

Cape May bonds for study of seawall improvements

By JACK FICHTER
Cape May Star and Wave

CAPE MAY — City Council approved a \$475,000 bond ordinance Feb. 17 to fund a feasibility study of raising the height of the seawall along Beach Avenue from Madison Avenue to Wilmington Avenue and extending it around the corner to New Jersey Avenue. The ordinance appropriates

\$500,000 and bonds an additional \$475,000.

"The basic purpose of this ordinance is to create a funding stream for a partnership agreement between the city of Cape May, the Army Corps of Engineers, New Jersey DEP (Department of Environmental Protection) and the county of Cape May," Mayor Edward Mahaney said. He said the ordinance would

help fund a full feasibility study of the seawall on the east side of the city, particularly the 4,800 linear feet from Madison Avenue to Wilmington Avenue and around the corner on Wilmington Avenue to New Jersey Avenue.

The study will determine what methods of hazard mitigation can be implemented to protect the city from flooding in future storms.

"That area has always been our Achilles' heel in major flooding and is the area in which 25 percent of our repetitive loss properties are located," Mahaney said.

He said the first \$100,000 of the cost of the feasibility study would be underwritten by the U.S. Army Corps of Engineers, with the costs noted above paid for by the city.

A second project on Dela-

ware Avenue between Pittsburgh Avenue and the Corinthian Yacht Club is referenced in the ordinance. Mahaney said the roadway in that area has been undermined by erosion on the beach.

"The purpose is to stabilize that roadway with rip rap and to create a living shore line in the second phase," he said.

The partnership on the second phase includes the city,

the Army Corps, DEP and the county. Mahaney said the county has agreed to be the local sponsor for the construction.

"This is a wonderful opportunity. The city of Cape May has been trying to do this for over 20 years to get these two vulnerable spots on our oceanfront and harbor front addressed for future generations," he said.

Cape May workers tackle tons of snow, broken water pipes

By JACK FICHTER
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CAPE MAY — City Manager Bruce MacLeod thanked the city's Public Works and Water/Sewer departments for their diligent work during the Feb. 16-17 snowstorm.

He said plowing started at

about 11 p.m. Feb. 16 with four vehicles on the street, which increased to seven vehicles by 1 a.m. Feb. 17. MacLeod said part of that action was to make sure the city's police and fire departments were clear of snow.

At about 5 a.m., ground crews began shoveling side-

walks and using snow blowers to clear walkways.

"We have about 22 miles of streets in the city, and I think they did a nice job making sure people were able to move around the city and get to where they needed to go," MacLeod said.

Mayor Edward Mahaney

complimented members of the water/sewer, police and fire departments, who during the past weeks have gone out on calls of water leaks in adverse weather conditions.

"Unfortunately over 55 percent of properties in this city are owned by secondary homeowners who are not here,"

he said.

Mahaney said the extreme cold, coupled with the fact that some homeowners do not winterize and others leave their heat on but not at a sufficient temperature, as well as a lack of someone to check on the house when bitter cold weather arrives, has caused a

number of pipes to burst.

He said the city had 100 cold-related water leaks last year. Mahaney thanked the city workers that went to homes and turned off the water.

"You can have severe damage from the water to say nothing of the fires it could start," Mahaney said.

Cape May fisherman surrenders on charges of shooting pilot whales

NEWARK — A Cape May man surrendered to U.S. Marshals on Feb. 19 for shooting at pilot whales off the New Jersey coast, U.S. Attorney Paul J. Fishman said.

Daniel Archibald, 27, is charged with one count of violating the Marine Mammal Protection Act.

He appeared in Federal Court in Newark before U.S. Magistrate Judge James B. Clark III. He later was released on \$10,000 unsecured bond with travel restricted to the United States, except for fishing in international waters. He is required to surrender all firearms and firearms purchaser identification cards and is prohibited from using or possessing a firearm on land or sea.

According to the complaint, Archibald, a tuna fisherman, allegedly shot at pilot whales while aboard the fishing vessel Capt. Bob. Pilot whales are protected under the Marine Mammal Protection Act of

1972, a statute that prohibits the hunting, killing, capture or harassment of any marine mammal. Harassment under the statute includes any act of pursuit, torment or annoyance that has the potential to injure a marine mammal in the wild.

On Sept. 24, 2011, an 11-foot, 740-pound pilot whale beached itself in Allenhurst and died shortly thereafter. A necropsy uncovered a .30-caliber bullet lodged in the whale's jaw. The bullet wound triggered an extensive infection that caused the whale to starve to death a month later.

