



HOUSE OF THE WEEK
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**ELTC Louisa
May Alcott's
Christmas
from Nov. 23**



Lady Tigers' soccer season ends, B4



Cape May Star and Wave

158TH YEAR NO. 46 CAPE MAY, N.J. SERVING AMERICA'S NATIONAL HISTORIC LANDMARK CITY WEDNESDAY, November 14, 2012 50¢



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CAPE MAY – Above, local veterans salute as other vets form a flag detail. Prominent in this photo (front and center) is Korean War veteran Patrick Sbarra, a Cape May Point resident. See more photos on page A10.

City has no flood insurance on the new Convention Hall

By CAIN CHAMBERLIN
Cape May Star and Wave

CAPE MAY – Following the biggest storm to hit the New Jersey coast in 75 years, the city confirmed the new \$10.5 million Convention Hall has no flood insurance.

During public comment at the Nov. 7 city council meeting, Charles Hendricks of Trenton Avenue, said he had heard rumors that the city was denied flood insurance for the facility because it did not meet required base flood elevation levels. He said he wrote an email to City Manager Bruce MacLeod asking if the rumors were true and never received a response, leading Hendricks to file an OPRA (Open Public Records Act) request. Hendricks decided to raise

the issue at the council meeting as well.

MacLeod confirmed the building did not have flood insurance yet, but was never denied coverage. He said the city applied for an insurance policy that would give \$500,000 maximum coverage, however, more coverage would be needed.

"If you have a property that's valued greater than that then you would need to procure excess coverage," MacLeod said. "We have not been denied coverage at this particular point, however, we have not been approved for coverage either."

He said the city's risk management consultant, the Marsh and McLennan Agency, was to manage all insurance needs and toward the end of construction of

the hall, worked with the Atlantic County Municipal Joint Insurance Fund (JIF) to cover the building with liability and fire insurance. However, flood insurance is not covered by JIF.

MacLeod said the risk management consultant reached out to the city to initiate a flood insurance application in July and required a certificate of elevation. He said the city approached the civil engineer involved with the Convention Hall project, Fralinger Engineers, and received a quote, which caused a purchase order to be issued on Aug. 2. According to MacLeod, the certificate of elevation was received on Aug. 17 and was sent to FEMA along with the insur-

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Council hires attorney to study changing regional funding formula

By CAIN CHAMBERLIN
Cape May Star and Wave

CAPE MAY – City council voted unanimously, Nov. 7, to hire attorney Vito Gagliardi in an attempt to help Cape May lower the cost of sending students to the Lower Cape May Regional School District.

Gagliardi, who has experience in changing regional school funding formulas, said the feasibility study would cost \$48,000.

Deputy Mayor Jack Wichterman has organized several meetings with other municipalities with similar regional school funding formula issues and said he felt having Gagliardi aboard would help considerably.

"We should spend some money to try and save ourselves a heck of a lot of money," Wichterman said.

He said Cape May is currently spending about \$80,000 per student sent to the Lower

Cape May Regional District, which is up from \$41,000 six years ago. Gagliardi said there were 66 limited purpose regional school districts in New Jersey and most of them had a community with a fairly high tax base and a relatively small population, when compared to other municipalities. He said that a community typically ends up financing the education of students in another municipality because of the current formula.

Gagliardi worked with May six years ago after he took a case before the state Supreme Court to help North Haledon with its regional school funding issues. North Haledon tried to withdraw from the regional school, but was not allowed to do so because the Supreme Court declared it would alter the racial balance. Gagliardi said there were two other municipalities in the regional school, with one paying



Cain Chamberlin/Cape May Star and Wave

CAPE MAY – Cape May City Council voted to hire attorney Vito Gagliardi to do a study on school funding change.

\$3,000 per student and the other paying \$5,000. North Haledon was paying \$23,000 per pupil.

He said the court required the state Commissioner of Education to establish an equitable funding formula.

Around eight years ago, the commissioner established a funding formula for North Haledon, which was 67 percent equalized property value and 33 percent per pupil. He said that formula saved the municipality roughly \$4 million annually after it was phased in over a four-year period.

