

**MINUTES OF BOARD OF COMMISSIONERS  
WORK SESSION AND REGULAR MEETING  
APRIL 22, 2015**

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: Borough Clerk Elaine Wallace, Deputy Clerk Dianne Rutherford, and Solicitor Frank Corrado.

**WORK SESSION  
OLD BUSINESS**

Animal Control Matters, including skunks and dogs: Pam Jessie of Shore Animal Control joined the board to discuss issue of concern, particularly skunks. Ms. Jessie explained the issue with skunks is more educational than anything else. They are considered a wildlife nuisance and typically they don't stay in one place too long. When they are in living spaces, that is when animal control can step in and help remove them from the property. When they are removed, State statute governs how far away they can be relocated due to rabies control. The Borough is experiencing more problems than normal this year and Ms. Jessie attributed it, in part, to the Parkway construction which has caused large areas of disturbance, forcing animals to move into other areas. Ms. Jessie explained that skunks will give warning by charging, stomping their feet and raising their tails. If the warning is not heeded, then they will spray. Skunks are looking for food and shelter so eliminating opportunities to find them is a good way to keep skunks at bay. Lastly, she explained that if a skunk is deemed a nuisance, it can be put down humanely at the Borough's expense if it so chooses. If it attacks or acts strangely, then animal control will put it down at their expense because there's a rabies concern. However, she explained that just being out during the day does not mean a skunk or raccoon is rabid, but people think they are because they are normally nocturnal animals. The next topic discussed was dogs being kept outside, particularly in severe weather. The topic of enforcement was discussed and Solicitor Corrado advised animal control can write summonses during business hours because they have to go to the court to do so. Animal Control can write summonses on local ordinances, which includes a section on the proper care of animals outside, and on portions of NJ title 4. If there is a problem or concern, people can either call the police, the clerk's office or Shore Animal Control directly if they need assistance. Pam Jessie recommended calling the police over the clerk's office because they know the right questions to ask. Lastly, Mayor Kaithern asked about the dog census. Pam Jessie expects to start a door-to-door canvas in mid-May.

NFIP Community Rating System: Nothing new to report at this time.

Beer Gardens: Very little public input was received on the topic. The comments the Borough did receive were mostly negative. Also the Shade Tree Commission voted

unanimously against allowing alcohol in Wilbraham Park. As a result, the Borough Clerk will write a letter advising the Business Association of the response.

Farmhouse Ordinance: The amended ordinance is listed on the consent agenda for introduction.

Sidewalk Repair Resulting from Electric Pole Removal: Deputy Mayor Burke contacted Verizon to see if they will take care of the matter. Sidewalk repair is the homeowner's responsibility, but because this was caused by work done two years ago by Verizon, he is working with them to get it resolved. Mr. Burke is not sure Verizon will be willing to repair after such a long time. Solicitor Corrado offered to assist if Mr. Burke isn't able to get it resolved.

**NEW BUSINESS:**

Personnel Evaluations: The Board discussed personnel evaluations and whether to continue them. The Clerk will check with JIF to determine if they require them. If not, then the Borough will amend the personnel manual to eliminate the requirement.

The Work Session concluded at 7:52 PM; the Regular Meeting convened at 7:55 PM.

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

Minutes: April 8, 2015 Work Session and Regular Meeting  
April 8, 2015 Closed Session

Ordinances for Introduction and Publication:

499-15 Bond Ordinance Providing for Various Capital Improvements in and by the Borough of West Cape May, in the County of Cape May, New Jersey, Appropriating \$265,000 Therefor and Authorizing the Issuance of \$251,750 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

*Scheduled for second reading and public hearing – May 13, 2015 at 7:00 PM*

500-15 An Ordinance Amending the Zoning Ordinance to Modify the Definition of "Farm"

*Scheduled for second reading and public hearing – May 27, 2015 at 7:00 PM*

Resolutions:

70-15 Raffle License to Huntington's Disease Society NJ Chapter

71-15 Refund of Unexpended Escrow – John W. Parker

72-15 Refund of Unexpended HPC Escrow & Application Fee

73-15 Refund of Unexpended Escrow – Joseph W. Higman, Jr.

74-15 Bill Payment

75-15 Scheduling of Closed Session – Litigation: Willow Creek, Water Loss

**NON-CONSENT AGENDA:**

**ORDINANCES FOR SECOND READING AND PUBLIC HEARING:**

498-15 An Ordinance Amending the West Cape May Zoning Ordinance to Regulate Arbors

Mayor Kaithern opened the public hearing on the above ordinance. When no one wished to speak, the Mayor closed the public hearing. Clerk Wallace reported the Planning Board found the ordinance consistent with the master plan. Commissioner Sabo made a motion to adopt Ordinance 498-15, seconded by Deputy Mayor Burke, which was carried unanimously on roll call vote.

**COMMISSIONERS REPORTS:**

Commissioner Sabo wished everyone a happy Earth Day, asking them to tread lightly on the earth and to continue our great recycling efforts. She also commended the Environmental Commission and Shade Tree Commission on the work they do all year. Lastly, she thanked Shore Animal Control for coming tonight.

Deputy Mayor Burke also wished everyone a happy Earth Day. He reported the Monarch Butterfly program presented by the Environmental Commission was very well attended and informative. He also reported he Shade Tree Commission had a presentation at the West Cape May Elementary School to plant a tree donated by Sunshine News. As part of Arbor Day festivities, the Shade Tree Commission is holding a drawing for free trees. Residents can register to win with the clerk's office.

Mayor Kaithern announced the NJDOT awarded the Borough a \$175,000 grant to reconstruct Green Street. Lastly, she encouraged everyone to attend the Loyalty Day celebration hosted by the VFW Women's Auxiliary and held in Wilbraham Park on May 1<sup>st</sup> every year. It is sure to be a wonderful ceremony.

**PUBLIC PORTION:** No comments.

When no one wished to speak, the meeting was recessed into closed session at 8:03 PM and reconvened at 8:26 PM on motion of Commissioner Sabo, seconded by Deputy Mayor Burke.

There being no further business, the meeting was adjourned at 8:27 PM on motion of Deputy Mayor Burke, seconded by Commissioner Sabo.

Respectfully submitted,

Elaine L. Wallace, RMC  
Borough Clerk