

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
APRIL 9, 2014**

The Work Session of the Board of Commissioners of the Borough of West Cape May was called to order by Mayor Kaithern at 7:05 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, Engineer Ray Roberts, and Solicitor Frank Corrado.

WORK SESSION

ENGINEER'S REPORTS: Ray Roberts reviewed his report for April 2014 (attached.) Deputy Mayor Burke expressed concern over the condition of the street markings at the Park/Myrtle/West Perry intersection. Clerk Wallace will draft a letter to the County Engineer asking to have the striping done before the summer season.

OLD BUSINESS:

NFIP Community Rating System: The NJDEP/FEMA will be sending letter to the Borough regarding the next step in the process.

Local Equipment Sharing: Cape May Point will be discussing at their next meeting, but they seem to be in favor of such an agreement.

Recycling of Electronic Equipment: Commissioner Sabo is still waiting to hear from VanDrew's aide on the matter. There has been some talk of a vendor resuming purchasing of the electronic recycling, but a final solution has not been announced.

Construction, Variance, Planning Board Approval/Inspections Process: Commissioner Sabo has spoken to Zoning Official Norm Roach about the matter. He will be working with Lower Township to establish a checklist and process to make sure he receives proper notification on projects that have received Planning/Zoning or HPC approval.

CUC: Cape May Point is moving forward with energy aggregation. The Board discussed the matter and decided to move ahead with the next step to see if rates will be favorable.

NEW BUSINESS:

Event Houses: Solicitor Corrado explained there have been some inquiries from citizens about whether West Cape May should adopt an ordinance similar to those in Avalon and Cape May regarding "event houses" which are residential properties that rent out their premises for reunions, weddings and other such events. After some discussion, the board was not in favor of pursuing the matter at this time, feeling the problem does not exist here.

423 Third Avenue Sewer Connection: The Borough received a request from the property owner to be exempt from complying with the mandatory sewer hookup. The Borough Engineer investigated the matter and discovered the property is unique in that it sits below the sewer line and cannot use a gravity feed system to connect to the sewer system. The property owner would have to install a grinder pump system, which is more costly and requires ongoing maintenance. The board discussed “grandfathering” the property, as long as the current owner possesses it. Solicitor Corrado wasn’t confident the Borough’s ordinances give it the power to make such a decision and recommended against giving an exemption.

Shade Tree Maintenance of Borough Owned Land on Sunset: The Shade Tree Commission would like to take over maintenance of the Borough owned land on Sunset between The Black Duck Restaurant and the Chattel Houses, much as they do with Wilbraham Park. They are considering making an eco-garden with native species and clearing out non-native trees. The board will pass a resolution authorizing this at the next meeting. Mayor Kaithern suggested the Shade Tree Commission may be able to get County Open Space funding to do some of the work. The Environmental Commission is maintaining two lots the County purchased through that program, although they haven’t requested any funding for the maintenance. A resolution will also be prepared formalizing this matter.

Construction Noise Ordinance: Deputy Mayor Burke reported noise complaints of visitors to a bed and breakfast who complained about a neighboring property starting roof work at 7 am on Saturday and Sunday. The Borough’s noise ordinance prohibits construction on the weekends. Mr. Burke was not opposed to construction on the weekends, but would like it to be after 9 am. The board discussed options and decided to look into the regulations of neighboring towns.

Public Works Manual: Mayor Kaithern asked the board if they looked at the manual provided by the Public Works Supervisor back in October. The manual was prepared in response to a PEOSH inspection. Solicitor Corrado will review the manual and recommended it be adopted by resolution.

Mayor Kaithern reviewed the consent agenda items. The work session concluded at 8:43 PM and regular portion convened at 8:47 PM.

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

Minutes: March 26, 2014 Work Session and Regular Meeting

Ordinances for Introduction and Publication: None

Resolutions:

- 62-14 Agreement between the Borough of West Cape May and the Cape May County MUA to Review, Sign, Submit the 2013 Annual Recycling Tonnage Report
- 63-14 Refund of Lima Bean and Tomato Festival Deposits JR Hot Dogs
- 64-14 Bill Payment
- 65-14 Authorization for Submission of the Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection for the Year 2013
- 66-14 Scheduling of Closed Session: Potential litigation – water loss
- 67-14 Removed from Consideration

Proclamation: Arbor Day – April 25, 2014

NON-CONSENT AGENDA:

ORDINANCES FOR SECOND READING AND PUBLIC HEARING: None

COMMISSIONERS REPORTS:

Commissioner Sabo announced the Borough's USDA application for the fire truck funding is still pending.

Deputy Mayor Burke announced the Shade Tree Commission has an Arbor Day program scheduled for April 26th from 9:30 to noon. Free saplings and other prizes will be given away as part of the Arbor Day activities.

Mayor Kaithern had no report.

PUBLIC PORTION:

Robert Gaskill, 703 Willow Avenue, reviewed a few items discussed during the work session. He then asked for an update on the status of the flood maps. Deputy Mayor Burke explained the borough had begun looking into community rating system discounts with the National Flood Insurance Program. However, the most recent round of updated FEMA maps has not be released yet.

When no one else wished to speak the meeting was recessed into closed session at 9:07 PM and reconvened at 9:23 PM on motion of Deputy Mayor Burke, seconded by Commissioner Sabo.

There being no further business, the meeting was adjourned at 9:25 PM on motion of Commissioner Sabo, seconded by Deputy Mayor Burke.

Respectfully submitted,

Elaine L. Wallace, RMC
Borough Clerk