

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
FEBRUARY 28, 2018**

The Work Session of the Board of Commissioners of the Borough of West Cape May was called to order by Mayor Sabo at 7:00pm. The Open Public Meetings Statement was read by Mayor Sabo who then led those present in the flag salute. Mayor Carol Sabo, Deputy Mayor Burke and Commissioner Francis answered roll call. Also in attendance: Municipal Clerk Suzanne Schumann, Solicitor Chris Gillin-Schwartz and Police Chief Anthony Marino.

WORK SESSION - OLD BUSINESS:

NFIP Community Rating System:

Nothing new to report.

Verizon Wireless Proposal:

Solicitor Gillin-Schwartz spoke with Cape May Point Solicitor Brock Russell who indicated that Cape May Point has retained Ed Purcell, Esquire for the purpose of preparing an Ordinance to provide restrictions on the installation of nodes. Mr. Russell will provide Solicitor Gillin-Schwartz with a copy of the Ordinance once it is prepared.

Review of Properties with Municipal Liens:

Solicitor Gillin-Schwartz spoke with the Attorney for the Third Avenue property and has indicated that their client is making slow progress with providing the necessary documentation to the title company.

Dark Skies - Downward Facing Lights:

Nothing new to report.

Water Quality Accountability:

Nothing new to report.

PRC Liquor License:

Interested parties have been invited to the March 14th meeting to discuss the PRC Liquor License.

Microbreweries and Distilleries:

Mayor Sabo briefed the Board of Commissioners on the conversation which was held at the PZB meeting, in which it was determined that such establishment would be required to apply for a Use Variance through the PZB. Mayor Sabo asked Solicitor Gillin-Schwartz to look at Ordinances from neighboring towns so that the Borough can establish regulations for such an establishment.

Protection of Borough Owned Property:

Clerk Schumann obtained a list of Borough Owned properties from the Tax Assessor and provided same to Commissioner Francis. Commissioner Francis will be discussing this topic with the Environmental Commission.

Reconstruction of Borough Parking Lot and Lighting:

Nothing new to report.

Hardship Request – Street Opening for 710 Maple Avenue:

Clerk Schumann gave a background of this request, as it was previously denied by the Board of Commissioners in late 2017. South Jersey Gas Company resubmitted an application to open the street outside the pavement area, but upon an extensive review, it was determined that this procedure process would not be possible. Marcello Mogavero, the property owner, advised that the house was constructed with natural gas appliances and indicated that the street, although under a moratorium, had been previously cut on two separate occasions, and provided photos to show the current appearance of the street. The Board of Commissioners agreed to grant this hardship request, as they believed the property owner attempted to explore other connection options, to no avail. Clerk Schumann indicated that the Resolution would be verbally added to the agenda and a permit would be issued by the Clerk's Office to South Jersey Gas Company, after review by Engineer Roberts.

WORK SESSION - NEW BUSINESS:

Boat/Trailer Storage on Residential Property:

Solicitor Gillin-Schwartz indicated that if there is a safety issue with boat storage, it can be enforced by the nuisance ordinance. Deputy Mayor Burke spoke of a property in which a neighbor expressed concerns about a "house boat" being placed up on blocks for storage and maintenance and the neighboring resident is concerned that the wind could move this boat and cause damage. Deputy Mayor Burke suggested adding to the Borough's Ordinance to include a setback or restrictions for storing boats on property. Chief Marino indicated that the City of Cape May only enforces boats which are kept on the street, not on the property. Mayor Sabo indicated that she does not want to over regulate. Solicitor Gillin-Schwartz suggested adding minimal language to allow for enforcement by Code Enforcement.

Coast Guard Community Festival – Lunch Contribution:

Mayor Sabo spoke of this great event which brings communities together and expressed that she would like to continue the Borough's support for this event. Deputy Mayor Burke asked which budget line this would be charged to and Clerk Schumann indicated that she would confirm that information from the Finance Office. The Board of Commissioners agreed to continue the support and donate the requested \$350 for the lunch contribution for the festival.

