

**MINUTES OF BOARD OF COMMISSIONERS  
WORK SESSION AND REGULAR MEETING  
JUNE 26, 2019**

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, Engineer Ray Roberts and Police Chief Tony Marino.

**WORK SESSION**

**OLD BUSINESS**

Protection of Borough Owned Property:

Nothing new to report.

Reconstruction of West Drive/2019 Capital Improvement Projects:

Engineer Roberts indicated that the Borough would be responsible for an additional \$188,000 for the West Drive project, after the \$240,000 grant is utilized. Clerk Schumann stated that these funds are not available in the 2018 Capital Bond, but would be included in the 2019 Capital Bond which is scheduled to be introduced in July. Mayor Sabo stated that the 2019 Bond Ordinance for Capital Improvement Projects will also include maintenance to Borough Hall, including but not limited to the roof replacement, solar panel upgrades and air conditioning upgrades, together with various street improvements.

Grant Opportunity – NJDOT FY2020 State Aid Program:

The Commissioners discussed whether to move forward with Oak Avenue or Third Avenue as the project to be designated for this grant application. Clerk Schumann reviewed correspondence received from residents on Oak Avenue relative to the proposed improvements to that street. Deputy Mayor Burke stated that he believes that Oak and Fourth Avenue should be a combined project and suggested moving forward with Third Avenue for the grant application, as there are some outstanding concerns from Oak Avenue residents. The Commissioners agreed and Mr. Roberts was instructed to prepare the grant application for improvements to Third Avenue. Clerk Schumann stated that Oak Avenue and Fourth Avenue would be included in the Borough's 2019 Bond Ordinance.

Safe Routes to School Project:

Engineer Roberts reviewed the discussions which took place at the June 26<sup>th</sup> "kick off meeting" which outlined the following:

- Confirmed that the grant is federally funded and construction costs will be reimbursable to the Borough.
- The eligibility paperwork can take several months, but the grant is approved.

- Greg Basile will be the “responsible charge” individual for the project and will need to complete classes for designation.
- RFQ required for Project Consultant/Inspector.
- RVE will be Project Designer and liaison between Consultant and Borough.

Parking on Congress Street:

Engineer Roberts indicated that Deputy Mayor Burke researched Right of Way information for Congress Street and indicated that the street is not centered with the Right of Way, which leaves little to no room for widening or improvements, unless done on the restaurant side of the street. Engineer Roberts further indicated that a retaining wall would have to be installed with street improvements which would not make the project cost effective. The Commissioners agreed to not move forward with any street improvements to Congress Street.

**NEW BUSINESS:**

Request for 4-Way Stop (Pacific and Third Avenues):

Engineer Roberts provided comments relative to a resident’s request for a 4-way stop at the intersection of Pacific and Third Avenues. Mr. Roberts indicated that in order to provide a professional recommendation, a traffic study would need to be completed in the area to monitor number of vehicles, speed of vehicles, and the number of pedestrians and cyclists. Mr. Roberts explained that stop signs are not adequate protection for pedestrians and that concern would potentially be addressed with adding sidewalks and curbing in the area with a designated bike lane. Engineer Roberts further suggested widening the roadway to include a designated bike lane with additional signage. Mayor Sabo indicated that cyclist traffic may increase, as the goal is to get cyclists to use streets other than Broadway. Mayor Sabo further expressed concern with adding sidewalks and curbing to a rural area.

Bud McDonough, 135 Third Avenue, attended the meeting and was the resident who submitted this request for discussion. Mr. McDonough agrees that sidewalks would not be appealing in the area and is concerned that people are using Pacific Avenue to avoid traffic around Sunset Boulevard. There has not been an increased amount of cyclists, but has seen an increased amount of vehicle traffic and speed in the area. Mr. McDonough understands the expense involved with a traffic study and believes the expense outweighs the safety concerns and believes the area would be safer with a 4-way stop.

