

**MINUTES OF BOARD OF COMMISSIONERS  
REGULAR MEETING  
FEBRUARY 13, 2013**

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 and Deputy Mayor Peter Burke answered roll call. Commissioner Sabo was absent, excused due to illness. Also in attendance: Borough Clerk Elaine Wallace, Deputy Clerk Dianne Rutherford, Engineer Ray Roberts, Solicitor Frank Corrado, CFO Frank Donato, and Auditor Leon Costello.

**BUDGET DISCUSSION** Auditor Costello and CFO Donato joined the Board to review the line items in the 2013 budget. As drafted, the budget would represent a 1.5 cent tax decrease, while keeping a higher fund balance than in 2012. The budget is scheduled to be introduced at the February 27<sup>th</sup> meeting.

**WORK SESSION**

**ENGINEER'S REPORT:** Ray Roberts reviewed the February 2013 report (attached). In light of the proposed roundabout at the Perry/Park/Myrtle intersection, Mayor Kaithern suggested keeping Myrtle in mind for sewer lines if there are funds available at the end of the USDA project.

**OLD BUSINESS**

Site Remediation: The Borough was hoping the cost to do the remediation would have been lower. Engineer Roberts explained the majority of the cost is lab and testing fees that are not controlled by Remington Vernick. Mr. Roberts explained RV did not follow up with the testing initially because they were not authorized to do so by the governing body in 2001. Mr. Roberts advised the board a list of qualified LSRPs are available from the DEP website if they would like to obtain other quotes.

New Fire Truck: Mayor Kaithern, Commissioner Sabo, and TRIAD met with representatives of the Volunteer Fire Company. They are putting together preliminaries to do an application.

Business District Amendment Request: A resolution is scheduled for the consent agenda appointing a task force to look at various issues the community has for the business district including marketing, zoning, infrastructure and other matters. Members of the task force are residents, business owners, and stakeholders of the Borough.

Streetlight Requested on Goldbeaten Alley: Engineer Roberts visited the site and if the Borough decides to light the alley, two lights should be installed rather than one. He spoke to a representative of the Atlantic City Electric about having light fixtures that contain the light and keep it from shining into people's windows. He will also talk to them about LED lights. Deputy Mayor Burke asked that he also speak to

them about dangerous conditions they left when they moved poles during their last big upgrading project. Because the Borough would be taking on new lights and monthly charges, the board will have to take formal action.

Trash Contract – single stream: Nothing new at this time.

Proposed Roundabout: Mayor Kaithern reported on the meeting held at Borough Hall by the County Planning Department concerning the proposed roundabout. The County will review comments and concerns made at that meeting and see if adjustments to the proposed plan need to be made.

#### NEW BUSINESS:

FEMA Maps: Engineer Roberts and Solicitor Corrado reported on a meeting held to discuss proposed FEMA maps. There are several problems with the proposed maps and their ramifications to municipalities. Solicitor Corrado recommended the Borough not take any action on modifying its zoning until more clarification is received from the state.

Mayor Kaithern reviewed the consent agenda items.

The work session concluded at 7:48 PM and the Regular Portion convened at 7:53 PM

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

Minutes: January 23, 2013 Work Session and Regular Meeting

Ordinances for Introduction and Publication: *None*

#### Resolutions:

- 40-13 Award Contract 2010 USDA Water Sewer Project
- 41-13 Special Events Permit CMC Art League
- 42-13 Refund of Unexpended Escrow & Performance Bond Louis A. DePasquale
- 43-13 Special Events Permit Camaco Quilters Guild
- 44-13 Resolution Creating and Appointing a Community Business Task Force to Study and Report on Activities in the West Cape May Business District
- 45-13 Supporting \$20 million Emergency Supplemental Marketing Funding (A3630/S2435) for the New Jersey Division of Travel and Tourism to Address the Negative Image of the Condition of the Jersey Shore in the Aftermath of Hurricane Sandy
- 46-13 Bill Payment
- 47-13 Closed Session – Litigation update
- 48-13 Refund Overpayment of Water-Sewer to D. Ramsey Geyer
- 49-13 Refund Overpayment of Taxes – Jacobus & Assoc. LLC
- 50-13 Refund Overpayment of Taxes – Warren Ventriglia

**NON-CONSENT AGENDA:**

ORDINANCES FOR SECOND READING AND PUBLIC HEARING: None

**COMMISSIONERS REPORTS:**

Mayor Kaithern was pleased to report an anticipated reduction in the 2013 tax rate of around 1.5 cents. Much of this reduction is made possible by the proceeds from the liquor license sale trust, which is equivalent to 1 cent on the tax rate.

Deputy Mayor Burke announced the information provided at the roundabout meeting is available in the Clerk's Office.

**PUBLIC PORTION:** no comments

When no one wished to speak the meeting was recessed into closed session at 7:58 PM and reconvened at 8:15 on motion of Deputy Mayor Burke, seconded by Mayor Kaithern. No action was taken as a result of closed session.

There being no further business, the meeting was adjourned at 8:16 PM on motion of Deputy Mayor Burke, seconded by Mayor Kaithern.

Respectfully submitted,

Elaine L. Wallace, RMC  
Borough Clerk