

**MINUTES OF BOARD OF COMMISSIONERS  
WORK SESSION AND REGULAR MEETING  
JANUARY 24, 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 and Deputy Mayor Burke 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:

Clerk Schumann and CRS Coordinator Belasco are working on adding flood information to the Borough's website which will provide many answers to questions which resident's often have relative to elevation certificates, flood insurance rates, etc.

Verizon Wireless Proposal:

Nothing new to report by Solicitor Gillin-Schwartz. Mayor Sabo indicated that Cape May Point recently hired legal counsel to represent their interests in the Verizon matter. Solicitor Gillin-Schwartz will look into this further.

Review of Properties with Municipal Liens:

Solicitor Gillin-Schwartz is waiting on responses from the property owners in which he sent letters to and is still waiting for information from the attorney relative to the Third Avenue project to send to the title company.

Dark Skies - Downward Facing Lights:

Nothing new to report. Zoning Official Norm Roach asked who will be responsible for enforcing that the proper light fixtures are installed. Mayor Sabo indicated that the Borough is still in the very preliminary stages of this discussion with no draft Ordinance, but believes that it would fall under the Construction Office during the inspection process.

Water Quality Accountability:

Nothing new to report.

Speed Hump – Traffic Calming:

Nothing new to report.

Treatment Works Applications – Administrative Fees:

Clerk Schumann indicated that she did a canvas of Clerk's within Cape May County and none indicated an Administrative Fee for TWAs. Clerk Schumann also checked the NJLOM website and did not see any Ordinances pertaining to Administrative Fees for TWAs. Solicitor Gillin-Schwartz indicated that an Ordinance can be created to mirror the language similar to fees collected for a Street Opening Permit.

PRC Liquor License:

Clerk Schumann indicated that no bids were received on January 17<sup>th</sup> for the liquor license sale. Mayor Sabo suggested discussing this topic at an upcoming meeting and inviting interested parties to come to the meeting. Clerk Schumann will send letters to individuals

who have picked up liquor license sale bid packages in the past to invite them to the Board of Commissioners meeting in March.

#### **WORK SESSION - NEW BUSINESS:**

##### Potential Legalization of Marijuana in New Jersey:

Mayor Sabo mentioned the correspondence received from Cape Assist relative to the subject topic. Mayor Sabo believes that it would be beneficial to start gathering thoughts as this is just a potential legalization right now. Ms. Sabo would like to keep an open mind to all sides of the aspect and consider the potential farming ability in West Cape May which could be a physical bonus to West Cape May.

Chief Marino expressed the concerns with synthetic marijuana which is not controlled. Chief Marino indicated that medical marijuana users would be required to show proper identification card with their supply. Chief Marino also mentioned the consideration for allowing storefronts to sell marijuana.

Solicitor Gillin-Schwartz indicated that it is premature to take any formal actions until the State moves forward.

##### Microbreweries and Distilleries:

Zoning Officer Norm Roach received an inquiry about opening a microbrewery in West Cape May. Mr. Roach indicated that there are no current regulations or restrictions in the Borough Code and was wondering how this request should be handled. Concerns were addressed such as regulation to operate a microbrewery or distillery, parking and lot area. Mayor Sabo suggested that this topic be discussed at the next Planning/Zoning Board meeting. Solicitor Gillin-Schwartz indicated that the current ordinance does not expressly prohibit or permit microbreweries in any zone in the Borough, and as a result any applicant would have to seek either a zoning interpretation or a use variance from the Planning/Zoning Board.

##### Wilbraham Park Event Request:

The Mid-Atlantic Center for Community Arts requested to use Wilbraham Park for a beer garden event with Cape May Brewery on October 20<sup>th</sup>. Deputy Mayor Burke believes that there may be a limit on the number of events to be held at Wilbraham Park. Clerk Schumann indicated that the Borough's Ordinance would need to be amended to allow permitted events to allow alcohol at Wilbraham Park. Deputy Mayor Burke suggested that the Shade Tree Commission review this request and provide feedback before moving forward.

##### Protection of Borough Owned Property:

Deputy Mayor Burke suggested that the Borough look into deeding property which is owned by the Borough to the State of New Jersey for conservation purposes. Some of these non-buildable lots may become buildable and would be beneficial to the Borough if they were preserved before they became buildable. Deputy Mayor Burke mentioned the State recently acquiring a parcel of land in Lower Township heading into Cape May Point and indicated that the State may be interested in the group of lots off of Second Avenue by Bayshore Road.

#### **PUBLIC PORTION:**

Kevin O'Neill, 747 Second Avenue – Mr. O'Neill expressed concerns with neighboring lots which large amounts of fill are being stored on. Mr. O'Neill is concerned that there will be water runoff from these neighboring properties if the grading is not done correctly. Mr. O'Neill asked the Borough Commissioners to visit the property to understand what he is

talking about. Zoning Officer Norm Roach indicated that he would reach out to Engineer Ray Roberts for review. Solicitor Gillin-Schwartz indicated that this issue, if not resolved, may be enforced under the Property Maintenance Code which was revised and adopted in 2017.

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

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

Minutes:

January 3, 2018 – Reorganization Meeting

Ordinances for Introduction and Publication:

NONE

Resolutions:

- 37-18 Amending the Employee Policy and Procedures Manual
- 38-18 Renewal of Campground License – Depot Travel Park, Inc.
- 39-18 Special Event Permit – Cape May New Jersey State Film Festival
- 40-18 Special Event Permit – Cape May New Jersey State Film Festival
- 41-18 Special Event Permit – Cape May New Jersey State Film Festival
- 42-18 Special Event Permit – Cape May New Jersey State Film Festival
- 43-18 Raffle License – Center for Community Arts
- 44-18 Refund of Special Event Application Fee – Cape May Community Food Closet
- 45-18 Refund of Special Event Application Fees – Cape May New Jersey State Film Festival
- 46-18 Release of Unexpended Escrow Fees – Gary Sorin
- 47-18 Release of Unexpended Escrow Fees – Scott Peter
- 48-18 Opposing Offshore Oil and Gas Activities
- 49-18 Social Affairs Permits – Mid-Atlantic Center for the Arts and Humanities
- 50-18 Declaring that an Emergent Condition Exists and Authorizing an Award of a Contract to Integrity Specialty Services, LLC for Water Remediation in Municipal Locations at Borough Hall
- 51-18 Bill Payment

**NON-CONSENT AGENDA**

Resolutions:

NONE

Ordinances for Second Reading and Public Hearing:

NONE

**COMMISSIONER REPORTS**

Deputy Mayor Burke reminded everyone of the January 25<sup>th</sup> blood drive at the Fire Hall, which will take place from 12pm-5pm. Mr. Burke spoke of the County meeting he attended relative to the Broadway Reconstruction Project which works into Lower Township as well. The work is expected to begin in West Cape May in mid-March. During construction, there is expected to be a one-lane closure on Broadway and some evening paving will be completed.

Mayor Sabo had nothing to report.

Chief Marino indicated that that he ordered a speed trailer for Cape May which cost \$3,250 and will bring it to the Borough for the Commissioners to look at. Mayor Sabo indicated that she is hoping to have extra funds available in the budget this year to purchase one for the Borough.

**PUBLIC PORTION**

When no one wished to speak, the meeting was adjourned at 8:15pm on motion of Deputy Mayor Burke, seconded by Mayor Sabo.

Respectfully submitted,

Suzanne M. Schumann, RMC  
Municipal Clerk