Commissioner Francis asked if there were certain times that seemed busier than others and Mr. McDonough indicated that mid-day between 11am-3pm seems to be the worst. Commissioner Francis suggested that there be added police enforcement in this area during those times. Mayor Sabo stated that our speed sign which collects traffic data could be placed on Pacific Avenue to monitor traffic in the area. Mr. McDonough suggested some additional signage for children playing in the area. Deputy Mayor Burke mentioned that the County is working on a study to reduce the speed on Broadway and possibly Fourth Avenue as well.

**PUBLIC PORTION:**

Chief Marino provided the Commissioners with an update on the Broadway fatal accident from May. It was mentioned that the NJ Transit bus driver was not at fault for the accident and that there are no charges pending. Chief Marino stated that there was no excess speed involved and it was simply an unavoidable accident. The Cape May Police Department together with the Cape May County Prosecutors Office will be preparing a Press Release for distribution in the near future.

Chief Marino also spoke about the new “Crime Watch” app which is available for download.

Chief Marino also indicated that summer police recruits graduate Thursday, June 27<sup>th</sup> at 4:00pm at Cape May Convention Hall.

The Work Session concluded at 8:00pm.

**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:

June 12, 2019 Work Session and Regular Meeting

Ordinances for Introduction and Publication:

566-19 An Ordinance Amending Section 30 of the Borough Code Regarding Trees  
*Solicitor Gillin-Schwartz indicated that the exact language from the Statute relative to exemptions was added to the Ordinance.*

567-19 **\*\*TABLED\*\*** An Ordinance Amending Section 27 of the Borough Code Regarding Demolition in the Historic Preservation District  
*Solicitor Gillin-Schwartz stated that the revisions to this Ordinance would make it compliant with the Municipal Land Use Law and would mirror the State Statute; however, there could be arguments made to extend the time. Solicitor Gillin-Schwartz stated that he spoke to the Solicitor for the City of Cape May who indicated that the City's Ordinance mirrors West Cape May's current Ordinance and there are no expectations to amend same at this time. Solicitor Gillin-Schwartz stated that the Commissioners could leave the Ordinance provisions as is, and continue to review on a case-by-case basis. Solicitor Gillin-Schwartz did state that he suggests moving forward with amending language relative to the fair market value and the Commissioners agreed. This Ordinance was tabled and will be introduced at the next meeting.*

Resolutions:

- 113-19 Refund of Duplicate Payment of Mercantile License – Nancy O’Hara
- 114-19 Release of Unexpended Escrow Fees – Lawrence A. Pray
- 115-19 Release of Unexpended Escrow Fees – South Jersey Gas
- 116-19 Authorizing Professional Services Agreement with Remington Vernick Engineers for FY2020 NJDOT State Aid Program Grant Application
- 117-19 Amending Resolution 107-19 – Catering Permit – Chamberlain Hospitality Group (Sunday Backyard BBQ at Beach Plum Farm)
- 118-19 Approving Catering Permit – Chamberlain Hospitality Group, Inc.
- 119-19 Bill Payment

**NON-CONSENT AGENDA**

Ordinances for Second Reading and Public Hearing:

NONE

Resolutions:

NONE

**COMMISSIONER REPORTS**

Commissioner Francis mentioned that the Environmental Commission will be hosting another e-waste event in the fall, tentatively scheduled for September 21, 2019.

Deputy Mayor Burke indicated that the American Red Cross Blood Drive is scheduled for July 25, 2019 from 12pm-5pm at Borough Hall. Deputy Mayor Burke stated that there is a shortage of reserves with the American Red Cross and all donations are appreciated.

Mayor Sabo mentioned that the first Farmer’s Market of the season is on June 25<sup>th</sup>.

**PUBLIC PORTION**

NONE

The meeting was adjourned at 8:17pm on motion of Deputy Mayor Burke, seconded by Commissioner Francis.

Respectfully submitted,

Suzanne M. Schumann, RMC  
Municipal Clerk