

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
SEPTEMBER 26, 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, Deputy Clerk Theresa Enteado and Solicitor Chris Gillin-Schwartz.

WORK SESSION

OLD BUSINESS:

NFIP Community Rating System:

Mayor Sabo indicated the flood insurance seminar took place on September 24th and there were about six residents who attended. This seminar was a required step for the program.

Protection of Borough Owned Property:

Nothing new to report

Update on Liquor License Sale:

Solicitor Gillin-Schwartz indicated that tonight's agenda includes a resolution to approve the highest bidder, with an option of an October or November date to allow the bidder time to complete a business plan. Mayor Sabo believes that it would make sense to allow extra time. Solicitor Gillin-Schwartz indicated that the bid checks for the two highest bidders will be held, unless one of the bidders withdraws their bid.

NEW BUSINESS:

Review of Ordinance 544-18:

Solicitor Gillin-Schwartz reviewed the changes in this Ordinance to add "Code Enforcement Officer" as well as cleaning up the historic structure language.

Short Term Rental Taxes:

Solicitor Gillin-Schwartz mentioned the hotel/motel tax in Cape May and indicated that the State has made changes which now affect rentals from sites such as VRBO, Air B&B, etc. Deputy Mayor Burke referenced the UEZ in Wildwood who receives a portion of the tax collected and expressed concerns with taxes imposed on local Bed and Breakfast businesses. Deputy Mayor Burke suggested adopting an Ordinance to allow a portion of the tax to be retained by the Borough. Chief Marino mentioned the SU-13 Tax Topic Bulletin from the Department of Taxation. Solicitor Gillin-Schwartz indicated more information is needed from the City of Cape May for further discussion.

Regulations on Trailers and Dumpsters:

Zoning Officer Norm Roach indicated that the Borough does not currently have regulations in the Code relative to dumpsters. Mr. Roach suggested a permit and fee for dumpsters which are placed on the street. Mr. Roach will look into the permitting process and fees obtained by other municipalities for further discussion.

Mr. Roach further indicated that the Borough Code should be amended to provide clarification on trailers, such as construction and landscaping trailers. Mr. Roach suggested a permit fee for weekly or monthly storage on the streets. Solicitor Gillin-Schwartz can make the code clear for regulation purposes. Chief Marino indicated that trailers are not typically a public safety issue and that the Police Department is not responsible for issuing permits. Deputy Mayor Burke

questioned a trailer parked in front of the trailer owner's property. Solicitor Gillin-Schwartz and Mr. Roach were asked to meet and discuss proposed changes to this Ordinance.

Norm Roach requested requiring a zoning permit for roofing and siding and an administrative fee of \$35.00 was suggested.

PUBLIC PORTION:

Chief Marino indicated that some overgrown trees were handled by the CMPD as they were obstructing vehicle views in the area of Leaming Avenue.

The Work Session concluded at 7:52pm.

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:

September 12, 2018 – Work Session and Regular Meeting

Ordinances for Introduction and Publication:

554-18 An Ordinance Amending Section 10 of the Borough Code Regarding the Requirements for Demolition

Resolutions:

- 162-18 Authorize Refund of Special Event Fee to Cape May New Jersey State Film Festival
- 163-18 Authorize Special Event Permits to Cape May New Jersey State Film Festival
- 164-18 Release of Unexpended Escrow Fees – MECA Investments LLC
- 165-18 Refund of Property Tax Overpayment – 136 Pearl Street; Block 5, Lot 12
- 166-18 Refund of Property Tax Overpayment – 306 Park Boulevard; Block 6, Lot 8
- 167-18 Authorizing Acceptance of Highest Qualified Bid for One New Plenary Retail Consumption License for the Sale of Alcoholic Beverages in the Borough of West Cape May and the Terms of Issuance
- 168-18 Amending the Employee Policy and Procedures Manual of the Borough of West Cape May
- 169-18 Approving Social Affairs Permit – Cape May Forum at Chautauqua at the Shore
- 170-18 Bill Payment

NON-CONSENT AGENDA

Ordinances for Second Reading and Public Hearing:

552-18 An Ordinance Amending Section 7 of the Borough Code Regarding Traffic and Routes for Trucks and Commercial Vehicles

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 552-18. The motion was carried unanimously on roll call vote.

Resolutions:

NONE

COMMISSIONER REPORTS

Commissioner Francis attended a Marijuana Symposium hosted by Cape Assist on Tuesday, September 25th. Commissioner Francis indicated that the event was well attended by local government officials who are mostly against the legalization of marijuana.

Deputy Mayor Burke indicated that the Shade Tree Commission is seeking streetscape properties to plant trees. Deputy Mayor Burke also mentioned the Shade Tree Federation Conference in October which two volunteers from the Shade Tree Commission are attending.

Mayor Sabo thanked the community's first responders. Mayor Sabo was made aware of a situation in which Fire Chief McPherson assisted a distraught individual who jumped from the bridge. Mayor Sabo expressed her thankfulness for responders to help individuals in need.

PUBLIC PORTION

Nick Sparozic, 396 Myrtle Avenue, expressed traffic concerns on Myrtle Avenue, which is being used as a thru-street and people driving the wrong way on the street. Mr. Sparozic asked if there could be marks painted on the street. Mr. Sparozic also suggested a sign by the townhomes to indicate "No Left Turn".

Harry Schmidt, 398 Myrtle Avenue, echoed the comments of Mr. Sparozic and mentioned the signs which are unable to be seen due to overgrown greenery. Mr. Schmidt previously spoke to the Public Works Manager who suggested he come to the meeting to express the concerns. Mr. Schmidt also asked who should be contacted at the Shade Tree Commission for tree planting. Deputy Mayor Burke indicated that he will speak with the Public Works Department relative to these concerns and will provide contact information for the Shade Tree Commission.

When no one further wished to speak, the meeting was adjourned at 8:20pm on motion by Commissioner Francis, seconded by Deputy Mayor Burke.

Respectfully submitted,

Suzanne M. Schumann, RMC
Municipal Clerk