He said North Haledon wanted even greater savings and less than two years ago, an administrative law judge ruled the formula should be modified once again. Gagliardi said it is currently pending with the Commissioner of Education.

"The proposed modification would be 67 percent per pupil and 33 percent equalized property value," he said. "If we implemented that it would save North Haledon taxpayers about \$1.8 million a year."

In reference to Cape May, Gagliardi said the city agreed to form the regional school

district in 1956, it passed a referendum and agreed to fund it on a per student basis. However, around 20 years later, the state legislature changed the law and required a formula based on an equalized property value equation.

He said while the formula is based on the equalized property value, there is also the ratio between the number of students at the regional level and the number of students at the elementary school level.

He recommended Cape May try for a court proceeding and ask the Commissioner of Education to establish a new funding formula. By doing so, the city would exhaust all administrative remedies. Gagliardi said even though the funding formula would unlikely be changed by a voter referendum, the city should still

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Independent team wins all three seats in township race

By CHRISTOPHER SOUTH
Cape May Star and Wave

LOWER TOWNSHIP – Mayor Mike Beck said he wasn't surprised his team ended up sweeping the Nov. 6 election in Lower Township.

"I thought we would rise and fall together," he said. "There is always that potential. But we needed some new blood up there – there is no question."

As of the Nov. 9 vote tally, Beck received 4,799 votes for mayor to Erik Simonsen's 4,335. Norris Clark received 4,401 votes for the Council-At-Large position, to Kevin Lare's 4,265. Jim Neville, who was running for the unexpired term in Ward 2, beat incumbent Walt Craig 1,684

to 1,352.

Beck said he thought people view the Independent team as independent thinkers, which he believed the Republican challengers were not.

"They made it pretty obvious during the campaign. They supported certain things and then opposed them in the campaign," Beck said.

He said Clark and Neville are men of integrity, who are well spoken and who will represent the township well.

"We will all vote our conscience and what is best for the township. I don't want someone voting for something because I'm for it. If you don't agree with me fine but be able to support your position publicly," Beck said. "Vote the best way for the

benefit of the township, it's as simple as that. If it's because someone is promising you a job or some shenanigans, I don't like that."

Beck said he was happy the Independent team has been given a chance, because they were fighting an uphill battle.

"They hit us with everything but the kitchen sink. The money poured into their campaign was tremendous," Beck said. "We relied on the people on the street, the average Joes."

Beck said his campaign spent less than a quarter of the opposition.

He said the money the other side had allowed them to repeat, often, a message he

Please see Three, page A2

Mahaney reelected CM mayor, Swain keeps her council seat

By CAIN CHAMBERLIN
Cape May Star and Wave

CAPE MAY – Absentee ballots might still be rolling in for the Cape May municipal election, as County Clerk Rita Fulginiti will not certify the results until Nov. 19.

As of Nov. 9, however, incumbent Mayor Ed Mahaney had 667 votes, giving him an 11-vote lead over challenger Rusty Chew. Incumbent Terri Swain had a commanding lead in the run for council with 521 votes, while candidates Shaine Meier and Dan Kurkowski had 390 and 386 votes, respectively.

"I presented my candidacy to the voters and they made their decisions based on my record over the past four and a half years, which I feel is a

very positive and productive record," Mahaney said. "I'm just letting the process play out."

On Wednesday, Nov. 7, Chew wrote an email to the Star and Wave, other publications and residents, thanking the public for their votes. At the time, Chew was 18 votes behind Mahaney and said it was a "big number to close in on." Chew led the election by two votes prior to the city receiving mail-in ballots that changed the game.

"We gave it our best shot and are looking forward to the final results being posted," Chew said in the email to the Star and Wave. "This was by all standards a remarkable election. With so many local and national issues on the ballot, the voter turnout was near 70 percent with over

1,300 voters casting ballots." "How remarkable that so many became involved in this process of their government," he continued.

Throughout his campaign, Chew said one of the primary issues in this election was the city's form of government (manager-council form) and if the current mayor has truly complied with it. He believes Mahaney has overstepped his bounds on several occasions.

"Our main thrust was that we were going to insure the people that we were going to follow the law that had been decided by the change in government vote. We also saw that this was the center of the debate with the council position. That decision also reflects the view of the vot

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