

**MINUTES OF BOARD OF COMMISSIONERS
WORK SESSION AND REGULAR MEETING
MARCH 25, 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**

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

Tethering of Dogs Outside: Commissioner Sabo has asked the Borough's animal control contractor to attend the April 22nd meeting to discuss this, as well as skunk control and other animal related topics.

Beer Gardens: Solicitor Corrado advised the borough's ordinances prohibit consumption of alcohol in public places. In order to allow the Business Association to have a beer garden at the Strawberry Festival, the Borough would have to amend its ordinances and decide what parameters to impose. Mayor Kaithern explained the situation to the Business Association and they are not seeking it for this year, but requested it be looked into as a possibility for the future. Mayor Kaithern would like input from the public on the topic before an ordinance is be considered.

Agricultural Management Plan: Solicitor Corrado announced the County Agricultural Development Board (CADB) is holding a public hearing on Monday, March 30th, on the definition of "special occasion event" as it relates to preserved farms and S837. Solicitor Corrado will prepare written comments. The hearing is open to the public.

NEW BUSINESS:

Bureau of Water System Engineering – West Cape May Water Supply: David Carrick has filed a copy of the agreement the Borough has with the City of Cape May to supply water. If that doesn't satisfy the state, then the board may have to take additional action.

Farmhouses: Solicitor Corrado explained the Borough's zoning code doesn't specify that a farm includes a residence for the farmer to live in. He suggested the code be amended to clarify that. He will research whether that change would require notice to the each property in the affected zoning districts, which would be R 2, 4 & 5.

Business Card/Info in the Lobby: The Board decided to keep the existing policy prohibiting businesses from placing advertisements/cards/pamphlets/info in the

lobby of Borough Hall. It was felt that allowing it would give the appearance that the Borough is endorsing specific businesses.

Mayor Kaithern reviewed the Consent Agenda items. Deputy Mayor Burke was opposed to Resolution 58-15. After some discussion, the board agreed to remove it from consideration.

The Work Session portion concluded at 7:49 PM and the Regular portion of the meeting convened at 7:54 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: March 11, 2015 Work Session and Regular Meeting
March 11, 2015 Closed Session

Ordinances for Introduction and Publication:

498-15 An Ordinance Amending the West Cape May Zoning Ordinance to Regulate Arbors
Second Reading and Public Hearing April 22nd at 7:00 PM

Resolutions:

- 57-15 Resolution Calling for the Legislature and the Administration to Adopt a New, More Sensible Approach to Affordable Housing
- 59-15 Agreement between the Borough of West Cape May and the Cape May County Municipal Utilities Authority to Review, Sign/Submit the 2014 Annual Recycling Tonnage Report
- 60-15 Authorization for Submission of the Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection for the Year 2014
- 61-15 Bill Payment
- 62-15 Scheduling of Closed Session – Litigation: Water Loss, COAH

NON-CONSENT AGENDA:

ORDINANCES FOR SECOND READING AND PUBLIC HEARING:

494-15 An Ordinance Regulating the Removal of Trees and Shrubs on Public and Private Property in the Borough of West Cape May

Mayor Kaithern opened the public hearing on the aforementioned ordinance. When no one wished to speak, the mayor closed the public hearing. On motion of Commissioner Sabo, seconded by Deputy Mayor Burke, Ordinance 494-15 was adopted on unanimous roll call vote.

496-15 An Ordinance Regulating Vending, Hawking and Peddling at Borough-sponsored and Borough-sanctioned Events

Mayor Kaithern opened the public hearing on the aforementioned ordinance.

Doug Carnes, 133 Myrtle Avenue, asked if this prohibited having food trucks at festivals. He was advised it only keeps people that aren't registered as part of a festival from selling from a food truck during the festival.

When no one else wished to speak the mayor closed the public hearing. On motion of Deputy Mayor Burke, seconded by Commissioner Sabo, Ordinance 496-15 was adopted on unanimous roll call vote.

COMMISSIONERS REPORTS:

Commissioner Sabo had no report.

Deputy Mayor Burke announced March 31st is the last day for ordering bricks for Wilbraham Park for this year's installation.

Mayor Kaithern had no report.

PUBLIC PORTION:

Doug Carnes, 133 Myrtle Avenue, feels the Borough needs to consider skunk removal, not just tightening up on the elimination of possible sources of food and shelter and hoping for the best. Commissioner Sabo will make sure the animal control people are prepared to discuss that when they come.

When no one else wished to speak, the meeting was recessed into closed session at 8:05 PM and reconvened at 8:32 PM on motion of Commissioner Sabo, seconded by Deputy Mayor Burke.

There being no further business the meeting was adjourned at 8:33 PM on motion of Deputy Mayor Burke, seconded by Commissioner Sabo.

Respectfully submitted,

Elaine L. Wallace, RMC
Borough Clerk