/Cape May Star and Wave

Armed Forces Day at the Tower

Above, Bob Heiny (right in photo) Tower Friends Coordinator presents a Friends of the Tower pin to Captain Bill Kelly, commander of the Coast Guard Training Center, for his support of the World War II tower and veterans. See more photos and article on Heiny's tower lecture, page A3.



Christopher South/Cape May Star and Wave

Above is a scene from "Suffer the Innocent," performed by members of the Jersey Cape Dance and Gymnastics Academy at the Middle Township High School Culture Fair last week. Director Stina Smith recently revived the routine she developed nearly 15 years ago to illustrate the horrors of the Holocaust.

'Suffer the Innocent' performed

By CHRISTOPHER SOUTH
Cape May Star and Wave

MIDDLE TOWNSHIP – Nearly 15 years ago, Stina Smith felt compelled to choreograph a dance routine to interpret the suffering of the Holocaust.

Smith is the owner/director of Jersey Cape Dance and Gymnastics Academy in Lower Township. She decided to develop her dance around the idea of children being taken from their mothers. The storyline is simple, but the message is dramatic.

"Women arrive at camp in prison uniforms with stars on them. There is one Nazi soldier, and he is taking the children from their mothers," Smith said.

Smith said telling the story of the Holocaust in dance is not idea some people immediately accept. The Jersey Cape Dancers performed "Suffer the Innocent" for the first time in 1997. They performed it at a competition and later had the opportunity to perform it in Cape May. Smith said

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Wildwood man was charged with bias crime in Cape May

By CHRISTOPHER SOUTH
Cape May Star and Wave

CAPE MAY – A case involving an alleged assault and an anti-gay slur is being investigated by the Cape May County Prosecutor's Office as a bias crime.

Cape May Police Captain Robert Sheehan confirmed they arrested Jesse D. Walker, 24, of 100 Block E. Lincoln Ave., Wildwood, and charged him with simple assault for allegedly smacking a male victim in the back of the head. According to incident reports, the victim was walking along Beach Avenue around 12:15 a.m. on April 3, when a male suspect made an anti-gay slur toward him. According to Captain Lynn Frame of the

Prosecutor's Office, the suspect allegedly smacked the victim on the back of the head as he tried to pass.

Sheehan said the striking the victim was the reason for the simple assault charge, and the slur elevated it to a bias incident, which is a fourth degree crime.

"We take this kind of thing very seriously and are pursuing it," Sheehan said. "We notified the county and they're on board up at the Prosecutor's Office now."

Frame said the incident is being investigated, but the referral from the Cape May Police Department was mostly a request for legal counsel on the charging. She said if charged with bias intimidation, Walker could face up to 365 days in county jail.

USCG says boat sober

By CHRISTOPHER SOUTH
Cape May Star and Wave

CAPE MAY – The U.S. Coast Guard is putting out the word – if you drive a boat while intoxicated or impaired, you could face stiff penalties including large fines, suspension or revocation of boat operator privi-

leges and jail terms.

According to Sgt. Stephen Jones of the New Jersey State Police, the violation also affects your automobile driver's license. He said operating a boat under the influence of alcohol could result in your driving privileges being sus

Please see **Sober**, page A3



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