Review of the Capt. Bob's vessel monitoring system confirmed that it was in New Jersey fishing waters for much of August 2011, the approximate time that the whale was shot. Also, nearly a month before the pilot whale washed ashore, Archibald posted a Facebook photograph of a tuna head on a hook with the caption "thanks a lot pilot whales."

Special agents eventually searched the Capt. Bob and found a Mosin-Nagant, a World War II rifle that has not been manufactured in several decades. Forensic analysis revealed that the bullet found in the whale was similar in all general rifling characteristics to test bullets fired from Archibald's rifle. When interviewed by special agents, Archibald admitted that he had "spray[ed]" bullets at pilot whales in an effort to chase them away.

The violation charged carries a maximum penalty of one year in prison and a statutory maximum fine of \$100,000, or twice the gross gain or loss resulting from the offense.

Fishman credited special agents of the National Oceanic and Atmospheric Administration, Office of Law Enforcement, under the direction of Special Agent in Charge Jeffrey Ray, with the investigation leading to the charges.



Marine Mammal Stranding Center photo

Daniel Archibald, 27, of Cape May, faces charges of shooting protected pilot whales with a World War II-era Mosin-Nagant rifle. This 11-foot, 740-pound pilot whale beached itself in Allenhurst and was found to have a .30-caliber bullet lodged in its jaw.

Inderwies wants funds back in Fire Department budget

Continued from Page A1

to retirements.

Deputy Mayor Terri Swain said she supports the work of the Fire Department but that the city has made extensive per-

sonnel cuts in various departments over the last six years.

"Dollars and cents are important, but lives are more important," Inderwies replied. "We don't want to see someone lose their life because we can't

provide a service."

He said City Council has a responsibility to the public. When they call the Fire Department in an emergency, a vehicle must arrive with the personnel to do the job.

Inderwies said as former fire chief, he has asked council for the past five to six years for more personnel. The firefighter's union has requested more personnel on shifts, he said.

Swain questioned whether any emergency calls went unanswered.

"There were calls where minimal manpower showed up," Inderwies said. "There

were calls where we had to use mutual aid, especially on the EMS side."

"I'm going to stick to it until it's fixed," he continued. "I'm going to be unrelenting when it comes to public safety."

Councilwoman Bea Pesagno said it was not a matter of council not addressing the personnel issues. She said council should study the issue to see what is needed, "not use just a quick Band-Aid fix" by filling one position in the Fire Department.

Councilman Shaine Maier said he would be happy to work with Inderwies and MacLeod on the staffing issue.

Mayor Edward Mahaney said he suggested at the Feb. 3 meeting that an impartial study be conducted of the fire and police departments and beach patrol. He said the city should look ahead to how it can meet the needs of the Fire Department, not just in personnel but also with equipment and facilities.

During public comment, business owner John Fleming asked MacLeod what the city could do to attract more volunteer firefighters. MacLeod said there was a small financial incentive through the LOSAP (Length of Service Awards Program), which recognizes individuals that participate at a level that demonstrates regular participation.

"The matter of the dwindling numbers within the present Cape May Volunteer Fire Department is a fact," MacLeod said. "If you were to look back several years ago, you'd find 30 or 40 members. Presently they're below 20."

He said several of the 18 to 20 volunteers are reaching an age at which they would not actively participate in fighting a fire. MacLeod said there are probably 10 or fewer volunteers that would have the ability to perform firefighting duties.

"We do get some younger individuals that apply and are engaged as new members in the department," he said. "Some of those individuals, through the course of time, actually become part of our paid fire department after they have gone through a certain level of training."

Inderwies said the department was hindered in finding volunteers due to the high property values in Cape May, which he said keep younger people and families from buying a home here. He said a majority of the city's firefighters did not live in Cape May.

Inderwies thanked the mayor for inserting \$84,000 of surplus funds in the budget for a tax reduction but called for using more surplus funds. He said the city could apply \$164,000 to the 2015 budget,

decreasing the proposed tax increase to eight-tenths of a cent, instead of keeping \$1.4 million of surplus, the same amount as last year.

A public hearing on the budget during City Council's March 24 meeting will allow audience members to ask questions of council and the city administration.

City auditor Leon Costello said council has the option of approving the budget in its current form, amending the budget and approving it or doing nothing until the next meeting.

The city self examines its budget two out of every three years, meaning the state does not look at this year's budget before council approves it, he said.

Positive votes from three council members are needed to approve the budget, Costello said.

He said until council's final approval, the budget is still open for change.

Mahaney said if significant changes were made to the budget at the March 24 public hearing, the city would need to advertise for another hearing two weeks later to hear testimony on the changes.

He said copies of the budget are available for examination in the City Clerk's Office, Cape May City Library and on the city's website.

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