

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
MAY 14, 2014**

The Work Session of the Board of Commissioners of the Borough of West Cape May was called to order by Mayor Kaithern at 7:00 PM. The Open Public Meetings Statement was read by Mayor Kaithern who then led those present in the flag salute. Mayor Pamela Kaithern, Deputy Mayor Peter Burke, and Commissioner Carol Sabo answered roll call. Also in attendance: Clerk Elaine Wallace, Deputy Clerk Dianne Rutherford, and Solicitor Frank Corrado.

WORK SESSION

ENGINEER'S REPORT: Ray Roberts reviewed the monthly report for May. The Borough was awarded the NJDOT Grant in the amount of \$172,000 for the reconstruction of State Street. Mr. Roberts also gave a special report on the drainage of Stewart and Landis Avenue, which were part of the most recent USDA grant project. The main cause of puddling on those streets occurs because the grade is only .2%, which cannot be changed easily, not because the new work is unsatisfactory. Mr. Roberts explained the only thing that can be corrected is a high point needs to be corrected to allow proper flow at the corner, and proper sealing will be done.

OLD BUSINESS:

NFIP Community Rating System: Still waiting for letter from FEMA and/or DEP.

Local Equipment Sharing: Solicitor Corrado will have something for the board at the next meeting.

Energy Aggregation: Nothing new at this time.

Construction Noise Ordinance: The Board discussed the noise ordinance and whether they wished to allow contractors to work on Saturday. They also discussed how the current noise ordinance compares to the State model and whether it is enforceable. Solicitor Corrado suggested the Borough change its noise ordinance to mirror the state ordinance and then see if there are specific areas they feel need to be tailored to the Borough. There was also discussion of whether the Borough should have a certified noise control officer and, if so, who it should be.

Trash Contract: Solicitor Corrado believes the matter has been resolved. Blue Diamond has agreed to indemnify through the end of the contract. A resolution to approve novation agreement can be done at the next meeting.

Land Acquisitions: Pauline Levy will be signing her deed the following day and Mr. Corrado will file it with the County. There is an outstanding lien on the Elizabeth Allison Smith property, so that hasn't been resolved yet. Mr. Corrado is waiting to hear whether the lienholder is willing to forgive the lien.

Triad Agreement for Next USDA phase: Mr. Corrado said the agreement looks fine, except language should be changed to make it clear the amount is not to exceed \$20,000.

NEW BUSINESS:

Trash Receptacle Time Constraints: The Borough has received complaints about people putting out their trash too early, particularly people who are only here for the weekend who leave trash containers out all week. Mayor Kaithern suggested putting out a flier to residents making them aware of trash day and hope that can help resolve the problem.

Bulk Trash Pick Up: A request was made to the Borough that it collect bulk trash every week. That would be cost prohibitive for the Borough, but Mayor Kaithern is looking into having quarterly bulk pick up instead of the just May and October.

Mayor Kaithern reviewed the consent agenda items. The work session concluded at 8:24 PM and regular portion convened at 8:30 PM.

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

Minutes: April 23, 2014 Work Session and Regular Meeting
April 23, 2014 Closed Session

Ordinances for Introduction and Publication: None

Resolutions:

- 75-14 Expressing Support to Increase the Funding for New Jersey Dedicated Shore Protection Fund
- 76-14 Raffle License to Cape May Technical School After Prom
- 77-14 Canceling Check of the Municipal Court
- 78-14 Scheduling of Closed Session – Potential Litigation: Water Loss; Pending Litigation: Willow Creek
- 79-14 Amending the Historic Preservation Survey Provided by the West Cape May History Committee and Adopted by the Historic Preservation Commission and the West Cape May Board of Commissioners
- 80-14 Bill Payment

NON-CONSENT AGENDA:

ORDINANCES FOR SECOND READING AND PUBLIC HEARING: None

COMMISSIONERS REPORTS:

Commissioner Sabo reported there will be a rain barrel seminar on Saturday, May 24th beginning at 11 am at Borough Hall.

Deputy Mayor Burke announced the Shade Tree Commission will receive a \$3,000 grant to offset the cost of having the 5 year plan produced. He thanked the Shade Tree Commission members and Borough employees who worked on the project.

Mayor Kaithern had no report.

PUBLIC PORTION: No comments.

When no one else wished to speak the meeting was recessed into closed session at 8:34 PM and reconvened at 8:54 PM on motion of Deputy Mayor Burke, seconded Commissioner Sabo.

There being no further business, the meeting was adjourned at 8:55 PM on motion of Commissioner Sabo, seconded by Deputy Mayor Burke.

Respectfully submitted,

Elaine L. Wallace, RMC
Borough Clerk