Purchase of Portable Radar Sign:

Mayor Sabo discussed the need for a portable radar sign to help with traffic calming throughout the Borough. Chief Marino spoke of the radar sign which was purchased by the City of Cape May which provides an informal traffic study which helps with the enforcement by street patrol in the City of Cape May. Chief Marino also spoke about the design of a ghost car to use for traffic calming and traffic stops. Commissioner Francis spoke of organic traffic calming on Sixth Avenue by property owners who park cars on both sides of the street which then make drivers slow down to pass through the area. Chief Marino will provide information to Clerk Schumann for the company and product which was purchased and believes it would be beneficial to purchase from the same company. Mayor Sabo indicated that she would like to move forward with this purchase.

REVIEW OF REGULAR MEETING: Mayor Sabo reviewed the Consent Agenda and Non-Consent agenda items.

Solicitor Gillin-Schwartz discussed Ordinance 533-18, which clarifies the notice requirements and miscellaneous requirements for HPC applications, including demolition in this district.

Clerk Schumann indicated that Ordinance 534-18 would be introduced as amended, expressing that the administrative fee which is being established will be Fifty (\$50.00) Dollars.

PUBLIC PORTION:

There was no public comment during the Work Session portion of the meeting.

REGULAR MEETING:

CONSENT AGENDA: On motion of Deputy Mayor Burke, seconded by Commissioner Francis, the following Consent Agenda was unanimously approved on roll call vote.

Minutes:

February 14, 2018 – Work Session and Regular Meeting

Ordinances for Introduction and Publication:

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| 533-18 | An Ordinance Amending Section 27-19 of the Borough Code Regarding Historic Preservation |
| 534-18 | An Ordinance Amending Section 20 of the Borough Code Regarding Sewers |

Resolutions:

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| 62-18 | Shared Services Agreement between West Cape May, Cape May and Cape May Point for the Cape Island Joint Rabies Clinic |
| 63-18 | Appointing a Contact Person for the Employment Practices Liability Attorney Consultation Service – ACMJIF |
| 64-18 | Adopting a Minimum Security Response Plan for Cybersecurity Incidents |
| 65-18 | Adopting an Information Technology Practice Policy |
| 66-18 | Amending the Employee Policy and Procedures Manual of the Borough of West Cape May |
| 67-18 | Refund of Property Tax Overpayment; 116 Third Avenue, Block 35, Lot 6 |
| 68-18 | Authorizing the Retention of Daniel J. Young, Esquire as Conflict Counsel for the Borough |
| 69-18 | Bill Payment |
| 70-18 | Authorizing Hardship Condition Road Opening Permit – South Jersey Gas Company – 710 Maple Avenue; Block 21, Lot 30 |

NON-CONSENT AGENDA

Resolutions:

NONE

Ordinances for Second Reading and Public Hearing:

532-18 An Ordinance Repealing Sections 4-3 of Chapter IV of the Revised General Ordinances of the Borough of West Cape May
Mayor Sabo opened the public hearing. When no one wished to speak, the public hearing was closed and Commissioner Francis made a motion, seconded by Deputy Mayor Burke, to adopt Ordinance 532-18. The motion was carried unanimously on roll call vote.

COMMISSIONER REPORTS

Deputy Mayor Burke attended a Press Conference and Rally on Monday, February 26th at the Ocean City Music Pier in Opposition of Offshore Drilling. The bi-partisan event was well represented and attended with representatives from Cape May County and Atlantic County. Deputy Mayor Burke indicated that there is deadline of March 9th for comments.

Commissioner Francis spoke of a resident concern with the fee for dog licenses. Commissioner Francis discussed the reasoning for the fees and the annual fees which are paid to the Cape May County Animal Shelter by the Borough, to provide free rabies clinics and vaccinations.

Mayor Sabo expressed the need for community support to maintain a safe community, and thanked all public safety workers for their efforts.

PUBLIC PORTION

When no one wished to speak, the meeting was adjourned at 8:00pm on motion of Commissioner Francis, seconded by Deputy Mayor Burke.

Respectfully submitted,

Suzanne M. Schumann, RMC
Municipal Clerk