



County to provide funding for fountain at Lafayette park

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House of the week

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166th YEAR NO. 49 CAPE MAY, N.J. Serving America's National Historic Landmark City WEDNESDAY, DECEMBER 9, 2020 \$1.00



Jack Fichter/CAPE MAY STAR AND WAVE

It's beginning to look a lot like Christmas in Cape May

The city's official Christmas tree shines brightly in Rotary Park. The tree-lighting ceremony, which provides the public with some old-fashioned holiday cheer with caroling and a visit from Santa Claus, was closed to the public this year due to the ongoing COVID-19 pandemic. But the bandstand has been open since Nov. 27 for folks to enjoy and pose for photos in front of the tree as in years past.

Cape May puts paper streets on ROSI list

By JACK FICHTER
Cape May Star and Wave

CAPE MAY — After 45 minutes of heated discussion, City Council voted 3-2 to approve vacating street ends and unimproved paper streets in the area of the Sewell Tract to preserve the land as open space. The lots will become part of the city's Recreation and Open Space Inventory (ROSI).

Mayor Chuck Lear, Deputy Mayor Patricia Hendricks and Councilman Shaine Meier voted for the ordinance, while Councilman Zack Mullock and Councilwoman Stacy Sheehan voted against it.

The Sewell Tract was purchased in 1951 by Thomas Brodesser and

Philip Robinson, who also developed Village Green in Cape May. In 1990, the land was conveyed to East Cape May Associates (ECMA), also owned by Brodesser and Robinson. They sought to develop much of the 96-acre tract.

The ECMA sued the state Department of Environmental Protection (DEP) when it denied ECMA development rights on the grounds the property was mostly wetlands.

As litigation has dragged on for decades, the DEP made an amelioration offer to allow East Cape May Associates to develop 20 to 25 acres of the Sewell Tract, much of which is believed to be wetlands.

During a virtual City

Council meeting Dec. 1, during public comment via email, resident Beth Davidson Hyde stated as an environmental professional, she supports the ordinance.

"I believe this action will show the state of New Jersey and NJDEP the city's commitment to open space and paves the way for healthy, resilient and sustainable Cape May," Davidson Hyde stated. "If we are also able to save the Sewell Tract from development, this will be the best gift our city leaders can give our children, grandchildren and future generations."

Cottagers Association of Cape May President Tom Lord stated in an email

that the group's board of directors supports the ordinance. He said any development of the Sewell Tract would violate environmental standards, degrade water quality, cause unmitigated loss of key wildlife habitat and dangerously reduce flood protection.

"By vacating certain street rights of way from Pittsburgh Avenue into the Sewell Tract as this ordinance proposes to do, it reinforces and enhances our desire to preserve the land east of Pittsburgh Avenue as undeveloped space," Lord stated.

Concerned Citizens of Sewell Tract Preserva-

Paper streets, Page A5

Engineer seeks more cash for park work

By JACK FICHTER
Cape May Star and Wave

CAPE MAY — With an expanded scope of work due to a more ambitious design of Soldiers and Sailors Park and a delay in receiving granite from a North Carolina company, the city's contracted engineering firm is seeking additional compensation.

The request received a cool reception from councilman and mayor-elect Zack Mullock during a virtual City Council meeting Dec. 1.

He said the initial contract for Mott MacDonald's services was \$101,000 but now the city is looking at an additional \$50,000 in charges.

"I will be voting 'no' on that if that comes up next week. That's a 50 percent increase in cost done

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Jack Fichter/CAPE MAY STAR AND WAVE

The scope of the engineering work at Soldiers and Sailors Park in Cape May has expanded and the city's contracted firm is requesting more money.

Mullock, others sought outside representation

Attorney charged nearly double for depositions over ECMA issue

By JACK FICHTER
Cape May Star and Wave

CAPE MAY — Current and former City Council members and city employees were ordered to provide depositions in anticipation of a trial in 2021 to settle litigation between developers East Cape May Associates (ECMA) and the state Department of Environmental Protection that began in 1992.

ECMA claims the DEP conducted a taking of its land in the Sewell Tract, claiming it was mostly wetlands and unsuitable for development.

During a virtual meeting Dec. 1, City Council approved a resolution authorizing payment of legal fees for deposition representation needed after ECMA subpoenaed 13 past and present employees and council members.

The resolution notes while the deponents were entitled to representation by city solicitor Frank Corrado at the city's expense, Councilman and mayor-elect Zack Mullock, Councilwoman Stacy Sheehan and former councilwoman Bea Pessagno chose to retain their own counsel, Vincent Sarubbi, who charged double what Corrado would have billed.

The resolution states Corrado would have charged the city a total of \$2,362 for the representation of the

three deponents, which represents 3.5 hours of preparation and deposition time, an hourly rate of \$225.

Corrado said all 13 past and present council members and city employees were entitled to be represented by him and 10 persons made that choice, while Mullock, Sheehan and Pessagno chose to hire outside counsel. Corrado said he billed the city \$2,750 for the 10 depositions, representing about 1.2 hours in preparation and deposition time, or \$275 for each person.

Corrado said while Mullock, Sheehan and Pessagno had the right to pick independent counsel, the city is obligated to reimburse them only the amount they would have been reimbursed if they were represented by the city solicitor. While Corrado billed for 1.2 hours per person, Sarubbi billed for 3.5 hours per person at \$400 per hour, which would have cost the city \$15,000, Corrado said.

"When I talked to him and told him my rate was \$225 per hour, he agreed to accept \$225 an hour, which would have been a reimbursement of \$8,437," Corrado said. "He spent 37.5 hours preparing those three council members for their depositions, which averaged out to 12.5 hours

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West Cape woman honored for saving teen girl in canal

By CRAIG D. SCHENCK
Cape May Star and Wave

CAPE MAY — Sea Tow Services International recently honored Dotte Moran, office manager of Sea Tow Cape May, for saving a teen girl's life on the water earlier this year.

The Life Saving Award was presented to Moran during Sea Tow's annual meeting, which was held virtually this year due to COVID-19. Moran received the award for actions she took in July to save a teenager in the Cape May Canal.

"It was amazing, I never expected any of that," Moran said. "I got a beautiful plaque, a beautiful booklet and a pin. It's very nice, they really did a nice job."

According to a news release from the organization, Mary, a 13-year-old girl from Cape May, had tears running down her face as she pleaded for help while clinging for her life to the wooden frame of an old railroad bridge that crosses the canal. Seconds

earlier, with the idea of cooling off in the water, she had jumped from the old bridge about 18 to 20 feet above.

It's a day the West Cape May resident will never forget. She saw Mary jump from the bridge and when their eyes locked a few seconds later, she knew that both their lives were about to be changed forever.

"It was kind of scary. She could have let go of that bridge she was holding onto and the current was really moving there. She would have been in worse trouble," said Moran, who has worked for Sea Tow Cape May for 10 years.

The 71-year-old said she has had no further contact with the girl.

"She promised she was going directly home and she was fine," Moran said.

That Wednesday in mid-July started as an ordinary day off work for Moran. She and her husband,

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